BOARD POLICY MANUAL
Master Location Control File

Manual Number	Location	Person/Position	Date Issued	Final Return Date

OSSBA POLICY SERVICES	CODE?

Adoption Date:	*Revision Date(s):*	*Page 1 of ?*

INTRODUCTION
POLICY MANUAL

Burlington School District Number 1

Alfalfa County, Oklahoma

The Burlington School District 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, and the school administration implements those policies through regulations and procedures. The board will appraise the effects of its policies and make revisions as necessary.

This manual contains the policies, regulations, procedures, and exhibits which govern the Burlington School System. Policy development in a modern, progressive school system is a dynamic, on-going process. New problems, issues, and needs give rise to the continuing need to develop new policies or to revise existing ones. To facilitate periodic updating, the board uses a looseleaf format for the manual.

Each person, office, or agency should update its copy of this manual as new policies are distributed.

Manual Organization

This manual is organized according to the classification system used by the Oklahoma State School Boards Association. The system provides an efficient means of coding, filing, and finding policies. There are seven major classifications, each bearing an alphabetical code:

A - School District
B - School Board Operations
C - Business and Support Services
D - Personnel
E - Instruction
F - Students
G - Community Relations

Subclassification under each heading is based on logical sequence and alphabetical subcoding. A policy statement is first filed according to its major classification. Personnel policies are found in the D Section, student policies in the F Section, etc. Policies are then subcoded within various sections under the major classification. For example, FM is Student Activities, FMA is Extracurricular Activities, and FMAC is Cheerleaders and Spirit Groups. For an example of the subcoding system, examine the pages immediately following the tab for Section A - School District.

The pages that follow the tabs for each major section present the classification for that section and serves as a table of contents.

How to find Policy

There are two ways to find a policy in this manual:

> Consider where the policy would be filed among the seven major classifications. Turn to the table of contents for that section. Glance down the listing until you find the term that most closely fits the topic you are seeking. Use the code letters given for that term to locate the page that will appear in alphabetical order by code within that particular section. All pages of the manual are coded in the upper right corner.

or

> Turn to the cross-reference index, which is an alphabetical index of many terms used in education. Find your topic as in any index, find the code, and use the code to locate the correct page in the manual. The cross-reference lists more than 1800 terms, but no index of useful size could include every possibility. If the term you want is not included, use a synonym or a more general or specific term appropriate to that topic. If you can find the term and code but there is no policy, the school system probably has no written policy for that particular topic. All terms used in the codification system appear in the sectional tables of contents and the cross-reference to accommodate the coding, insertion, and finding of policies that may be adopted later. There is one other possibility. A brief statement related to the policy that you are seeking may be incorporated in a "superior" policy that covers that general area. This "superior" policy will be coded under a more general term. To find it, read up the classification system.

Legal References

Pertinent legal references are given to inform the reader as to where applicable statutes relating to a particular policy may be found. Unless otherwise noted, all legal references direct the reader to the Oklahoma Statutes Annotated. It is important to mention that other laws and court decisions may be applicable to a particular policy.

Cross-References

Certain policies are related to other policies. Cross-references may follow some statements to help the reader find all the related information regarding that particular topic.

Board Policies

Generally, the role of a board of education is to set policy, and the role of the school administration is to execute and support that policy. Following is the basic distinction between policies and regulations as set forth by the National School Boards Association:

> Policies are principles adopted by the board to chart a course of action. They tell what is what and may include why and how much. They are broad enough to indicate a line of action to be taken by the administration in meeting a number of day-to-day problems; they need to be narrow enough to give the administration clear guidance.
>
> Regulations are the detailed directions developed by the administration to put the board's policy into practice. They tell how, by whom, where, and when things are to be done. Often the state and federal governments require school boards to make detailed rules. Many regulations are established by law and the Oklahoma State Board of Education. Additionally, the public may demand that the board, not the administration, establish specific rules and procedures in certain sensitive areas. Therefore, for the purposes of this manual, all edicts of the state (even though regulations) are considered to be mandated board policy. Where the board has written regulations required by law or in particularly sensitive areas, and has incorporated them into policy, the entire statement is presented as policy.

This manual contains all the current written policies of the Burlington Board of Education. The need for reducing policies to writing, adopting new policies, and revising old ones is apparent. Further, state law and state school board regulations may change. Therefore, a policy manual can never be totally complete and current. Policy development is a continuing process. From time to time, new policies will be developed, coded according to the classification system, and issued for insertion in this manual.

Order of Precedence

Board policies must be read and interpreted in the light of appropriate Federal and Oklahoma Statutes and regulations and state school board regulations. If, and where, inconsistencies of interpretation arise, the law and state regulations prevail.

Acknowledgment

The undersigned members of the Burlington Board of Education hereby acknowledge an agreement between the board of education and the Oklahoma State School Boards Association. The OSSBA has agreed to develop a manual of school policies for the board of education on a contractual basis with the understanding that in adopting the school policies, said board releases the OSSBA from any and all liability that might arise as a result of the implementation of said policies.

ADOPTED:

_____ _____

_____ _____

_____ _____

Date _____

BURLINGTON PUBLIC SCHOOLS
BURLINGTON SCHOOL DISTRICT NO. 1

SCHOOL POLICY MANUAL

TABLE OF CONTENTS

SECTION A	SCHOOL DISTRICT
SECTION B	SCHOOL BOARD OPERATIONS
SECTION C	BUSINESS AND SUPPORT SERVICES
SECTION D	PERSONNEL
SECTION E	INSTRUCTION
SECTION F	STUDENTS
SECTION G	COMMUNITY RELATIONS

BURLINGTON BOARD OF EDUCATION

SCHOOL POLICY REFERENCE MANUAL
TABLE OF CONTENTS

A	SCHOOL DISTRICT
AA	SCHOOL DISTRICT LEGAL STATUS
AE	PHILOSOPHY OF EDUCATION
AEA	MISSION STATEMENT
B	SCHOOL BOARD OPERATIONS
BA	BOARD OF EDUCATION LEGAL STATUS
BAA	BOARD OF EDUCATION POWERS AND DUTIES
BAAB	NEPOTISM
BBB	SCHOOL BOARD MEMBERS TERM OF OFFICE
BBH	DEVELOPMENT OPPORTUNITIES, BOARD MEMBERS
BBH-R1	NEW BOARD MEMBER WORKSHOP
BBH-R2	SCHOOL BOARD MEMBER CONTINUING EDUCATION
BD	SCHOOL BOARD INTERNAL ORGANIZATION
BD-R1	BOARD OF EDUCATION - CLERK, REGULATION
BDAE	BOARD OF EDUCATION OFFICERS - TREASURER
BDD	BOARD OF EDUCATION ATTORNEY
BDFD	HEALTHY AND FIT SCHOOL ADVISORY COMMITTEE/SAFE SCHOOL COMMITTEE
BE	BOARD OF EDUCATION MEETINGS AND NOTIFICATION PROCEDURES
BEA	SCHOOL BOARD MEETINGS AGENDA PREPARATION AND DISSEMINATION
BED	BOARD OF EDUCATION MEETING, PUBLIC PARTICIPATION
BED-R	BOARD OF EDUCATION MEETINGS, PUBLIC PARTICIPATION, REGULATION
BED-E	REQUEST TO ADDRESS BOARD OF EDUCATION
BFA	BOARD POLICIES
BJ	BOARD OF EDUCATION EXECUTIVE OFFICER - SUPERINTENDENT
BJCA	TERM OF OFFICE AND SALARY OF SUPERINTENDENT
BJCD-R	SUPERINTENDENT EVALUATION FORM

C BUSINESS AND SUPPORT SERVICES

CA EXPENDITURE OF DISTRICT FUNDS
CAC POSSESSION AND USE OF SIGNATURE STAMPS

CBB POLICY FORBIDDING THE SUPPLANTING OF FEDERAL FUNDS AND GRANT MONIES FOR LOCAL REVENUE
CBBA GRANT POLICIES AND PROCEDURES
CBBB INTERNAL CONTROLS

CDA MANAGEMENT AND INVESTMENT OF FUNDS

CE ANNUAL BUDGET

CFB ACTIVITY FUNDS
CFB-R4 EXEMPT FOOD FUNDRAISERS
CFBB SANCTIONING OF PARENT ORGANIZATIONS AND BOOSTER CLUBS

CHA PURCHASING AND DISTRIBUTION
CHA-R PURCHASING AND DISTRIBUTION, REGULATION
CHA-P3 PURCHASING AND PROCEDURES GUIDE
CHAH E-RATE RECORD RETENTION & PROCUREMENT

CK SAFETY PROGRAM
CK-R SAFETY PROGRAM, REGULATION
CKAC EMERGENCY PLANS
CKAC-R1 EMERGENCY PLANS, REGULATION
CKAD SCHOOL SECURITY DRILLS
CKBB WARNING SYSTEMS, INCLEMENT WEATHER
CKC SAFETY DRILLS
CKC-R1 FIRE DRILLS, RULES AND PROCEDURES
CKC-R2 TORNADO DRILLS, RULES AND PROCEDURES
CKCD DISASTER PLANS
CKCD-P DISASTER PLAN PROCEDURES

CKDA TOBACCO USE PROHIBITED
CKEA HAZARD COMMUNICATION
CKEA-R HAZARD COMMUNICATION STANDARD, REGULATIONS
CKHA ASSAULTS UPON SCHOOL EMPLOYEES
CKHA-R ASSAULTS UPON SCHOOL EMPLOYEES, REGULATION

CL BUILDINGS, EQUIPMENT, AND GROUNDS

CN SCHOOL TRANSPORTATION
CN-A2 APPENDIX 2, STUDENT CONDUCT ON BUSES
CNA SCHOOL BUS, EXTRACURRICULAR USE OF
CNBA SCHOOL BUS SAFETY INSPECTIONS

CO CHILD NUTRITION PROGRAM
COB PROCUREMENT
COB-R PROCUREMENT, REGULATION
COF VENDING MACHINES

CRE WORKERS' COMPENSATION INSURANCE

CVFA FAIR LABOR STANDARDS ACT
CVFA-R FAIR LABOR STANDARDS ACT, REGULATION
CVFA-P FAIR LABOR STANDARDS ACT, PROCEDURES
CVFA-E1 TIMEKEEPING, NON-EXEMPT EMPLOYEES
CVFA-E2 OVERTIME AUTHORIZATION FORM

D PERSONNEL

DA SEXUAL HARASSMENT
DAA NONDISCRIMINATION
DAA-P DISCRIMINATION COMPLAINTS, PROCEDURES
DAAC FEDERAL PROGRAMS, COMPLAINT RESOLUTION
DABB RECORDS INVESTIGATION
DABB-E3 TEMPORARY CONTRACT, NOTICE OF LIMITED EMPLOYMENT

DBA TEACHER ASSISTANTS
DBAA TITLE I PARAPROFESSIONALS
DBCA STANDARDS OF PERFORMANCE AND CONDUCT FOR TEACHERS
DBD CONFLICTS OF INTEREST

DC EMPLOYMENT PRACTICES
DC-R1 EMPLOYMENT PRACTICES, REGULATIONS
DCBE HIRING PERSONNEL

DCC DRUG-FREE WORKPLACE
DCC-R WORKPLACE DRUG AND ALCOHOL TESTING, REGULATIONS
DCCB DRUG AND ALCOHOL TESTING PROGRAM, BUS DRIVERS
DCCB-R DRUG AND ALCOHOL TESTING PROGRAM, BUS DRIVER, REGULATION
DCD EMPLOYMENT OF SUPPORT PERSONNEL

DDC EMPLOYEE RESIGNATIONS AND REFERENCE REQUESTS
DDCA ACCEPTANCE OF LETTERS OF RESIGNATION

DEAD SALARY AND WORKING CONDITIONS FOR EDUCATIONAL SUPPORT EMPLOYEES
DEC-R1 SICK LEAVE, CERTIFIED PERSONNEL, REGULATIONS
DEC-R2 SICK LEAVE, SUPPORT PERSONNEL, REGULATIONS
DEC-R3 PERSONAL BUSINESS LEAVE, REGULATIONS
DEC-R4 EMERGENCY LEAVE, REGULATIONS
DEC-R5 JURY DUTY SERVICE AND WITNESS LEAVE, REGULATIONS
DEC-R6 MILITARY LEAVE, REGULATIONS

DECA FAMILY MEDICAL LEAVE
DED-R2 BEREAVEMENT LEAVE, REGULATIONS
DEE EXPENSE REIMBURSEMENT
DEE-R TRAVEL AND EXPENSES
DEEC STUDENT ACTIVITIES, EXPENSE REIMBURSEMENT
DEFA LEAVE SHARING PLAN

DIAF HYGIENE AND SANITATION (BLOODBORNE PATHOGENS)
DIAF-R HYGIENE AND SANITATION (BLOODBORNE PATHOGENS), REGULATION
DIAF-P ROUTINE PROCEDURES FOR SANITATION AND HYGIENE WHEN HANDLING BODY FLUIDS

DLD PLANNING PERIODS

DMB PROFESSIONAL GROWTH AND DEVELOPMENT
DMB-R1 PROFESSIONAL GROWTH AND DEVELOPMENT, REGULATION

DNA TEACHER EVALUATION
DNAA EVALUATION OF ADMINISTRATIVE PERSONNEL
DNB PERSONNEL FILES, CERTIFIED STAFF

DO TERMINATION OF EMPLOYMENT, TEACHERS
DO-R TEACHER TERMINATION PROCEDURES
DOAC SUPPORT PERSONNEL SUSPENSION, DEMOTION OR TERMINATION
DOCA REDUCTION-IN-FORCE, CERTIFIED PERSONNEL
DOCB REDUCTION-IN-FORCE, SUPPORT PERSONNEL
DOCCA WRITTEN ADMONISHMENT, TEACHER

DP EMPLOYMENT OF TEACHERS
DPA QUALIFICATIONS, TEACHERS
DPAA QUALIFICATIONS, PRINCIPALS
DPAB-R SCHOOL BUS DRIVERS, REGULATION
DPAO DIRECTOR OF FEDERAL PROGRAMS
DPB SUBSTITUTE TEACHERS

E INSTRUCTION

EBA SCHOOL HOURS

EFA SCHOOL LIBRARY MEDIA CENTER
EFA-R1 SCHOOL LIBRARY MEDIA CENTER, SELECTION OF MATERIALS, REGULATION
EFA-E1 REQUEST FOR RECONSIDERATION OF LIBRARY MATERIAL

EFBCA INTERNET AND OTHER COMPUTER NETWORKS ACCEPTABLE USE AND INTERNET SAFETY POLICY
EFBCA-R1 CODE OF CONDUCT FOR INTERNET AND OTHER COMPUTER NETWORK ACCESS
EFBCA-E INTERNET ACCESS CONDUCT AGREEMENT

EFD FIELD TRIPS AND EXCURSIONS
EFD-R2 STUDENT OUT-OF-STATE TRIPS
EFD-E1 FIELD TRIPS, EXCURSIONS, AND CONTESTS, STUDENT-PARENT FORM

EHA BASIC INSTRUCTIONAL PROGRAM
EHACA DIPLOMAS FOR VETERANS
EHAI AIDS PREVENTION EDUCATION FOR STUDENTS
EHAI-E1 ATTENDANCE WAIVER FOR AIDS PREVENTION EDUCATION
EHAK PHYSICAL EDUCATION
EHBB GIFTED CHILD EDUCATIONAL PROGRAM
EHBB-R1 GIFTED CHILD EDUCATIONAL PROGRAMS, REGULATION
EHBC SPECIAL EDUCATION
EHBC-R4 SPECIAL EDUCATION SERVICES FOR CHILDREN ENROLLED IN PRIVATE SCHOOL
EHBCA EXTENDED SCHOOL YEAR SERVICES
EHBDB TITLE I PARENT INVOLVEMENT
EHBDBA PARENT PARTICIPATION IN THE SCHOOL DISTRICT
EHBE LIMITED ENGLISH PROFICIENCY INSTRUCTION
EHBH ALTERNATIVE EDUCATION
EHDF ONLINE INSTRUCTION

EIA PROMOTION AND RETENTION
EIA-R2 GRADING CODES K-6
EIA-R4 STUDENT RETENTION, REGULATION
EIA-R5 MIDYEAR PROMOTION, FOURTH-GRADE
EIA-E3 READING DEFICIENCY PARENT NOTIFICATION
EIAD PARENT-TEACHER CONFERENCES
EIAE PROFICIENCY BASED PROMOTION
EIAE-P PROFICIENCY BASED PROMOTION TESTING PROCEDURES
EIED GRADUATION REQUIREMENTS

EJ SCHOOL COUNSELOR
EJB SUICIDE PREVENTION

EK-R1 TESTING PROGRAM, STUDENT SURVEYS, REGULATION
EK-R2 TESTING PROGRAM, REMEDIATION REGULATION

EMDA MILITARY RECOGNITION
EMDB FLAGS
EMI MOMENT OF SILENCE

F STUDENTS

FB SEXUAL HARASSMENT OF STUDENTS

FD STUDENT RESIDENCY
FD-P STUDENT RESIDENCY DISPUTE PROCEDURES
FD-E3 POWER OF ATTORNEY

FDA	STUDENTS: ENROLLMENT REQUIREMENTS
FDAC	PLACEMENT OF MULTIPLE SIBLINGS
FDAHA	EDUCATION OF MIGRATORY CHILDREN
FDC	STUDENT ATTENDANCE
FDC-R	STUDENT ATTENDANCE, REGULATION
FDC-R1	ATTENDANCE POLICY, REGULATION
FE	OPEN TRANSFER POLICY, TRANSFERS AND ASSIGNMENTS
FEG	STUDENT TRANSFERS FOR CHILDREN OF ACTIVE DUTY MILITARY MEMBERS
FFA	HEALTH, STUDENTS
FFAB	IMMUNIZATIONS, STUDENTS
FFAB-R	EXEMPTIONS FROM IMMUNIZATION, REGULATION
FFAB-E1	VERIFICATION OF IMMUNIZATION RECORD
FFAB-E2	CERTIFICATE OF EXEMPTION
FFACA	MEDICATION: ADMINISTERING TO STUDENTS
FFACA-E1	MEDICATION, ADMINISTERING TO STUDENTS, AUTHORIZATION
FFACA-E2	PARENTAL AUTHORIZATION TO ADMINISTER MEDICINE
FFACA-E4	CLINIC CARD
FFG	REPORTING SUSPECTED CHILD ABUSE AND/OR NEGLECT
FFG-E	SUSPECTED CHILD ABUSE REPORT FORM
FL	STUDENT RECORDS
FL-R	COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974, REGULATION
FL-E1	FORM A: REQUEST TO INSPECT RECORDS (PARENT)
FL-E2	FORM B: REQUEST TO INSPECT RECORDS (STUDENT OVER 18)
FL-E3	FORM C: AUTHORITY TO TRANSFER EDUCATION RECORDS (PARENT)
FL-E4	FORM D: AUTHORITY TO TRANSFER EDUCATION RECORDS (STUDENT OVER 18)
FL-E5	FORM E: EDUCATION RECORD CHALLENGE (PARENT)
FL-E6	FORM F: EDUCATION RECORD CHALLENGE (STUDENT OVER 18)
FL-E7	FORM G: NOTICE OF HEARING TO CONTEST RECORD CONTENT
FL-E8	FORM H: SUMMARY OF HEARING TO CONTEST RECORD CONTENT
FL-E9	FORM I: PERMISSION OF PARENT OR LEGAL GUARDIAN FOR THIRD PARTY ACCESS TO STUDENT'S EDUCATION RECORD
FL-E10	FORM J: PERMISSION OF STUDENT EIGHTEEN OR OVER FOR THIRD PARTY ACCESS TO STUDENT'S EDUCATION RECORD
FL-E11	FORM K: RECORD OF THIRD PARTY ACCESS
FL-E12	FORM L: TRANSFER OF RECORDS UNDER JUDICIAL ORDER OR LAWFULLY ISSUED SUBPOENA
FL-E13	REQUEST FOR RECORDS DENIED, INCOMPLETE FORMS
FL-E14	REQUEST FOR RECORDS INFORMATION DENIED
FL-E15	REVIEW OF STUDENT RECORDS, NOTIFICATION TO PARENT
FLB	PERMANENT STUDENT RECORDS
FLE	TRANSFER AND RELEASE OF CONFIDENTIAL INFORMATION
FLF	INFORMATION COORDINATOR

FM STUDENTS ACTIVITIES, SCHOLASTIC ELIGIBILITY
FM-R STUDENTS ACTIVITIES, ELIGIBILITY, REGULATION
FMA EXTRACURRICULAR ACTIVITIES
FMC STUDENT CLUBS ANDORGANIZATIONS SPONSORS

FNCA STUDENT CONDUCT, DRESS CODE
FNCA-R STUDENT CONDUCT, DRESS CODE, REGULATION
FNCC HAZING
FNCD BULLYING
FNCE REPORTING STUDENTS UNDER THE INFLUENCE OF OR POSSESSING ALCOHOLIC BEVERAGES OR CONTROLLED DANGEROUS SUBSTANCES
FNCGA WEAPONS-FREE SCHOOLS
FNF-R SEARCH OF STUDENTS, REGULATION
FNG WIRELESS TELECOMMUNICATION DEVICES

FO STUDENT DISCIPLINE
FOB CORPORAL PUNISHMENT
FOD SUSPENSION OF STUDENTS
FOD-R SUSPENSION OF STUDENTS, REGULATION

FP STUDENT FEES, FINES, AND CHARGES

G COMMUNITY RELATIONS

GBA OPEN RECORDS ACT
GBA-R OPEN RECORDS ACT, REGULATIONS

GIA DISTRIBUTION OF INFORMATION AND MATERIALS ON SCHOOL PREMISES
GJ SCHOOL VISITORS
GJ-P SCHOOL VISITORS, GRIEVANCE/APPEALS PROCESS
GJBA STUDENT RECRUITMENT, ACCESS TO STUDENTS AND DIRECTORY INFORMATION

GK USE OF SCHOOL PROPERTY
GK-R1 USE OF SCHOOL PROPERTY, REGULATIONS
GK-R3 USE OF ATHLETIC FACILITIES, REGULATION
GK-E1 REQUEST FOR USE OF SCHOOL PROPERTY

BURLINGTON BOARD OF EDUCATION

* * C A U T I O N * *

This copy of the Burlington School District Policy Manual is placed in the Superintendent's office for your information. The district does not guarantee that the policies herein are current and correct. If you need to be certain that you have the most current policy, you should check the Master Copy in the Superintendent's Office.

BURLINGTON BOARD OF EDUCATION

DISCLAIMER

The Burlington Board of Education does not intend that the contents of this policy manual will in any way constitute an employment contract and is not to be construed as an extension of any employment contract. All policies, regulations, procedures, and exhibits contained herein are subject to change as the board of education deems necessary and appropriate. Final interpretation and application of any statement herein is within the discretion of the board of education.

SCHOOL DISTRICT SCREENING PROTOCOL
SOCIAL DISTANCING AND GATHERINGS

In an effort to prevent the spread of communicable diseases, the district will be implementing the following protocol to control and restrict access to school property, activities and events:

The district encourages parents, legal guardians, and all school employees to self-screen at home. If a student or employee has a temperature of 100 degrees Fahrenheit or higher, the student or employee should remain at home until the individual has been free of fever for twenty-four (24) hours.

The district will adhere to guidelines set by the Centers for Disease Control with regard to social distancing and gatherings when feasible.

REFERENCE: 70 O.S. § 5-117
63 O.S. § 1-507

SCHOOL DISTRICT SCREENING PROTOCOL
SOCIAL DISTANCING AND GATHERINGS

In an effort to prevent the spread of communicable diseases, the district will be implementing the following protocol to control and restrict access to school property, activities and events:

The district encourages parents, legal guardians, and all school employees to self-screen at home. If a student or employee has a temperature of 100 degrees Fahrenheit or higher, the student or employee should remain at home until the individual has been free of fever for twenty-four (24) hours.

The district will adhere to guidelines set by the Centers for Disease Control with regard to social distancing and gatherings when feasible.

REFERENCE: 70 O.S. § 5-117
63 O.S. § 1-507

CHILD IDENTIFICATION, LOCATION, SCREENING, AND EVALUATION NOTICE TO PARENTS

The Burlington Public School makes a continuing effort to locate any children in the district ages 3-21 who may be disabled and/or developmentally delayed who are not currently being served by the school. State law recognizes the following qualifying conditions: autism, deaf-blindness, hearing impairment including deafness, other health impairment, emotional disturbance, specific learning disability, speech or language impairment, traumatic brain injury, visual impairment including blindness, intellectual disability, multiple disabilities or developmental delay.

Anyone knowing a child who might be in need of services is asked to notify the local superintendent, principals, or special education teacher at 580-431-2222.
This notice is to inform parents of the child identification, location, screening, and evaluation activities to be conducted throughout the year by the local school district in coordination with the Oklahoma State Department of Education. Personally identifiable information shall be collected and maintained in a confidential manner in carrying out the following activities:

Referral

Preschool children, ages 3-5, and students enrolled in K-12 who are suspected of having disabilities which may require special education and related services may be referred for screening and evaluation through the local schools. Local school districts coordinate with the Sooner Start Early Intervention Program (which serves children birth to 36 months) in referrals for identification and evaluation of infants and toddlers who may be eligible for early intervention services beginning at three years of age. The Oklahoma Areawide Service Information System (OASIS), through a toll free number (1-800-42-OASIS), also provides state-wide information and referrals to local schools and other service providers.

Screening

Screening activities may include vision, hearing, and health. Other screening activities may include: review of records and educational history, interviews, observations, and specially developed readiness or educational screening instruments.

1. Readiness Screening: Personally identifiable information is collected on all kindergarten and first grade students pmticipating in school-wide readiness screening to assess readiness for kindergarten and first grade entry. Results of the screening are made available to parents or legal guardians, teachers, and school administrators. No child shall be educationally screened for readiness or evaluated without notice to the child's parent or legal guardian.

2. Educational Screening: Educational screening includes procedures for the identification of children who may have special learning needs and may be eligible for special education and related services. Each school district in the state provides educational screening. No child shall be educationally screened whose parent or legal guardian has filed written objection with the school district.

   Educational screening is implemented for all first grade students each school year.

CHILD IDENTIFICATION, LOCATION, SCREENING, AND EVALUATION, NOTICE TO PARENTS (Cont.)

Second through twelfth grade students shall be screened as needed or upon request of the parent, legal guardian, or teacher.

Students entering the public school system from another state or from within the state without previous educational screening, shall be educationally screened within six months from the date of entry.

Evaluation

Evaluation means procedures used in accordance with federal laws and regulations to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs. The term means procedures used selectively or procedures used with all children in a school, grade, or class. Written consent of the parent or legal guardian for such evaluation must be on file with the local school district prior to any child receiving an initial evaluation for special education and related services.

Collection of Personally Identifiable Information

Educational records containing personally identifiable information collected by the schools in the identification, location, screening, and evaluation of children shall be maintained in accordance with the Family Educational Rights and Privacy Act (FERPA) and the Policies and Procedures for Special Education in Oklahoma. School districts develop and implement a local policy regarding the collection, storage, disclosure, and destruction of confidential student records. Parents may obtain a copy of the local policy from the local school administrator.

CHILD IDENTIFICATION, LOCATION, SCREENING, AND EVALUATION NOTICE TO PARENTS

The Burlington Public School makes a continuing effort to locate any children in the district ages 3-21 who may be disabled and/or developmentally delayed who are not currently being served by the school. State law recognizes the following qualifying conditions: autism, deaf-blindness, hearing impairment including deafness, other health impairment, emotional disturbance, specific learning disability, speech or language impairment, traumatic brain injury, visual impairment including blindness, intellectual disability, multiple disabilities or developmental delay.

Anyone knowing a child who might be in need of services is asked to notify the local superintendent, principals, or special education teacher at 580-431-2222.
This notice is to inform parents of the child identification, location, screening, and evaluation activities to be conducted throughout the year by the local school district in coordination with the Oklahoma State Department of Education. Personally identifiable information shall be collected and maintained in a confidential manner in carrying out the following activities:

Referral

Preschool children, ages 3-5, and students enrolled in K-12 who are suspected of having disabilities which may require special education and related services may be referred for screening and evaluation through the local schools. Local school districts coordinate with the Sooner Start Early Intervention Program (which serves children birth to 36 months) in referrals for identification and evaluation of infants and toddlers who may be eligible for early intervention services beginning at three years of age. The Oklahoma Areawide Service Information System (OASIS), through a toll free number (1-800-42-OASIS), also provides state-wide information and referrals to local schools and other service providers.

Screening

Screening activities may include vision, hearing, and health. Other screening activities may include: review of records and educational history, interviews, observations, and specially developed readiness or educational screening instruments.

1. Readiness Screening: Personally identifiable information is collected on all kindergarten and first grade students pmticipating in school-wide readiness screening to assess readiness for kindergarten and first grade entry. Results of the screening are made available to parents or legal guardians, teachers, and school administrators. No child shall be educationally screened for readiness or evaluated without notice to the child's parent or legal guardian.

2. Educational Screening: Educational screening includes procedures for the identification of children who may have special learning needs and may be eligible for special education and related services. Each school district in the state provides educational screening. No child shall be educationally screened whose parent or legal guardian has filed written objection with the school district.

   Educational screening is implemented for all first grade students each school year.

CHILD IDENTIFICATION, LOCATION, SCREENING, AND EVALUATION, NOTICE TO PARENTS (Cont.)

Second through twelfth grade students shall be screened as needed or upon request of the parent, legal guardian, or teacher.

Students entering the public school system from another state or from within the state without previous educational screening, shall be educationally screened within six months from the date of entry.

Evaluation

Evaluation means procedures used in accordance with federal laws and regulations to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs. The term means procedures used selectively or procedures used with all children in a school, grade, or class. Written consent of the parent or legal guardian for such evaluation must be on file with the local school district prior to any child receiving an initial evaluation for special education and related services.

Collection of Personally Identifiable Information

Educational records containing personally identifiable information collected by the schools in the identification, location, screening, and evaluation of children shall be maintained in accordance with the Family Educational Rights and Privacy Act (FERPA) and the Policies and Procedures for Special Education in Oklahoma. School districts develop and implement a local policy regarding the collection, storage, disclosure, and destruction of confidential student records. Parents may obtain a copy of the local policy from the local school administrator.

SCHOOL DISTRICT LEGAL STATUS

The Oklahoma Constitution and Oklahoma law provides this school district with the usual powers of a corporation for public purposes by the legally designated name and style of Independent School District Number 1 of Alfalfa County, Burlington, Oklahoma. The district may sue and be sued, and is capable of contracting and being contracted with, and holding such real and personal property which may come into its possession as authorized by law.

REFERENCE: 70 O.S. §5-105
Laws, 1949, Article 4, Section 5; Laws, 1959, p. 321, Section 4; Oklahoma Constitution, Article 17, Section 2
Oklahoma Constitution, Article 13, Section 1

PHILOSOPHY OF EDUCATION

Our democratic form of government and our way of life depend entirely upon how well the public schools do the job of educating our boys and girls and training them for responsible citizenship. This is the purpose for which the system of free public schools exists.

Inherent in our philosophy of life in the United States is the belief that all members of society should lead productive lives. Education, either directly or indirectly, is geared to this goal. Because our heritage has developed the idea that work is an integral part of our lives, education strives to implement this idea so that our way of life will be perpetuated through individual success.

The basic foundation of our educational system rests in the principles set forth in our country's Constitution. Therefore, our function in Burlington Public School is to provide the opportunity for each student to develop the skills and attitudes that will promote these ideals. To achieve this end, the school will attempt to foster adequate emotional stability, intellectual understanding, physical development, and social competence.

The school will take its place beside the home and the community in helping each child establish standards by which he or she may live and develop those qualities and attitudes that will enrich and strengthen life.

MISSION STATEMENT

The education of its students is the primary objective of Burlington School District. Education is both a right and a privilege and all students attending this school are entitled to grow intellectually, morally and physically.

The mission of Burlington Public School District is to provide a learning environment that respects the individual needs of its students and helps them to reach their full potential.

We believe that all students can make a beneficial contribution to the democratic society in which we live. Although the abilities and learning requirements of each student may be different, all students can succeed if provided equitable opportunities to develop competencies in the basic skills and high-order thinking skills.

The education of individual students is the goal of the school, and teachers are the most important factor in that process.

BOARD OF EDUCATION
LEGAL STATUS

The Burlington Board of Education is a legislative body of five (5) members elected by a vote of the district. The board of education derives its authority from the state legislature. The board's power is judicial and legislative, and the superintendent elected by the board serves as its executive officer. **When not in legal session, a board member has no legal authority whatsoever.**

The legislative functions of the board are to make plans and policies, select the superintendent, and delegate to the superintendent the placing of plans and policies into operation, and provide the financial means for their achievement.

The judicial functions of the board are to hear and resolve termination hearings, grievance petitions, disciplinary appeals, public complaints and other actions of a judicial nature.

REFERENCE: 70 O.S. §5-106, §1-115, §1-116, and §5-117, et seq.

BOARD OF EDUCATION
POWERS AND DUTIES

The Burlington Board of Education shall have the power to:

1. Elect its own officers: President, Vice-President, Clerk, and shall appoint an Encumbrance Clerk and a Minutes Clerk and in its discretion, a Deputy Clerk. The board may appoint one person as Encumbrance/Minutes Clerk.

2. Make rules, not inconsistent with the law or rules of the State Board of Education, governing the board and the school system of this district.

3. Maintain and operate a complete public school system of such character as the board of education shall deem best suited to the needs of the school district.

4. Designate the schools to be attended by the children of the district.

5. Provide and operate, when deemed advisable, cafeterias or other eating accommodations, thrift banks or other facilities for the teaching and practice of thrift and economy, book stores, print shops, and vocational and other shops.

6. Provide informational material concerning school bond elections and millage elections, including but not limited to all pertinent financial information relative to the bond issue, a statement of revenue sources necessary to retire proposed bonds, a statement of current bonded indebtedness of the school district, and a statement of proposed use of funds to be generated by the proposed bond issue. The informational material shall not contain the words "vote yes" or "vote no" or any similar words or statement any place on such informational material.

7. Purchase, construct or rent, and operate and maintain classrooms, libraries, auditoriums, gymnasiums, stadiums, recreation places and playgrounds, teacherages, school bus garages, laboratories, administration buildings and other schoolhouses and school buildings, and acquire sites and equipment therefor.

8. Have school district or its employees' property insured.

9. Acquire property by condemnation proceedings in the same manner as land is condemned for railroad purposes. School district funds may be used to erect buildings on leased land on which other buildings have been erected prior to April 3, 1969, or on land which is leased from a governmental entity.

10. Lease real or personal property to the state or any political subdivision thereof or a not-for-profit entity operating pursuant to state law for nominal cash consideration for so long as the use of the property by the lessee substantially benefits, in whole or in part, the same public served by the school district.

11. Dispose of personal or real property no longer needed by the district by sale, exchange, lease, lease-purchase, and partial lease back, or otherwise as prescribed by state law.

12. Purchase necessary property, equipment, furniture, and supplies necessary to maintain and operate an adequate school system.

BOARD OF EDUCATION, POWERS AND DUTIES (Cont.)

13. Incur all expenses, within the limitations provided for by law, necessary to perform all powers granted by law.

14. Contract with and fix the duties and compensation of physicians, dentists, optometrists, nurses, attorneys, superintendents, principals, teachers, bus drivers, janitors, and other necessary employees of the district.

15. Establish a written policy for reimbursement of necessary travel expenses of employees and members of the board. The policy may include in-district travel from the site of employment assignment which is necessary in the performance of employment duties. The written policy shall specify procedures, contain documentation requirements, and may include payment of meal expenses during authorized travel on a per diem allowance basis rather than itemized documentation.

16. Pay necessary travel expenses and other related expenses of prospective employees for sponsored visits to the school district pursuant to a written policy specifying procedures containing documentation requirements equal to or greater than the requirements specified by law for state employees in the State Travel Reimbursement Act.

17. Provide for employees' leaves of absence without pay.

18. Exercise sole control over all of the schools and property of this district, subject to other provisions of the Oklahoma School Code.

19. Allow district-owned school buses to be used for transportation of students from other districts or educational institutions while within the district on educational tours. This shall not restrict the authority of the board to authorize any other use of such buses which may now be permitted by law or rule of the State Board of Education.

20. Enter into contractual agreements with the board of trustees of a multicounty library system, a city-county library commission, or a rural single county library system, as defined by state law, on such terms as may be mutually agreed, except no district board of education may enter into any agreement under which the library services for the school would be provided at any site other than the school site or which would result in library services that do not meet accreditation standards as required by law or rule.

21. Perform all functions necessary to the administration of a school district in Oklahoma as specified in the Oklahoma School Code, in addition to those powers necessarily implied but not delegated by law to any other agency or official.

22. Prepare and distribute at the expense of the school district any and all material which has the purpose of informing the public about district activities.

23. Solicit and accept any gift, grant, or donation of money or property for the use of the school district. Any gift, grant, or donation of money may be deposited in the general fund or building fund of the school district.

BOARD OF EDUCATION, POWERS AND DUTIES (Cont.)

24. Pay necessary meal and lodging expenses of school district students and sponsors involved in authorized school-sponsored cocurricular activities. The board shall establish a written policy for reimbursement of necessary meal and lodging expenses of school district students and sponsors. The written policy shall specify procedures, contain documentation requirements, and designate the funds from which reimbursement may be made. Reimbursement may be made from the general fund.

25. Adopt and maintain on file in the office of the superintendent of schools an appropriate personnel policy and sick leave guide for all teachers employed. The guide shall be made available to the public.

26. Exercise complete control over all funds on hand or hereafter received or collected from all school activities conducted in this school district.

27. Provide for an annual audit of all such school activity funds. The original reports of such audit shall be delivered to the board, and a copy thereof shall be furnished to the treasurer of the school district.

28. Rent the gymnasium, auditorium, or cafeteria.

29. Cause all school funds to be audited annually.

A board member shall not be considered to be directly or indirectly interested in any contract with a company, individual, or business concern that employs such board member or the spouse of the board member if the board member or the spouse of the board member has an interest of five percent (5%) or less in the company, individual, or business concern.

The superintendent of schools is the executive officer of the board and shall carry out all policies adopted by the board.

On or before the thirty-first day of December each year, the board of education shall prepare an estimate of the funds needed for support and maintenance of the schools for the ensuing year. If the assessed valuation of the school district for the current fiscal year is not sufficient by a levy of five mills to provide such funds, the board shall determine the additional amount of an excess levy above the five mills that shall be required. The board shall make an itemized statement showing:

1. The funds estimated to be on hand at the end of the current fiscal year;

2. The estimated income from sources other than ad valorem taxation, including the apportionment of income from the common school fund based upon the distribution of the next preceding year; and

3. The sinking fund sufficient to pay at maturity any bonded indebtedness coming due on any bonds issued by the school district, and the amount necessary to pay the interest coupons falling due on such bonded indebtedness and the amount necessary to pay installments on judgments.

BOARD OF EDUCATION, POWERS AND DUTIES (Cont.)

Such estimate shall be posted in five public places in the district, or published in one issue of a newspaper of general circulation in the district. The notice shall contain the number of mills exceeding five. At the time said notice is published or posted, the board of education may issue a call for an election to be held on the second Tuesday in February to vote upon the amount of excess levy needed to finance the school district for the ensuing fiscal year. Such election shall immediately follow the regular school district election and shall be conducted by the county election officials.

REFERENCE: 21 O.S. §355
26 O.S. §13A-105
62 O.S. §371
70 O.S. §1-117, §5-105, §5-107B, §5-117, §5-119, §5-124, §5-134

NEPOTISM

Relatives of board members within the second degree by affinity or consanguinity may be candidates for employment in the school district. If a relative of a board member is recommended for employment by the superintendent, the board member may not participate in any regular or executive session of the board held to consider the issue. If a relative of a board member within the second degree is hired by the school district, the board member will not participate in any regular or executive session held to discuss the employee.

REFERENCE: 70 O.S. §5-113, 5-113.1

SCHOOL BOARD MEMBERS
TERM OF OFFICE

It is the policy of the Burlington Board of Education that as mandated by Oklahoma Statute, Title 26, Section 13A-103, a general election, held for the purpose of electing a member or members of the board of education, shall be held on the first Tuesday in April , unless another date is established by the state legislature. Every candidate for a position on the board shall file a notification and declaration for that office with the Alfalfa County election board between the hours of 8 a.m. on the first Monday in December and 5 p.m. on the following Wednesday. A primary election shall be held if more than two candidates file for a board seat on the second Tuesday in February. A candidate receiving more than fifty percent of the votes cast in the primary election will be elected to the office. If no candidate receives more than fifty percent of the votes cast in the primary election, then the two candidates with the highest number of votes shall appear on the ballot at the general election.

To be eligible to file a notification and declaration of candidacy, the prospective candidate must have been a registered voter in the election district, or ward, and a resident residing within said election district for at least six months immediately preceding the filing period. No person is eligible to be a candidate or to be elected to a board of education unless the person has been awarded a high school diploma or certificate of high school equivalency.

Board members shall be elected to serve a term of five years or until such time as their successors are duly appointed or elected and have qualified as prescribed by law. Terms of office shall be staggered so that one member shall retire from the board each year.

A vacancy on the board of education will occur by law when a board member:

1. Dies;
2. Resigns;
3. Moves out of the school district;
4. Fails to timely complete required workshop hours;
5. Is convicted of any felony or any offense involving a violation of the member's official oath;
6. Pleads guilty or nolo contendere to a felony or any offense involving a violation of the member's oath;
7. Abandons the office; or,
8. Assumes the duty of a second public office when the holding of such office and being a board member violates the dual office-holding provisions of the law. This does not apply to any elected or appointed member of a local school board who is a member or an officer of a volunteer fire department; and directors or officers of a rural water district, chiefs of municipal fire departments or rural fire districts who are appointed or elected to an unsalaried office, except where the duties of the office would create a conflict of interest.
9. Ceases to be a resident of the board district or ward for which the person was elected.

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.

SCHOOL BOARD MEMBERS, TERM OF OFFICE (Cont.)

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 notify the board president or the superintendent. Three or more consecutive unexcused absences from board meetings may constitute abandonment of office and the board may declare the position vacant and fill the vacancy as prescribed by law.

REFERENCE: 26 O.S. §13A-103, §13A-110
51 O.S. §6
70 O.S. §5-107A
70 O.S. §13A-105, §13A-110

CODE OF ETHICS FOR BOARD MEMBERS

The Burlington Board of Education will be guided by the following Code of Ethics,

As a member of the board of education I will:

1. Remember always that my first and greatest concern must be the educational welfare of all students attending school in our district, and ensuring that they have the opportunity to reach their highest potential;
2. Strive to improve boardsmanship by studying educational issues and participating in board training opportunities;
3. Respect and obey the laws of Oklahoma and the United States, working to bring about desired changes through policies adopted by the board of education and through legal and ethical procedures;
4. Formulate legislative goals, policies, and strategic plans for the district, delegating to administrators the administrative functions of the school(s);
5. Recognize that I, as an individual board member, have no legal authority outside the meeting of the board and will take no private action that will compromise the board or administration;
6. Refrain from local board actions locally that would substantially interfere with or injure the program of education elsewhere;
7. Make every effort to be prepared, punctual, and in attendance at every board meeting;
8. Respect the confidentiality of privileged information and refrain from disclosing information that may be injurious to individuals or the school(s);
9. Encourage the free expression of opinion by all board members and staff, seeking systematic communications between board members and the public inside and outside the school district;
10. Be committed to promoting a cooperative atmosphere in order for the board to effectively serve the students;
11. Recognize and reward excellence in student achievement, teacher performance, and administrative leadership;
12. Refrain from using my board position for personal or partisan gain.

DEVELOPMENT OPPORTUNITIES: BOARD MEMBERS

The school board in modern America faces a difficult set of challenges. It must fashion a quality educational program to prepare children for an unpredictable tomorrow. It must decide complex issues of policy and principle. It must oversee the prudent management of our community's extensive school facility. It is right and proper for the public to expect its elected and/or appointed board members to demonstrate high qualities of leadership as they deal with affairs of the public schools. It is also right and proper for a school board to expect public support for its efforts to enlarge the horizons and abilities of its members.

The board of education places a high priority on the importance of a planned and continuing program of in-service education for its members. The central purpose of the program is to enhance the quality and effectiveness of public school governance in our community. The board shall plan specific in-service activities designed to assist board members in their efforts to improve their skills as members of the policy-making body; to expand their knowledge about trends, issues, and new ideas affecting the continued welfare of our local schools; and to deepen their insights into the nature of leadership in a modern democratic society.

Funds may be budgeted annually to support the program. Individual board members shall be reimbursed for out-of-pocket expenses incurred through participation in approved activities. The board, as a whole, shall retain the authority to approve or disapprove the participation of members in planned activities. The public shall be kept informed through the news media about the board's continuing in-service education and about the programs anticipated for short- and long-range benefits to our schools.

The board regards the following as the kinds of activities and services appropriate for implementing this policy:

1. Participation in school board conferences, workshops, and conventions held by the state and national school boards associations.

2. District-sponsored training sessions for board members.

3. Subscriptions to publications addressed to the concerns of board members.

In order to control both the investment of time and funds necessary to implement this policy, the board establishes these principles and procedures for its guidelines:

1. A calendar of school board conferences, conventions, and workshops shall be maintained by the superintendent. The board will periodically decide which meetings appear to be most promising in terms of producing direct and indirect benefits to the school district.

2. Funds for participation at such meetings will be budgeted on an annual basis. When funds are limited, the board will designate which of its members would be the most appropriate to participate at a given meeting.

3. Reimbursement to board members for their travel expenses will be in accordance with the travel expense policy for staff members. (See policy DEE and DEE-R.)

DEVELOPMENT OPPORTUNITIES: BOARD MEMBERS (Cont.)

4. When a conference, convention, or workshop is not attended by the full board, those who do participate will be requested to share information, recommendations, and materials acquired at the meeting.

School board members are encouraged to attend workshops presented by the county, state, and national school boards associations. Professional journals and books in the school libraries shall be made available to every board member. The Superintendent shall provide information to the full school board as to the status of school board member training credits under an appropriately worded agenda item. The report shall include the number of new or incumbent credits, as well as the number of continuing education credits each board member has earned. This report shall be provided to the members of the board of education at the August, November, February, and May regular meetings of the board of education.

By March 1, the Oklahoma State Department of Education will notify school board members who have not yet completed training requirements that they are required to do so. If the board member fails to earn training credits in the timeline set by statute, the Oklahoma State Department of Education will notify by certified mail the school boards and the superintendent that a board member has failed to earn the required training credits. The board of education will then have sixty (60) days from the final date that the member has to complete the requirements as indicated by receipt of the certified notice from the State Board of Education to declare the seat vacant.

REFERENCE: 70 O.S. §5-110
70 O.S. §5-110.1

NEW BOARD MEMBER WORKSHOP

The board of education will assist newly elected board members to become familiar with their duties and responsibilities as quickly as possible. All board members are encouraged to attend appropriate workshops, seminars, and conventions in order to develop professionalism and expertise.

A school board member who is elected or appointed to be a member of the board of education prior to January 1, 2014, shall complete 2 hours of school finance, 2 hours of open meeting/open records act, 1 hour of new business, 1 hour of ethics, duties and responsibilities 2 hours of legal issues, 1 hour of school employment, 2 hours of IDEA/Special Education, and 1 hour of Educational issues for a total of twelve (12) hours of instruction within the first fifteen (15) months of election or appointment. Failure to earn these requirements in the fifteen (15) month period will result in a requirement that the board of education declare the seat vacant as per state law. The individual who failed to earn the credits in the statutory deadline is prohibited by law from serving for a full term of office.

A school board member who is elected or appointed to be a member of the board of education on or after January 1, 2014, shall be required to earn twelve (12) new board member credits within the first fifteen (15) months of office. These twelve (12) credits shall include at least one (1) hour of instruction in school finance, one (1) hour of instruction in the Oklahoma Open Records Act and the Oklahoma Open Meeting Act, and one (1) hour of instruction in ethics. The remaining nine (9) hours may be in legal issues, due process, new laws, the Oklahoma Open Records Act and the Open Meeting Act, duties and responsibilities, which include but are not limited to special education and ethics of district board of education members.

Board members who attend and successfully complete such workshops as required by state law, which are presented by the OSSBA, the State Board of Education, or an organization or association approved by the SDE, shall be reimbursed for expenses incurred in accordance with the district's travel reimbursement policy.

The superintendent or the superintendent's designee will maintain records of each board member's training accomplishments and will notify any board member of the need for the board member to accomplish any additional training. The superintendent will notify the State Department of Education of any changes in board membership.

REFERENCE: 70 O.S. §5-110

SCHOOL BOARD MEMBER CONTINUING EDUCATION

It is the policy of this board of education that its members shall attend workshops and seminars designed to increase their knowledge and abilities of good boardsmanship.

Newly elected board members are required by law to attend a minimum of 12 hours of school law within 15 months following the board member's election. Each re-elected board member is required by law to attend a minimum of six (6) hours of school law workshops within 15 months following the board member's election. The board will declare vacant the position of any board member who fails to complete the six hours. Such vacancy will be filled as prescribed by law.

In addition to the above requirements, each board member elected to a full term of office will obtain additional hours of continuing education as required by law. Any board member who fails to complete the required hours of training will not be eligible to file for re-election to the school board upon completion of the current term.

3-year term of office -------- 9 continuing education hours required
4-year term of office ------- 12 continuing education hours required
5-year term of office ------- 15 continuing education hours required

Announcements of seminars and workshops by the Oklahoma State School Boards Association, the State Department of Education or the State Department of Career and Technology Education will be provided to each board member as received by the school administration.

Any board member of this school district who attends and completes a course which satisfies this policy shall be reimbursed by the school district for expenses incurred. The board may also reimburse expenses incurred in registering for and attending board member training programs approved by the board, which are in addition to the minimum training requirements established by law.

The superintendent or the superintendent's designee will maintain records of each board member's training accomplishments and will notify any board member of the need for the board member to accomplish any additional training. The superintendent will notify the State Department of Education of any changes in board membership.

REFERENCE: 70 O.S. §5-110
70 O.S. §5-110.1

SCHOOL BOARD
INTERNAL ORGANIZATION

The Burlington Board of Education shall be reorganized at the beginning of the first meeting following the annual school election and certification of election of new members. 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 shall elect from its membership, at the first meeting, 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, and 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.

Board President

The president of the board of education serves as the presiding officer, appoints all committees, and performs other duties that are delegated to him or her by state law or by order of the board of education.

Board 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: 70 O.S. §5-107A
70 O.S. §5-119
70 O.S. §5-120
70 O.S. §5-121

BOARD OF EDUCATION
CLERK
(REGULATION)

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

1. It shall be the duty of the clerk of the board of education to attend all meetings of the board and to countersign all warrants for school moneys drawn upon the treasurer by the board; and perform such other duties as the board may direct.

2. The clerk shall, in addition to performing the duties specifically imposed upon him/her by the school code, cooperate with the superintendent of schools, the board treasurer, the minutes clerk, and the encumbrance clerk in the management of the business affairs of the school.

3. The clerk shall attest, in writing, the execution of all deeds, contracts, reports, and other instruments that are to be executed by the board of education.

4. The clerk shall furnish, whenever requested, any and all reports concerning the school affairs, on such forms and in such manner as the State Board of Education or the Superintendent of Public Instruction may require.

5. The clerk is authorized to 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 such district for a period of longer than five (5) years.

6. Performs such other duties as are required by the board of education.

REFERENCE: 70 O.S. §5-119, §5-122

BOARD OF EDUCATION OFFICERS
TREASURER

It is the policy of the Burlington Board of Education to employ a treasurer for the district. The treasurer shall serve at the pleasure of the board and for such compensation as the board may determine, and shall perform those duties previously performed by the county treasurer of Alfalfa County, and any other duties as the board may in its discretion confer upon said treasurer including the following:

The treasurer shall maintain the following records:

1. SEI 208 Treasurer's General Ledger
2. SEI 2061 Treasurer's Cash Ledger
3. SEI 2062 Treasurer's Investment Ledger
4. SEI 207 Treasurer's Warrant Register
5. SEI 411 Treasurer's Receipt
6. SEI 410 Treasurer's Check
7. SEI 1141 Bond Register
8. Deposit Books
9. Such other books or records as may be deemed advisable or useful.

The treasurer shall maintain adjunct files of:

1. Paid warrants.
2. Voided warrants.
3. Paid bonds and coupons.
4. Canceled bonds and coupons.
5. Bank and fiscal agency statements, including deposit tickets and paid checks.
6. County Clerk's remittance advices.
7. Copies of any directive from the County Clerk or County Excise Board supplementing, changing, or transferring appropriation balances.
8. State Board of Education notices and allocation of state and federal aid.
9. School board resolutions pertinent to the conduct of the treasurer's office and duties.
10. A copy of the claim and encumbrance clerk's certificate to substantiate the registration of a warrant or warrants.
11. Letters, memos, and other supporting data pertaining to transactions of the school district or to the operation of the treasurer's office.
12. Any other files which may be considered advisable or useful.
13. The board of education shall require a minimum bonding capacity of $50,000.00 when using an independent treasurer and may increase that amount as circumstances warrant.

When deposits are made for the district in accordance with the Security for Local Public Deposits Act, the treasurer shall not be liable for any loss resulting from the default or insolvency of a public depository in the absence of negligence, malfeasance, misfeasance, or nonfeasance on the part of the treasurer.

The board of education shall review the investment performance of the treasurer each month at its regularly scheduled board meeting. Such review shall include, but is not limited to, a determination of whether the treasurer is making informed investment decisions regarding the safety, return, liquidity, costs, and benefits of various investment options in selecting investments for the school district.

BOARD OF EDUCATION OFFICERS, TREASURER (Cont.)

Within nine (9) months of employment, the district treasurer shall complete at least twelve (12) hours of instruction on school finance laws of this state, accounting, ethics, and the duties and responsibilities of a school district treasurer. In addition to these requirements, the district treasurer is required to complete a minimum of twelve (12) hours of continuing education every three (3) years. Any instruction completed by the treasurer within three (3) years prior to employment in the position shall count towards satisfying the requirements of this section. The requirements of this paragraph shall not apply to any county treasurer who also acts as a school district treasurer.

NOTE: **Standard forms for the treasurer's General Ledger, Cash Ledger, Investment Ledgers, Warrant Registers, Bond Registers, Receipt Books, and Check Books have been designed to facilitate and standardize the treasurer's bookkeeping system.**

REFERENCE: **51 O.S. §8**
62 O.S. §517.1, et seq.
70 O.S. §5-114, §5-190
Atty. Gen. Op. No. 80-292 (January 19, 1981)

BOARD OF EDUCATION
ATTORNEY

The Burlington Board of Education will retain an attorney or legal firm for legal counsel and services as necessary. Compensation will be determined at the time of appointment.

Only the superintendent and the president of the board of education will confer with the attorney except at official board meetings. However, any legal advice to be relied upon by the board must be in writing or directly communicated to the board by the attorney. Copies of all legal opinions will be furnished to each board member by the superintendent.

REFERENCE: 70 O.S. §5-117 (A)(14)

HEALTHY AND FIT SCHOOL ADVISORY COMMITTEE/SAFE SCHOOL COMMITTEE

In accordance with state law, the Burlington Board of Education has established that each school site shall select a single committee to perform the functions of both the Healthy and Fit School Advisory Committee and the Safe School Committee. The committee will be composed of at least seven members. The committee will include an equal number of teachers, parents of the children affected, and students. In addition, the committee shall include a school official who participates in the investigation of reports of harassment, intimidation, bullying, and threatening behavior and may also include administrators, health care professionals, and business community representatives. The committee will be selected not later than October 1 of each school year.

The committee shall be involved in the monitoring, implementation, and evaluation of 70 O.S. § 5-147 which limits access to foods of minimal nutritional value.

The committee will study and make recommendations to the school principal regarding:

1. Health Issues

   A. Health education

   B. Physical education and physical activity

   C. Nutrition and health services

2. Safety Issues

   A. Unsafe conditions, possible strategies for students to avoid harm at school, student victimization, crime prevention, school violence, and other issues that prohibit the maintenance of a safe school;

   B. Student harassment, intimidation, and bullying at school;

   C. Professional development needs of faculty and staff to implement methods to decrease student harassment, intimidation, and bullying; and

   D. Methods to encourage the involvement of the community and students, the development of individual relationships between students and school staff, and use of problem-solving teams and resources that include counselors and other behavior health and suicide prevention resources within or outside the school system.

   E. Policies and regulations to be revised in light of the Department of Homeland Security's threat assessment guidelines.

The committee shall meet annually.

Responsibilities of the committee include, but are not limited to, the following:

1. Study unsafe conditions in the schools, student victimization, school violence, and other issues concerning school safety.

HEALTHY AND FIT SCHOOL ADVISORY COMMITTEE/SAFE SCHOOL COMMITTEE (Cont.)

2. Make recommendations to the principal regarding health issues and services, possible strategies for students to avoid harm at school, crime prevention, professional development needs of the faculty and staff concerning school safety and student health, and methods to encourage the involvement of the community members and students

3. Review traditional and accepted harassment, intimidation, and bullying prevention programs utilized by other states, state agencies, or school districts. The State Department of Education will provide a list of research-based programs appropriate for the prevention of harassment, intimidation, and bullying of students at school. If the district implements a commercial bullying prevention program, it shall use a program listed by the State Department of Education.

4. Review the district's current safety policies and regulations and make recommendations to the administration regarding any changes needed related to the Department of Homeland Security's threat assessment level and required or proposed actions.

The principal shall give consideration to recommendations of the committee.

REFERENCE: 70 O.S. § 24-100.5
70 O.S. § 24-100a
70 O.S. § 24-100b

NOTE 1: District boards of education should establish the appropriate reporting procedures following the presentation of recommendations to the principal or other school administrator. These procedures may include preparation of a report to be presented to the board of education.

BOARD OF EDUCATION MEETINGS AND NOTIFICATION PROCEDURES

The Burlington Board of Education shall transact all business at official meetings of the board. A "meeting" is defined as the gathering of a majority of members of a public body to discuss school business. Board meetings shall be regarded as public meetings. No meetings will be held by teleconference. These may be either regular, special, or emergency meetings, defined as follows:

Regular Meeting - the usual, official legal action meeting held regularly.

The regular meeting of the Burlington Board of Education shall be the second Tuesday of each month at 8:00 p.m. in the Superintendent's office at 401 Main, Burlington, OK 73722.

Special Meeting - an official legal action meeting called between scheduled regular meetings to consider specific topics as listed on the agenda.

Special meetings of the board may be called by the Superintendent at any time.

Emergency Meeting - an official legal action meeting held only for dealing with situations involving either injury to persons or damage to public or personal property or an immediate financial loss so severe that the 48-hour notice period of a special meeting would be impractical and increase the likelihood of injury or damage or immediate financial loss.

Notification of Meetings

Notice of all meetings of the board of education shall be made in accordance with the Oklahoma Open Meeting Law except that federal confidentiality laws take precedence and except that a board of education is not considered a public body and is not subject to the Oklahoma Open Meeting Law when the board meets for the sole purpose of considering recommendations of a multidisciplinary team and deciding the placement of any child who is the subject of such recommendations. Otherwise, a written notice of the date, time and place of the meeting will be mailed and delivered to each person, newspaper, wire service, radio station, and television station that has filed a written request for such notice. Procedures for insuring proper notice, preparing agendas, etc., are as follows:

1. 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.

2. 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.

3. At least 24 hours prior to a regular or special meeting, a paper copy of the agenda shall be posted which shall include the date, time, and place of the meeting and the business to be undertaken at the meeting. Or at least 24 hours prior to a regular or special meeting an agenda shall be posted electronically on the school website. For districts choosing only to do an electronic posting, the district will be required to provide an email distribution system for delivery of the agenda to those who have requested email delivery. Those wishing to receive advance copies of the agenda in compliance with the Oklahoma Open Meeting Act will submit a written request to the superintendent at least three (3) days in advance of the meeting. The school

BOARD OF EDUCATION MEETINGS AND NOTIFICATION PROCEDURES (Cont.)

shall distribute the agenda for regular meetings via email delivery at least 24 hours in advance of a regular meeting and at least 48 hours in advance of a special meeting.

4. 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 48 hours prior to the meeting.

5. 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.

6. Any person, newspaper, wire service, radio station, and/or television station may file a written request with the board clerk to receive written notice of meetings of the board of education. Such requests must be renewed annually. Persons or entities requesting written notification will not be charged a notification fee.

REFERENCE: 70 O.S. §5-118
25 O.S. §302, §303, §304, §307.1, §311

SCHOOL BOARD MEETINGS
AGENDA PREPARATION AND DISSEMINATION

As executive officer of the Burlington Board of Education, the superintendent of schools, in consultation with the president and other members of the board, is responsible for the preparation of the agenda for board meetings. Items for the agenda may be suggested by board members, staff members, students, or patrons of the district. The inclusion of items suggested by staff members, students, or patrons will be at the discretion of the Superintendent.

If the item "new business" is on the regular meeting agenda, matters that qualify as "new business", because they were not known or could not have been reasonably known 24 business hours prior to the meeting, may be considered and may be acted upon.

Proposals for executive sessions will be included on the agenda, including a reference to the specific section of the Oklahoma Statutes which authorizes an executive session for the proposed item. The proposal must contain sufficient information to advise the public that an executive session will be proposed, what matters are proposed to be discussed, the names of school employees (if any) to be discussed, and what action, if any, is contemplated. Executive sessions must be authorized by a vote of the majority of members in attendance.

The agenda and any supporting material will be distributed to members of the board as far in advance of the meeting date as possible, but not less than 1 (one) calendar day. Copies of the agenda will be made available to the media and the public upon request. The school district will offer and consistently maintain an email system for distribution of the agenda and a process for people to obtain a copy of the agenda at the school district during normal business hours at least twenty-four hours prior to the meeting. Those interested in receiving a copy of the agenda via email should contact the business office of the school district during normal business hours. In addition, a copy of the agenda will be posted on the school district's Internet web site located at www.burlingtonschool.com

REFERENCE: 25 O.S. §311
74 O.S. §3106.2

EXECUTIVE SESSIONS

The Burlington Board of Education may, at its discretion, enter into executive session after the executive session is authorized by a vote in open session only if a proposed executive session is listed on the agenda and the specific section of law authorizing an executive session is also listed on the agenda. If new business arises within the statutory time limitations and otherwise qualifies for an executive session, it may be discussed in executive session.

The board may enter into executive session for any of the following reasons:

1. To discuss the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any or all of the employees or volunteers of the school district. 25 O.S. §307 (B) (1) [including the appointment of an individual to fill a board vacancy pursuant to 70 O.S. §5-118]

2. To discuss negotiations concerning employees and representatives of employee groups. 25 O.S. §307 (B) (2)

3. To discuss the purchase or appraisal of real property. 25 O.S. §307 (B) (3)

4. To have confidential communications with its attorney concerning a pending investigation, claim, or action if the school district, with the advice of its attorney, determines that disclosure will seriously impair the ability of the district to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest 25 O.S. §307 (B) (4)

5. To hear evidence and discuss the expulsion or suspension of a student when so requested by the student, the parent, an attorney, or the legal guardian. 25 O.S. §307 (B) (5)

6. To discuss matters involving a specific handicapped child. 25 O.S. §307 (B) (6)

7. To discuss any other matter where disclosure of information would violate confidentiality requirements of state or federal laws. 25 O.S. §307 (B) (7)

8. To engage in deliberations or to render a final or intermediate decision in an individual proceeding pursuant to Article Il of the Administrative Procedures. 25 O.S. §307 (B) (8)

9. Discussing matters involving safety and security at state penal institutions or correctional facilities used to house state inmates. 25 O.S. §307 (B) (9)

10. Discussing contract negotiations involving contracts requiring approval of the Board of Corrections, which shall be limited to members of the public body, the attorney for the public body, and the immediate staff of the public body. No person who may profit directly or indirectly by a proposed transaction which is under consideration may be present or participate in the executive session. 25 O.S. §307 (B) (10)

11. To discuss the following, all of which should be cited 25 O.S. §307 (B) (11):

    A. The investigation of a plan or scheme to commit an act of terrorism;

    B. Assessments of the vulnerability of government facilities or public improvements to an act of terrorism;

    C. Plans for deterrence or prevention of or protection from an act of terrorism;

EXECUTIVE SESSIONS (Cont.)

D. Plans for response or remediation after an act of terrorism;

E. Information technology of the public body but only if the discussion specifically identifies:

1. design or functional schematics that demonstrate the relationship or connections between devices or systems;

2. system configuration information;

3. security monitoring and response equipment placement and configuration;

4. specific location or placement of systems, components, or devices;

5. system identification numbers, names, or connecting circuits;

6. business continuity and disaster planning, or response plans; or

7. investigation information directly related to security penetrations or denial of services; or

F. The investigation of an act of terrorism that has already been committed.

The term "terrorism" means an act of violence resulting in damage to property or personal injury perpetrated to coerce a civilian population or government into grating illegal political or economic demands; or conduct intended to incite violence in order to create apprehension of bodily injury or damage to property in order to coerce a civilian population or government into granting illegal political or economic demands. Peaceful picketing or boycotts and other nonviolent action shall not be considered terrorism (21 O.S. §1268. l).

No action, decision, or vote shall be taken while the board is in executive session. The board shall reconvene the open meeting after an executive session prior to adjourning the meeting.

An executive session for the purpose of discussing the purchase or appraisal of real property shall be limited to members of the public body, the attorney for the public body, and the immediate staff of the public body. No landowner, real estate salesperson, broker, developer, or any other person who may profit directly or indirectly by a proposed transaction concerning real property which is under consideration may be present or participate in the executive session, unless they are operating under an existing agreement to represent the public body.

In the interest of maintaining confidentiality of the information discussed during executive sessions, under no circumstances will audio/video recording or camera photos of executive sessions be permitted. Board members and those persons requested to enter an executive session are required to turn off all cellular telephones prior to the start of the session, unless there is a legitimate reason of personal health or safety involved.

REFERENCE: 25 O.S. §307
70 O.S. §5-118
Atty. Gen. Op. 82-114 (April 12, 1982)

BOARD OF EDUCATION MEETING
PUBLIC PARTICIPATION

All regular, special, and emergency meetings of the Burlington Board of Education shall be open to the public. The board, in its efforts to learn the viewpoints and concerns of the patrons of the district, will provide opportunities for patrons to communicate with the board. A procedure developed to allow optimum efficiency of the school board meeting as well as extensive opportunity for questions and comments by patrons shall be in place at all times.

A public participation time will be available at all regular meetings and at special meetings at the discretion of the board president and only if listed on the posted board agenda. The president of the board shall recognize speakers, maintain proper order, and establish and comply with time limits, if needed. Board members and administrative staff cannot legally discuss or respond to questions from the public, since doing so could be in violation of the Open Meeting Act. The board will not vote on items discussed on the public participation section unless the item is already on the agenda or the item meets the legal requirement of new business.

REFERENCE: 70 O.S. §5-118

LEGAL NOTE: State law limits what may be discussed at an emergency meeting. It would not be appropriate to allow members of the public to address the board at an emergency meeting as the emergency meeting can only legally be called to address those issues directly related to the emergency. An agenda is not posted for an emergency meeting as per 25 O.S. Section 311.

REQUEST TO ADDRESS BOARD OF EDUCATION

I request permission to address the Board of Education on the following topic:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____ _____

(Date) (Name)

_____

(Street Address)

_____

(City) (State) (Zip)

_____

(Representing)

BOARD OF EDUCATION MEETINGS
PUBLIC PARTICIPATION
(REGULATION)

Burlington Board of Education wishes to be responsive to the public and to encourage patron attendance and participation at board meetings. The president of the board shall recognize speakers, maintain proper order, and adhere to time limits, if any established by the board. Those wishing to speak at school board meetings must notify the superintendent five (5) business days in advance of the meeting. In order to conduct efficient and businesslike meetings, the board of education sets the following standards for patrons attending board meetings.

1. The clerk of the board will ask all visitors to identify themselves and list their names.

2. The board will permit discussion with audience participation at the board's discretion so long as the item for discussion is listed on the posted agenda. When such discussion is allowed, the amount of time allowed for discussion will be five (5) minutes for an individual and ten (10) minutes for a group to address the board. Discussion will terminate at the end of that time limit.

3. No action will be taken by the board on any item addressed which is not on the agenda for the current meeting unless the issue is legally appropriate as new business. New business is any matter that could not have been foreseen by the board, the staff or any patron prior to posting the agenda. New business is only allowed at regular meetings.

4. The board will not permit verbal attacks on any school personnel, nor discuss individuals by name, nor permit slanderous remarks against any such individual. In that event, discussion will automatically terminate.

5. The board will not hear personnel complaints unless proper legal and administrative procedures concerning complaints have been followed.

6. No speeches for or against candidates for political office will be permitted.

7. The clerk of the board will provide, in writing, answers to individuals or to a group spokesman, when directed to do so by a majority vote of the board of education.

8. Board members and administrative staff will not respond to questions from the public regarding items that are not listed on the posted board agenda at the board meeting. Questions may be referred to the superintendent for a later report to the board. The board may also choose to place such items on the agenda of a later meeting. The board will not, in most instances, be able to vote on matters brought forward by the public during public participation time if such matters are not specific agenda items. Such items may be placed on the agenda for the next meeting.

BOARD POLICIES

The Burlington Board of Education believes that the formulation of school policy is its primary function and responsibility. The policies of Burlington Board of Education will be reviewed annually. Changes, additions, or deletions may be made subsequent to this annual review. However, requests for the board to consider changes in policies may be made at any time. Suggestions should be submitted in writing to the superintendent or the president of the board.

The board believes that the most important ingredient of a legitimate suggestion for policy change is a well-documented need or problem and the solution is feasible for the district.

A board policy statement may be added or an existing policy statement may be changed or deleted at any board meeting by the approval of a majority of the membership, provided such action is properly announced by the agenda of that meeting.

Regulations, guidelines, handbooks and other district handouts are to be presented to the board for approval prior to distribution. Such approval may be given at the board meeting in which they are presented under an appropriately worded agenda item. However, the board, at its discretion, may postpone approval.

The board of education is aware that board action, in and of itself, may be interpreted as establishment of policy.

REFERENCE: 70 O.S. §5-105, et seq.

BOARD OF EDUCATION
EXECUTIVE OFFICER - SUPERINTENDENT

The Burlington Board of Education recognizes that the superintendent of schools is the executive officer of the board of education and the administrative head of the school system. The superintendent must hold an administrator's certificate recognized by the State Board of 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 Education. The following duties have been established for the office of the superintendent of schools:

1. The renewal of the superintendent's contract shall be considered by the board in accordance with the superintendent's contract and announced or tabled annually. It is the duty of the president of the board to notify the superintendent as soon as possible following the board's decision.

2. 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 school matters.

3. The superintendent shall attend all meetings of the board, be a nonvoting member, and advise the board on all school matters.

4. The superintendent shall make recommendations to the board of candidates for principal, teacher, and supervisory positions, as well as other employees of the school system as the need arises. The board shall not normally employ a school employee against the recommendation of the superintendent. The board will direct the superintendent to make additional recommendations if necessary.

5. The superintendent shall devote himself or herself to the study of public educational trends, keep the board informed on conditions of the schools of the district, 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.

6. All purchases of supplies, materials, or equipment shall be made on authority of a purchase order approved by the superintendent, within the limits established by the board.

7. Responsibility for the operation and maintenance of the child nutrition program is delegated to the superintendent. Monthly reports regarding the financial status of the program shall be made available to the board of education.

8. The superintendent shall, each year, compose a calendar reflecting the days on which school will be dismissed, when school will end for the year, etc. The calendar shall be subject to approval by the board of education.

9. The superintendent shall prepare procedures for admitting non-resident children who apply for permission to attend school in this district and for the transfer of children who apply to attend schools in other districts.

10. The superintendent shall be responsible for the supervision of student disciplinary actions.

11. The superintendent shall be responsible for providing the ways and means for teaching the subjects required by the State Board of Education and such other subjects as may be designated or approved by the board of education.

BOARD OF EDUCATION, EXECUTIVE OFFICER - SUPERINTENDENT (Cont.)

12. The superintendent shall administer a complete curriculum as adopted by the board of education, in conformity with the regulations established by the State Department of Education.

13. The superintendent shall have all school accounts audited each year and a copy of it filed with the secretary of the board of education.

14. The superintendent shall visit personally all the schools sites of the district as often as practical in order to carefully observe the methods of instruction and the classroom management of teachers; suggest improvements; provide remediation of professional skills, if necessary; advise as to the best methods of instruction and classroom management; 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.

15. The superintendent shall secure adequate plant facilities; standardize supplies, equipment and other materials used in the school; and formulate standard procedures for purchasing equipment in all departments of the school.

16. The superintendent shall prepare a well-coordinated budget by requiring the various divisions of the school system to participate in its development. At least quarterly, the superintendent shall provide to the board a financial analysis indicating the expenditures of the district and an opinion of the general financial condition of the district.

17. The superintendent shall have the authority to close any of the public schools in case of emergency.

REFERENCE: 70 O.S. §1-115, §116, §5-106

BOARD OF EDUCATION
EXECUTIVE OFFICER - SUPERINTENDENT

The Burlington Board of Education recognizes that the superintendent of schools is the executive officer of the board of education and the administrative head of the school system. The superintendent must hold an administrator's certificate recognized by the State Board of 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 Education. The following duties have been established for the office of the superintendent of schools:

1. The renewal of the superintendent's contract shall be considered by the board in accordance with the superintendent's contract and announced or tabled annually. It is the duty of the president of the board to notify the superintendent as soon as possible following the board's decision.

2. 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 school matters.

3. The superintendent shall attend all meetings of the board, be a nonvoting member, and advise the board on all school matters.

4. The superintendent shall make recommendations to the board of candidates for principal, teacher, and supervisory positions, as well as other employees of the school system as the need arises. The board shall not normally employ a school employee against the recommendation of the superintendent. The board will direct the superintendent to make additional recommendations if necessary.

5. The superintendent shall devote himself or herself to the study of public educational trends, keep the board informed on conditions of the schools of the district, 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.

6. All purchases of supplies, materials, or equipment shall be made on authority of a purchase order approved by the superintendent, within the limits established by the board.

7. Responsibility for the operation and maintenance of the child nutrition program is delegated to the superintendent. Monthly reports regarding the financial status of the program shall be made available to the board of education.

8. The superintendent shall, each year, compose a calendar reflecting the days on which school will be dismissed, when school will end for the year, etc. The calendar shall be subject to approval by the board of education.

9. The superintendent shall prepare procedures for admitting non-resident children who apply for permission to attend school in this district and for the transfer of children who apply to attend schools in other districts.

10. The superintendent shall be responsible for the supervision of student disciplinary actions.

11. The superintendent shall be responsible for providing the ways and means for teaching the subjects required by the State Board of Education and such other subjects as may be designated or approved by the board of education.

BOARD OF EDUCATION, EXECUTIVE OFFICER - SUPERINTENDENT (Cont.)

12. The superintendent shall administer a complete curriculum as adopted by the board of education, in conformity with the regulations established by the State Department of Education.

13. The superintendent shall have all school accounts audited each year and a copy of it filed with the secretary of the board of education.

14. The superintendent shall visit personally all the schools sites of the district as often as practical in order to carefully observe the methods of instruction and the classroom management of teachers; suggest improvements; provide remediation of professional skills, if necessary; advise as to the best methods of instruction and classroom management; 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.

15. The superintendent shall secure adequate plant facilities; standardize supplies, equipment and other materials used in the school; and formulate standard procedures for purchasing equipment in all departments of the school.

16. The superintendent shall prepare a well-coordinated budget by requiring the various divisions of the school system to participate in its development. At least quarterly, the superintendent shall provide to the board a financial analysis indicating the expenditures of the district and an opinion of the general financial condition of the district.

17. The superintendent shall have the authority to close any of the public schools in case of emergency.

REFERENCE: 70 O.S. §1-115, §116, §5-106

TERM OF OFFICE AND SALARY OF SUPERINTENDENT

The superintendent of the Burlington Public Schools 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. The superintendent shall be required to reside within the boundaries of the school district as per 70 O.S. § 5-138.

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 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'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 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 district.

REFERENCE: 70 O.S. §5-106
70 O.S. §5-141

SUPERINTENDENT EVALUATION FORM

Name of Superintendent _____ Date _____

All items rated with a "1" require additional explanation. The reverse side of the page may be used for explanations and additional comments. The school board is no longer required to have any of the items marked in the evaluation. Each board of education should carefully review this document to determine which items the board wishes to utilize in the evaluation of the performance of the Superintendent.

3 - Commendable 2 - Meets Expectations 1 - Needs Improvement

ADMINISTRATION	3	2	1
1. The superintendent exerts strong educational leadership, develops a strong management team, and delegates responsibility.			
2. The superintendent provides a written site improvement plan that supports the districts' Comprehensive Local Education Plan describing school goals, objectives, and staff development activities. *			
3. The superintendent achieves the board's goals and policies successfully.			
4. The superintendent and staff develop goal statements which are the result of a needs assessment, a written analysis of student test scores and other data as well as community input. *			
5. The superintendent employs a team effort in analyzing, planning, implementing, and evaluating policies, programs, and personnel.			
6. The superintendent provides a written analysis of student test scores and other data to assure that the various student populations are benefiting from the instructional program. *			
7. The superintendent recommends for employment personnel who have proper certification and skills for the position.			
8. The superintendent organizes the roles and responsibilities of staff members so as to optimize their effectiveness and to encourage harmonious relationships among various segments of the school system.			
9. The superintendent provides to the board and the general public an organized and informative annual report on the state of the district.			
10. The superintendent maintains communications with state and federal legislators, as well as other outside agencies, in efforts to accomplish legislation needed for school improvement.			
11. Routine – The superintendent uses a minimum of instructional time for noninstructional routines thus maximizing time on task. *			

SUPERINTENDENT EVALUATION FORM (Cont.)

12. Discipline – The superintendent works with staff to develop and communicate defined standards of conduct which encourage positive and productive behavior. * _____

13. The superintendent provides written discipline policies to which students are expected to perform. * _____

14. Learning Environment – The superintendent establishes and maintains rapport with staff and students, providing a pleasant, safe and orderly climate for learning. * _____

COMMENTS: _____

_____

_____
Rating for this Category

In the area of administration, what is the superintendent's strongest asset? _____

_____

What specific area could be most improved? _____

_____

3 - Commendable 2 - Meets Expectations 1 - Needs Improvement

INSTRUCTION 3 2 1

1. The superintendent identifies and facilitates instruction and student achievement as the focal point of the school district. _____

2. The superintendent works with the staff to develop a program to recognize academic achievement. * _____

3. The superintendent works with the staff to assure that all learners are involved in the learning process. * _____

4. The superintendent identifies instructional objectives for students and implements programs to meet their diverse needs. _____

5. The superintendent assists the staff in monitoring student progress. * _____

6. The superintendent provides needed resources for staff. * _____

7. The superintendent works with staff to establish curriculum objectives, sequence and lesson objectives. * _____

SUPERINTENDENT EVALUATION FORM (Cont.)

8. The superintendent maintains a working knowledge of current educational research, reports, and useful new concepts and shares that information with the board. _____

9. The superintendent keeps the board informed of the analysis, planning, implementation, and evaluation of instructional activities. _____

10. The superintendent keeps the community informed about the program of instruction and plans for school improvement. _____

COMMENTS: _____

_____

_____
Rating for this Category

In the area of instruction, what is the superintendent's strongest asset? _____

_____

What specific area could be most improved? _____

_____

3 - Commendable 2 - Meets Expectations 1 - Needs Improvement

RELATIONSHIP WITH THE BOARD 3 2 1

1. The superintendent works with the board in the areas of analyzing, planning, implementing, and evaluating policies. _____

2. The superintendent informs the board about issues, operations, the instructional program, and needs of the school system. _____

3. The superintendent informs the board about educational activities at the state and national levels. _____

4. The superintendent maintains a harmonious working and professional relationship with members of the board. _____

5. The superintendent interprets and supports board policy and decisions to the public and staff. _____

6. The superintendent provides board members with reports and information that will enable them to sufficiently review the operations of the district. _____

SUPERINTENDENT EVALUATION FORM (Cont.)

7. The superintendent gives constructive advice and guidance to the board regarding opportunities for district improvement. _____

8. The superintendent states his/her convictions in matters before the board. _____

9. The superintendent utilizes the strengths of individual board members and the board itself in the decision-making process. _____

10. The superintendent offers professional advice to the board on items requiring board action, with appropriate recommendations based on thorough study and analysis. _____

COMMENTS: _____

_____

_____
Rating for this Category

In the area of board relationships, what is the superintendent's strongest asset? _____

_____

What specific area could be most improved? _____

_____

3 - Commendable 2 - Meets Expectations 1 - Needs Improvement

RELATIONSHIP WITH THE STAFF 3 2 1

1. The superintendent encourages the participation of faculty and staff in the establishment and implementation of district-wide goals, objectives, and programs. _____

2. The superintendent works with the staff in collegial and nonthreatening ways to promote and improve instruction. * _____

3. The superintendent sets high expectations for staff. * _____

4. The superintendent educates the staff to recognize and display the teaching criteria upon which evaluation is conducted. * _____

5. The superintendent promotes programs for staff growth and development. _____

SUPERINTENDENT EVALUATION FORM (Cont.)

6. The superintendent strives to maintain positive morale by:
   - A. Avoiding arbitrary decision-making and favoritism; _____
   - B. Offering fair and impartial treatment to all parties to a dispute; and _____
   - C. Granting recognition and appreciation for a job well done. _____
7. The superintendent instills confidence and self-respect among staff. _____
8. The superintendent meets and confers with employee groups and represents the interests and directives of the board. _____
9. The superintendent effectively communicates the concerns of employee groups to the board and board responses to these concerns to employee groups. _____

COMMENTS: _____

_____

_____
Rating for this Category

In the area of staff relationships, what is the superintendent's strongest asset? _____

_____

What specific area could be most improved? _____

_____

3 - Commendable 2 - Meets Expectations 1 - Needs Improvement

RELATIONSHIP WITH THE COMMUNITY 3 2 1

1. The superintendent facilitates communication within the community through an effective public information program based on the needs and successes of the district. _____
2. The superintendent seeks meaningful community involvement in the establishment, implementation, and evaluation of district-wide goals, objectives, priorities, and programs. _____
3. The superintendent develops and maintains a cooperative relationship with the news media. _____
4. The superintendent establishes a procedure for investigating and responding on complaints, criticisms, and concerns of individuals and/or the community. _____

SUPERINTENDENT EVALUATION FORM (Cont.)

5. The superintendent is actively involved in the community. _____

6. The superintendent maintains a professional posture with other public officials and community leaders. _____

7. The superintendent has the ability to face controversy and work through it effectively. _____

8. The superintendent understands and responds to the unique and changing needs of the community. _____

9. The superintendent solicits and considers input from interested groups and individuals in the decision-making process. _____

COMMENTS: _____

_____

_____
Rating for this Category

In the area of community relationships, what is the superintendent's strongest asset? _____

_____

What specific area could be most improved? _____

_____

3 - Commendable 2 - Meets Expectations 1 - Needs Improvement

PERSONAL QUALITIES 3 2 1

1. The superintendent defends professional principle and conviction in the face of pressure and partisan influence, yet is able to reasonably compromise. _____

2. The superintendent maintains high standards of ethics, honesty, and integrity in all matters. _____

3. The superintendent uses grammar effectively in dealing with staff members, the board, and the public. _____

4. The superintendent employs strong speaking skills before large and small groups, expressing ideas in a logical and forthright manner. _____

5. The superintendent accepts and shares failure as well as success. _____

SUPERINTENDENT EVALUATION FORM (Cont.)

6. The superintendent is able to identify and discuss his/her own strengths and weaknesses. _____

7. The superintendent welcomes questions and open discussion when presenting ideas. _____

8. The superintendent exercises good judgment and involves others as appropriate in the decision-making process. _____

9. The superintendent maintains a balance of professional development by reading, attending conferences, working on professional committees, visiting other districts, and meeting with other superintendents. _____

10. The superintendent plans time effectively so that matters of greatest importance are dealt with thoroughly. _____

COMMENTS: _____

_____

_____
Rating for this Category

In the area of personal qualities, what is the superintendent's strongest asset? _____

_____

What specific area could be most improved? _____

_____

3 - Commendable 2 - Meets Expectations 1 - Needs Improvement

FINANCIAL 3 2 1

1. The superintendent keeps informed of the needs of the school program--supplies, equipment, plant, and facilities. _____

2. The superintendent assumes responsibility for the overall financial planning of the district, including short-term priorities and long range planning. _____

3. The superintendent coordinates the preparation of the annual budget utilizing teacher and staff input, and submits the budget to the board for input and approval. _____

4. The superintendent evaluates the district's financial needs and makes timely recommendations for adequate funding. _____

SUPERINTENDENT EVALUATION FORM (Cont.)

5. The superintendent ensures that funds are spent and invested wisely and that adequate controls and accounting are achieved. _____

6. The superintendent provides leadership in solving major problems and achieving maximum utilization of resources. _____

COMMENTS: _____

_____

_____
Rating for this Category

In the area of finances, what is the superintendent's strongest asset? _____

_____

What specific area could be most improved? _____

_____

COMMENTS: _____

_____

_____

_____

Signed: _____
President of the Board

_____
Superintendent

Date: _____

EXPENDITURE OF DISTRICT FUNDS

The Burlington Board of Education recognizes its responsibility for safeguarding the expenditure of district funds and for determining that all funds expended are by proper authority, in proper amounts, and for proper purposes as provided by law and by the direction of the board.

All expenditures shall be approved by the board of education or the superintendent when authorized. No expenditures shall be made except on a board or superintendent approved purchase order or contract. No expenditure may be authorized or made which exceeds the appropriation for any fund of the budget as adopted or amended. Employees of this district will not create or authorize creation of a deficit in any fund. Expenditures or encumbrances will not be authorized, made, or incurred in excess of any fund balance.

Employees of this district who authorize or contract for any obligation in violation of this policy shall assume personal responsibility for the payment of the obligation, shall be subject to dismissal from employment, and shall be subject to applicable civil and criminal proceedings. Any obligation, authorization for expenditure, or expenditure made in violation of the law and this policy shall be illegal and void.

REFERENCE: 70 O.S. §5-157

POSSESSION AND USE OF SIGNATURE STAMPS

The members of the Burlington Board of Education have signature stamps which have been properly registered with the Oklahoma Secretary of State. It is the desire of the board members to place the responsibility for the safekeeping of these signature stamps with an employee of the board. Therefore, the board requires that possession of the stamps, and sole responsibility for their safekeeping, be given to the school *(activity fund custodian, encumbrance clerk, or other employee)*. At all times, the stamps shall be kept in a safety deposit box, school safe, fireproof safe, or other secure place. Possession of the stamps will be relinquished only for the purposes needed by the school *(activity fund custodian, encumbrance clerk, or other employee)*, to the board members, or to the board designated school employees under the following circumstances:

1. To be used by the activity fund custodian to place the signatures on warrants after board approval for payment.
2. To make budget changes within board approved appropriations.
3. To record the receipt of state and federal funds so that paperwork can be processed promptly.
4. To be used by the payroll clerk to place the signatures on payroll warrants.

POLICY FORBIDDING THE SUPPLANTING OF FEDERAL FUNDS AND GRANT MONIES FOR LOCAL REVENUE

The Burlington Board of Education assures the federal government that payments received from the federal government in the nature of grant programs shall be used solely for such programs and in accordance with the applicable grant regulations. The district will restrict fund uses to the purposes provided in the federal legislation creating the grant. Federal funds received will be used to supplement and, to the extent practical, increase the level of funds that would, in the absence of such federal funds, be made available from non-federal sources for the education of students participating in programs and projects assisted by the federal grants. In no case shall federal grant funds be used to supplant funds received by the district from non-federal sources. State and local funds will be used to provide services in federal grant projects and such services, taken as a whole, will be at least comparable to services provided in district projects that are not receiving federal grant program funds. Comparability applies to schools with more than one building for each grade span.

The school district shall receive federal funding for any fiscal year only if the Oklahoma State Department of Education finds that the local educational agency has maintained the school district's fiscal effort in accordance with maintenance of effort requirements as outlined in section 8521 of ESSA.

The board delegates to the central administration the authority to sign federal grant "assurance statements" that are required for the receipt of federal funds.

LEGAL REFERENCE: **Sections 1118 and 8521 of ESSA**

GRANT POLICIES AND PROCEDURES

GRANT SUBMISSIONS

A grant offer and acceptance constitutes a contractual agreement between the grantor (funding source) and the grantee (teacher, school, department, or district). This agreement should not be entered into without appropriate approval.

Applicants must obtain approval from the Superintendent prior to submitting a grant proposal or application to **any** funding source. To ensure that each proposal from the school district represents the highest quality possible, the final draft of each grant application will be reviewed by the Superintendent or designee. Proposals requiring approval or signature of the Board of Education must be submitted a minimum of **14 days** prior to a board meeting.

NOTICE OF GRANT AWARD OR REJECTION

Upon receipt of a **notice of grant award or rejection** from the funding agency, the applicant will send a copy to the Superintendent. Applicants are also encouraged to send a thank you letter to the funding source even if funding is not awarded during this grant cycle.

If the grant is awarded, the superintendent or designee will meet with the applicant to establish a grant budget. Grant funds cannot be expended until a budget has been established. Grant recipients will adhere to all fiscal and programmatic reporting requirements imposed by the funding source.

The superintendent will establish and maintain the official files for all grant awards. Files must be kept for five years after the conclusion of the grant.

After the Board of Education accepts grant funding from governmental agencies, private companies, organizations, and foundations for various educational programs or projects, the funds will be budgeted for each program or project according to the amount and regulations of the grant awarded.

This district will have internal control systems to provide reasonable assurance that it is managing federal financial assistance programs in compliance with applicable laws and regulations as directed by the State Department of Education. Methods and procedures will be in place to minimize the time elapsed between the transfer of funds from the State and the disbursement of these funds by the district.

Whenever possible the superintendent will provide a formal request for quotes or accept bids for goods or services that will be purchased with the grant funds. Goods and services received in consideration for grant funds will be monitored and careful consideration will be provided as to the quality of the goods received and/or the performance of services rendered prior to the district entering into future contracts for goods and services.

The district will maintain financial records of all expenditures made from the grant funds and such records will be available for inspection and will be deemed to be public records. These records, whenever practicable, shall be collected, transmitted and stored electronically.

LEGAL REFERENCE: **2 C.F.R. 200.302**

INTERNAL CONTROLS

The Board of Education directs all school district personnel to maintain appropriate internal controls in accordance with this policy. Internal Controls are to be an integral part of the school district's financial and business policies and procedures. The objectives of internal controls are:

- Protecting resources against waste, fraud, and inefficiency;
- Ensuring accuracy and reliability in accounting and operating data;
- Securing compliance with the policies of the organization;
- Ensuring compliance with applicable laws and regulations;
- Evaluating the level of performance in all organizational units of the organization;
- Providing management with reasonable assurance that all leave and payroll transactions are authorized, valid, complete and accurate;
- Safeguarding leave and payroll documents from theft, loss and destruction; and
- Internal controls are simply good business practices.

Internal controls are the practices performed by employees to provide the board of education with reasonable assurance that assets are safeguarded and transactions are authorized, valid, complete and accurate.

Internal control systems operate at different levels of effectiveness. Determining whether a particular internal control system is effective is a judgment resulting from an assessment of whether the five components – Control Environment, Risk Assessment, Control Activities, Information and Communication, and Monitoring – are present and functioning. Effective controls provide reasonable assurance regarding the accomplishments of established objectives.

The Superintendent or designee shall evaluate and monitor compliance with statute, regulations and the terms and conditions of federal awards. When instances of noncompliance are identified, the Superintendent or designee shall take prompt action. All school personnel shall take reasonable measures to safeguard personally identifiable information that is protected by state or federal law.

Control Environment
The control environment, as established by the organization's administration, sets the tone of an institution and influences the control consciousness of its people. Leaders of each department, area or activity establish a local control environment.

Risk Assessment
Every entity faces a variety of risks from external and internal sources that must be assessed. A precondition to risk assessment is the establishment of objectives, linked at different levels and internally consistent. Risk assessment is the identification and analysis of relevant risks to achievement of the objectives, forming a basis for determining how the risks should be managed. Because economic, regulatory and operating conditions will continue to change, mechanisms are needed to identify and deal with the special risks associated with change.

The process of identifying and analyzing risk is an ongoing process and is a critical component of an effective internal control system. Attention must be focused on risks at all levels and necessary actions must be taken to manage. Risks can pertain to internal and external factors. After risks have been identified, they must be evaluated.

Managing change requires a constant assessment of risk and the impact on internal controls. Economic, industry and regulatory environments change and entities' activities evolve. Mechanisms are needed to identify and react to changing conditions.

INTERNAL CONTROLS (Cont.)

Control Activities
Control activities are the policies and procedures that help ensure management directives are carried out. They help ensure that necessary actions are taken to address risks to achievement of the entity's objectives. Control activities occur throughout the organization, at all levels, and in all functions. They include a range of activities as diverse as approvals, authorizations, verifications, reconciliations, reviews of operating performance, security of assets and segregation of duties.

Control activities usually involve two elements: a policy establishing what should be done and procedures to effect the policy. All policies must be implemented thoughtfully, conscientiously and consistently.

Information and Communication
Pertinent information must be identified, captured and communicated in a form and time frame that enables people to carry out their responsibilities. Effective communication must occur in a broad sense, flowing down, across and up the organization. All personnel must receive a clear message from top management that control responsibilities must be taken seriously. They must understand their own role in the internal control system, as well as how individual activities relate to the work of others. They must have a means of communicating significant information upstream.

Monitoring
Internal control systems need to be monitored – a process that assesses the quality of the system's performance over time. Ongoing monitoring occurs in the ordinary course of operations, and includes regular management and supervisory activities, and other actions personnel take in performing their duties that assess the quality of internal control system performance.

The scope and frequency of separate evaluations depend primarily on an assessment of risks and the effectiveness of ongoing monitoring procedures. Internal control deficiencies should be reported upstream, with serious matters reported immediately to top administration and governing boards.

Internal control systems change over time. The way controls are applied may evolve. Once effective procedures can become less effective due to the arrival of new personnel, varying effectiveness of training and supervision, time and resources constraints, or additional pressures. Furthermore, circumstances for which the internal control system was originally designed also may change. Because of changing conditions, management needs to determine whether the internal control system continues to be relevant and able to address new risks.

Responsibility
It is the responsibility of the superintendent and board of education to work together to develop and implement a system of internal controls. However, everyone within the school district has some role in internal controls. The roles vary depending upon the level of responsibility and the nature of involvement by the individual. The Board of Education, Superintendent, and administrative staff establish the presence of integrity, ethics, competence and a positive control environment. The employees of the district have oversight responsibility for internal controls within their areas. Each employee is to be cognizant of proper internal control procedures associated with their specific job responsibilities and is responsible for complying with internal controls.

INTERNAL CONTROLS (Cont.)

Components of the Control Activity

Internal controls rely on the principle of checks and balances in the workplace. The following components focus on the control activity:

Personnel need to be competent and trustworthy, with clearly established lines of authority and responsibility documented in written job descriptions and procedure manuals. Organizational charts provide a visual presentation of lines of authority and periodic updates of job descriptions ensures that employees are aware of the duties they are expected to perform.

Authorization Procedures need to include a thorough review of supporting information to verify the propriety and validity of transactions. Approval authority is to be commensurate with the nature and significance of the transactions and in compliance with School District policy.

Transactions should be authorized and executed by persons acting within the range of their authority.

- Policies and procedures should clearly identify which individuals have authority to approve different types of transactions.
- Authority comes with accountability and responsibility.
- Individuals should understand what they are approving. Individuals should have firsthand knowledge of transactions being approved, or they should review supporting information to verify the propriety and validity of transactions.
- Authorization of adjustments should be timely.
- Authorization for leave, overtime and change of work schedule should be obtained in advance and in writing.
- Authorization should be from at least one level above.
- Employees should not authorize their own transactions.
- Adjustment documents should proceed directly for processing after approval by a supervisor and not return to the employee where it can be falsified. Many frauds occur after approval.
- Supervisors should not sign blank forms.
- The supervisor and employee should initial corrections or adjustments.
- Delegation of authority in writing is required for grants and recommended for other budgets.
- Leave and payroll documents should proceed directly for processing after approval by a supervisor and not returned to the employee where they can be falsified. Many frauds (i.e. unauthorized or excessive overtime hours charged) occur after approval.
- Supervisors should not sign blank timesheets or leave request forms.
- Corrections or adjustments should be initialed by the supervisor and employee.

Segregation of Duties reduce the likelihood of errors and irregularities. An individual is not to have responsibility for more than one of the three transaction components: authorization, custody, and record keeping. When the work of one employee is checked by another, and when the responsibility for custody for assets is separate from the responsibility for maintaining the records relating to those assets, there is appropriate segregation of duties. This helps detect errors in a timely manner and deter improper activities; and at the same time, it should be devised to prompt operational efficiency and allow for effective communications.

INTERNAL CONTROLS (Cont.)

Physical Restrictions are the most important type of protective measures for safeguarding school district assets, processes and data.

Documentation and Record Retention is to provide reasonable assurance that all information and transactions of value are clearly, thoroughly, and accurately recorded and retained. Records are to be maintained and controlled in accordance with the established retention period and properly disposed of in accordance with established procedures.

Monitoring Operations is essential to verify that controls are operating properly. Reconciliations, confirmations, and exception reports can provide this type of information.

Reconciliation is the process of comparing the entries in the general ledger to supporting documentation and resolving any discrepancies or differences. Accounts Payable, Accounts Receivable, and Cash, Property depreciation, Interest Income and other.

An independent person should perform a reconciliation of the district financial records at least annually and when an employee transfers, requests extended leave without pay, or separates employment from the school district.

Risk Assessment
The process of assessing risk is an opportunity for management and directors to look at their operations, determine the areas of significant risk, and evaluate what actions can be taken to minimize the risk and enhance the effectiveness and efficiency of the operation, while following applicable laws and regulations. The risk assessment and internal control evaluation can be integrated into the strategic planning process and program review.

All levels of the organization should participate in an annual risk assessment. The process of assessing risk is an opportunity for review of operations, determination of the areas of significant risk, and evaluation of what actions can be taken to minimize the risk and enhance internal controls.

Determination of an effective means of managing the risks, determining the likelihood of occurrence, minimizing the risks, and providing compensating controls is management's responsibility.

Managing an Audit

These are suggestions when interacting with auditors, to expedite the audit process while minimizing disruptions to day-to-day departmental operations. It is important to both the auditors and the departments to have accurate and objective audit results.

- Designate an audit liaison person (Department manager).
- Clarify the audit object and scope (areas to be tested and period covered by the audit).
- Determine auditor needs (records, workspace, and resources).
- Consider giving the auditor a general tour of your facilities.

Access to Records by Auditor
Ensure original documents do not leave department premises without prior approval. If a request is ambiguous, ask the auditor for the purpose of reviewing the document. Be prepared to recommend alternate documents that would achieve the auditor's purpose. Unless absolutely necessary, do not allow full access to your file drawers, storerooms, etc. Auditors are expected to obtain permission and state their objective for accessing these areas. Have documents

INTERNAL CONTROLS (Cont.)

available upon their arrival. Maintain a list of records provided to the auditor. Review records you are providing to anticipate questions. If records will hurt the School District's interest, notify department management of the issue.

Responding to Audit Findings

Keep informed of issues throughout the audit. Ensure an exit interview is held. Use it to verify facts and respond to the audit. Ask a representative from the Treasurer's Office to attend if there are questioned or disputed findings. Ask for time to review findings, and then re-verify calculations and source data. Concede valid findings, but do not speculate on whether they apply to other areas on campus. Discuss with the auditor the dispositions of audit issues, i.e. verbal comment, exit item, management summary or report item. If necessary, appeal the auditor's conclusion with their supervisors.

"Must Do" Management Actions

'Hard' Controls (Mandatory Internal Control and Checks and Balances)

1. Use only original signatures to approve documents.
2. Provide departmental reports
    a. Review and document the reconciliations of the monthly department financial statements to the appropriate supporting documents to assure all items are authorized School District purchases/charges.
    b. Budget the best annual estimate of the department's earnings and expenditures.
    c. Compare actual results to the budget and follow up significant variances.
3. Issue Payroll
    a. Reconcile labor distribution reports to timesheets/exception reports (including reconciling leave accrual amounts to leave slips).
    b. Collect from Staff & Administration a signed Attendance Calendar for each pay period.
    c. Collect from nonexempt and exempt staff a signed Attendance Calendar for each pay period.
    d. Collect from hourly classified and student employees a signed positive timesheet for each pay period.
    e. Have supervisors with direct knowledge of the actual time worked sign Attendance Calendars and positive timesheets.
    f. Review the monthly departmental labor distribution report and reconciliation.
    g. Budget the best annual estimate of the department's labor expenses.
4. Separate incompatible duties (e.g. pro-card holder/approval authority, cash receipts handling/accounts receivable posting, payroll preparation/verification, etc.) among different department staff members.
5. Identify active/inactive research accounts used by departmental faculty, and assure/implement a process through which the activity (including personnel requisitions, expenditures, and document retention) is approved by the Principle Investigator (PI) and periodically reviewed by the department chair and that this process is in accordance with School District and funding source (grant, department program, etc.) requirements (capital equipment approval, contract approval, etc.). Ensure that inactive project grants are closed according to School District procedures.
6. Count and balance your petty cash/change fund as determined necessary, and reconcile (by another person) as appropriate.
7. Issue Cash Receipts
    a. Deposit daily or periodically with the Cashier's Office any cash/checks received in your department as authorized in the policy and procedures manual.

INTERNAL CONTROLS (Cont.)

   b. Issue a pre-numbered receipt for all cash transactions.
   c. Collect sales tax when taxable goods are sold.
   d. Use a cash receipts form for all checks and cash and submit them to the central office for deposit.
   e. Safeguard cash and checks against theft or loss.
8. Review purchases
   a. Review in detail the supporting documentation for any action that you authorize, approve, review, or sign.
   b. Use the School District account with our vendors for as much of the departmental purchasing needs as possible.
   c. Establish a mechanism for ensuring that all departmental purchases are appropriate.
   d. All contracts and credit applications require Treasurer's Office approval.
   e. ***Always submit original receipts as proof of payment.***
9. List and account for each equipment asset and its location valued at less than $25,000 (assets not included on the School District's inventory listing).
10. Reconcile external bank accounts and credit card transactions (if applicable) at least monthly.
    a. Establish procedures to ensure that cardholders comply with the reimbursable business expense policy.

'Soft' Controls (Internal Controls to Strengthen Oversight and Encourage Compliance)

1. Complete an Annual Risk Assessment and/or Internal Control Review at least annually.
2. Be familiar with the Policies and Procedures of the School District.
3. Avoid circumventing any established internal controls over department operations.
4. Review operational processes on a continuous basis for duplication of effort.
5. Identify strengths/weaknesses within your employee pool and re-organize duties accordingly to develop a stronger team. Encourage employees to participate in professional development activities.
6. Be alert to fraud risks and 'red flags' for fraud occurring in your unit's operations.
7. On a regular basis compare/analyze the actual revenue and expenditures to the amount of budgeted revenue/expenditures (i.e. financial analysis).
8. Provide relevant financial reports/status updates to appropriate Dean/Director on a regular basis.
9. Document all reconciliation's, verifications, approvals, etc. to assure a defined audit trail of all transactions exit.

LEGAL REFERENCE: 2 C.F.R. § 200.303

MANAGEMENT AND INVESTMENT OF FUNDS

It is the policy of the Burlington Board of Education that all general fund receipts shall be transmitted to the treasurer of the board of education. A receipt shall be issued by the person receiving the funds to the person depositing the funds, and a copy of the receipt shall be forwarded to the treasurer. All disbursements shall be issued by the treasurer in the form of legal warrants, bonds, or interest coupons.

The board of education, at its regularly scheduled meeting, shall set aside funds to an operating account and to an investment account. The board may direct the treasurer to satisfactorily complete an investment education program approved by the State Board of Education and the State Board of Career and Technology Education. The treasurer shall invest the full amount of the investment account in:

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, a treasurer of a school district who has completed the appropriate training offered by the State Department of Education 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 deposit of banks when such certificates of deposit are secured by acceptable collateral;

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 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 school district 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 school district 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 school district is a beneficiary thereof;

7. Money market mutual funds regulated by the Securities and Exchange Commission and which investments consist of obligations of the Untied States, its agencies and instrumentalities, and investments in those items and those restrictions specified in paragraphs 1 through 6;

8. Warrants, bonds, or judgments of the school district; or

9. Qualified pooled investment programs, the investment of which consist of those items specified in paragraphs 1 through 8 as well as obligations of the United States agencies and instrumentalities, regardless of the size of the district's budget. To be qualified, a pooled investment program for school funds must be governed through an interlocal cooperative agreement formed pursuant to 70 O.S. § 5-117b and the program must competitively select its investment advisors and other professionals. Any pooled investment program must be approved by the board of education.

MANAGEMENT AND INVESTMENT OF FUNDS (Cont.)

Any interest received from investments shall be placed in the fund from which the investment was made as approved by the board of education at a lawfully convened board meeting.

The treasurer shall place primary emphasis on safety and liquidity in the investment of funds. Taking into account the need to use sound investment judgment, prior to purchasing direct obligations of the United States Government or other obligations of the United States Government, its agencies or instrumentalities, the school district shall utilize competitive bids, to the extent practicable. All investments shall be designed to maximize yield within the class of investment instrument, consistent with the safety of the funds invested.

To determine that school funds are properly secured, the treasurer shall, on a monthly basis, obtain from each bank where funds are deposited a listing of collateral pledged, setting forth the par value and market value of such collateral. The board shall utilize said documents in reviewing the investment performance of the treasurer.

The board of education shall review the investment performance of the treasurer each month at its regularly scheduled board meeting. Such review shall include, but is not limited to, a determination of whether the treasurer is making informed investment decisions regarding the safety, return, liquidity, costs, and benefits of various investment options in selecting investments for the school district.

REFERENCE: 62 O.S. §471
70 O.S. §5-115

THIS POLICY REQUIRED BY LAW.

ANNUAL BUDGET

The Burlington Board of Education shall prepare a budget that shall represent a complete plan for the school district and shall present information necessary and proper to disclose the financial position and condition of the school district. It shall contain a budget summary in tabular form for each fund:

1. Actual revenues and expenditures for the immediate prior fiscal year;

2. Revenues and expenditures for the current fiscal year as shown by the budget for the current year as adopted or amended;

3. Estimates of revenues and expenditures for the budget year.

On or before October 1, each year, the board of education shall prepare a statement of actual income and expenditures of the district for the fiscal year that ended on the preceding June 30 after the financial activity has been recorded, the annual Foundation and Salary Incentive Aid Allocations have been released, and the property tax valuation has been certified. The amended budget shall contain all of the following information, if applicable:

1. Valuation of the school district by county and classification, excluding homestead exemptions;

2. Bonded debt and judgments outstanding, including interest rates by maturity;

3. Matured debt and judgments;

4. Sinking fund balance, including cash and investments;

5. Sinking fund levy calculations, including surplus/deficit, principal accrual, annual interest, judgment installment and interest, total net levy and delinquency;

6. Levies in millage for general fund, building fund and sinking fund;

7. Millage adjustment factor, if applicable;

8. Previous year sinking fund collections, including total proceeds as certified, additions or deductions, reserve for delinquent tax, reserve for protest pending, tax apportioned, net balance in process of collection, and excess collections; and

9. Surplus analysis, including itemized sources of excess and deductions.

The board will post a copy of the statement in the administrative office of the board in an area accessible to the public and in at least one public library within the district within five (5) days after the statement is prepared.

No later than September 1, each year, the district shall transmit a copy of the required income and expenditures data to the State Department of Education for posting on the Department's Internet web site in a form that is accessible to the public.

Prior to October 1, each year, the board shall submit the statement of income and expenditures to the county excise board and shall file the itemized expenditure budget and request for state appropriated funds for the ensuing fiscal year, and an estimate of revenues to be received by the district with the State Board of Education.

ANNUAL BUDGET (Cont.)

Not later than 45 days after the estimate of needs is approved by the county excise board, the board of education shall adopt a final budget for the current fiscal year.

The final budget may be revised by the board in open meeting.

REFERENCE: 68 O.S. §3002
70 O.S. §5-114, §5-129, §5-133, §5-134.1, §5-135, §5-154, §5-155
70 O.S. §5-128, §5-128.1

EXEMPT FOOD FUNDRAISERS

During the school day and while the school district's food program is offering meals, there shall be no sales of competitive foods at school. The board of education may approve up to thirty (30) exempt food fundraisers for each school site, each semester that may sell foods that do not meet the guidelines of the *Healthy Hunger-Free Kids Act of 2010.* These fundraisers cannot be held during school hours or during the time that the school district's food program is offering meals. Each fundraiser cannot last more than fourteen (14) days.

Those groups wishing to have an exempt food fundraiser approved should submit a written request to the superintendent. The superintendent will make a determination as to whether the request will be recommended for approval at an upcoming board meeting under an appropriately worded agenda item.

ACTIVITY FUNDS

The Burlington Board of Education shall exercise complete control over all activity funds and shall adopt appropriate rules and regulations for handling, expending, and accounting for all such funds.

At the beginning of each fiscal year, the board shall approve all school 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. This includes any fundraiser that an employee wishes to create utilizing online services. Prior to creating an online fundraiser at sites such as "GoFundMe" or similar websites, an employee shall make a formal request to the superintendent or superintendent's designee. The superintendent shall process the request and a make a determination as to whether the request will be submitted to the board of education for approval. If approved by the board of education, the employee in consultation with the administration of the school district, shall create an online fundraiser which will be subject to all state laws and district policies.

The school activity fund custodian will be appointed by the board of education. The board shall review on an annual basis the surety bond for the activity fund custodian, which shall be in no case less than one thousand dollars ($1,000), and such bond shall be filed with the clerk of the board of education.

Annually, the board shall approve the various activity funds, beginning balances, depository bank for fund, authorized signers on the account, and location where interest will be placed.

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

No expenditures shall be made from activity funds except by check and on the authorization of the sponsor of the group to whom the fund belongs. 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 shall be deposited with the office of the superintendent. The custodian of such funds shall cause the funds to be deposited by the close of the next business day following receipt of the funds.

The custodian of a school activity fund may provide cash advances to sponsors for travel expenses on behalf of school district students and sponsors of certain school activities. The cash advances may come only from the school activity subaccount directly involved in the travel of such students or sponsor and only if the travel is one of the stated functions or purposes for the establishment of the subaccount. Receipts must be turned in to the custodian.

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

The board of education shall establish a petty cash account to be used only for the purpose of making small cash expenditures, such as postage, freight or express charges; provided that no single expenditure from the petty cash account will be made in excess of seventy-five dollars ($75.00), and the total expenditures during any one fiscal year will not exceed two thousand five hundred dollars ($2500.00) per school building.

These provisions shall not apply to funds collected by student achievement programs or parent-teacher associations and organizations that are sanctioned by the board of education. Guidelines adopted by the board for the sanctioning

ACTIVITY FUNDS (Cont.)

of such organizations and associations may include, but not be limited to, examinations of financial and performance audits performed on each such organization and association.

The superintendent is directed to establish a regulation governing activity funds. Such regulation, when approved by the board of education, shall be incorporated into this policy and shall become a part hereof.

The board alone has the authority to approve the establishment of accounts by whatever name or style it deems best suited to its needs for the revenue collected.

The board shall prohibit purchases from the activity fund for materials or equipment unless invoices or delivery tickets are furnished.

The board shall require that receipts for collections by the custodian be given proper internal control by using pre-numbered tickets for admission and providing written reconciliation made of tickets sold to actual revenues collected. Reconciliation documents will be filed and kept as documentation for the activity fund by the duly appointed activity fund custodian.

The board shall evaluate and adopt standard forms for the documentation of cash receipts.

The board shall require the custodian to deposit receipts in the local bank in a timely manner as proscribed by statute.

Recognizing that students will also be involved in the collecting and accounting of funds through fund-raising and student activities, the board encourages student participation and instruction in proper accounting procedures.

The board further requires the following procedures for the activity fund account:

1. The accounting system will be under the direction of one individual (activity fund custodian), who is responsible for keeping all accounts and preparing all financial reports. The activity fund custodian may delegate some of these duties to a central bookkeeper.

2. Records will be maintained and will include books of original entry, a general ledger, cash receipts records, expenditure records, and subsidiary ledgers.

3. Summary financial reports will be prepared on a monthly and annual basis.

4. Records will reflect that the budget has been planned and adopted cooperatively by students, sponsors, and school officials.

5. A centralized system of accounting and uniform method of handling funds shall be used.

6. Pre-numbered receipts for all money received will be utilized.

7. All money received will be deposited in the bank in a single account, in the name of Burlington School Activity Fund.

ACTIVITY FUNDS (Cont.)

8. All expenditures will be substantiated by an invoice or a signed receipt.
9. Pre-numbered checks will be used for all disbursements.
10. Two designated signatures will be required to authorize each expenditure.
11. All spoiled pre-numbered receipts will be marked void and will be retained.

REFERENCE: 70 O.S. §5-129, §5-129.1
70 O.S. §22-103

SANCTIONING OF PARENT ORGANIZATIONS AND BOOSTER CLUBS

The Board of Education of the Burlington Public School District has established procedures to provide for sanctioning of associations and organizations exempted or applying to be exempted from statutory controls and board policies and procedures pertaining to school activity funds.

School-related organizations have the following options regarding the management of their funds related to Burlington School District:

1. Funds may be deposited and expended through a board-approved school activity account at their local school site. Organizations who choose to deposit their funds in a board-approved school activity account must follow the district's policies and procedures for school activity funds.

2. Funds may be deposited and expended through an organization's local bank account and shall be exempt from regulations of the district's school activity fund upon being granted sanctioning status by Burlington Board of Education under the requirements of this sanctioning policy.

Only those student achievement programs and parent-teacher associations and organizations sanctioned in accordance with this policy will be exempt from the statutory controls over school activity funds found in the Oklahoma Statutes at 70 O.S. § 5-129.

Requirements

1. Organizations who have previously obtained IRS designation as a 501(C)(3) organization are still required to apply for sanctioning by the board of education.

2. The organization may not use school materials in advertising its activities. Use of school property by the organization for its activities is appropriate and will meet the regulations of the board of education.

3. Any plan, project or movement instigated to expand, modernize, renovate, or render maintenance to school-controlled and/or owned properties will be presented to the superintendent for consideration. This must be done prior to any announcement of the event. The board of education must formally approve any donations or gifts to the school district.

REFERENCE: 70 O.S. §5-129.1
Title IX, Education Amendment of 1972, 20 U.S.C. §1681, et seq.

THIS POLICY REQUIRED BY LAW.

AUDITOR

It is the policy of the Burlington Board of Education to employ an auditor for the district. The auditor shall serve at the discretion of the board and for such compensation as the board may determine. The auditor's duties will be to assist the board in preparing district budgets and to make such reports as may be required.

The board of education will provide for and cause to be made an annual audit of this school district for each fiscal year. The audit shall be a financial audit and a compliance audit of all school district 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 shall 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: 70 O.S. §22-103, et seq.

PURCHASING AND PROCEDURES GUIDE

A purchasing and procedure guide has been prepared for the use of all employees of the Burlington Public Schools in making requests for purchase of supplies, equipment, and services, and is incorporated as a part of the district's policy manual. The purpose of the guide is to establish a definite procedure to be followed in purchasing materials, services, and equipment by or for the Burlington Public Schools.

Employees are requested to become familiar with the contents of the guide in order to help them receive requested supplies more quickly. The guide will place emphasis on the following:

1. Proper use of the requisition form.
2. When speaking with suppliers, do not lead them to believe they will be awarded the purchase contract.
3. Orders made by telephone must be approved in advance by the superintendent and a purchase order number assigned by the purchasing office.
4. All purchases of supplies, equipment, services, transportation, etc., must be arranged in advance by the purchasing office.
5. It is the responsibility of the building principals and activity sponsors to follow specific instructions in securing services or materials.
6. Items costing in excess of $1,000.00 will normally be bid. This is a responsibility of the purchasing office.
7. Requisitions delivered to the purchasing office must be left for further processing. A minimum of one day is needed for processing. Requisitions must be checked for budget allocation and balances before the purchase order will be authorized by the purchasing office.
8. Constructive recommendations for changes in the purchasing procedure should be presented to the purchasing agent for consideration.

PURCHASING AND DISTRIBUTION
(REGULATION)

All purchases shall be made in strict conformity with local procedural requirements as set forth in the laws of Oklahoma.

School supplies and equipment shall be purchased only after careful consideration of the needs as pointed out by the appropriate administrative officials and teachers of the school system and authorized by the superintendent.

All materials and services received by the school district shall be reviewed by the proper school district representative to see that terms and specifications have been met.

The board shall keep written records covering all purchases. These records shall include written purchase orders, copies of the bills, and claims showing time of payment. All guarantees shall remain on file in the superintendent's office.

REFERENCE: 62 O.S. §310.9
74 O.S. §3109

PURCHASING AND DISTRIBUTION

It is the policy of the Burlington 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 principal or teacher. 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. Such purchases shall be limited to those in the amount of $500.00 or less.

The superintendent should take advantage of discounts for buying in quantity and, if possible, purchase in sufficient quantities for one full school term. Requisitions for supplies shall follow the appropriate chain of command originating from teachers, through the principal, to the superintendent. Purchases shall be made from local firms when economically wise to do so. However, the school district is required to purchase goods and services provided by the Oklahoma Department of Corrections whenever the article, service, or product provided by the Department of Corrections is the lowest and best bid.

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

REFERENCE: 21 O.S. §355
57 O.S. §549.1
62 O.S. §371
70 O.S. §5-123
70 O.S. §5-124
70 O.S. §5-129
70 O.S. §5-135

E-RATE RECORD RETENTION AND PROCUREMENT

Retention

It is the policy of Burlington Schools to retain E-Rate records for a period of ten years after the last date of service in accordance with FCC E-Rate Modernization Order (Para. 262, FCC 14-99, Adopted July 11, 2014.

Procurement

In selecting service providers for all eligible goods and/or services for which Universal Service Fund (E-Rate) support will be requested, the administration shall:

1. Make a request for competitive bids for all eligible goods and/or service for which Universal Service Fund support will be requested and comply with applicable state and local procurement processes included in its documented policies and procedures.

2. Wait at least four weeks after the posting date of the FCC Form 470 on USAC Schools and Libraries website before making commitments with the selected service providers.

3. Consider all bids submitted and select the most cost-effective service offering, with price being a primary factor considered.

4. Keep control of the competitive bidding process by not surrendering control to a service provider who is participating in the bidding process and not including service provider contact information on the FCC Forms 470.

Gifts

The school district will adhere to gift rules under the E-rate program consistent with the gift rules applicable to federal agencies, which permit only certain *de minimis* gifts. Generally, the federal rules prohibit a federal employee from directly or indirectly soliciting or accepting a gift (*i.e.*, anything of value) from someone who does business with his or her agency or accepting a gift given as a result of the employee's official position. The federal rules do, however, permit two categories of circumscribed *de minimis* gifts: (1) modest refreshments that are not offered as part of meal (*e.g.*, coffee and donuts provided at a meeting) and items with little intrinsic value intended for presentation (*e.g.*, certificates and plaques); and (2) items that are worth $20 or less (*e.g.*, pencils, pens, hats, t-shirts, and other items worth less than $20, including meals), as long as those items do not exceed $50 per employee from any one source per calendar year

In determining the amount of gifts from any one source, the FCC will consider the aggregate value of all gifts from any employees, officers, representatives, agents, independent contractors, or directors of the service providers in a given funding year. The restriction on gifts is always applicable, and is not in effect or triggered only during the time period that competitive bidding process is taking place. E-rate applicants are prohibited from soliciting or accepting any gift or other thing of value from a service provider participating in or seeking to participate in the E-rate program. It is a violation for any service provider to offer or provide any gift or other thing of value to those personnel of eligible entities involved with the E-rate program. An exception for gifts to family and personal friends when those gifts are made using personal funds of the donor (without reimbursement from an employer) and are not related to a business transaction or business relationship.

SAFETY PROGRAM
(REGULATION)

In accordance with the policy of the board of education, the following regulation supports and implements the board's policy concerning workplace safety and shall apply to the safety program of this school district:

Safety Coordinator

1. A Safety Coordinator will be appointed and designated in writing. The coordinator will be responsible for administering the workplace safety program.

2. The coordinator will arrange for safety classes to be provided to all school district employees each quarter. Safety classes will be provided only during the school year. Certified personnel who are in compliance with federal OSHA occupational safety and health standards shall be exempt from such safety classes or instruction.

3. Special training for certain classes of employees, if any, designated by the Oklahoma Commissioner of Labor will be administered within the district or by the Northwest Career Technology Center in conjunction with the district.

4. No employee of this school district shall discharge, discriminate, or take adverse personal action against any other employee because such employee has filed any complaint, or instituted or caused to be instituted any proceeding under or associated with this policy.

5. Within 48 hours after the occurrence of an employment accident that is fatal to one or more employees or that results in the hospitalization of five or more employees, the Safety Coordinator, the superintendent, or other designated employee will report such accident in writing to the Oklahoma Department of Labor.

6. The Safety Coordinator or the superintendent or other designated person will prepare or cause to be prepared an annual report of employee workplace injuries. The report will be forwarded to the Oklahoma Department of Labor.

7. The Safety Coordinator will conduct liaison with the Oklahoma Department of Labor to ensure continuing compliance with any rules and regulations of that department.

Responsibilities of the Buildings and Grounds Department

1. Maintain an overall safety program in maintenance and operation of buildings and grounds.

2. Provide specialized assistance as requested by building principals.

Responsibilities of Building Principals

1. Schedule regular inspections.

2. Post required state and federal safety regulations and maintain appropriate safety records.

SAFETY PROGRAM, REGULATION (Cont.)

3. Arrange the correction of defects reported by employees in the building either by using building personnel or requesting assistance from the buildings and grounds department.

4. Cooperate in the correction of defects reported by the district center buildings and grounds department or other governmental agencies.

5. Notify the fire department any time a fire, regardless of size, takes place in a building.

6. Designate smoking areas.

Responsibilities of Teachers and Counselors

1. Help students to develop confidence in their ability to take care of themselves and to be of help to others.

2. Be prepared to provide leadership and activities for students during a period of enforced confinement.

3. Be familiar with the psychological basis for working with students under the stress of emergency situations.

4. Be familiar with minimum first aid procedures.

5. Maintain good housekeeping practices to reduce hazards.

6. Help students to understand and interpret the emergency preparedness plan to parents.

Responsibility of School Nurse

1. Be prepared to render first aid, treat casualties, and identify and tag young children, unconscious persons, and others as indicated, and prepare patients for transportation to hospitals.

2. Participate as a health resource person in faculty studies in the area of curriculum development in determining how to best meet the need for emergency preparedness.

3. Assist the principal in determining the need for additional emergency supplies and equipment.

Responsibilities of Other Employees

1. Report promptly to the principal of the school or immediate supervisor any defects in buildings, grounds, or equipment that might prove injurious to the safety, health, or comfort of employees, pupils, or other persons.

2. Take reasonable precaution for the safe use of buildings, grounds, and equipment by students.

SAFETY PROGRAM, REGULATION (Cont.)

Responsibilities of the Safe Schools Committee

1. Study unsafe conditions in the schools, student victimization, school violence, and other issues concerning school safety.

2. Make recommendations to the principal regarding possible strategies for students to avoid harm at school, crime prevention, professional development needs of the faculty and staff concerning school safety, and methods to encourage the involvement of the community members and students.

3. Review traditional and accepted harassment, intimidation, and bullying prevention programs utilized by other states, state agencies, or school districts. The State Department of Education will provide a list of research-based programs appropriate for the prevention of harassment, intimidation, and bullying of students at school. If the district implements a commercial bullying prevention program, it shall use a program listed by the State Department of Education.

4. Review the district's current safety policies and regulations and make recommendations to the administration regarding any changes needed related to the Department of Homeland Security's threat assessment level and required or proposed actions.

Responsibilities of Students

1. Do not abuse or misuse any safety equipment such as fire extinguishers, fire blankets, alarm systems, etc.

2. False setting off the fire alarm, misuse of the fire alarm system, fire extinguishers or other fire protection equipment, or setting a fire in the building or on the school grounds shall be considered grounds for expulsion.

REFERENCE: 40 O.S. §403

NOTE: The law states that only employers having 25 or more employees shall be required to conduct safety classes and that exempted employees are not counted in the 25 or more employees.

SAFETY PROGRAM

It is the policy of the Burlington Board of Education to develop rules and procedures which will promote safety in the workplace and which will establish and maintain conditions of work that are reasonably safe and healthful for district employees. Therefore, the superintendent is directed to develop such rules and procedures in accordance with Oklahoma law and the rules of the Oklahoma Department of Labor. The superintendent will designate himself/herself or other person as a district safety coordinator. The rules and procedures developed by the superintendent and approved by this board shall be incorporated into this policy and become a part hereof.

The superintendent will establish procedures in an effort to offer reasonable protection for the safety of students, employees, visitors, and others present on school property or at school-sponsored events. Written plans and procedures will be prepared for the protection of students, faculty, administrators, and visitors from both natural and man-made disasters and emergencies. The written plans and procedures will be reviewed and revised as needed at the regular meeting of the board of education. A copy of the district's disaster/emergency plan will be provided to appropriate local emergency management officials.

The practice of safety shall be taught in educational programs in traffic and pedestrian safety, driver education, fire prevention, emergency procedures, disaster preparedness, etc., appropriately geared to students in different grade levels. Areas of emphasis shall include, but not be limited to, in-service training, accident record keeping, plant inspection, driver and vehicle safety programs, fire prevention, and emergency procedures in traffic safety problems relevant to students, employees, and the community.

Not later than October 1 of each school year, each school district site shall select a Safe School Committee composed of at least seven members. The committee will include an equal number of teachers, parents of the children affected, and students. In addition, the committee shall include a school official who participates in the investigation of reports of harassment, intimidation, bullying, and threatening behavior. The committee will study and make recommendations to the principal concerning:

1. Unsafe conditions, possible strategies for students to avoid harm at school, student victimization, crime prevention, school violence, and other issues which prohibit the maintenance of a safe school;

2. Student harassment, intimidation, and bullying at school;

3. Professional development needs of faculty and staff to implement methods to decrease student harassment, intimidation, and bullying; and

4. Methods to encourage the involvement of the community and students, the development of individual relationships between students and school staff, and use of problem-solving teams that include counselors and/or school psychologists.

5. Policies and regulations to be revised in light of the Department of Homeland Security's threat assessment guidelines.

The committee shall meet annually. The principal shall give consideration to recommendations of the committee.

SAFETY PROGRAM (Cont.)

REFERENCE: **63 O.S. §681**
70 O.S. §1-107
70 O.S. §24-100

NOTE: **Burning candles on school property may lead to a potentially dangerous situation. As a result, the State Fire Marshal and the State Department of Education are encouraging school districts to prohibit the burning of candles on school property.**

EMERGENCY PLANS
(REGULATION)

The board recognizes it is a custodian of the next generation. Consequently, this imposes the responsibility to provide facilities, equipment, and training to minimize the effects of a disaster. It is the responsibility of the district to develop a school emergency plan that will provide as much protection as possible for children while at school and on their way to and from school, and to provide adequate instruction so that the school emergency plan may be carried out with the greatest possible speed and safety. Therefore, the following responsibilities are assigned:

Superintendent

1. Make annual recommendations for needed policy statements to the board.
2. Designate a staff member at each school site to act as school emergency coordinator.
3. Coordinate a school disaster plan with the local civil defense plan.
4. Act as liaison, or appoint a liaison, to coordinate with local civil defense and other officials.
5. Ensure a copy of the school disaster plan is filed at each site within the district.
6. Provide a copy of the district's plan to appropriate local emergency management officials.

Each Principal

1. Be informed concerning his or her responsibilities for organizing and implementing the emergency preparedness program in the school.
2. Select and assign faculty members to various positions of responsibility in accordance with the school plan.
3. Request needed emergency preparedness supplies and equipment and ensure the maintenance and replenishment of emergency supply kits.
4. Inform parents concerning the emergency plan program of the school through student/parent handbooks or other distributed information.

Each Teacher

1. Help students to develop confidence in their ability to take care of themselves and to be of help to others.
2. Be prepared to provide leadership and activities for students during a period of enforced confinement.
3. Be familiar with the psychological basis for working with students under the stress of emergency situations.
4. Be familiar with minimum first aid procedures.
5. Maintain good housekeeping practices to reduce hazards.
6. Help students to understand and interpret the emergency preparedness plan to parents.

EMERGENCY PLANS, REGULATION (Cont.)

Custodians and Maintenance Personnel

1. Inspect facilities for structural safety and report defects.
2. Chart shutoff valves and switches for gas, oil, water, and electricity, and post charts so that other personnel may use them in an emergency.
3. Be prepared to assist in establishing school building security.
4. Be prepared to assist with emergency evacuations.
5. Be prepared to inspect the building following a disaster and report damage to the appropriate administrator(s).
6. Be ready to make emergency repairs to building services.

Cafeteria Manager and Assistants

1. Maintain an adequate supply of food and water for emergency use.
2. Be prepared for feeding services under emergency conditions.

Transportation Personnel

1. Ensure all vehicles are properly maintained and have at least a half tank of gas in the event of an emergency evacuation.
2. Be familiar with alternate routes of transportation from the school to alternate places of safety (police department, community shelter, local hospital, etc.)

EMERGENCY PLANS

The Burlington Board of Education has appointed a committee composed of the superintendent, each building principal, the director of maintenance, and other designated personnel for the purpose of developing and maintaining the district emergency plans. A Crisis Plan will be developed by local officials and the Safe School Committee that will ensure an established set of directives to guide the actions of those involved and responsible for the safety of students and property. Special drill activities related to fire safety and other emergencies will be planned and implemented by each principal, in association with the superintendent, director of maintenance, the fire marshal, or other civil authorities, to ensure orderly movement and placement of students to the safest available space(s) should an emergency occur, including, but not limited to, the following:

1. Severe weather
2. Fire
3. Flood
4. Terrorism
5. Missing student(s)
6. Suicide
7. Threatening persons
8. Weapons/explosives found on school site
9. Any other situation the Safe Schools Committee deems appropriate

The crisis/emergency plan will be kept on file at each school site and a copy will be provided to local emergency management officials. Additionally, the superintendent will maintain communication with other community agencies in order to share information on preparedness and planned procedures. It shall also be the responsibility of the superintendent to ensure that the schools work in cooperation with these other agencies during such emergencies.

Emergency preparedness should be discussed with teachers and students at least once per semester or as deemed necessary by the building administration. Each classroom shall have posted a copy of rules, evacuation signals, evacuation routes, and procedures to be followed for fire and tornado emergencies, terrorist attacks, and emergency evacuations. All teachers and staff members shall make themselves familiar with these procedures.

The board of education shall receive yearly reports from the superintendent as to the status of all emergency plans, which reports shall identify any safety needs for the school district.

REFERENCE: 63 O.S. §681
70 O.S. §24-100

SCHOOL SECURITY DRILLS

The following are the planned procedures for responding to a school campus intrusion/crisis. If a teacher, student, or administrator is made aware of an intruder, violence, weapons, acts of terrorism, or other crisis within the school campus, the following actions should be taken:

1. Notify the office immediately by intercom or in person, whichever is fastest (no student messengers).

2. Do not confront any intruder. Instead, notify the principal/office, unless a student is in imminent danger.

3. The principal/office will announce over the intercom, "This is a security drill, please take action at this time." The office will also notify the police, ambulance, superintendent, etc., and will immediately shut off all school bells.

4. Teachers' immediate responsibilities shall be:

   Lock all classroom doors (all inside)
   Close all windows, window blinds/curtains
   Turn all classroom lights off
   Gather all students in an obscure corner of the room
   Keep students orderly and quiet
   Refrain from using the intercom unless the intruder is visible and office contact is necessary
   Do not leave the classroom/students at any time

5. The principal shall close all hallway doors in the building.

6. The principal shall announce over the intercom that the drill is "over" and any explanation will be given at that time.

A minimum of four security drills will be conducted at each school site within the district on an annual basis. No security drill will be conducted at the same time of day as a previous security drill conducted in the same school year, and no more than two security drills shall be conducted in one semester. One security drill shall be conducted within the first fifteen (15) days of each semester. The board of education and administration shall make a determination each year as to the extent of student involvement in the security drills. Staff shall be required to participate in the drills.

LEGAL REFERENCE: 70 O.S. § 5-148

WARNING SYSTEMS
INCLEMENT WEATHER

It is policy of the Burlington Board of Education to dismiss school if weather conditions deteriorate to the extent that the safety of students may be jeopardized.

During the tornado season, the school administration will be concerned with tornado watches and tornado alerts. A tornado watch is issued by the weather bureau when conditions are favorable for the development of tornadoes. School will not be dismissed because of a tornado watch. However, if a parent is concerned about the safety of a child, the child will be released to the parent's custody at the school. A tornado warning is issued by the weather bureau when a tornado has been sighted. School will be dismissed if the administration feels that it is safe to do so. Otherwise, children shall remain at school and appropriate safety measures shall be taken.

Should the superintendent or, in the superintendent's absence, the principal decide to dismiss school because of weather conditions, the following media sources should be requested to make appropriate announcements: Radio station KXLS, KALV, K101, KTIL. Absent such announcements, students should assume that school will be in session.

Should it become necessary to dismiss school during a school day, K101 radio and all bus drivers will be notified by the administration. Students will be dismissed in an orderly fashion once buses have arrived.

FIRE DRILLS
RULES AND PROCEDURES

In accordance with the policy of the board of education and Oklahoma law, fire drills will be scheduled by the principal at least twice each school year. The fire drills shall be conducted within the first fifteen days of each semester. The purpose of a fire drill is to train students, under staff direction, to move safely, quickly, and quietly from any location within the building to an assigned evacuation area outside.

The following rules and procedures will be complied with in all schools:

1. Rules for fire evacuation will be posted in each room. These rules will indicate the primary and alternate exits and the evacuation area to which the student should proceed upon leaving the building. The posted rules will be discussed with each class using the room during the first day(s) of the school year.

2. A district fire alarm signal will be used for fire drills only; another signal will be established by the principal for return to class.

3. No person is to remain in the building during fire drills.

4. Evacuation areas will be at least 50 feet (100 feet if possible) away from buildings and driveways at the north and south ends of the school.

5. It is each student's responsibility to move quickly, quietly, and in an orderly manner through the assigned exit to the assigned evacuation area.

6. Provided safety considerations allow, the teacher or other fire evacuation leader will be responsible for:

   A. Seeing that windows are closed.

   B. Assuring that electrical circuits and gas jets are turned off.

   C. Maintaining order during the evacuation.

   D. Assigning students to hold doors open, if their group is the first to evacuate from such doors, and instructing students holding doors to rejoin the class after the last person has passed through the doors.

   E. Taking the roll book and checking roll when the class is in the assigned evacuation area. The name of any student not accounted for will be reported immediately to the principal or the principal's designee.

7. The exercise will be observed by the vice-principals and a report made to the principal as to the time required to complete the evacuation.

8. The principal will provide the superintendent, or the superintendent's designee, with a report on all fire drills, including the time required for evacuation. The superintendent shall preserve such reports for at least three years and make them available to the State Fire Marshal, or his agent, upon request.

REFERENCE: 70 O.S. §5-149

TORNADO DRILLS
RULES AND PROCEDURES

In accordance with the policy of the board of education, tornado drills will be scheduled by the principal at least two times per school year in order to ensure the best possible plan has been established and to ensure all students and personnel know what they are to do when a signal for a tornado drill is given. Tornado drills must be conducted in September and March of each school year. The principal or designated staff member shall submit a copy of the drill plan for the building to the superintendent's office during the first month of school. Tornado drills are to be held on different days of the week at different hours of the day.

Definition of Terms

A **tornado watch** indicates that, within a period of several hours, a tornado may strike in a designated area.

A **tornado warning** indicates a tornado has been spotted or indicated on radar and that the tornado is likely to strike in a designated area immediately or within the next hour.

Procedures

When a tornado warning has been received, the superintendent or designated administrator shall notify all schools in the area. Upon being notified of a tornado warning, the principal or designated staff member must check weather conditions in the area to determine if it is necessary for students to be moved into the refuge areas. A designated staff member will monitor commercial radio or TV for tornado warnings, even if the school has a NOAA weather radio tone-alert system.

It is not necessary for schools to wait for the "weather alert" before moving students into the refuge areas. If the principal or designated staff member deems it advisable to move students into the refuge areas, this should be done immediately. Designated staff members will be assigned to bring in children from playgrounds or other outdoor areas during a tornado warning.

Each principal or staff representative will need to use individual best judgment as to when students should leave the refuge areas and return to the classrooms.

Refuge Areas

Students housed in single story buildings should be moved into a basement or the interior corridors that are not parallel to the tornado’s path (usually from the southwest).

Students housed in single story buildings that do not have corridors should seek refuge under tables, desks, etc. preferably away from areas containing glass.

In situations where some of the students are housed in annexes adjacent to the main building, students should be moved from the annex into the main building when space is available.

Avoid the use of large enclosed areas, such as auditoriums, gymnasiums, cafeterias, or other rooms with wide, free-span roofs as places of refuge.

TORNADO DRILLS, RULES AND PROCEDURES (Cont.)

If a school bus is caught in the open when a tornado is approaching, the children will be escorted to a nearby ditch or ravine and made to lie face down, hands over their heads. They should be far enough away from the bus so that the bus cannot topple onto them.

Planning Security Drills

When developing a tornado security drill, selecting refuge areas to be used should be the first consideration. After refuge areas are determined, the following should be accomplished:

1. Assign and fit the students into the refuge areas. Adjustment may be necessary.

2. Conduct drills with one or two rooms at a time.

3. Determine the position(s) to be taken in the refuge areas and explain them to the students. The following positions are recommended:

   A. Down on knees, lean forward, cover as much of exposed body as possible by crossing arms and burying the face in the arms.

   B. Cross legs, sit on the floor, and cover face with folded arms. (Students should turn their backs to natural light.)

4. Determine the signal to be used for the security drill and ensure all school personnel and students know how to distinguish it from other signals. Establish a backup alarm to be used in the event of a power failure, e.g. a battery-operated bullhorn, hand-cranked siren, or hand bell.

5. Conduct a building drill and make any changes necessary to improve the plan.

Teacher Responsibility

The classroom teacher has the responsibility of preparing the students for the drills as well as the real emergency. Information given by the teacher will do much to protect the emotional health of the child. Statements by uninformed or poorly informed individuals can cause students to become emotionally upset. It would seem psychologically sound to teach all students the usable facts that can be understood at their intelligence level. There cannot be a quick course of instruction once a tornado has struck.

Preparation of the Building

Close the outside doors on the side from which the tornado is approaching.

Open outside doors on the side of the building opposite to the approaching tornado. Doors must be fastened securely so there is no danger of their blowing shut. Tapered wedges and/or doorstops should be used for this. All inside doors leading into corridors must be left open.

TORNADO DRILLS, RULES AND PROCEDURES (Cont.)

The custodian or alternate MUST turn off the gas on the outside of the building when a tornado warning has been received.

Variety

It is recommended that tornado drills be held under all kinds of conditions and circumstances and from all parts of the building in order to prepare students for any emergency that would make it necessary for them to be moved into the refuge areas. Among these would be the following situations:

--From regular classrooms
--From regular classrooms with a blocked exit
--From assemblies
--When some of the students are in the classrooms and others are on the school grounds or in the cafeteria
--When students are in the process of changing classes
--Any other situation in which students might be found
--From the cafeteria
--From a bus

Dismissal from School

School will not be dismissed because of a tornado warning.

Children will not be permitted to leave school during a tornado warning alert in the immediate area. However, parents may go to the school and get their children. Parents should contact the principal's office and let a member of the school staff get the student from the classroom. When parents go to the classroom, it excites the other students and disrupts teaching.

If, at dismissal time, a storm is approaching and it is believed the children will not have time to reach home before it strikes, children should be kept in the building until it is deemed safe to dismiss them. School buses will not be used during tornado warnings.

SAFETY DRILLS

The School District will conduct ten (10) safety drills each school year. The Superintendent shall be responsible for ensuring that all ten (10) drills have been appropriately conducted at each school site within the school district. It shall be the duty of the site principal, under the direction of the superintendent, to conform to the written plans and procedures adopted by the school district. All students and teachers shall participate in the safety drills. The extent of student involvement in intruder drills shall be determined by the superintendent in consultation with the building principal. The ten (10) drills shall consist of the following:

1. Security drills. A minimum of four (4) security lockdown drills shall be conducted at each site within the school district each school year. No security drill can be conducted at the same time of day as a previous security drill in the same school year, and no more than two drills shall be conducted in the same semester. One security drill shall be conducted within the first fifteen (15) days of each semester. Security drills shall be conducted for the purpose of securing school buildings to prevent or mitigate injuries or deaths that may result from a threat around or in the school.

2. Fire drills. Each site school shall conduct a minimum of two (2) fire drills per school year. Each fire drill shall be conducted within the first fifteen (15) days of each semester. The fire drills shall include the sounding of a distinctive audible signal designated as the fire alarm signal.

3. Tornado drills. Each school site shall conduct a minimum of two (2) tornado drills per school year. Tornado drills are required to be conducted in the months of September and March.

4. Safety drills. Each school site shall conduct a minimum of two (2) safety drills per year that can consist of any of the aforementioned drills.

Documentation of completion of the drills shall be maintained. Records for each fire drill shall be preserved in writing for at least three years and made available to the State Fire Marshal or the marshal's agent upon request. The school district shall document all other safety drills in writing and by school site with a copy of the report remaining at the school, a copy filed with the district administrative office, and a cop with the Oklahoma School Security Institute.

REFERENCE: 70 O.S. § 5-148
70 O.S. § 5-149

*Evacuation of the building to various safe locations in a random order is preferred so that anyone threatening harm will not have prior knowledge of the evacuation route and safe areas.

DISASTER PLAN
PROCEDURES

Intermediate Steps for Crisis Control

1. Provide support and counseling for students.
   A. Regular instruction will probably need to be suspended while the disaster is discussed.
   B. Individuals trained in counseling might target classrooms for their most immediate services where children are most severely affected.
   C. Teachers need to know how to get assistance from another professional quickly should the need arise.
2. Disseminate factual information about the crisis to parents.
   A. The most effective method of providing factual information to parents may be to prepare a letter to be sent home.
   B. Some parents may need to be contacted by phone, especially if their child's reaction to the disaster seems extreme.
3. Decide how to deal with funerals or memorial services if death(s) are involved in the disaster.
   A. When possible, have parents take their own children to the services.
   B. If parents are unable to go, staff members may volunteer to do this. Permission slips may be needed.
   C. At times, school buses may be used. Permission slips may be needed.
   D. Plans for makeup work or forgiveness for assignments not completed due to attending services should be made and discussed with staff members so that a consistent plan is used.

Long-term and On-going Disaster Intervention

1. Provide for on-going opportunities to deal with the crisis. This might include:
   A. Continue to have additional support staff and outside professionals available to students.
   B. Make additional resources available to teachers who will be dealing with student reactions daily.
2. Think ahead to effects that might be delayed. For example:
   A. A similar incident in another location may trigger renewed feelings.
   B. The one-year anniversary of a disaster may provide an opportunity for planning a special remembrance; thereby diverting renewed reactions if the anniversary date is ignored.

DISASTER PLANS

Written plans and procedures shall be in place for protecting students, faculty, administrators, and visitors from natural and man-made disasters and emergencies. Such plans will be kept on file in each school building in the district and at each local emergency management organization within the district. Annual reports will be presented to the board of education detailing the status of emergency preparedness and identifying safety needs for each school.

With respect to the size of the Burlington school system, there will be one crisis team. The team will be composed of the superintendent, two teachers, a school board members, and two parents. The superintendent will be the team leader and media liaison.

Local agencies, as well as media agencies, will be contacted in regard to disaster assistance when needed.

In case of a disaster, the school will be used as the central office for coordination of activities stemming from the incident. If the school is not available because of the incident, the alternative site will be the Burlington Acres Fire Department.

Decisions to be made by the team and team leaders should a disaster occur include the following:

1. How the staff, student body, and community will learn of the disaster.
2. How to most accurately and efficiently provide information.
3. Schedule changes.
4. Opening or closing of school and resuming normal routines.
5. Plans for shielding the children from the media, if needed.

REFERENCE: 63 O.S. § 681

TOBACCO USE PROHIBITED

The use of a tobacco product shall be prohibited 24/7 in or on an educational facility that offers an early childhood education program or in which children in grades kindergarten through twelve are educated. The use of a tobacco product shall also be prohibited 24/7 in school vehicles, and at any school-sponsored or school-sanctioned event or activity.

1. "Educational facility" is defined as ~~all~~ any property, building, permanent structure, facility, auditorium, stadium, arena or recreational facility owned, leased, or under the control of the school district.

2. "School Vehicle" is defined as any transportation equipment or auxiliary transportation equipment as defined in 70 O.S. § 9-104.

3. "Chewing tobacco" is defined as any Cavendish, twist, plug, scrap, and any other kinds and forms of tobacco suitable for chewing.

4. "Smoking tobacco" is defined as any granulated, plug cut, crimp cut, ready rubbed, and any other kinds and forms of tobacco suitable for smoking in a pipe or cigarette.

5. "Tobacco product" is defined as any bidis, cigars, cheroots, stogies, smoking tobacco and chewing tobacco, however prepared. Tobacco products shall include any other articles or products made of tobacco or any substitute thereof. Tobacco product will also include any vaping product.

Signs will be posted in prominent places on school property to notify the public that smoking or other use of tobacco products is prohibited.

Students are also prohibited from possessing tobacco on, in, or upon any school property. If students are found to be carrying cigarettes or other tobacco products, the tobacco product will be confiscated.

Employees are warned that violation of this policy may lead to dismissal action. Patrons who violate this policy will be asked to leave the school premises. Students violating this policy will be disciplined.

REFERENCE: 21 O.S. §1247
63 O.S. §1-1522, et seq.
70 O.S. § 1210.212
20 U.S.C. §6083

HAZARDOUS MATERIALS

The Burlington Board of Education realizes that hazardous materials are used in the day-to-day operation of the school facilities and in the support of education requirements. The board also recognizes that with the use of hazardous materials, responsibility must be taken to ensure personal safety and to protect the environment during the use, storage, and transportation of such materials.

Therefore, this school district shall establish and maintain conditions of work which are reasonably safe and healthful for our employees. The school district's safety standards and safeguards shall be those which are reasonably necessary for the protection of the life, health and safety of our employees.

The term "hazardous materials" includes any substance or mixture of substances that pose a fire, explosive, reactive, or health hazard (such as bloodborne pathogens). Examples are common household cleaning supplies, spray oven cleaners, cleaning solvents, photo chemicals, soldering flux, some ceramic glazes, oils, gasoline and other fuels, and all other materials for which a "material safety data sheet" (MSDS) has been prepared. The U.S. Occupational Safety and Health Administration maintains complete listings of hazardous substances and materials.

The superintendent will develop regulations and/or procedures that govern the purchase, storage, handling, transportation, and disposal of hazardous materials for school facilities and operations.

Such regulations will establish an ongoing process by which each location in the district will have a program of identifying and managing hazardous material. District personnel will be encouraged to substitute non-hazardous material for hazardous material to the extent possible and to minimize the quantities of hazardous substances used and stored on school property.

HAZARD COMMUNICATION STANDARD (REGULATIONS)

In order to comply with the Hazard Communication Standard, the following written program has been established for Burlington Public Schools:

All work units of the school district are included within this program. The written program will be available in the Superintendent's office for review by any interested employee. As an employer, the school district intends to provide and maintain conditions of work that are reasonably safe and healthful for all employees. The Burlington School Hazard Communication Standard Program is to assure that each employee receives the information and training needed to work safely. It is a tool for providing communication to personnel about hazards and how to deal with them.

The Principal will be the Hazard Communication Standard Program Manager and will be assisted by the maintenance director.

Container Labeling

The maintenance director will verify that all containers received for use will be clearly labeled as to the contents, the appropriate hazard warnings are noted, and the name and address of the manufacturer are listed on each one.

The custodian in each section will ensure that all secondary containers are labeled with either an extra copy of the original manufacturer's label or with the generic labels that have a block for identity and blocks for the hazard warnings.

The Principal will review the school district labeling system every 12 months and update as required.

Material Safety Data Sheets (MSDS)

The maintenance director will be responsible for obtaining and maintaining the data sheet system for the school district and will review incoming data sheets for new and significant health/safety information. New information will be passed on to the affected employees.

Copies of MSDS's for all hazardous chemicals to which employees of the district may be exposed will be kept in the Principal office.

MSDS's will be available to all employees in their work areas for review during each work shift. If MSDS's are not available or new chemicals in use do not have MSDS's, the Principal should be contacted immediately.

Employee Training and Information

The Principal is responsible for the employee training program and will ensure that all elements specified below are carried out.

Prior to starting work, each new employee of the school district will attend a health and safety orientation and will receive information and training on the following:

1. An overview of the requirements contained in the Hazard Communication Standard;

HAZARD COMMUNICATION STANDARD, REGULATIONS (Cont.)

2. Chemicals present in the workplace operations;
3. Location and availability of the written Hazard Communication Standard Program;
4. Physical and health effects of the hazardous chemicals;
5. Methods and observation techniques used to determine the presence or release of hazardous chemicals in the work area;
6. How to lessen or prevent exposure to these hazardous chemicals through usage of control/work practices and personal protective equipment;
7. Emergency procedures to follow if exposed to these chemicals;
8. How to read labels and review MSDS's to obtain appropriate hazard information; and
9. Location of MSDS files and location of hazard chemical lists.

After attending the training class, each employee will sign a form to verify that the training was attended, written materials were received, and the policies on hazard communication are understood.

Prior to a new chemical hazard being introduced into any section of the district, each employee of that section will be given information as outlined above. The maintenance director is responsible for ensuring that MSDS's on the new chemical(s) are available.

List of Hazardous Chemicals

The hazards associated with chemicals used by the school district will be identified from Material Safety Data Sheets obtained from the chemical supplier.

A Chemical Information List is available in the Principal's office. Further information on each noted chemical can be obtained by reviewing Material Safety Data Sheets.

Hazardous Nonroutine Tasks

Periodically, employees are required to perform hazardous nonroutine tasks. Prior to starting work on such projects, each affected employee will be given information by the maintenance director about hazardous chemicals to which they may be exposed during such activity.

This information will include:

1. Specific chemical hazards;
2. Protective/safety measures the employee can take; and

HAZARD COMMUNICATION STANDARD, REGULATIONS (Cont.)

3. Measures the district has taken to lessen the hazards, including ventilation, respirators, presence of another employee, and emergency procedures.

Informing Contractors

It is the responsibility of the District to provide contractors (with their employees) the following information:

1. Hazardous chemicals to which they may be exposed while on the job site, and

2. Precautions the employees may take to lessen the possibility of exposure by usage of protective measures.

The District will be responsible for contacting each contractor before work is started in the school district to gather and disseminate any information concerning chemical hazards that the contractor is bringing to the school workplace.

It is the responsibility of the contractor to train his employees.

Fire Safety

The fire safety regulations call for keeping the Burlington Fire Department informed of hazards. A system for placards to mark areas for the fire department will be set up with the local fire chief.

Monitoring and Evaluation

The superintendent, Principal and Head Custodian will review the Hazard Communications Programs at least annually and update and make changes as necessary.

Other Areas of Responsibility

Each principal, the vocational agricultural instructor, the bus mechanic, science instructors, and coach will be familiar with the Hazard Communication Standard and with these regulations and will see that they are carried out in their respective work areas and areas of responsibility.

HAZARD COMMUNICATION

It is the policy of the Burlington Public Schools to provide in-service training on an annual basis concerning hazard communications (Right To Know Law) and the Maintenance, Operation of Plants (MOPs) workshops by the Oklahoma State Department of Education.

1. MOP Workshop in-services will be mandatory for district employees, custodial staff, appropriate support personnel, and student workers and any other employees who work during the summer.

2. Hazard communications in-service will be conducted by district personnel or outside consultants. Employees to attend are custodial staff, appropriate support personnel, lunchroom personnel, and student workers.

Certificates of attendance will be maintained in the employee's personnel file on an annual basis.

ASSAULTS UPON SCHOOL EMPLOYEES (REGULATION)

Assaults/battery upon school district personnel and/or students will not be tolerated. Appropriate action must be taken immediately. Procedures to be followed by the building administrator when an assault/battery has occurred are:

1. Restore order and contact proper law enforcement authorities, if necessary;
2. Secure medical assistance, if necessary;
3. Conduct a preliminary investigation;
4. Submit a written report to the superintendent.

After reviewing the written report of the incident, the superintendent may refer the matter to the district attorney.

Nothing herein shall be construed as limiting the individual employee's or student's right or duty to report such occurrence.

ASSAULTS UPON SCHOOL EMPLOYEES

It is the policy of the Burlington Board of Education to encourage the prosecution of any person who commits assault, battery, or assault and battery upon the person of a school employee or student or threatens and places an employee or student of the public schools in immediate fear of bodily harm while the employee or student is in the performance of his duties as a school employee or student. The following statement will be posted in at least one prominent location at each school site:

FELONY CHARGES MAY BE FILED AGAINST ANY PERSON(S) COMMITTING AN AGGRAVATED ASSAULT OR BATTERY UPON ANY SCHOOL EMPLOYEE.

School employee is hereby defined to include any duly appointed person or employee of a firm contracting with a school system for any purpose, including personnel not directly related to the teaching process and including school board members during school board meetings.

REFERENCE: 21 O.S. §650.7

BUILDINGS, EQUIPMENT, AND GROUNDS

The Burlington Board of Education believes that the education of children is dependent upon many factors including a proper physical environment that is safe, clean, attractive, and smoothly functioning.

The care, custody, and safekeeping of all school district property is the general responsibility of the superintendent. It is also the superintendent's responsibility to establish procedures for the proper maintenance and safekeeping of school property.

Citizens of the district, students, and members of the police department are encouraged to cooperate in reporting to the chief of security any incidents of vandalism to property belonging to the district and the name(s) of the person or persons believed to be responsible. Every employee of the district shall report to the principal of the school - and the principal in turn to the chief of security - any incident of vandalism known to them, and, if known, the names of those responsible.

The superintendent is authorized to sign a criminal complaint and to press charges against perpetrators of vandalism to school property. The superintendent is further authorized to delegate, as seen fit, authority to sign such complaints and to press charges.

The superintendent shall have authority to let contracts for minor repair work not exceeding $500.00. Contracts beyond minor repair shall require board approval.

For public use of school property, see the policy on the community use of school property located elsewhere in this manual (see policy GK).

The school district shall be entitled to recover damages in a court of competent jurisdiction from the parents of any minor under 18 years of age, living with the parents at the time of the act, who commits any criminal or delinquent act resulting in bodily injury to any person or damage to or larceny of any property, real, personal or mixed, belonging to the school district. The amount of damages awarded shall not exceed $2,500.00.

REFERENCE: 23 O.S. §10

APPENDIX 2
STUDENT CONDUCT ON BUSES

TO: Parents of Transported Students

FROM: Burlington Board of Education

The school bus driver has a great responsibility. Each day the bus carries a "precious cargo" and the driver's only concern should be to see that all passengers are transported to and from school safely. Unfortunately, there are times when children (young and old) do things that cause the driver to be distracted from the job. This is dangerous and cannot be allowed. It is necessary therefore, that Student Conduct Rules and Regulations be in force and that they be followed without question. Parents must see that their child understands the importance of good behavior while riding a bus.

Riding a school bus is not a right but a privilege granted to those who are eligible and are able to abide by the rules and regulations. It is not right that a student be allowed to ride a school bus when the student continues to jeopardize the safety of others. The board of education realizes that a hardship may result in having to take your child to and from school but it is sometimes necessary.

Therefore, the school system must have parents sign an agreement that their child will abide by the rules and regulations. If the rules are broken, punishment will be administered on an increased scale. Students will be given three opportunities to correct their behavioral problems. Students will have a choice of three alternatives each time. 1) Not riding the bus; 2) In-school suspension; 3) Punishment befitting the offense (for example, writing on seats will result in having to clean bus seats). On the fourth offense, the student will have no choice: he/she will no longer be allowed to ride the bus. Suspension will be for the remainder of the semester or the school year. This applies only to students in grades 5 through 12. There will be no counseling with them. They have read the rules and you have gone over it with them. Punishment will be immediate, and by the principal of the respective school.

If a student shows an uncontrolled malicious disregard for the safety and well-being of the passengers and driver, it is possible that immediate suspension will occur without going through the above procedure.

The bus driver accepts the responsibility of getting your child to and from school safely. Therefore, what the driver observes and reports to the principal is final. The driver is not there to determine the right or wrong of one student in a dispute with another, but is there to report any misconduct or behavior that might interfere with the proper operation of the school bus.

For students in K through 4th grades, counseling will be provided for controlling discipline and conduct problems, with occasionally some punishment assessed after counseling fails. Only in very rare cases is it necessary to deny riding privileges to students in grades K-4.

Any student who is involved in damage to a school bus will be required to pay for the damage.

APPENDIX 2, STUDENT CONDUCT ON BUSES (Cont.)

BUS RIDER RULES

Riding a school bus is a privilege and the privilege may be removed for not abiding by the bus rider rules.

Prior to loading, students should:

1. Be on time at the designated school bus stops--keep the bus on schedule.
2. Stay off the road at all times while waiting for the bus.
3. Not move toward the bus at the school loading zone until the bus has been brought to a complete stop.
4. Respect people and their property while waiting on the bus.
5. Receive proper school official authorization to be discharged at places other than the regular bus stop.

While on the bus, students should:

1. Keep all parts of the body inside the bus.
2. Refrain from eating and drinking on the bus.
3. Refrain from the use of any form of tobacco, alcohol, or drugs.
4. Assist in keeping the bus safe and clean at all times.
5. Remember that loud talking and laughing or unnecessary confusion diverts the driver's attention and may result in a serious accident. (The life you save may be your own.)
6. Treat bus equipment as they would valuable furniture in their own homes. Damage to seats, etc., must be paid for by the offender.
7. Should never tamper with the bus or any of its equipment.
8. Maintain possession of books, lunches, or other articles and keep the aisle clear.
9. Help look after the safety and comfort of small children.
10. Not throw objects into or out of the bus.
11. Remain in their seats while the bus is in motion.
12. Refrain from horseplay and fighting on the school bus.

APPENDIX 2, STUDENT CONDUCT ON BUSES (Cont.)

13. Be courteous to fellow students and the bus driver.
14. Remain quiet when approaching a railroad crossing stop.
15. Remain in the bus during road emergencies except when it may be hazardous to their safety.

After leaving the bus, students should:

1. Go at least ten (10) feet in front of the bus, stop, check traffic, wait for bus driver's signal, then cross road.
2. Go home immediately, staying clear of traffic.
3. Help look after the safety and comfort of small children.

Extracurricular Trips

1. The above rules and regulations should apply to all trips under school sponsorship.
2. Sponsors should be appointed by the school officials.

TIPS FOR SAFE SCHOOL BUS RIDING

For a safe and enjoyable ride to and from school, follow these rules:

1. Leave home early enough to arrive at your bus top on time.
2. Wait for your bus in a safe place well off the roadway.
3. Enter your bus in an orderly manner and take your seat.
4. Follow the instructions of your school bus driver or bus patrol.
5. Remain in your seat while your bus is in motion.
6. Keep your head and arms inside the bus at all times.
7. Keep aisles clear at all times.
8. Remain quiet and orderly.
9. Be courteous to your school bus driver and fellow passengers.
10. Be alert to traffic when leaving the bus.

APPENDIX 2, STUDENT CONDUCT ON BUSES (Cont.)

PLEASE COMPLETE THE FORM BELOW. IN ORDER TO RIDE THE SCHOOL BUS, THIS FORM MUST BE RETURNED WITHIN THE FIRST TWO WEEKS OF SCHOOL.

(Turn in the form to your teacher, bus driver, or principal. Form may be included in student handbook with the Bus Rider Rules.)

To the Burlington Public School System:

We have read and discussed with our child(ren) the school bus policy and rules.

We agree with the school system that these rules should be in force and that any student who cannot abide by these simple rules should be disciplined and/or counseled with according to the school's policy.

As parents, we ask that the school contact us by telephone or written letter each time our children are involved in incidents so that we might further counsel our child(ren) on proper bus conduct.

Sincerely,

_____
Parent's Signature

_____ _____
Date Phone Number

Please write in the names and grade of each child in your family who will ride the school bus. This statement will be in effect for the current school year.

_____ Grade _____

_____ Grade _____

_____ Grade _____

_____ Grade _____

_____ Grade _____

SCHOOL TRANSPORTATION

The Burlington school district recognizes that in Oklahoma, student transportation is a service that may be provided for its students by the school district. The school district wishes to assure its citizens that any transportation services provided by the district are to accomplish three goals:

1. To ensure that children of our district school are transported in the safest manner possible (see also policy CNAB);

2. To ensure that the transportation services provided are cost effective to our district's taxpayers;

3. To ensure that all transportation services are rendered in an equitable manner.

The school district will accomplish these goals through strict enforcement of its school transportation policies.

Definitions: For the purposes of clarification, the following terms are defined.

1. Supervisor of Transportation--the person appointed by the board of education responsible for the operation of student transportation services.

2. School bus driver--any person who operates a vehicle transporting school children under the direct auspices of the board of education.

3. School bus, transportation equipment--any vehicle or conveyance used to transport school children from their homes to school and from school to their homes.

4. Auxiliary transportation equipment--includes, but is not limited to, equipment used for transporting students to and from extracurricular activities, but does not include transportation equipment used for transporting students from their homes to school and from school to their homes.

Drivers of all school transportation equipment will abide by state laws, rules, and regulations and shall make appropriate reports as required.

REFERENCE: 70 O.S. §9-104

SCHOOL BUS:
EXTRACURRICULAR USE OF

It is the policy of the Burlington Board of Education to allow the use of school buses or other district-owned vehicles for the transportation of students participating in school-sponsored activities under the following conditions:

Bus or district-owned vehicle use for educational field trips and by student organizations is accepted as an extension of classroom activities.

When district-owned transportation is used, the student organization using the vehicles may be required to reimburse the district for all or part of the cost of the transportation.

Students participating in such activities must return in the same vehicle in which they departed unless permission is granted from the activity sponsors to return with parents.

Lights will be activated at all times that the bus is in operation.

REFERENCE: 47 O.S. §12-228
70 O.S. §9-108

SCHOOL BUS SAFETY INSPECTIONS

The purpose of the school bus inspection is twofold. First, it is to determine that the equipment as purchased meets the minimum uniform standards set for school buses. Secondly, it is to see that the equipment is being maintained in such condition as to keep it safely and economically operable.

In order to carry out this twofold purpose, the inspection must be a continuous process, not merely an annual or semi-annual affair. In addition to the local inspection, all buses must be inspected and approved annually at specified stations approved by the Department of Public Safety. The State Board of Education will designate official inspectors who are eligible to conduct inspections for school transportation equipment. The annual inspection is required to include, but is not limited to, the following:

1. Brakes
2. Steering
3. Front and rear wheel suspension
4. Exhaust systems
5. Wheels and tires
6. Windshield wipers
7. Horn or warning device
8. Proper adjustment of turn signals
9. Windshield
10. Glass and lighting equipment
11. Stop signal arms
12. Emergency exits and equipment

The most vital part of the inspection process is that carried on at the local level. This is a continuous, daily pre-trip inspection and report.

The daily inspection will include examination of tires, radiator, oil level, engine operation, brakes, lights, signaling devices, and definite check to see if exhaust system is free of leaks and tail pipe extends even with the back bumper. After each daily inspection, the school vehicle driver shall be required to complete and sign a check sheet showing all defects and deficiencies that may affect the safety of the vehicle's operation or result in a mechanical break down. These sheets are to be filed daily with the supervisor of school bus transportation. The daily safety check reports shall be kept on file 90 days and shall be kept available for inspection by authorized persons.

SCHOOL BUS SAFETY INSPECTIONS (Cont.)

This system of school bus inspection will result in two benefits. First, regular inspections will forestall mechanical failures and thus avoid delays in transportation of students as well as costly repairs. Secondly, it will reduce the accidents that can result from mechanical failures.

In consideration of these facts, no school bus driver or any person in any way responsible for the operation of the school transportation system can afford to be without the protection of a systematic school bus inspection report.

REFERENCE: 70 O.S. §9-101.1

CHILD NUTRITION AND PHYSICAL FITNESS PROGRAM

The Burlington Board of Education recognizes that childhood obesity has reached epidemic levels throughout the country. Overweight children are at a higher risk for developing severe long-term health problems, and overweight children are affected by discrimination, psychological stress, and low self-esteem. However, research indicates that obesity and subsequent diseases are largely preventable through diet and regular physical activity. Research also indicates that becoming physically active and maintaining a regular physical activity program significantly reduces the risk of some obesity and some cancers, diabetes, and other chronic diseases.

Children who eat well-balanced meals and are healthy are more likely to learn in the classroom. The Burlington Board of Education supports increased emphasis on nutrition as well as physical activity at all grade levels to enhance the well-being of our district's youth. Therefore, it is the policy of the board to:

1. Provide students access to nutritious food and encourage consumption of nutrient dense foods;

2. Provide opportunities for physical activity and developmentally appropriate exercise; and

3. Provide accurate information related to these topics.

It is the intent of the Burlington Board of Education that parents, students, child nutrition employees, teachers of physical education, and the general public participate in the development, implementation, and periodic review and updating of this policy. It is expected that Burlington Public School's Healthy and Fit Kids Advisory Committee will participate in the process and assist the referenced individuals in preparing written recommendations to the Burlington Administration and to the Burlington board of education to adopt as a part of Burlington Public School's Wellness Policy. Specific information regarding these recommendations and the Wellness Policy are as follows:

LOCAL WELLNESS

Purpose: The link between nutrition, physical activity, and learning is well documented. Healthy eating and activity pattern are essential for students to achieve their full academic potential, full physical and mental growth, and lifelong health and well-being. Healthy eating and physical activity, essential for a healthy weight, are also linked to reduced risk for many chronic diseases. Schools have a responsibility to help students learn, establish, and maintain lifelong healthy eating and activity patterns. Well-planned and effectively implemented school nutrition and fitness programs have been shown to enhance students' overall health, as well as their behavior and academic achievement in school. Staff wellness also is an integral part of a healthy school environment since school staff can be positive daily role models for healthy behaviors.

Goal: All students in Burlington Public School shall possess the knowledge and skills necessary to make nutritious food choices and enjoyable physical activity choices for a lifetime. All staff in Burlington Public School are encouraged to model healthy eating and physical activity as a valuable part of daily life.

To meet this goal, Burlington Board of Education adopts this school wellness policy with commitments to four basic components: nutrition guidelines/standards, nutrition education, physical activity, and other school-based activities that support student and staff wellness.

The Administration of Burlington Public School is charged with developing, maintaining and monitoring compliance with regulations that are consistent with the above-stated policy and goals.

CHILD NUTRITION AND PHYSICAL FITNESS PROGRAM (Cont.)

Nutritional Guidelines/Standards

- School lunches and breakfasts will meet menu-planning system guidelines as required by USDA.
- School meals will meet the Dietary Guidelines for Americans.
- Healthy food preparation techniques will be implemented. Food items prepared at all schools will not be deep-fried.
- Frozen and canned fruits should be packed in natural juice, water or light syrup. Fresh fruits/vegetables will be offered daily.
- Schools serving chips will use reduced-fat or baked varieties, rather than the traditional varieties, whenever possible.
- Students will be offered a variety of skim and low-fat, protein items, and vegetables on a daily basis.
- Food items containing whole grains will be offered throughout the week to exceed the USDA guidelines for grains.
- A nutrient analysis of food items offered to students will be made available upon request. School staff will support and encourage student participation in the USDA school meals program.
- Meals served through the Child Nutrition Programs will be appealing and attractive to children of various ages and diverse backgrounds, and will be served in a clean, safe, and pleasant setting.
- The Child Nutrition Program will pursue partnerships with local/regional farms to facilitate a Farm-to-School program. Meals served within the federally reimbursable meal program will be designed to feature fresh fruits and vegetables from local sources to the greatest extent possible.
- Child Nutrition staff will be engaged in wellness activities and educational opportunities that support healthy eating behavior and food safety.
- Annual training is provided to Child Nutrition Staff on basic nutrition, nutrition education, and nutrition standards for preparing healthy meals.
- Training and support are provided to enable Child Nutrition Staff to become full partners in providing excellent food to our students.
- Beverage contracts will not restrict the sale of fluid milk products at any time during the school day or at any place on the school premises.
- Nutritional-rich food and drink items will be available for sale at all places where food and beverages are sold to students on school campus during the school day. This includes the cafeteria, vending machines, school stores, and concession stands. The district will follow the recommended food items specifies in Healthy Snack Choice Provided by the OSDE.
- Beverage contracts will not restrict the sale of fluid milk products at any time during the school day or at any place on the school premises.
- High energy drinks with elevated levels of caffeine will not be for sale anywhere on school campus.

Nutritional Education

- Burlington Public School will follow current health education curriculum standards and guidelines as set forth in the Oklahoma State Department of Education.
- Nutritional education is offered in the school cafeteria as well as the classroom
- The Healthy and Fit School Advisory Committee will study and make recommendations regarding health education, nutrition, and health services
- MyPyramid, nutritional education resources will be used in the cafeteria and classrooms
- Family/parent nutrition education opportunities will be provided

CHILD NUTRITION AND PHYSICAL FITNESS PROGRAM (Cont.)

- The Oklahoma Ag in the Classroom curriculum will be implemented in Grades PK-6
- Nutrition education is integrated into the core curriculum, including math, science, and language arts
- Advertising and other materials that promote FMNV will be eliminated on all school campuses
- Students will receive consistent nutritional messages throughout the school, classroom, cafeteria, and school events Age appropriate USDA Team Nutrition resources will be utilized to teach nutrition education to students.
- School staff will work with local county extension educators to incorporate nutrition education activities in school
- School staff will promote healthful eating and healthy lifestyles to students and parents

Physical Education

- The Healthy and Fit School Advisory Committee at Burlington Public School will study and ma recommendations regarding physical education and physical activity
- Students in Grades K-6 will participate in at least 60 minutes of physical activity each week
- Elementary K-6 will provide at least 20 minutes of daily recess that promotes physical activity beyond what provided through physical education classes
- Burlington Public School will provide adequate equipment (e.g., balls, rackets, and other manipulatives) for eve student to be active
- Staff will serve as physical activity role models for students
- Students will participate in an annual health-related fitness tests as part of their physical education class
- Burlington Public School will establish or enhance physical activity opportunities for students, staff, and parents Active transportation to and from school will be encouraged by assessing safest routes for students to walk or bi school
- Students will be encouraged to participate in voluntary before-and after-school physical activity programs such intramurals, clubs, and at the secondary level, interscholastic athletics
- All playgrounds will meet the recommended safety standards for design, installation, and maintenance

School-Based Activities

- Burlington Public School will establish a Healthy and Fit School Advisory Committee that meets and makes recommendations to the school principal. The school principal shall give consideration to recommendations ma by the Healthy and Fit Advisory Committee.
- Food, beverages, or candy will not be used as a reward or punishment
- Students and parents will be involved in the National School Lunch Program (NSLP), Parent and student involvement will include menu-planning suggestions, cafeteria enhancement, program promotion, and other related student-community support activities
- Students will be provided with a clean, safe, enjoyable meal environment
- Students will be provided with an adequate amount of time to eat lunch. A minimum of 10 minutes for breakfast a 20 minutes for lunch from the time the student is seated.
- Fundraising efforts, classroom parties and celebrations will be supportive of healthy eating.
- Students will be involved in planning for a healthy school environment. Students at Burlington Public School w be encouraged to be members of the Healthy and Fit School Advisory Committee.

CHILD NUTRITION AND PHYSICAL FITNESS PROGRAM (Cont.)

Curriculum

The Burlington Board of Education recognizes that healthy eating patterns are essential for students to achieve their academic potential, full physical and mental growth, and lifelong health and well-being. To ensure students possess the knowledge and skills necessary to make nutritious food choices for a lifetime, the superintendent shall prepare and implement a comprehensive district nutrition program consistent with state and federal requirements for districts sponsoring the National School Lunch Program and/or the School Breakfast Program. To implement the program, the Superintendent shall adopt and implement a comprehensive curriculum on health, fitness, and nutrition that will provide opportunities for developmentally appropriate instruction for grades K- 12. The input of staff, students, parents, and public health professionals in the development of the curriculum will be encouraged.

Nutrition, health, and fitness topics shall be integrated within the sequential comprehensive health education curriculum taught at every grade level, K-12, and coordinated with the district's nutrition and food services operation.

Burlington Public School will take a proactive effort to encourage students to make nutritious food choices. The superintendent shall ensure that:

1. A variety of healthy food choices are available whenever food is sold or served on district property or at district-sponsored events;

2. Schools shall regulate the sale or serving of foods or snacks high in fat, sodium, or added sugars; and

3. Nutritious meals served by the school nutrition and food services operation complies with state and federal law.

Child Nutrition Program

Burlington Public School will operate a school lunch program that will include lunch, and may include breakfast, through participation in the Child Nutrition Programs. The superintendent, in conjunction with the food service supervisor and with the approval of the Burlington Board of Education, will establish and post meal prices.

As required for participation in the Child Nutrition Programs, the Burlington Board of Education prescribes that:

School lunch is to be made available to all students.

Free and reduced price lunches are to be made available for students who meet the federal income guidelines.

In the operation of the Child Nutrition Programs, no child will be discriminated against because of race, sex, color, national origin, age, or disability. Discrimination complaints under these programs should be filed with the State Department of Education Child Nutrition Programs, 2500 North Lincoln Blvd., Oklahoma City, Oklahoma 73105-4599.

Burlington Public School shall inform parents of the eligibility standards 'for free or reduced price meals. Reasonable efforts shall be made to protect the identity of students receiving such meals. A parent has the right to appeal to the superintendent any decision with respect to his/her application for free or reduced price food services,,

CHILD NUTRITION AND PHYSICAL FITNESS PROGRAM (Cont.)

Burlington Public School's child nutrition program shall reflect the board's commitment to providing adequate time for instruction to promote healthy eating through nutrition education, serving healthy and appealing foods at district schools, developing food-use guidelines for staff, and establishing liaisons with nutrition service providers, as appropriate. Nutrition education topics shall be integrated within the sequential, comprehensive health education program taught at every grade level, pre-kindergarten through grade 12, and coordinated with the district's nutrition and food services operation.

It is the intent of the Burlington Board of Education that district schools take a proactive effort to encourage students to make nutritious food choices. Meals served in school before the end of the last lunch period shall conform to the U.S. Dietary Guidelines for Americans. Food and beverages sold or served on district grounds or at district-sponsored events shall meet requirements for nutritional standards and/or other guidelines as may be recommended by the district and school health and nutrition committees. The superintendent shall ensure that nutritious foods are available as an affordable option whenever food is sold or served on district property or at district-sponsored events.

The superintendent is directed to prepare rules and regulations to implement and support this policy, including such provisions as may be necessary to address all food and beverages sold and/or served to students at school (i.e., competitive foods, snacks, and beverages sold from vending machines, school stores, and fund raising activities and refreshments that are made available at school parties, celebrations, and meetings), including provisions for staff development, family and community involvement, and program evaluation. The board of education designates the Superintendent as the school official who shall be responsible for oversight of this policy. to ensure compliance for the school district.

The content of this policy and any updates are to be provided to the public on an annual basis. Burlington Public School may do this electronically or through the media.

REFERENCE: **70 O.S. § 1-107**
7 CFR, Parts 210 and 220
7 CFR, Part 245.5

THIS POLICY REQUIRED BY
PUBLIC LAW 108-265, SECTION 204
AND PUBLIC LAW 111-296.

PROCUREMENT
(REGULATION)

SECTION I - PROCUREMENT PLAN GENERAL REQUIREMENTS

The Burlington Public Schools plan for procuring items for use in the Child Nutrition Program is as follows:

1. The procurement plan provides for free and open competition, transparency in transactions, comparability, and documentation of all procurement activities.

2. The following **Code of Conduct** will be expected of all persons who are engaged in the awarding and administration of contracts supported by Child Nutrition reimbursement funds. These written standards of conduct include:
    a. No employee, officer, or agent shall purchase or establish a contract if a conflict of interest, real or apparent, would be involved. Conflicts of interest arise when one of the following has a financial or other interest in the firm selected for the award:
        1) The employee, officer, or agent;
        2) Any member of the immediate family;
        3) His or her partner;
        4) An organization which employs or is about to employ one of the above.
    b. Employees, officers, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements.
    c. The purchase during the school day of any food or service from a contractor for individual use is prohibited.
    d. No item, food, or beverage purchased with nonprofit school food service funds will be removed from the school premises by school personnel.
    e. Penalties for violation of the standards of code of conduct of the SFA School Child Nutrition Program (CNP) should be:
        1) Reprimand by Board of Education
        2) Dismissal by Board of Education
        3) Any legal action necessary

3. Regardless of procurement method, the following factors will be determined regarding the allowability of costs:
    a. Be necessary and reasonable for proper and efficient administration of the program(s)
    b. Be allocable to federal awards applicable to the administration of the programs(s)
    c. Be authorized and not prohibited under state and local laws

4. Purchasing will be conducted at the most restrictive procurement threshold:

	Federal Procurement Thresholds	SFA/Sponsor Procurement Thresholds (input)
Micro-purchasing	Less than $3,500	Less than $3,500
Equipment	Over $5,000	Over $5,000
Small/Informal	Less than $150,000	Less than $150,000
Formal	Greater than $150,000 or any total Food Service Management Contract	$150,000 or greater

PROCUREMENT, REGULATION (Cont.)

5. All staff conducting purchasing will be trained on the procurement procedures.

6. All purchasing records will be maintained no less than the current year plus 3 additional years.

7. **Buy American** Provision
   Section 104(d) amended Section 12(n) of the National School Lunch Act (NSLA) (42 U.S. 1760) to require SFAs participating in the National School Lunch Program (NSLP) and School Breakfast Program (SBP) in the United States ***to purchase for those programs, to the maximum extent practicable, domestic United States Department of Agriculture (USDA) Foods or products***. For purposes of this provision, the term domestic food commodity or product means agricultural USDA Foods produced in the United States, including Guam, American Samoa, the Virgin Islands, Puerto Rico, and the Northern Mariana Islands, and food products processed in the United States **SUBSTANTIALLY** using agricultural USDA Foods that are produced in the United States. The Conference Report accompanying Public Law 105-336 makes it clear that the term **SUBSTANTIALLY** means that over 51 percent of the processed food comes from American produced products. (SD-24-2016)

8. **Geographical Preference**
   The use of statutorily or administratively imposed in-state or local geographic preferences for procurements under USDA entitlement programs is prohibited, except for unprocessed locally grown or locally raised agricultural products. The Food, Conservation, and Energy Act of 2008 (Public Law 110-246, Section 4302), amended Section 9(j) of the National School Lunch Act (NSLA) to allow institutions receiving funds through CNP to apply a geographic preference when procuring unprocessed locally grown or locally raised agricultural products.

   When geographic preference is used, an SFA must still get quotes from several farmers when procuring unprocessed locally grown or locally raised agricultural products so that competitors have an opportunity to compete for the bid.

9. **Protest procedures** are required. SFAs will have protest procedures to handle and resolve disputes relating to their procurements and shall in all instances disclose information regarding the protest to the awarding agency. A protestor must exhaust all administrative remedies with the SFA before pursuing a protest with a federal agency. Reviews of protests by the federal agency will be limited to: (Reference USDA Policy Memo2006-SNP-06)
   a. Violations of federal law or regulations and the standard of 7 CFR §3016 (violations of state or local law will be under the jurisdiction of state or local authorities).
      AND
   b. Violations of the SFA's protest procedures for failure to review a complaint or protest. Protests received by the federal agency other than those specified above will be referred to the SFA.

10. **Beverage and Snack Agreements** (Reference USDA Policy Memo 99-SP-09)
    In some cases, the exclusive contracts do not involve nonprofit school food service account (SFSA) funds, in which case there are no federal FNS procurement issues involved. However, if any nonprofit school food service products are purchased via the exclusive contract, then all federal procurement requirements must be met. If small purchase procedures are used for a procurement of $150,000 or less, price or rate quotations must be obtained from an adequate number of qualified sources. Additionally, if nonprofit school food service products are included in the contract, any rebates, commissions, scholarship fund

PROCUREMENT, REGULATION (Cont.)

contributions, or any other payments back to the SFA or SFA-related organizations must be reimbursed to the nonprofit SFA on a prorated basis.

a. No federal prohibition on multiyear contracts other than for FSMCs. It is suggested, however, that school procurement officials consider the impact of multiyear contracts, as opposed to one-year contracts, on beverages and snacks. Long-term contracts would appear to be more appropriate for nonperishable products and services such as warehousing and equipment rental. As noted above, however, there is no federal prohibition on these longer-term contracts.
b. Public Law 108-265, Section 102, requires a school participating in the NSLP shall not directly or indirectly restrict the sale or marketing of fluid milk products by the school (or by a person approved by the school) at any time or any place on the school premises or at any school-sponsored event.
c. Schools participating in the NSLP must check all beverage contracts for language that may limit the sale of milk on school grounds. The sale of milk cannot be limited at any time during the school day or at any place on the school premises. Contracts may have language that is hard to understand. Look for the term ***Exclusive Pouring Rights***. Every school district must have amended their beverage contracts that limit the sale of milk should such language exist. The primary effect of this provision is to prevent contract limitations on the sale of fluid milk in competition with other beverages.

11. The SFA will take all necessary affirmative steps to assure that **minority firms, women's business enterprises, and labor surplus area firms** are used when possible. Affirmative steps shall include:
    a. Placing qualified small and minority businesses and women's business enterprises on solicitation lists.
    b. Assuring that small and minority businesses and women's business enterprises are solicited whenever they are potential sources.
    c. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses and women's business enterprises.
    d. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses and women's business enterprises.
    e. Using the services and assistance of the Small Business Administration (SBA), and the Minority Business Development Agency of the Department of Commerce.
    f. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed above.

Certifications

1. **Nonkickback Affidavit** - Please note that Oklahoma statute 62 0.S. §310.9 requires a signed and notarized nonkickback affidavit on every purchase order of $25,000 or more. The affidavit is to be signed by the person or persons authorized to accept payment on behalf of the architect, contractor, engineer, or supplier.

2. Lobbying Certification (Reference 200.326[1])
    a. Lobbying certification must be obtained for procurement contracts of more than $100,000. Any vendor whose contract award is for more than $ 150,000 must complete a Certification Regarding Lobbying form. The SFA must keep this signed certification statement on file with a copy of the vendor's contract.

PROCUREMENT, REGULATION (Cont.)

b. Any SFA or its vendors who participate in lobbying activities must complete a Disclosure of Lobbying Activities form. SFAs must submit this completed form to the State Agency. A vendor would submit its completed form to the SFA.

3. **Debarment or Suspension**. An SFA is prohibited from contracting with an individual or company that has been debarred or suspended in accordance with 2 CFR §180, as adopted and modified by USDA regulations at 2CFR §417. This prohibition does not extend to contracts in existence at the time of the debarment or suspension or to most contracts under $25,000. Rather, it applies to new contracts and extensions or renewals of existing contracts of $25,000 or more and to contracts for audit services, regardless of amount. **(FORMAL CONTRACTS)**

4. **Contract Work Hours and Safety Standards Act** (40 U.S.C. 3701-3708). Where applicable, ***all contracts*** awarded by the nonfederal entity in excess of $ 100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 70 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a halftimes the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market or contracts for transportation or transmission of intelligence.

5. **Equal Opportunity and Discrimination**. The vendor certifies it is an Equal Opportunity Employer, a provider of services and/or assistance, and is in compliance with the 1964 Civil Rights Act, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, as amended, and Executive Orders 11246 and 11375. The vendor assures compliance with the Americans With Disabilities Act of 1990 (Public Law 101-336), all amendments to, and all requirements imposed by the regulations issued pursuant. **(FORMAL CONTRACTS OF $10,000 OR MORE)**

6. Contracts in excess of $150,000 shall contain provisions that require compliance with all applicable standards, orders, or requirements issued under Section 306 of the **Clean Air Act** (42 U.S.C. 1857[h]), Section 508 of the **Clean Water Act** (33 U.S.C. 1368), Executive Order 11738, and **Environmental Protection Agency (EPA)** Regulation (40 CFR §15), which prohibit the use of nonexempt federal contracts, grants, or loans of facilities included on the EPA list of violating facilities. The provision shall require reporting of violations to the grantor agency and to the EPA Assistant Administrator for Enforcement. The contract must recognize mandatory standards and policies relating to energy efficiency that are contained in the State Agency conservation plan issued in compliance with the Energy Policy and Conservation Act (Public Law 94-163).

SECTION II - MICRO PURCHASING

If the amount of purchases for items is less than $3,500 and less than the SFA/Sponsors' small purchase threshold, the following procedure will be used.

PROCUREMENT, REGULATION (Cont.)

1. Purchases will not be separated into 2 or more purchases to meet or be below the $3,500 threshold.
2. The price quotes will not be required. Competition is not required.
3. When practicable, micro-purchases will be distributed equitably among qualified suppliers.
4. Documentation of purchases will be kept and maintained for 3 years plus the current year.
5. The Superintendent or Designee will be responsible for documentation of purchase.

Note: Federal threshold of $2,000 is applicable in the case of acquisitions for construction subject to the Davis Bacon Act

SECTION III - PURCHASING EQUIPMENT

If the amount of purchases for equipment is greater than $5,000, the following procedure will be used.

1. Written specifications will be prepared and provided to vendors.
2. Each vendor will be contacted and given an opportunity to provide a price quote on the same specifications. A minimum of two vendors shall be contacted.
3. The price quotes will receive appropriate confidentiality before award.
4. If using USDA funding for the purchase, the SFA/Sponsor will seek prior approval from Oklahoma Child Nutrition Programs unless the equipment is placed on the Equipment Pre-Approval list located in the Child Nutrition Manual.
5. Quotes will be awarded by the Superintendent or Designee. Quotes awarded will be to the lowest and best quote based upon quality, service availability, and price.
6. The SFA will be responsible for documentation of records to show selection of vendor, reasons for selection, names of all vendors contacted, price quotes from each vendor, and ***written specifications***.
7. The SFA will be responsible for documentation that the actual product specified is received.

Equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or $5,000. See also §200.12 Capital assets, 200.20 Computing devices, 200.48 General purpose equipment, 200.58 Information technology systems, 200.89 Special purpose equipment, and 200.94 Supplies.

PROCUREMENT, REGULATION (Cont.)

SECTION IV - SMALL PROCUREMENT

If the amount of purchases for items is greater than $3,500 and less than $150,000 *(or the SFA/Sponsor 's small purchase threshold)*, Small Purchase Procedures must be followed. There are two methods of Small Purchasing allowed, either Quotes and/or a Market Basket Study. Quotes documented from an adequate number of qualified sources will be required.

Select one

☐ Purchases over $3,500 but below $150,000

☐ Purchases over $3,500 but below _____ *(Sponsor input if threshold is below federal limit of $150,000, must use most restrictive)*

Method 1: Quotes

1. Written specifications will be prepared and provided to the vendor.
2. Each vendor will be contacted and given an opportunity to provide a price quote on the same specifications. A minimum of two vendors shall be contacted.
3. The SFA will be responsible for contacting potential vendors when price quotes are needed.
4. The price quotes will receive appropriate confidentiality before award.
5. Quotes will be awarded by the Superintendent. Quotes awarded will be to the lowest and best quote based upon quality, service availability, and price.
6. The SFA will be responsible for documentation of records to show selection of vendor, reasons for selection, names of all vendors contacted, price quotes from each vendor, and written specifications.
7. The SFA will be responsible for documentation that the actual product specified is received.
8. Any time an accepted item is not available, the SFA will select the acceptable altemate. Full documentation will be made available as to the selection of the acceptable item. Substituted items will not be made at the vendor's discretion.
9. Purchasing will be based on the following criteria:
    a) Quality
    b) Service Availability
    c) Price

PROCUREMENT, REGULATION (Cont.)

SECTION V - FORMAL PROCUREMENT (N/A)

Select one or more as applicable

☐ Purchases over $150,000 *(Sponsor input if threshold is below federal limit of $150, 000, must use most restrictive)*

☐ Food Service Management Contracts at any total cost *(does not include vended meal agreements)* n/a, no purchases over $150,000 or Food Service Management Contracts

1. If the amount of purchases is $150,000 (or SFWSponsor approved threshold if less), or for a Food Service Management Contract, formal procurement procedures will be used as required by 2 CFR Part 200.318-326, formerly 7 CFR §3016.36.

2. Formal bid procedures will be applied on the basis of:

Category	Procurement Method	Evaluation Used	Contract Award Type	Contract Duration/Frequency
Frozen Foods *(Meats, Fruits, Vegetable)*; Canned Foods *(same as above)*	Formal	Bottom line	Fixed price	Bi-annual (August 1-January 31; February 1-June 15)
Fresh Fruits and Vegetables	Formal	Bottom line	Cost reimbursable plus fixed-fee	Bi-annual, same as above.
Dish Machine Chemicals	Formal	Bottom line	Fixed price with price adjustment	August 1-June 15
Fresh Bread	Formal	Bottom line	Fixed price with price adjustment	Annual by SY
Milk and Dairy Products	Formal	Bottom line	Fixed price with price adjustment	Annual by SY
Office Supplies	District contract	Bottom line	Cost reimbursable plus fixed-fee	Annual July 1-June 30

3. Formal bid procedures will be applied on **the basis of a:**
   _____ Centralized System
   _____ Individual Site
   _____ Multi-Sponsor Systems
   _____ State Contract
   _____ Combination of above (specify): _____

4. Because of the potential for purchasing more than $150,000, it will be the responsibility of the SFA to document the amounts to be purchased so the correct method of procurement will be followed.

PROCUREMENT, REGULATION (Cont.)

When a formal procurement method is required, the following ***COMPETITIVE SEALED BID or an Invitation for Bid (IFB) or COMPETITIVE PROPOSAL in the form of a Request for Proposal (RFP)*** procedures will apply:

- An announcement of an Invitation for Bid (IFB) or a Request for Proposal (RFP) will be placed in the (Newspaper/media, IPS Website, other internet source) to publicize the intent to purchase needed items. The advertisement for bids/proposals or legal notice will be run for (2 weeks).

- An advertisement is required for all purchases over the districts shall purchase threshold of $150,000 or greater. The announcement will contain a:

    - general description of items to be purchased
    - deadline for submission of questions and the date written responses will be provided including addenda to bid specifications, terms and conditions as needed
    - date of pre-bid meeting, if provided, and if attendance is a requirement for bid award
    - deadline for submission of sealed bids or proposals, and
    - address of location where complete specifications and bid forms may be obtained.

- In an IFB or RFP, each vendor will be given an opportunity to bid on the same specifications.

- The developer of written specifications or descriptions for procurements will be prohibited from submitting bids or proposals for such products or services.

- The IFB or RFP will clearly define the purchase conditions. The following list includes requirements, not exclusive, to be addressed in the procurement document:

    - Contract period
    - SFA/Sponsor is responsible for all contracts awarded (statement)
    - Date, time, and location of bid opening
    - How vendor is to be informed of bid acceptance or rejection
    - Delivery schedule
    - Set forth requirements (terms and conditions) which bidder must fulfill in order for bid to be evaluated
    - Benefits to be entitled if the contractor cannot or will not perform as required
    - Statement assuring positive efforts will be made to involve minority and small business
    - Statement regarding the return of purchase incentives, discounts, rebates, and credits to the nonprofit Child Nutrition account
    - Contract provisions as required in Appendix II for 2 CFR Part 200, formerly 7 CFR Part 3016.36(i)
    - Contract provisions as required in 7 CFR Part 210.21 (f) for all cost reimbursable contracts
    - Contract provisions as required in 7 CFR Part 210.16(a)(l-10) for Food Service Management Company contracts
    - Procuring instrument to be used are purchase orders from firm fixed prices after formal bidding
    - Price adjustment clause (escalation/de-escalation) based on appropriate standard or cost index (Consumer price index, or other as stated in terms and conditions for pricing and price adjustments)
    - Method of evaluation and type of contract to be awarded
    - Method of award announcement and effective date (if intent to award is required by State or local procurement requirements)

PROCUREMENT, REGULATION (Cont.)

- Specific bid protest procedures including contact information of person and address and the date by which a written protest must be received
- Provision requiring access by duly authorized representatives of the SFA/Sponsor, State Agency, United State Department of Agriculture, or Comptroller General to any books, documents, papers and records of the contractor which are directly pertinent to all negotiated contracts
- Method of shipment or delivery upon contract award
- Provision requiring contractor to maintain all required records for ***three*** years after final payment and all other pending matters (audits) are closed for all negotiated contracts
- Description of process for enabling vendors to receive or pick up orders upon contract award
- Provision requiring the contractor to recognize mandatory standards/polices related to energy efficiency contained in the State Energy Plan issued in compliance with the Energy Policy and Conservation Act (PL 94-165)
- Signed statement of non-collusion
- Signed Debarment/Suspension Certificate or statement included in contract or copy of Excluded Parties List System (EPLS).
- Specifications and estimated quantities of products and services prepared by SFA/Sponsor and provided to potential contractors desiring to submit bids/proposals for the products or services requested.
- If any potential vendor is in doubt as to the true meaning of specifications or purchase conditions, interpretation will be provided in writing to all potential bidders by the Superintendent or Designee and date specified.
- The Superintendent or Designee will be responsible for securing all bids or proposals.
- The Superintendent or Designee will be responsible to ensure all SFA/Sponsor procurements are conducted in compliance with applicable Federal, State, and local procurement regulations.
- The following criteria will be used in awarding contracts as a result of bids/proposals.
  - Quality
  - Service Availability
  - Price

In awarding a competitive negotiation (RFP), a set of award criteria in the form of a weighted evaluation sheet will be provided to each bidder in the initial bid document materials. Price alone is not the sole basis for award, but remains the primary consideration when awarding a contract. Following evaluation and negotiations a firm fixed price or cost reimbursable contract is awarded.

- The contracts will be awarded to the responsible bidder/proposer whose bid or proposal is responsive to the invitation and is most advantageous to the SFA/Sponsor, price, and other factors considered. Any and all bids or proposals may be rejected in accordance with law.
- The Superintendent is required to sign on the bid tabulation of competitive sealed bids or the evaluation criterion score sheet of competitive proposals signifying a review and approval of the selections.
- The Superintendent reviewing the procurement system to ensure compliance with applicable laws.
- The Superintendent or Designee will be responsible for documentation the actual product specified is received.
- Any time an accepted item is not available, the Superintendent or Designee will select the acceptable alternate. The contractor must inform Superintendent within 10 days a product is not available. In the event a non-domestic agricultural product is to be provided to the SFA/Sponsor, the contractor must obtain, in advance, the written approval of the product. The SFA must comply with the Buy American Provision.

PROCUREMENT, REGULATION (Cont.)

- Full documentation as to the reason an accepted item was unavailable, and to the procedure used in determining acceptable alternates, will be available for audit and review. The person responsible for this documentation is Superintendent or Designee.
- The Superintendent is responsible for maintaining all procurement documentation.

SECTION VI - NON-COMPETITIVE NEGOTIATION

If items are available **only** from a single source ***when the award of a contract is not feasible under small purchase, sealed bid or competitive negotiation*****, NON-COMPETITIVE NEGOTIATION** procedures will be used:

1. Written Specifications will be prepared and provided to the vendor.

2. The SFA will be responsible for the documentation of records to fully explain the decision to use the non-competitive negotiation. The records will be available for audit and review.

3. The SFA will be responsible for documentation that the actual product or service specified was received.

4. The Superintendent or Designee will be responsible for reviewing the procedures to be certain all requirements for using single source or non-competitive negotiation are met.

5. Non-competitive negotiations shall be used for one-time purchases of a new food item in order to determine food acceptance by students and for samples for testing purposes. A record of non-competitive negotiation purchase shall be maintained by the Superintendent or Designee. The record of non-competitive purchases shall include, at a minimum, the following:

    - item name
    - dollar amount
    - vendor, and
    - reason for non-competitive procurement

**** Due to the rural location of the district, it is feasible the school will only receive one responsible response.**

SECTION VII - EMERGENCY PURCHASING

1. If it is necessary to make a one-time emergency procurement to continue service or obtain goods, the purchase shall be made, and a log of all such purchases shall be maintained by the SFA. The following emergency procedures shall be followed. All emergency procurements shall be approved by the SFA/ Superintendent. At a minimum, the following emergency procurement procedures shall be documented:
    - item name
    - dollar amount
    - vendor, and
    - reason for emergency

PROCUREMENT, REGULATION (Cont.)

2. If the emergency purchasing need requires a contract, all books, records and other documents relative to the award of the contract must be retained for three (3) years after final payment. Specifically the SFA/Sponsor shall maintain, at a minimum, the following documents:
    - Written rationale for the method of procurement;
    - A copy of the original solicitation;
    - The selection of contract type;
    - The bidding and negotiation history and working papers;
    - The basis for contractor selection;
    - Approval from the State agency to support a tack of competition when competitive bids or offers are not obtained;
    - The basis for award cost or price;
    - The terms and conditions of the contract;
    - Any changes to the contract and negotiation history;
    - Billing and payment records;
    - A history of any contractor claims; and
    - A history of any contractor breaches.

INFORMAL PROCUREMENT LOG

TO BE USED FOR PURCHASES OF $150,000 OR LESS

Check the box next to the supplier that you choose. If chosen supplier does not provide the lowest overall price, explain decision on attached sheet. Document contact with 2 or more vendors.

Items to be purchased and specifications:

	Date & Method of Contact	Bid Price	Negotiated Price	Notes
Supplier #1				
Supplier #2				
Supplier #3				

PROCUREMENT, REGULATION (Cont.)

CHART OF PROCEDURES

The SFA will purchase the following products or group of products and services as per the stated purchase period using the identified procurement method. Price quote time frame period is defined as the time frame for which bids or quotes are obtained and awarded.

PRODUCT	HOW OFTEN ARE PRICE QUOTES OBTAINED	PROCUREMENT METHOD USED
Milk	Annually	FSMC
Bread	Annually	FSMC
Canned fruits	Annually	FSMC
Vegetables	Annually	FSMC
Frozen vegetables	Annually	FSMC
Pre-prepared fruits and vegetables	Annually	FSMC
Fresh fruits	Annually	FSMC
Fresh vegetables	Annually	FSMC
Meats	Annually	FSMC
Paper products	Annually	FSMC
Chemicals	As needed	SFA
Small equipment	Annually	FSMC
Large equipment	As needed	SFA

PROCUREMENT

It is the policy of the Burlington Board of Education to follow acceptable practices in the procurement of food, products, supplies, or equipment with state and federal funds for this school district. Acceptable practices are those set forth in federal law, Oklahoma statutes, and Department of Education regulations.

No employee, officer, or agent of this school district shall participate in the selection of or in the award or administration of a contract for procurement if a conflict of interest, real or apparent, would be involved.

Conflicts of interest arise when any of the following has a financial or other interest in the firm selected for the award:

The employee, officer, or agent;
Any member of his/her immediate family;
His/her partner;
An organization which employs or is about to employ any of the above.

Officers, employees, and agents of this school district shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subagreements. Prohibited favors include purchasing items for personal use at cost or at retail value from a vendor.

Officers, employees, contractors, and agents are expected to be aware of the penalties established by the Anti-Kickback Act of 1974 as codified by Oklahoma Statutes, Title 74, Section 3401, et seq.

The superintendent is directed to establish a regulation setting forth acceptable procurement procedures for this district.

REFERENCE **Oklahoma Department of Education Directive, dated June 6, 1988**
74 O.S. §3401, et seq.
7 CFR § 3016
2 CFR § 200.318

VENDING MACHINES

The Burlington Board of Education has determined that there shall be no installations of vending machines except as approved by the superintendent. The superintendent will have the authority to determine whether such machines may be installed, where they will be placed, what items will be dispensed, and during which hours they might be used. Vending machines are operated as a convenience for students, staff, and patrons. All revenue produced from this source shall be deposited in the designated activity fund as approved by the board of education. Revenues may be spent only on those purposes for which general revenue may be expended.

All snack foods sold in school must be "whole grain rich," meaning they contain 50% whole grains or have whole grains as the first ingredient, or have as the first ingredient a fruit, a vegetable, a dairy product or a protein-rich food. Combination foods that contain at least ¼ cup fruit and/or vegetable or naturally contain 10% of the daily value (DV) of calcium, potassium, vitamin D or dietary fiber will also be accepted.

REFERENCE: 70 O.S. §5-129
A. G. Opin. No. 03-21
7 CFR 210

WORKERS' COMPENSATION INSURANCE

It is the policy of the Burlington Board of Education that when an employee is absent from work due to a job-related illness and/or injury, compensation will be made to the claimant by the workers' compensation carrier.

It is further understood that neither earned vacation nor sick leave time will be used in lieu of workers' compensation benefits except as described below.

The school district will provide additional benefits to the employee, in addition to the workers' compensation benefits, by permitting employees to use a portion of accrued sick leave. When sick leave is used along with worker's compensation benefits, only that amount of sick leave may be used which when combined with worker's compensation benefits will provide a combined daily benefit equal to the employee's regular daily rate of pay. Any benefits above the worker's compensation benefits will be taxed at the particular employee's normal tax rate.

In no case will the combined payments to the claimant be in excess of 100 percent of the regular contractual salary for that employee.

Sick leave may be used for time lost to job-related injuries that do not qualify for workers' compensation insurance.

TIMEKEEPING
NON-EXEMPT EMPLOYEES

The district may use a time clock, have a timekeeper keep track of employee work hours, or have the employees write their own times on sign-in/sign-out records. Whichever method is used, employees will be required to sign the time card/sheet to indicate knowledge of recorded work time.

Employee Name:

Day	Date	Time In	Time Out	Total Hours
Sunday	*5/2/93*	----------		
Monday	*5/3/93*	*8:00*	*12:03*	
		1:00	*5:02*	*8*
Tuesday	*5/4/93*			

Total Regular Hours: _____

Total Overtime Hours: _____

Total Workweek Hours: _____

Employee Verification Signature: _____

OVERTIME AUTHORIZATION FORM

Name _____ Date _____

Job to be Done _____

Reason for Overtime _____

_____

Form Returned: Date _____

_____
Signature of Worker

_____
Signature of Superintendent

Rate of Pay: (Reg.) _____ (OT) _____

FAIR LABOR STANDARDS ACT
PROCEDURES

It is the intent of this school district to fully comply with the Fair Labor Standards Act (FLSA), its regulations, and relevant court decisions and to cooperate with state agencies in an effort to maintain compliance with the FLSA.

The following procedures and guidelines are to be followed in each department to ensure employees are properly compensated for approved hours worked in excess of the established work week as required by the provisions of the FLSA.

Definitions

"Overtime" is defined as authorized, compensable work time in excess of forty (40) hours per work week.

A "work week" for full-time nonexempt employees is forty (40) hours during one consecutive seven-day period beginning at 12:00:01 a.m. on Saturday and ending at 12:00 midnight on the following Friday.

"Non-covered employees" are those who are excluded from the definition of "employee" within the meaning of 29 USCA §203(e) (Supp. 1990).

"Covered employees" are those who meet the definition of "employee" within the meaning of 29 USCA §203(e) (Supp. 1990). Covered employees will be either exempt or nonexempt employees.

An "exempt employee" is a covered employee who is exempt from FLSA by virtue of meeting one of the tests for exemption.

A "nonexempt employee" is a covered employee who does not meet one of the tests for exemption.

Exemptions

The FLSA exempts certain groups of covered employees from coverage. The following categories of exemptions are established:

1. Executives
2. Administrators; e.g., superintendents, principals
3. Professionals; e.g., teachers, special education skilled service providers, attorneys, auditors, nurses, counselors

FAIR LABOR STANDARDS ACT
(REGULATION)

In accordance with the policy of the board of education, the following regulation shall ensure compliance with the Fair Labor Standards Act within this school district.

1. This district will pay all nonexempt employees at least the federal minimum wage and time and one-half for all hours worked which exceed 40 hours per week, or permit compensatory time off at the rate of one and one-half hours off duty for each overtime hour worked. However, any overtime hours to be credited for overtime pay must be approved in advance by that employee's designated superior. Failure to get approval for overtime may result in disciplinary action being taken, which may include termination of employment.

2. This district will inform employees of the law by posting information disseminated by the U.S. Department of Labor.

3. This district shall establish, through separate administrative regulations, the process of time keeping which complies with the Act.

FAIR LABOR STANDARDS ACT

This school district complies with the Fair Labor Standards Act, 29 CFR Section 541, its regulations and relevant court decisions. Employees are informed of the Act through proper posting of information as disseminated by the United States Department of Labor. This school district will cooperate with all state and federal agencies to maintain compliance.

REFERENCE: Fair Labor Standards Act
State Department of Education, Outline for FLSA Policies

DISCRIMINATION COMPLAINTS PROCEDURES

The following procedures will be used by any person, including personnel and students for the filing, processing, and resolution of alleged discrimination complaints.

Definitions

1. Discrimination Complaint: A written complaint alleging any policy, procedure, or practice to discriminate on the basis of race, color, religion, national origin, sex, qualified handicap, veteran status, or other perceived discrimination.

2. Student Grievant: A student of the Burlington Public School District who submits a complaint alleging discrimination based on race, color, religion, national origin, sex, or qualified handicap.

3. Employee Grievant: An employee of the Burlington Public School District who submits a complaint alleging discrimination based on race, color, national origin, religion, sex, age, qualified handicap, or veteran status.

4. Public Grievant: Any person other than a student or employee or employment applicant who submits a complaint alleging discrimination based on race, color, national origin, religion, sex, age, qualified handicap, or veteran status.

5. Title IX, 504 and ADA Coordinator (Coordinator): The person(s) designated to coordinate efforts to comply with and carry out responsibilities under Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Americans With Disabilities Act of 1990, and other state and federal law addressing equal educational opportunity. The Coordinator is responsible for processing complaints and serves as moderator and recorder during hearings.

6. Respondent: The person alleged to be responsible for the violation alleged 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.

7. Day: Day means a working day. The calculation of days in complaint processing shall exclude Saturdays, Sundays, and holidays.

Pre-Filing Procedures

Prior to the filing of a written complaint, the grievant is encouraged to visit with the high school principal, and reasonable effort should be made to resolve the problem or complaint.

DISCRIMINATION COMPLAINTS, PROCEDURES (Cont.)

Filing and Processing Discrimination Complaints

1.	Grievant	Submits written complaint to Coordinator stating name, nature and date of alleged violation; names of persons responsible (where known); and requested action. Complaint must be submitted within 30 days of alleged violation. Complaint forms are available in all school offices.
2.	Coordinator	Notifies respondent within 10 days and asks respondent to: 1. Confirm or deny facts, 2. Indicate acceptance or rejection of grievant's requested action, or 3. Outline alternatives.
3.	Respondent	Submits answer within 10 days to Coordinator.
4.	Coordinator	Within 10 days after receiving respondent's answer, Coordinator refers the written complaint and respondent's answer to the building principal. The Coordinator also schedules a hearing with the grievant, the respondent, and the building principal.
5.	Principal, Grievant, Respondent, & Coordinator	Hearing is conducted.
6.	Principal	Within 10 days after the hearing, issues a written decision to the grievant, respondent, and Coordinator.
7.	Grievant or Respondent	If the grievant or respondent is not satisfied with the decision, the Coordinator must be notified within 10 days and a hearing with the superintendent requested.
8.	Coordinator	Within 10 days of receiving a request for a hearing, schedules a hearing with the grievant, respondent, and superintendent.
9.	Superintendent, Grievant Respondent, & Coordinator	Hearing is conducted.
10.	Superintendent	Issues a decision within 10 days following the hearing.
11.	Grievant or Respondent	If the grievant or respondent is not satisfied with the decision, the Coordinator must be notified within 10 days and a hearing with the board requested.

DISCRIMINATION COMPLAINTS, PROCEDURES (Cont.)

12.	Coordinator	Notifies board within 10 days after receiving a request for hearing. Coordinator schedules the hearing with the board. The hearing is to be conducted within 30 days from the date of notification to the board.
13.	Board of Education or hearing panel established by the board, Grievant, Respondent, & Coordinator	Hearing is conducted.
14.	Board of Education	Within 10 days after the hearing, issues a final written decision regarding the validity of the grievance and any action to be taken.

General Provisions

1. 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 that the complaint is filed until the complaint is resolved shall be not more than 180 days.

2. Access to Regulations: The Burlington Public School District shall provide copies of all regulations prohibiting discrimination on the basis of race, color, national origin, religion, sex, age, qualified handicap, or veteran status upon request.

3. Confidentiality of Records: Complaint records will remain confidential unless permission is given by the parties involved to release such information. No complaint record shall be entered in the personnel files. Complaint records shall be maintained on file for three years after complaint resolution.

4. If respondent and principal are the same person, the above procedures are adjusted accordingly with the first hearing being with the superintendent.

5. The middle school principal shall serve as an alternate Coordinator.

NONDISCRIMINATION

The Burlington Board of Education is committed to a policy of nondiscrimination in relation to race, color, religion, sex, age, national origin, alienage, handicap, or veteran status. This policy will prevail in all matters concerning staff, events, students, the public, employment, admissions, financial aid, educational programs and services, facilities access, and individuals, companies, and firms with whom the board does business. Racial discrimination shall include racial slurs or other demeaning remarks concerning another person's race, ancestry, or country of origin and directed toward an employee, a student or a visitor.

The board directs the superintendent of schools to prepare necessary rules, regulations, and procedures to insure that all local, state, and federal laws, regulations, and guidelines are followed.

The following statement will be included in all course announcements, bulletins disseminated to all students, materials used for recruiting or describing programs and training, application or enrollment forms, brochures, and catalogs:

> "The Burlington Board of Education does not discriminate on the basis of disability, race, color, religion, national origin, sex, age, or veteran status."

When an open forum is created whereby non-curricular groups are allowed to meet on school premises Boy Scouts and other designated youth groups will have equal access.

Inquiries concerning application of this policy may be referred to the Superintendent who is the Title IX/504/ADA Compliance Coordinator.

Burlington Public Schools District	Post Office Box 17 Street Address
580-431-2222 Telephone	Burlington, Oklahoma 73722 City, State, Zip

REFERENCE: Oklahoma Constitution, Article 1, Section 6
Title 6, Title 7, Civil Rights Act of 1964 as amended by the Equal Employment Opportunity Act of 1972
Executive Order 11246, as amended by Executive Order 11375
Equal Pay Act, as amended by the Education Amendments of 1972
Rehabilitation Act of 1973, §504
Education for All Handicapped Children Act of 1975
Immigration Reform and Control Act of 1986
Americans With Disabilities Act of 1990, 42 U.S.C. §12101
Individuals With Disabilities Education Act, 20 USC §1400, et seq.

FEDERAL PROGRAMS
COMPLAINT RESOLUTION

Any parent, individual, or organization with a complaint that the district is violating a federal statute or regulation with regard to a federal program at Burlington Public Schools may make the complaint known to the superintendent of schools in written form by filling out part I of the form, "Investigation Report on the Administration of Federal Program Activities." Within 30 days of receipt of the complaint, Burlington Public Schools will conduct an investigation of the allegations. The investigation shall include opportunities for the complainant or the complainant's representative to present evidence and question witnesses. Subsequent to the investigation, a report of findings will be filed with the State Department of Education and the complainant.

If the complaint has not been resolved to the satisfaction of the complainant, a hearing shall be conducted by the Board of Education within 30 days of receipt of written request for such a hearing. The hearing shall include opportunities for the complainant or complainant's representative to present evidence and question witnesses.

The complainant has the right to appeal the decision of the Burlington Public Schools to the State Department of Education, Compensatory Education Section, Oklahoma City, Oklahoma 73105.

A complaint made directly to the State Department of Education (SDE) without previously being filed with this school district will be reviewed by the SDE to determine if an investigation is warranted by the SDE because of the seriousness of the complaint or if the complaint shall be returned to the complainant to be filed with this school district. Complaints forwarded to this district shall be investigated within 30 days of receipt of the complaint by this district.

LEGAL REFERENCE: **34 C.F.R. § 299.10**

RECORDS INVESTIGATION

The Burlington Board of Education believes that it has a responsibility to employ only those persons who are qualified in every respect. The board further believes that it should avail itself of means and methods provided by the legislature to assist in the selection of employees. Therefore, it is the policy of this board of education that a national criminal history record check shall be conducted of all prospective employees. The board of education is not required to obtain a new criminal history record check for an individual who has obtained certification from the Oklahoma State Department of Education within the previous twelve (12) months. A national criminal history record check is defined at 74 O.S. § 150.9 and requires a check of criminal history records entailing the fingerprinting of the individual and submission of the fingerprints to the United States Federal Bureau of Investigation (FBI) for the purpose of obtaining the national criminal history record of the person from the FBI.

Any teacher employed prior to May 19, 2020 who does not have an Oklahoma criminal history record check from the Oklahoma State Bureau of Investigation as well as a national criminal history record check as defined above on file with the school district shall complete the criminal history background checks upon the next renewal of his or her Standard Teaching Certificate. Any other employee employed by the district prior to May 19, 2020 who does not have an Oklahoma criminal history record check from the Oklahoma State Bureau of Investigation as well as a national criminal history record check as defined above on file with the school district shall have until July 1, 2022 to complete the criminal history background checks.

A written consent will be required from the prospective employee consenting to a felony records check to be conducted as authorized by Oklahoma law. The records check shall be initiated by the school district's written request, through the superintendent, to the State Department of Education. Effective November 1, 2012, the school district may contract with a third-party vendor who is a member in good standing with the National Association of Professional Background Screeners to perform any and all employment screenings, background checks, and credit checks.

Any person applying for employment as a substitute teacher shall only be required to have one such national criminal history records check for the school year. Upon request of the substitute teacher, that felony records search results may be sent to any other school district in which the substitute teacher is applying to teach. The board of education may choose whether to require a national criminal history record check from a prospective substitute teacher who has been employed by the school district in the last year.

Any person employed as a full-time teacher by a school district in Oklahoma in the five (5) years immediately preceding an application for employment as a substitute teacher may not be required to have 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 school district in which the teacher was last employed stating the teacher left in good standing.

A any person who has been employed as a full-time teacher by a school district who applies for employment as a full-time teacher in another school district may not be required to have a national criminal history background check completed 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 school district in which the teacher was employed stating the teacher left in good standing.

Any person who has been employed as a substitute teacher by a school for a minimum of five (5) years preceding an application to be employed as a full-time teacher may not be required to have a national criminal history record check completed if the teacher can produce a copy of a national criminal history record check completed within the

preceding five (5) years and a letter from the school district in which the teacher was employed as a substitute teacher stating that the teacher left in good standing.

RECORDS INVESTIGATION (Cont.)

Any person employed as a full-time teacher by a school district in Oklahoma for ten (10) or more consecutive years immediately preceding an application for employment as a substitute teacher in the same school district is not required to have a national criminal history record check for as long as that person remains employed for consecutive years by that school. If the substitute teacher wishes to work in another Oklahoma school district, a national criminal history background check will be required.

If the applicant for employment meets all other criteria for employment in this school district, the applicant may be employed on a temporary basis for a maximum of sixty (60) days pending receipt of the national criminal history record check results. The temporary employment of the prospective employee shall terminate after sixty (60) days unless the school district receives the results of the national criminal history records check. The sixty (60) day temporary employment period shall begin on the first day the prospective employee reports for duty at the employing school district. If the applicant is offered permanent employment following the review of the records search, the search fee will/will not be reimbursed in full.

REFERENCE: 70 O.S. §5-142

TEMPORARY CONTRACT
NOTICE OF LIMITED EMPLOYMENT

It is agreed by the employee and the Burlington School District that employment will begin as of the date below even though the results of the requested felony records search have not yet been received. It is specifically agreed by the district and the employee that the attached contract provides employment only up to the time the pending requested felony records search report is received by the district and that the **employee has no contractual or property rights of whatever nature in continued employment with the district past the receipt and review of the felony records search report or 60 days from the first day of district employment if no such report is received, whichever occurs earlier**. If the felony records search shows that the employee has a felony record, then the district, through its superintendent, will void this contract and will immediately terminate employment without further notice or hearing. Employment will automatically end if the felony records search report is not received within 60 days of the first day of service of employment duties. It is agreed that this temporary contract shall supersede any and all statements made otherwise in the attached regular employment contract.

If the felony records search report is received and shows no felony record, the employee and district shall enter into an employment contract. If a felony conviction is shown on the report, then employment will end when the report is received, unless the district, through its superintendent, decides to offer continued employment to the employee.

I acknowledge that I have read the above statement, that I understand my employment may cease prior to 60 days if the felony records search report shows a felony conviction, and that my employment will terminate at the end of 60 days if no felony search record is received during that time period.

Signed this _____ day of _____, _____.

_____
Temporary Employee

DO NOT SIGN A REGULAR CONTRACT WITH THE EMPLOYEE UNTIL THIS 60-DAY AGREEMENT EXPIRES.

RECORDS INVESTIGATION

The Burlington Board of Education believes that it has a responsibility to employ only those persons who are qualified in every respect. The board further believes that it should avail itself of means and methods provided by the legislature to assist in the selection of employees. Therefore, it is the policy of this board of education that a national criminal history record check shall be conducted of all prospective employees. The board of education is not required to obtain a new criminal history record check for an individual who has obtained certification from the Oklahoma State Department of Education within the previous twelve (12) months. A national criminal history record check is defined at 74 O.S. § 150.9 and requires a check of criminal history records entailing the fingerprinting of the individual and submission of the fingerprints to the United States Federal Bureau of Investigation (FBI) for the purpose of obtaining the national criminal history record of the person from the FBI.

A written consent will be required from the prospective employee consenting to a felony records check to be conducted as authorized by Oklahoma law. The records check shall be initiated by the school district's written request, through the superintendent, to the State Department of Education. Effective November 1, 2012, the school district may contract with a third-party vendor who is a member in good standing with the National Association of Professional Background Screeners to perform any and all employment screenings, background checks, and credit checks.

Any person applying for employment as a substitute teacher shall only be required to have one such national criminal history records check for the school year. Upon request of the substitute teacher, that felony records search results may be sent to any other school district in which the substitute teacher is applying to teach. The board of education may choose whether to require a national criminal history record check from a prospective substitute teacher who has been employed by the school district in the last year.

Any person employed as a full-time teacher by a school district in Oklahoma in the five (5) years immediately preceding an application for employment as a substitute teacher may not be required to have 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 school district in which the teacher was last employed stating the teacher left in good standing.

A any person who has been employed as a full-time teacher by a school district who applies for employment as a full-time teacher in another school district may not be required to have a national criminal history background check completed 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 school district in which the teacher was employed stating the teacher left in good standing.

Any person who has been employed as a substitute teacher by a school for a minimum of five (5) years preceding an application to be employed as a full-time teacher may not be required to have a national criminal history record check completed if the teacher can produce a copy of a national criminal history record check completed within the preceding five (5) years and a letter from the school district in which the teacher was employed as a substitute teacher stating that the teacher left in good standing.

Any person employed as a full-time teacher by a school district in Oklahoma for ten (10) or more consecutive years immediately preceding an application for employment as a substitute teacher in the same school district is not required to have a national criminal history record check for as long as that person remains employed for consecutive years by that school. If the substitute teacher wishes to work in another Oklahoma school district, a national criminal history background check will be required.

RECORDS INVESTIGATION Con't

If the applicant for employment meets all other criteria for employment in this school district, the applicant may be employed on a temporary basis for a maximum of sixty (60) days pending receipt of the national criminal history record check results. The temporary employment of the prospective employee shall terminate after sixty (60) days unless the school district receives the results of the national criminal history records check. The sixty (60) day temporary employment period shall begin on the first day the prospective employee reports for duty at the employing school district. If the applicant is offered permanent employment following the review of the records search, the search fee will/will not be reimbursed in full.

REFERENCE: 70 O.S. §5-142

TEACHER ASSISTANTS

It is the policy of the Burlington Board of Education that teacher assistants are support employees entitled to due process prior to nonrenewal or termination of employment. Applicants must possess the required level of requisite skills as prescribed in the appropriate State Department of Education regulation except that a teacher's assistant or a volunteer will be used for each class of kindergarten through second grade which has more than 20 students and in which twenty percent of the students are eligible to participate in the National Child Nutrition Act.

Teacher assistants are paraprofessionals within the school district. All paraprofessionals must have earned a high school diploma or its equivalent. Paraprofessionals hired after January 7, 2002, to work with identified Title I students must have completed at least two years of study at an institution of higher education; obtained at least an associate's degree; or met a rigorous standard of quality and can demonstrate through a formal state or local academic assessment the knowledge of and ability to assist in the instruction of reading, writing, or mathematics or the instruction of readiness of these subjects. Paraprofessionals working with identified Title I students who were hired before January 8, 2002, have until the end of the 2005-2006 school year to meet these standards. The district will not hire Title I paraprofessionals who do not meet these standards. If the district *[is/becomes]* a school-wide Title I school district, all paraprofessionals in the district must meet these standards.

Exception to these requirements may be made with regard to paraprofessionals who act as translators or who coordinate parent involvement activities.

The superintendent and/or staff development committee shall develop an appropriate in-service training program for teacher assistants.

Teacher assistants are employed so that the professional teachers may direct their energies to the students' education. The basic objectives for the use of teacher assistants are:

1. To make it possible for teachers to use more variety in structuring classroom activities which will result in more meaningful education for children and youth.

2. To enable the teacher to do more creative teaching, and to use a greater variety of instructional media.

3. To enable the teacher to develop effective programs focusing upon the individual needs of each student.

4. To provide increased time for individualizing instruction, evaluating learning situations, student counseling and guidance for other instructional activities that will improve educational opportunities for boys and girls.

5. To relieve teachers of the numerous semi- and non-professional tasks which have become cumulative and which have come to consume a disproportionate amount of the teacher's time and energies.

The principal and supervising teacher are jointly responsible for making final decisions related to the duties and responsibilities to be assigned to an assistant. Assistants are not to discipline children. Classroom discipline shall be left to the certified teacher or building principal.

TEACHER ASSISTANTS (Cont.)

Teacher assistants will only be used to perform, or assist a classroom teacher to perform, the following duties:

* Hallroom duty
* Bus duty
* Playground duty
* Lunchroom duty
* Extracurricular activities involving school functions
* Other noninstructional duties as the superintendent may prescribe

The duties of teacher assistants may be further restricted or regulated by program requirements of the funding plan under which they are employed:

1. Title I funds provide assistants for the Remedial Reading Program.
2. Title VII funds provide assistants for Indian students.
3. Early Childhood Intervention (ECI) funds provide assistants for mainstreamed students with certain specific handicaps that require frequent or constant attention.

REFERENCE: 70 O.S. §6-127, §18-113.1, et seq.
P. L. 107-110, No Child Left Behind Act of 2001

THIS POLICY REQUIRED BY THE NO CHILD LEFT BEHIND ACT.

TITLE I PARAPROFESSIONALS

It is the policy of the Burlington Board of Education that Title I paraprofessionals will be employed for the school term only. If Title I funds are received by the district, employment will be offered if the educational need exists and if the applicant possesses the required level of requisite skills as prescribed in the appropriate State Department of Education regulations.

All paraprofessionals must have earned a high school diploma or its equivalent. Paraprofessionals hired after January 7, 2002, must have completed at least two years of study at an institution of higher education; obtained at least an associate's degree; or met a rigorous standard of quality and can demonstrate through a formal state or local academic assessment the knowledge of and ability to assist in the instruction of reading, writing, or mathematics or the instruction of readiness of these subjects. Paraprofessionals hired before January 8, 2002, have until the end of the 2005-2006 school year to meet these standards. The district will not hire Title I paraprofessionals who do not meet these standards.

Exception to these requirements may be made with regard to paraprofessionals who act as translators or who coordinate parent involvement activities.

The superintendent and/or staff development committee shall develop an appropriate in-service training program for paraprofessionals.

Paraprofessionals are employed so that the professional teachers may direct their energies to the students' education. The principal and supervising teacher are jointly responsible for making final decisions related to the duties and responsibilities to be assigned to a paraprofessional. Paraprofessionals are not to discipline children. Classroom discipline shall be left to the certified teacher or building principal.

REFERENCE: P.L. 107

THIS POLICY REQUIRED BY FEDERAL LAW.

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 nurturing 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 commitment to students and the profession.

PRINCIPLE I
COMMITMENT TO THE STUDENTS

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.
8. Shall not disclose information about students obtained in the course of professional service, unless disclosure serves a compelling professional purpose and is permitted or required by law.

STANDARDS OF PERFORMANCE AND CONDUCT FOR TEACHERS (Cont.)

PRINCIPLE II
COMMITMENT TO THE PROFESSION

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 the 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 entry into the teaching profession of any 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 teaching 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 decision or actions.

PRINCIPLE III

1. Pursuant to the Teacher Due Process Act of 1990, a career teacher may be dismissed or not reemployed for:

   A. Willful neglect of duty.

STANDARDS OF PERFORMANCE AND CONDUCT FOR TEACHERS (Cont.)

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,

I. Conviction of a felony,

J. After a finding that such person has engaged in criminal sexual activity or sexual misconduct that has impeded the effectiveness of the individual's performance of school duties, or

K. Failure to earn required staff development points.

2. A career teacher shall not be subject to dismissal or non-reemployment for items A, B, D, E, and F, above unless and until a written admonishment has been issued in accordance with relevant law.

3. A probationary teacher shall not be subject to dismissal or non-reemployment for inadequate teaching performance unless or until a written admonishment has been issued in accordance with relevant law.

4. Temporary teachers, substitute teachers, adult education teachers, and teachers employed in positions fully funded by private or federal grants shall not be protected by the provisions of the Teacher Due Process Act.

5. A teacher convicted of a felony shall be dismissed or not reemployed unless a presidential or gubernatorial pardon has been issued.

6. 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:

   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 (70 O.S. §6-101.22).

STANDARDS OF PERFORMANCE AND CONDUCT FOR TEACHERS (Cont.)

REFERENCE: 70 O.S. §6-101.21, et seq.

NOTE: In accordance with the referenced statutes, a copy of these standards of performance and conduct will be provided to each teacher.

THIS POLICY REQUIRED BY LAW.

CONFLICTS OF INTEREST

In order to protect the public trust and maintain confidence in the fairness of public education, conflicts of interest or even the appearance of conflict must be avoided. Therefore, it is the policy of the Burlington Board of Education that school board members and school district personnel shall not engage in any activity that would create a conflict of interest.

Personal property acquired by the district is intended for use by employees of the district within the scope of their employment. Use of school property, including, but not limited to, teaching materials, computer software and hardware, electronic equipment, and other equipment, outside of the scope of the employee's employment is prohibited Employees that utilize school district owned property for personal use or gain may be subject to disciplinary action which could include possible action to nonrenew or terminate employment.

With regard to any Federal funding, the district will disclose in writing any potential conflicts of interest to the Federal awarding agency or pass-through entity in accordance with applicable federal awarding agency policies and procedures.

No employee, officer, or agent must participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediately family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. Violation of these standards will result in disciplinary action which may include termination of employment.

Contracts and Business Arrangements

1. Contracts with Board Members

   Oklahoma law prohibits a school board from entering into a contract in which a board member is directly or indirectly interested. 70 O.S. § 5-124.

2. Disclosure of Other Contracts and Business Arrangements

   The board of education believes that certain business and contractual arrangements by employees, although not in violation of state law, create such a potential for conflict of interest that such contracts or relationships should be disclosed to the superintendent. The following contracts or business relationships shall be disclosed in writing to the superintendent:

   A. Any two or more district employees who together enter into any business relationship, including, but not limited to, a partnership, corporation, or lessor/lessee relationship.

   B. Any employee who has a substantial interest, directly or indirectly, in any person or entity that is providing services or sales of equipment or other goods or commodities to the district where such relationship would result in a direct or indirect monetary benefit to the employee.

   Any violation of the foregoing reporting requirements will subject the employee or employees involved to possible disciplinary action which could include possible termination or nonrenewal of employment.

CONFLICTS OF INTEREST (Cont.)

3. Contracts or Employment Relationships between Employees

   District employees are not permitted to have other employees do personal errands or work for them during normal employment hours for personal gain.

   District employees who hire or use the services of other district employees for personal benefit during times other than normal employment hours should do so in such a manner as to avoid the appearance that the work or employment is being done as a condition of employment or is being done during normal employment hours.

4. Other Prohibited Activities

   In addition to the foregoing, the board of education prohibits any employee from receiving a monetary benefit as the result of any contract between a non-employee and the district.

Outside Activities of Full-time Employees

This portion of the policy applies to full-time employees. A full-time employee shall be construed as any teacher, administrator, support employee, or other employee contracted as a full-time employee with the district and shall include all teachers and other employees who are engaged as full-time employees for only a portion of the year because of summer vacation or any other reason. All full-time employees shall report any outside business activities or employment in writing to the superintendent. The intent of this provision is not to prohibit such activities, but to allow the superintendent to be fully aware of activities that may give rise to violations of other provisions of this policy.

It is the express policy of the board of education that full-time employees devote their full efforts to their assigned activities during their normal business hours.

LEGAL REFERENCE: **70 O.S. § 5-124**
2 C.F.R. § 200.112
2 C.F.R. § 200.318

EMPLOYMENT PRACTICES
(REGULATION)

In accordance with the policy of the board of education, the following procedure shall govern the processing of applications for employment with this school district.

All applicants for employment, whether solicited or unsolicited, must produce sufficient and satisfactory identification which shows United States citizenship, or in the case of applicants who are not United States citizens, authorization to seek and hold employment in the United States.

One or more of the following documents will be considered sufficient and satisfactory identification:

1. A birth certificate accompanied by an official identification card bearing a photograph and/or fingerprints.
2. United States passport.
3. Certificate of United States citizenship.
4. Certificate of naturalization.
5. A current, valid passport issued by a foreign country if the passport contains an unexpired endorsement of the Attorney General of the United States authorizing the individual to obtain employment.
6. Resident alien card (Green card) or other registration card if the card contains a photograph of the applicant and appropriate identifying information.

In addition to the documents listed in 1, 2, 3, 4, and 6 above, the applicant must possess one of the following forms of employment authorization:

1. INS Form I-94, which is an Immigration and Naturalization Service form evidencing an alien's admission into the United States with employment authorization.
2. Permanent residence approval letter giving employment authorization.
3. Official letter from the INS providing authorization to hold employment.

Any documentation that is considered sufficient and satisfactory for the purposes of employment must be copied and the copy retained in the applicant's employment file. The copies will be retained for a period of three years or for one year following the termination of the person's employment, whichever is sooner.

EMPLOYMENT PRACTICES

It is the policy of the Burlington Board of Education to take action and provide statutory notification concerning the renewal or nonrenewal of all teachers' contracts prior to the first Monday in June each year.

The district will provide reasonable assurance in writing to support employees that the district intends to employ for the subsequent school year no later than ten days after the effective date of the education appropriation bill or by June 1, whichever is later.

The superintendent shall recommend candidates for administrative, support, and certified positions to the board. The principal(s) shall be consulted on the employment and retention of teachers.

Among other requirements for employment, the superintendent shall insure that prospective employees produce legally sufficient documents showing citizenship status. The superintendent may develop rules and regulations governing employment practices. Such rules and regulations, if developed, must be approved by the board of education and shall become a part of this policy.

In the event the board decides not to employ a candidate who is recommended by the superintendent, further recommendations should be made to the board by the superintendent until a selection is made.

The employment of any person with this school district shall not be made or excluded on the basis of age, sex, race, religion, national origin, handicap, pregnancy, parenthood, marriage, or for any other reason not related to individual capability to perform in the position for which employed. In accordance with Oklahoma Statutes Title 70, Section 5-113.1, the board of education shall not consider for employment in any capacity a relative within the second degree of consanguinity or affinity of a board member.

NOTE: **70 O.S. §5-138 prohibits a school board from requiring any employee, other than the superintendent, to reside within the boundaries of that school district.**

HIRING PERSONNEL

General regulations concerning the employment of teachers for the school district are as follows:

The Burlington Board of Education requires that all candidates for teaching positions have at least a bachelor's degree and a valid Oklahoma teaching certificate.

Preference may be given those candidates holding a master's degree or its equivalent and to applicants who have had at least two years of successful teaching experience, preferably in the fields in which applications are made.

Applicants for teaching positions in vocational-technical areas must meet the certification requirements set forth in the state plan for vocational education as well as other educational requirements prescribed for teaching in the district schools. Preference shall be given those who have had trade experience.

All applications for teaching positions shall be made in writing and filed with a complete set of credentials: official and up-to-date transcript of college credits; recent photograph; certificate information.

A. All nominations for positions except the superintendency shall be made to the board of education in writing by the superintendent.

B. Each nomination shall be made with reference to position and salary.

There shall be no discrimination against any teacher on the basis of race, creed, color, national origin, sex, marital status, membership or non-membership, or participation in any professional, civic, parent, or charitable organization, in the evaluation, employment, transfer, or promotion of personnel.

Teachers who have resigned from the district schools may be reemployed, but under the same terms and conditions applicable to any new employee.

Where a teacher resigns after completing a school year, has a change in plans and requests the resignation be rescinded, such request may be approved if the teacher has completed the previous school year and is available for the beginning of the following school year without any significant loss of teaching time. The teacher may be continued without loss in salary status and in the same position filled the previous year, if the previous assignment is still available. In case the previous position has been filled, the teacher may then be considered for another assignment, if one is available. Whether or not the resignation is rescinded is entirely at the discretion of the board of education acting on the recommendation of the superintendent.

New personnel will be notified of employment and building assignment at the earliest possible date.

In the event that specific criteria are not being met by a particular candidate being recommended, it shall be the responsibility of the superintendent to point out the deficiencies to the board so that they may act accordingly. Should the board not approve the employment of a candidate being recommended by the superintendent, it shall be the duty of the superintendent to make another recommendation.

The employment of any professional staff member is not official until the contract is approved by the board and signed by the candidate.

HIRING PERSONNEL (Cont.)

The employment sequence is as follows:

1. The verbal offer of employment to the candidate
2. Verbal acceptance by the candidate
3. Approval of candidate by the board
4. Contract sent to candidate

This does not prohibit placing a candidate in the position on a temporary basis until board approval is given and a contract is signed.

REFERENCE: 70 O.S. §5-113.1, §5-138
70 O.S. §6-101, §6-107 through 112, and §6-154

WORKPLACE DRUG AND ALCOHOL TESTING (REGULATIONS)

The board of education may require drug and alcohol testing of all new applicants upon a conditional offer of employment. Substances tested shall be for drugs and alcohol. The refusal of a job applicant who has been offered conditional employment to take the test will be considered as a basis for not employing the applicant. Each case will be reviewed to assure compliance with current regulations of the Americans with Disabilities Act.

The school district may request or require an employee to undergo drug and/or alcohol testing as set forth below and when the superintendent at any time reasonably believes that the employee may be under the influence of drugs or alcohol, including, but not limited to, the following:

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;

Substances tested shall be for drugs and alcohol.

This school district will require school bus drivers, mechanics, maintenance employees, and any employee who is required to obtain a commercial driver's license (CDL) to undergo drug or alcohol testing prior to employment and on a random selection basis. The superintendent shall ensure that employees who are selected for random testing are selected on a basis that is entirely random and on a basis which results in an equal probability that any employee from a group of employees subject to the selection mechanism will be selected and does not give the district discretion to waive the selection of any employee selected. (See also policy DCCB and DCCB-R.)

This school district will require bus drivers, mechanics, maintenance personnel, and any district employee who is required to obtain a commercial driver's license (CDL) to undergo drug or alcohol testing during routine employee fitness-for-duty medical examinations. (See also policy DCCB and DCCB-R.)

This school district will require periodic drug and alcohol testing without prior notice of any employee who has tested positively under this policy, who has participated in a drug or alcohol dependency treatment program as a result of this policy, or an employee who is required to obtain a commercial driver's license (CDL).

Any employee who refuses to submit to drug or alcohol testing may be subject to disciplinary action including, but not limited to, termination of employment subject to all applicable due process procedures. Employees who refuse to undergo a drug or alcohol test shall be considered to have been discharged for misconduct for purposes of unemployment compensation benefits. In order to provide misconduct, the employer need only provide proof of a testing policy and either a refusal to take a drug or alcohol test or a positive test result.

Drug Testing Procedures

Drug and alcohol testing standards and procedures of this school district shall conform fully to the provisions of the State Board of Health. Testing facilities used by this district shall provide evidence of having met all licensing and/or certification requirements of the State Board of Health including the following:

WORKPLACE DRUG AND ALCOHOL TESTING, REGULATIONS (Cont.)

1. Samples shall be collected and tested only by individuals deemed qualified by the State Board of Health. Such samples may be collected on the premises of the school district or at a testing facility.

2. Only samples deemed appropriate by the State Board of Health for drug and alcohol testing shall be collected.

3. The collection of samples shall be performed under reasonable and sanitary conditions.

4. Samples shall be collected in sufficient quantity for splitting into two separate specimens, pursuant to rules of the State Board of Health, to provide for any subsequent independent analysis in the event of challenge of the test results of the main specimen.

5. Samples shall be collected and tested with due regard to the privacy of the individual being tested. In the instances of urinalysis, no representative, agent, or designee of the school district shall directly observe an applicant or employee in the process of producing a urine sample; provided, however, collection shall be in a manner reasonably calculated to prevent substitutions or interference with the collection or testing of reliable samples.

6. The testing facility will provide the necessary documentation of testing procedure and test results to the employer requesting testing services as may be required by a court or administrative proceeding.

7. 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.

Testing Results

The following steps will be taken when an employee's medical exam is positive for the presence of drugs or alcohol:

1. The employee will be notified of the results of the test. The applicant or employee has a right to obtain all information and records relating to that individual's testing.

2. The employee will be advised of the outcome of the drug screening and will be immediately removed from the current job assignment.

3. The employee will be given a reasonable opportunity for confidential rebuttal of the results.

4. To continue employment with the district, the employee must develop a written plan for improvement with the employee's supervisor. As an element of every plan for improvement, the employee will be encouraged to voluntarily seek professional assistance and/or participate in an appropriate rehabilitation program. Drug and alcohol dependency evaluation and referral services for substance abuse counseling, treatment, or rehabilitation shall be provided to the employee.

5. The employee will be suspended until the employee has tested negative on a follow-up drug screening. The follow-up drug screening will be administered no earlier than seven nor more than forty-five (45) calendar days following the initial positive drug screening. The physician who administered and interpreted the initial drug screening will make a recommendation to the district as to the amount of time that is appropriate before

WORKPLACE DRUG AND ALCOHOL TESTING, REGULATIONS (Cont.)

administering the follow-up drug screening, depending on the type and amount of chemical substance initially detected in the employee's system. The employee may use existing accrued leave during this suspension. If the employee does not have sufficient accrued leave to cover the absence, the leave will be without pay unless prohibited by applicable law. All employees hereby affected by this policy and regulation will be provided appropriate due process procedures.

6. If the follow-up drug screening is negative, the employee may be returned to regular assignment. If the drug screening is positive, procedures for the employee's termination will be implemented in accordance with this policy and the district's employment termination policies.

7. Any employee whose drug screening is positive a second time, regardless of the length of time which has passed since the first positive test, will be recommended to the board for dismissal. Any employee who has once tested positive may be subject to random drug screening sampling for a period of two years, commencing with the employee's return to work, and/or may be recommended for dismissal.

Confidentiality

The school district shall maintain the results of any drug/alcohol test in confidentiality to the extent possible. The employee who participates in a drug/alcohol test will be provided an opportunity to review and to obtain copies of any information and records pertaining to the drug/alcohol test.

1. The school district will maintain all drug and alcohol test results and related information, including, but not limited to, interviews, reports, statements, and memoranda, as confidential records, separate from other personnel records. Such records, including the records of the testing facility, shall not be used in any criminal proceeding, or any civil or administrative proceeding, except in those actions taken by the district or in any action involving the individual tests and the district or unless such records are ordered released pursuant to a valid subpoena or other court order.

2. The records described above and maintained by the district shall be the property of this school district and, upon the request of the applicant or employee tested, shall be made available for inspection and copying to the applicant or employee. The district will not release such records to any person other than the applicant, employee, or the district's review officer, unless the applicant or employee has expressly granted permission in writing, following receipt of the test results, for the district to release such records or pursuant to a valid court order.

3. A testing facility, or any agent, representative or designee of the facility, or any review officer, shall not disclose to the district, 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~~: A. T~~the general health, pregnancy or other physical or mental condition of the applicant or employee~~; or:~~

   A testing facility shall release the results of the drug or alcohol test, and any analysis and information related thereto, to the individual tested upon his/her request.

WORKPLACE DRUG AND ALCOHOL TESTING, REGULATIONS (Cont.)

Other Provisions

Drug/alcohol tests required pursuant to this policy will be conducted during, prior to, or immediately after the regular work period for current employees and shall be deemed work time for purposes of compensation and benefits for current employees.

The school district shall pay all costs of testing for drugs or alcohol including any school requested confirmation tests and the costs of transportation to the drug/alcohol test site. Any individual who requests a retest of a sample in order to challenge the results of a positive test shall pay all costs of the retest, unless the retest reverses the findings of the challenged positive test in which case the school district shall reimburse the individual for the costs of the retest.

A copy of this policy shall be posted in a prominent employee access area and shall be provided to each job applicant upon the applicant's receipt of a conditional offer of employment.

Any employee or applicant for employment who refuses to undergo drug or alcohol testing conducted in accordance with board policy and these regulations may be disciplined up to and including termination of employment. An employee discharged on the basis of a refusal to undergo drug or alcohol testing or a confirmed positive drug or alcohol test conducted in accordance with the provisions of the Standards for Workplace Drug and Alcohol Testing Act shall be considered to have been discharged for misconduct and shall be disqualified for unemployment compensation.

REFERENCE: 40 O.S. §2-406A
40 O.S. §551, et seq.

DRUG-FREE WORKPLACE

In recognition of the clear danger resulting from drug abuse, and in good faith effort to promote the health, safety, and welfare to employees, students and the community, it is the policy of this school district to provide a drug-free workplace in compliance with the Drug-Free Schools and Communities Act Amendment of 1989 (P.L. 101-226).

The superintendent is directed to develop regulations that shall be incorporated into this policy.

NOTE: **A copy of this policy and the accompanying regulations must be distributed to each affected employee 30 days prior to implementation of the policy. This notice is also required prior to the implementation of any changes to this policy or to the regulations.**

THIS POLICY REQUIRED BY LAW.

DRUG AND ALCOHOL TESTING PROGRAM
BUS DRIVERS
(REGULATION)

The following administrative regulations support the drug and alcohol testing program policy of the board of education. It also establishes and explains the requirements of the district's drug and alcohol testing program required for employees operating school vehicles.

Questions regarding the drug and alcohol testing program policy, these supporting regulations, or the drug and alcohol testing program may be directed to the superintendent, or designee, who will be the school district contact person. The contact person will answer questions from employees and others about the program, receive the test results, receive identification numbers of the drivers and will notify those drivers selected for random testing.

Definitions

Air Blank: A reading by an evidentiary breath testing device (EBT) of ambient air containing no alcohol.

Alcohol: The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohols.

Alcohol Concentration (or content): The alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicted by an evidentiary breath test under the law.

Alcohol Use: The consumption of any beverage, mixture or preparation, including any medication, containing alcohol.

Breath Alcohol Technician: An individual who instructs and assists drivers in the alcohol testing process and operates an evidentiary breath testing device.

Canceled or Invalid Test: In drug testing, it is a drug test that has been declared invalid by a Medical Review Officer or a specimen that has been rejected for testing by a laboratory. In alcohol testing, it is a test that is deemed to be invalid under the law. A canceled drug test or alcohol test is neither a positive nor a negative test.

Chain of Custody: Procedures to account for the integrity of each urine or blood specimen by tracking its handling and storage from point of specimen collection to final disposition of the specimen. With respect to drug testing, these procedures require that an appropriate drug testing custody form be used from time of collection to receipt by the laboratory and that upon receipt by the laboratory an appropriate laboratory chain of custody form(s) account(s) for the sample or sample aliquots within the laboratory.

Collection Site: A place where drivers present themselves for the purpose of providing body fluid or a tissue sample to be analyzed for specific drugs or breath alcohol concentration.

Commercial Motor Vehicle: A motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle 1) has a gross combination weight rating of 26,001 or more points inclusive of a towed unit with a gross vehicle weight of 10,000 or more pounds; or 2) has a gross vehicle weight rating

DRUG AND ALCOHOL TESTING PROGRAM, BUS DRIVERS, REGULATION (Cont.)

of 26,001 or more pounds; or 3) is designed to transport 16 or more passengers, including the driver; or 4) is of any size used in the transportation of materials found to be hazardous for the purposes of the Hazardous Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials regulations.

Confirmation Test: For alcohol testing, it is a second test following a screening test with a result of 0.02 or greater breath alcohol concentration that provides quantitative data of alcohol concentration. For drug testing, it is a second analytical procedure (GC/MS) to identify the presence of a specific drug or metabolite which is independent of the initial test and which uses a different technique and chemical principle from that of the initial test in order to ensure reliability and accuracy.

Controlled Substances/Drugs: Marijuana, cocaine, opiates, amphetamines, phencyclidine.

Driver: Any person who operates a school vehicle. This includes, but is not limited to, full-time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to the school district or who operate a school vehicle at the direction of or with the consent of the school district. For the purposes of preemployment/pre-duty testing only, the term "driver" includes applicants for drivers of school vehicles positions.

Initial Test (or Screening Test): In drug testing, it is an immunoassay screen to eliminate "negative" urine specimens from further consideration. In alcohol testing, it is an analytic procedure to determine whether a driver may have a prohibited concentration of alcohol in a breath specimen.

Medical Review Officer (MRO): A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by an employer's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate a driver's confirmed positive test result together with the driver's medical history and any other relevant bio-medical information.

Non-suspicion-based Post-accident Testing: Testing of a driver after an accident without regard to whether there is any reasonable suspicion of drug usage, reasonable cause to believe the driver has been operating the school vehicle while under the influence of drugs, or reasonable cause to believe the driver was at fault in the accident and drug usage may have been a factor.

Performing a Safety-sensitive Function: A driver is considered to be performing a safety-sensitive function during any period in which the driver is actually performing, ready to perform, or immediately available to perform any safety-sensitive function.

Random Selection Process: When drug tests are unannounced and every driver has an equal chance of being selected for testing.

Reasonable Suspicion: When the school district believes the appearance, behavior, speech or body odors of the driver are indicative of the use of drugs or alcohol.

DRUG AND ALCOHOL TESTING PROGRAM, BUS DRIVERS, REGULATION (Cont.)

Refusal to Test: When a driver (1) fails to provide adequate breath for alcohol testing without a valid medical explanation after he or she has received notice of the requirement for breath testing in accordance with the provisions of the law, (2) fails to provide adequate urine for drug testing without a valid medical explanation after he or she has received notice of the requirement for urine testing in accordance with the provisions of the law, or (3) engages in conduct that clearly obstructs the testing process. A refusal to test is treated as a positive drug test result or an alcohol test result of 0.04 or greater breath alcohol concentration.

Safety-sensitive Function: All time from the time when a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work. Safety sensitive functions shall include, but are not limited to:

1. All time at the district waiting to be dispatched.
2. All time inspecting equipment or otherwise servicing any commercial motor vehicle at any time.
3. All time spent at the driving controls of a commercial vehicle in operation.
4. All time in or on a commercial vehicle.
5. All time repairing, obtaining assistance, or remaining in attendance on a disabled vehicle.

School vehicle: A vehicle owned, leased, and/or operated at the direction or with the consent of the school district which transports 16 or more persons, including the driver, or weighs over 26,001 pounds and requires the driver to have/possess a commercial driver's license in order to operate the vehicle.

Split Specimen/Split Sample: The division of the urine specimen into thirty milliliters in a specimen bottle (the primary sample) and into at least fifteen milliliters in a second specimen bottle (the split sample).

Stand-down: Is prohibited by federal regulations and consists 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.

Substance Abuse Professional: A licensed physician (medical doctor or doctor of osteopathy) or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of, and clinical experience in, the diagnosis and treatment of alcohol and controlled substances-related disorders.

Verified Test: A drug test or validity testing result from a federally certified laboratory that has undergone review and final determination by the MRO.

DRUG AND ALCOHOL TESTING PROGRAM, BUS DRIVERS, REGULATION (Cont.)

Covered Drivers

1. The following requirements apply for a driver to be covered by the drug and alcohol testing program:

   A. Drive a vehicle transporting 16 or more persons, including the driver, or drive a vehicle weighing over 26,001 pounds; and

   B. Require a commercial driver's license to hold the driver position.

2. Covered drivers include:

   A. Applicants seeking a position as a driver;

   B. Full-time, regularly employed drivers;

   C. Casual, intermittent, occasional or substitute drivers (including coaches, teachers, administrators, mechanics, etc.);

   D. Leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to a school district or who operate a school vehicle at the direction of or with the consent of a school district.

3. Drivers are subject to the drug and alcohol testing program and its requirements throughout the year, including the times when school is not in session or when the driver is on leave.

Prohibited Driver Conduct

1. Drivers shall not report to duty or remain on duty with a 0.04 or greater breath alcohol concentration.

2. Drivers shall not report for duty or remain on duty when using any drug except when a physician has advised the driver that the drug does not adversely affect the driver's ability to safely operate a school vehicle and the school district is informed in writing of the medication and doctor's opinion.

3. Drivers shall not use alcohol at least four hours prior to, or during the performance of, a safety-sensitive function.

4. Drivers shall not possess alcohol while on duty. This includes possessing prescriptions and over-the-counter medicines containing alcohol unless the packaging seal is unbroken.

5. Drivers required to take a post-accident alcohol test shall not use alcohol within eight hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.

DRUG AND ALCOHOL TESTING PROGRAM, BUS DRIVERS, REGULATION (Cont.)

6. Drivers shall not refuse to submit to a drug or alcohol test. A refusal to test is considered a positive test result requiring the driver to undergo a substance abuse evaluation and subjecting the driver to discipline up to and including termination.

7. Drivers shall not report for duty or remain on duty performing a safety-sensitive function if the driver has a positive drug test result.

Alcohol Breath Testing Procedures

1. Driver's breath is tested for alcohol.

2. Evidentiary breath testing devices are used to conduct the screening test and, if necessary, the confirmation alcohol test.

   A. The screening alcohol breath test determines whether the driver's breath alcohol concentration is less than 0.02.

      1. A screening alcohol test result of less than 0.02 breath alcohol concentration allows the driver to continue to perform a safety-sensitive function.

      2. An initial alcohol test result of 0.02 breath alcohol concentration or greater requires a confirmation test.

   B. The confirmation alcohol breath test determines whether the driver may continue to perform a safety-sensitive function.

      1. A confirmation alcohol test result of less than 0.02 breath alcohol concentration allows the driver to continue to perform a safety-sensitive function.

      2. A confirmation alcohol test result of greater than 0.02 breath alcohol concentration but less than 0.04 breath alcohol concentration requires the driver to cease performing a safety-sensitive function for 24 hours.

      3. A confirmation alcohol test result of 0.04 or greater breath alcohol concentration requires the driver to cease performing a safety-sensitive function and undergo a substance abuse evaluation.

3. Alcohol testing is conducted at collection sites that provide privacy to the driver and contain the necessary equipment, personnel, and materials.

   A. Alcohol testing is conducted at a designated nonschool district facility unless the situation requires another location.

   B. In the event privacy cannot be assured, privacy will be provided to the extent practical.

DRUG AND ALCOHOL TESTING PROGRAM, BUS DRIVERS, REGULATION (Cont.)

4. Screening alcohol testing steps

   A. Once the driver is notified to submit to an alcohol test, the driver must complete the alcohol/drug test notification form and proceed immediately to the collection site. Collection site person will contact the superintendent or designated contact person immediately when a driver does not arrive at the specified time. Failure to arrive at the collection site in a timely manner is considered a refusal to test, absent an acceptable excuse.

   B. Upon arrival, the driver must provide a photo identification. Failure of the driver to produce a photo identification is considered insubordination as well as a refusal to test.

   C. The testing procedure is explained to the driver by the collection site person.

   D. The collection site person, the breath alcohol technician, and the driver complete and sign the appropriate sections of the alcohol testing form.

      1. Refusal of the driver to sign the form prior to the screening alcohol test is considered a refusal to test.

      2. The school district is notified immediately of the driver's refusal to sign.

   E. The driver forcefully blows into the evidentiary breath testing device mouthpiece for at least six seconds or until an adequate amount of breath has been obtained.

   F. The initial test results are shared with the driver.

   G. The driver and breath alcohol technician must sign the alcohol testing form following completion of the alcohol test. Failure to sign the form after the alcohol test is not considered a refusal to test. However, in the remarks section of the form, the breath alcohol technician notes the driver's refusal to sign.

   H. Screening alcohol test results

      1. An alcohol test result of less than 0.02 breath alcohol concentration is reported to the school district in a confidential manner and the driver may continue to perform a safety-sensitive function.

      2. An alcohol test result of 0.02 or more breath alcohol concentration requires a confirmation alcohol test between 15 and 20 minutes after the screening test.

      3. The breath alcohol technician provides the superintendent, or designated contact person, with a copy of the breath alcohol testing form if written communication was not used to report the test results.

   I. Potentially incomplete or invalid breath alcohol tests are repeated with corrected procedures.

DRUG AND ALCOHOL TESTING PROGRAM, BUS DRIVERS, REGULATION (Cont.)

J. The breath alcohol test is stopped when the driver fails twice to provide an adequate amount of breath. In that case:

1. A physician analyzes the driver's inability to provide adequate breath.

2. Failure to provide adequate breath is considered a refusal to test unless the physician determines a medical condition caused the failure to provide adequate breath.

3. A refusal of the driver to try a second time to provide adequate breath is considered a refusal to test, unless a physician determines the driver is not physically capable of providing adequate breath.

5. Confirmation alcohol testing steps

A. The confirmation alcohol test is done between 15 and 20 minutes after the screening alcohol test whether or not the driver followed the requirements to not eat, drink, put any object or substance in his or her mouth, and, to the extent possible, not belch during the 15-minute waiting period to avoid accumulation of mouth alcohol leading to an artificially high reading.

B. If a different collection site is used, the driver must be under the observation of the collection site personnel or school district personnel while in transit to the confirmation alcohol testing site or while waiting for the confirmation alcohol test.

C. If a different collection site person is used for the confirmation alcohol test, the driver must again provide photo identification.

D. The testing procedure is explained to the driver by the collection site person.

E. The collection site person, a breath alcohol technician, and the driver complete and sign the appropriate sections of the alcohol testing form.

1. Refusal of the driver to sign the form prior to the confirmation alcohol test is considered a refusal to test.

2. The school district is notified immediately of the refusal to sign.

F. The driver forcefully blows into the evidentiary breath testing device mouthpiece for at least six seconds or until an adequate amount of breath has been obtained.

G. The confirmation alcohol test results, which are the final and official test results, are shared with the driver.

DRUG AND ALCOHOL TESTING PROGRAM, BUS DRIVERS, REGULATION (Cont.)

H. The driver and breath alcohol technician must sign the alcohol testing form following completion of the alcohol test. Failure to sign the form after the alcohol test is not considered a refusal to test. However, in the remarks section of the form, the breath alcohol technician notes the driver's refusal to sign.

I. The breath alcohol technician informs the superintendent, or designated contact person, of the results of the test in a confidential manner.

1. An alcohol test result of less than 0.02 breath alcohol concentration is reported to the school district in a confidential manner and the driver may continue to perform a safety-sensitive function.

2. The breath alcohol technician notifies the superintendent, or designated contact person, immediately of confirmation of alcohol test results of 0.02 or more breath alcohol concentration.

3. The collection site person provides the superintendent, or designated contact person, with a copy of the breath alcohol testing form if written communication was not used to report the test results.

J. Potentially incomplete or invalid breath alcohol tests are repeated with corrected procedures.

K. The breath alcohol test is stopped when the driver fails twice to provide an adequate amount of breath. In that case:

1. A physician analyzes the driver's inability to provide adequate breath.

2. Failure to provide adequate breath is considered a refusal to test unless the physician determines a medical condition caused the failure to provide adequate breath.

3. A refusal of the driver to try a second time to provide adequate breath is considered a refusal to test, unless a physician determines the driver is not physically capable of providing adequate breath.

<u>Drug Testing Procedures</u>

1. Driver's urine is tested for marijuana, cocaine, opiates, amphetamines, phencyclidine, etc.

2. A split specimen urine drug test, often called "split sample test," is used to conduct the drug test.

A. A negative drug test result allows the driver to continue to perform a safety-sensitive function.

B. A positive drug test result on the primary sample requires the driver to be removed from performing a safety-sensitive function.

C. A positive drug test result on the primary sample allows the driver an opportunity to request the split sample be tested by another certified laboratory for the specific drug found in the primary sample. A negative drug test result on the split sample results in a negative drug test result.

DRUG AND ALCOHOL TESTING PROGRAM, BUS DRIVERS, REGULATION (Cont.)

D. A positive drug test result requires the driver to undergo a substance abuse evaluation.

3. Drivers taking medication at a doctor's direction may perform a safety-sensitive function if the doctor determines there is not an adverse affect on performing a safety-sensitive function and the school district is informed in writing of the medication and doctor's opinion.

4. Drug testing is conducted at collection sites that provide privacy to the driver and where the necessary equipment, personnel, and materials are located.

   A. Drug testing is conducted at a designated nonschool district facility unless the situation requires another location. Public restrooms can be used as collection sites in exceptional circumstances.

   B. In the event privacy cannot be assured, privacy is provided to the extent practical. However, direct observation is allowed if:

      1. Reasons exist to believe the driver may alter or substitute the specimen.

      2. The driver presents a specimen with a temperature outside the allowed range and does not provide an oral body temperature or the oral body temperature varies from the specimen provided.

      3. The last specimen provided by the driver was determined by the laboratory to not meet specific gravity and urine creatinine concentration criteria.

      4. The collection site person observes conduct of the driver to substitute or adulterate the specimen.

      5. The driver has previously been determined to have used a drug without medical authorization and the particular test is for follow-up testing upon or after return to duty.

   C. Direct observation is approved by the supervisor of the collection site person or the designated school district representative. Non-medical personnel performing direct observation must be of the same gender as the driver.

5. Drug testing steps

   A. Once the driver is notified to submit to a drug test, the driver must complete the alcohol/drug test notification form and proceed immediately to the collection site. The collection site person contacts the superintendent, or designated contact person, immediately when a driver does not arrive at the specified time. Failure to arrive at the collection site in a timely manner is considered a refusal to test, absent an acceptable excuse.

   B. Upon arrival, the driver must provide a photo identification. Failure of the driver to produce a photo identification is considered insubordination as well as a refusal to test. The driver may require the collection site person to provide proof of identification.

DRUG AND ALCOHOL TESTING PROGRAM, BUS DRIVERS, REGULATION (Cont.)

C. The driver may keep his or her wallet but must remove any unnecessary outer garments, purses, briefcases, and similar items at the request of the collection site person.

D. Immediately prior to providing a urine sample, the driver must wash his or her hands.

E. The driver must then provide 45 milliliters of urine and deliver it immediately to the collection site person.

1. A driver who cannot provide an adequate amount of urine will receive instructions for drinking water and trying again.

2. The drug test is stopped when the driver fails twice to provide an adequate amount of urine.

3. Failure to provide adequate urine is considered a refusal to test unless the physician determines a medical condition caused the failure to provide adequate urine.

F. The specimen is kept in view of the driver and the collection site person.

G. Upon receipt of the specimen, the collection site person immediately, and in no event later than four minutes from the time of urination, measures the temperature of the specimen.

H. The driver may volunteer to have his or her oral temperature taken to provide evidence against alteration or substitution if there is some question about the temperature of the specimen.

I. The collection site person inspects the specimen for color and other signs of contaminants and notes any unusual findings.

J. Another specimen is required as soon as possible under direct observation if adulteration or substitution is suspected by the collection site person.

K. The specimen is divided into the primary and the split specimen, sealed, and labeled. The label is initialed by the driver.

L. The driver is required to read and sign the statement on the chain of custody form certifying the specimens are the driver's.

M. The collection site person is required to note on the chain of custody form any unusual behavior or appearance of the driver and any failure to cooperate.

N. The collection site person completes the chain of custody form and the driver signs the form indicating the collection is complete.

O. The specimens are packaged for shipping to the laboratory and are shipped immediately or placed in secure storage until they can be shipped.

DRUG AND ALCOHOL TESTING PROGRAM, BUS DRIVERS, REGULATION (Cont.)

6. Laboratory

   A. The laboratory used by the school district's drug and alcohol testing program is certified by the U.S. Department of Health and Human Services. Certified laboratories meet the testing procedures, personnel, and record keeping requirements of the law.

   B. Upon arrival of the specimen at the laboratory, the split specimen is stored and the primary specimen is tested.

      1. A positive drug test result on the initial test of the primary specimen requires a confirmation drug test of the primary specimen.

      2. The split specimen is discarded if the primary specimen has a negative drug test result.

7. Medical Review Officer (MRO) reviews drug test results

   A. The MRO may release drug testing records of a driver to unauthorized individuals only with the written consent of the driver.

   B. The MRO keeps a record of negative drug test results and reports negative drug test results to the school district, usually within two working days.

   C. The primary role of the MRO is to review and interpret positive drug test results to determine whether a legitimate explanation exists for the positive drug test result.

      1. After reviewing the chain of custody form and the laboratory drug test results, the MRO contacts the driver to discuss the positive drug test result prior to notifying the school district and to ask whether the driver requests a drug test of the split sample. The driver's request for a drug test of the split sample must be made within 72 hours of talking with the MRO.

      2. Upon request by the driver, the split specimen is sent to a second certified laboratory for drug testing.

      3. The MRO contacts the superintendent, or designated contact person, for assistance if the driver cannot be reached.

      4. The superintendent, or designated contact person, must confidentially inform the driver to contact the MRO.

      5. Upon contacting the driver, the superintendent, or designated contact person, must inform the MRO that the driver was contacted.

      6. Drivers who cannot be contacted are placed on temporary medically unqualified status, sick leave, other available leave, or unpaid leave of absence.

DRUG AND ALCOHOL TESTING PROGRAM, BUS DRIVERS, REGULATION (Cont.)

D. The MRO may verify a positive drug test without talking to the driver if:

1. The driver declines the opportunity to discuss the positive drug test.

2. The driver fails to contact the MRO within five days after the superintendent, or designated contact person, has contacted the driver.

3. MRO verification of positive drug test results under these circumstances can be challenged by the driver if the driver presents the MRO with information documenting a serious illness, injury or other circumstances unavoidably preventing the driver from timely contacting the MRO. The MRO, based on this additional information, may find a legitimate explanation for the positive drug test result and declare the drug test negative.

E. The driver is notified of the drugs found in a positive drug test result by the MRO, the superintendent, or designated contact person, or by certified mail to the driver's last known address.

F. The school district receives a written report of the negative and positive drug test results from the MRO.

Substance Abuse Professional

1. A substance abuse evaluation by a substance abuse professional is required when a driver has:

A. A positive drug test;

B. A positive alcohol test of 0.04 or greater breath alcohol concentration; or

C. Violated the drug and alcohol testing program policy, these supporting regulations, or the law.

2. The substance abuse evaluation determines what assistance, if any, the driver needs in resolving problems with alcohol misuse and/or drug use.

3. A list of available substance abuse professionals to provide assistance to bus drivers is available through the superintendent, or designated contact person.

Pre-employment Testing

1. Drivers shall submit to a drug test if a job offer is made. The job offer is contingent upon:

A. A negative drug test result; and

B. A signed written statement authorizing former employers to release all information on the driver related to drugs and alcohol.

DRUG AND ALCOHOL TESTING PROGRAM, BUS DRIVERS, REGULATION (Cont.)

A pre-employment drug test may not need to be administered by the school district if the driver has participated in a drug testing program that meets the requirements of these regulations within the previous 30 days and while participating in that program, either was tested for drugs within the past six months from the date of application with the school district or participated in a random drug testing program for the previous 12 months from the date of application with the school district and the school district ensures that, to the school district's knowledge, no prior employer has records of a violation of the regulations within the previous six months.

If the school district chooses not to administer a pre-employment alcohol and/or drug test, the school district must contact the alcohol and drug testing program in which the driver participates or participated and obtain the following information:

name and address(es) of the program(s);
verification that the driver participates or participated in the program(s);
verification that the program(s) conform(s) to these regulations;
verification that the driver is qualified under these regulations, including that the driver has not refused to be tested for alcohol or drugs;
the date the driver was last tested for alcohol or drugs;
the results of any tests taken within the previous six months and any other violation of the regulations.

For applicants that have had a positive drug or alcohol test, based on information from a prior employer, the pre-employment test can serve as a return-to-duty test.

2. Prior to allowing a driver to perform a safety-sensitive function, and not later than 14 days after performing a safety-sensitive function, the following information must be obtained about the driver during the preceding two years from the date of the application:

   A. Any alcohol test results of 0.04 or greater breath alcohol concentration;

   B. Positive drug test results; and

   C. Refusals to be tested.

   The school district may obtain any information related to the driver from previous employers as long as the driver consents and the written consent regarding the requested information is presented to the previous employers. If this information is not obtained prior to the performance of a safety-sensitive function, the school district will document why the information was not obtained prior to the performance of the safety-sensitive function. The information may be obtained by the school district by personal interviews, telephone interviews, letter, or other method that ensures confidentiality. The school district will document the information received and will note that the information addresses only whether the driver can perform a safety-sensitive function and does not address the Americans with Disabilities Act considerations of alcohol or drug addiction.

DRUG AND ALCOHOL TESTING PROGRAM, BUS DRIVERS, REGULATION (Cont.)

Random Testing

1. Annually, 25% of the average number of drivers is selected for random alcohol tests and 50% of the average number of drivers is selected for random drug tests.

2. The drivers' identification numbers are selected by a scientific method giving each driver an equal chance to be selected.

3. Random tests are unannounced and spread throughout the year.

4. Drivers selected for random alcohol testing are notified just before, during, or just after performing a safety-sensitive function. The school district will document why some, if any, drivers were selected but not notified (i.e., illness, vacation, etc.).

5. Drivers selected for random drug testing are notified at any time. The school district will document why some, if any, drivers were selected but not notified (i.e., illness, vacation, etc.).

6. Once a driver is notified of being selected for a random test, the driver must proceed immediately to the collection site. However, drivers performing a safety-sensitive function must safely stop and proceed to the collection site as soon as possible.

Reasonable Suspicion Testing

1. A driver may be required to submit to a reasonable suspicion drug test at any time.

2. A driver may be required to submit to a reasonable suspicion alcohol test just before, during, or just after the driver performs a safety-sensitive function or just before, during, or just after the time the driver is required to be in compliance with the drug and alcohol testing program policy, these supporting administrative regulations, or the law.

   A. A reasonable suspicion alcohol test is performed within two hours and not later than eight hours of determining reasonable suspicion.

   B. If the alcohol test is not given within two hours, the reasons for the delay must be documented.

   C. If the alcohol test is not given within eight hours, attempts to test are stopped and the reason for not testing must be documented.

3. A reasonable suspicion test request is made by an employee who received training to determine reasonable suspicion. The reasons for the reasonable suspicion must be documented within 24 hours or prior to the release of the test results. If more than one employee trained to determine reasonable suspicion observed the driver, those employees must also document their reasons.

DRUG AND ALCOHOL TESTING PROGRAM, BUS DRIVERS, REGULATION (Cont.)

Post-accident Testing

1. Drivers are subject to both post-accident drug and alcohol testing as soon as possible after an accident in which:

   A. The driver received a citation and

      1. Bodily injury occurred to a person who, as a result of the injury, required immediate medical treatment away from the scene of the accident; or

      2. One or more motor vehicles incurred disabling damage as a result of the accident, requiring the vehicle(s) to be transported away from the scene by a tow truck or other vehicle; or

   B. A fatality occurred.

   If a citation is not issued against the driver within eight hours of the accident, no alcohol testing can be done. If the citation is issued prior to 32 hours, a drug test must be given. If the citation is issued too late for either the alcohol or drug test, the circumstances must be documented.

2. Drivers must remain readily available for post-accident testing.

   A. Drivers who leave the scene or who do not remain readily available are deemed to have refused to test.

   B. Necessary medical treatment cannot and should not be denied to a driver waiting to complete post-accident drug and alcohol tests.

3. Alcohol testing requirements

   A. The alcohol test is administered within two hours and not later than eight hours after the accident.

   B. The reasons for administering the test later than two hours after the accident must be documented.

   C. The reasons for not administering the test within eight hours of the accident must be documented.

   D. Drivers are prohibited from consuming alcohol for eight hours after the accident or until the alcohol test is completed.

4. Drug testing requirements

   A. The drug test is administered as soon as possible and not later than 32 hours after the accident.

   B. The reasons for not administering the test must be documented.

DRUG AND ALCOHOL TESTING PROGRAM, BUS DRIVERS, REGULATION (Cont.)

5. Results of drug or alcohol testing conducted by law enforcement officers or other officials on the scene with independent authority to conduct such tests are presumed valid if the testing conforms with the law. The school district must receive a copy of the results to use them.

Return-to-duty/Follow-up Testing

1. Prior to returning to duty after a positive drug test, a positive alcohol test of 0.04 or greater breath alcohol concentration, or other violation of the drug and alcohol testing program policy, these regulations or the law:

   A. The driver must be reevaluated by a substance abuse professional to determine that the driver has properly followed any treatment program prescribed.

   B. The driver must submit to the tests required by the substance abuse professional. The substance abuse professional may require a return-to-duty test for drugs, alcohol, or both.

   C. The return-to-duty test must have a negative drug test result and/or an alcohol test result of less than 0.02 breath alcohol concentration before the driver can return to duty and perform a safety-sensitive function.

2. After returning to duty, the driver is subject to a minimum of six unannounced follow-up tests within 12 months for alcohol, drugs, or both, as determined by the substance abuse professional.

   A. The substance abuse professional can terminate the follow-up testing requirement after the first six tests have been completed or continue the follow-up testing for up to 60 months from the date of the driver's return to duty.

   B. Alcohol follow-up testing is done just before, during, or just after performing a safety-sensitive function.

School District Responsibilities

1. Drivers will be provided with information on the drug and alcohol testing requirements of the drug and alcohol testing program policy, these administrative regulations, and the law, including the driver's obligations. This information may be included in an employee handbook.

2. Supervisors of drivers or employees designated to determine reasonable suspicion must receive 60 minutes of training on alcohol misuse and 60 minutes of training on drug use. The training must address the physical, behavioral, speech and performance indicators of probable alcohol misuse and drug use.

3. Drivers will be provided with instructions prior to the driver operating a school vehicle to enable the driver to comply with the drug and alcohol testing requirements.

4. Drivers will not be allowed to report to work or perform a safety-sensitive function when the school district has actual knowledge of a driver's drug use, whether or not a drug test was conducted.

DRUG AND ALCOHOL TESTING PROGRAM, BUS DRIVERS, REGULATION (Cont.)

5. Drivers will not be allowed to report to work or perform a safety-sensitive function when the school district has actual knowledge of a driver with 0.02 or greater breath alcohol concentration, whether or not an alcohol test was conducted.

6. Through the school district's drug and alcohol testing program service provider, the school district will ensure that the quality assurance plan, developed by the manufacturer and approved by the National Highway Traffic Safety Administration for the evidentiary breath testing device used for alcohol testing of its drivers, describes the inspection, maintenance, and calibration requirements and intervals for the device.

7. Through the school district's drug and alcohol testing program service provider, the district will ensure that the collection site person using an evidentiary breath testing device is a certified breath alcohol technician.

Consequences of Violating the Drug and Alcohol Testing Program Policy, These Administrative Regulations, or the Law

1. Each violation is dealt with based on the circumstances surrounding the violation. The following consequences may result from a violation:

   A. Drivers may be disciplined up to and including termination.

   B. Drivers may not be permitted to perform safety-sensitive functions.

   C. Drivers may be advised of the resources available to them in evaluating and resolving problems associated with the misuse of alcohol or use of drugs.

   D. Drivers may be required to undergo a substance abuse evaluation to determine what assistance, if any, the driver needs in resolving problems associated with the misuse of alcohol or use of drugs and be required to follow any recommended substance abuse treatment program.

   E. Prior to returning to duty, the driver is required to have a negative drug and/or alcohol test result and be subject to the follow-up drug and/or alcohol testing determined necessary based on the circumstances surrounding the incident.

   F. Drivers refusing to submit to drug and/or alcohol testing are considered insubordinate and are subject to discipline up to and including termination.

   G. Driver-applicants who refuse to submit to or cooperate with the drug and/or alcohol testing process and requirements shall be disqualified from further consideration.

2. Nothing in the drug and alcohol testing program policy, these administrative regulations, or the law relating to drug and alcohol testing limits, restricts the right of the board or superintendent to discipline, up to and including termination, a driver for conduct which violates the school district's policies, regulations, and procedures.

DRUG AND ALCOHOL TESTING PROGRAM, BUS DRIVERS, REGULATION (Cont.)

Drug and Alcohol Testing Records

1. Drug and alcohol testing records are stored in locked files at limited access locations separate and apart from the driver's general personnel records.

2. The records are released only with the written consent of the driver. Only those records specifically authorized for release may be released. However:

   A. Records may be released to appropriate government agencies without a written consent.

   B. Records may be released to appropriate school district employees without written consent.

   C. The school district may, without written consent, make a driver's drug and alcohol test records available to a decision-maker in a lawsuit, grievance or other proceeding initiated by or on behalf of the driver and arising from the result of an alcohol or drug test under the drug and alcohol testing program policy, these regulations, or the law, or from the school district's determination that the driver violated the drug and alcohol testing program, these regulations, or the law. Such proceedings may include, but are not limited to, workers' compensation, unemployment compensation, or other proceeding related to a benefit being sought by the driver and in wrongful discharge or other termination matters.

3. With a written request, drivers may access and copy their drug and alcohol test records in accordance with the board policy related to employee records. A driver is not denied access to these records for failure to pay fees associated with other records. Drug and alcohol testing and related records shall include at least the following:

   drug and alcohol related information obtained from prior employers if the driver was hired after January 1, 1995, for school districts with 50 or more drivers and January 1, 1996, for school districts with less than 50 drivers;
   a "sign off" sheet signed by the driver indicating receipt of the drug and alcohol testing program policy and related information and agreeing to participate in the drug and alcohol testing program;
   the chain of custody form for each of the driver's drug tests;
   the alcohol test form and results for each of the driver's alcohol tests;
   any accident information related to the driver;
   MRO report of drug test results;
   any reasonable suspicion information related to the driver;
   any substance abuse professional evaluation and treatment information related to the driver; and
   any other information related to drug and alcohol testing particular to the driver.

DRUG AND ALCOHOL TESTING PROGRAM, BUS DRIVERS, REGULATION (Cont.)

4. The following records of the school district's drug and alcohol testing programs are maintained for the time period indicated:

   A. One year:

      1. Records of negative and canceled drug test results and alcohol test results of less than 0.02 breath alcohol concentration.
      2. Records related to the drug and alcohol testing process.
      3. Records related to a driver's test results.
      4. Records related to other violations of the law.
      5. Records related to substance abuse evaluations.
      6. Records related to education and training.

   B. Two years:

      Records related to the alcohol and drug collection process, except calibration of evidentiary breath testing devices, and training.

   C. Five years:

      1. Alcohol test results of 0.02 and greater breath alcohol concentration.
      2. Verified positive drug test results.
      3. Documentation of refusals to take required alcohol and/or drug tests.
      4. Evidentiary breath testing device calibration documentation.
      5. Driver substance abuse evaluations and referrals.
      6. Annual calendar year summary.

DRUG AND ALCOHOL TESTING PROGRAM
BUS DRIVERS

Employees who operate school vehicles are subject to drug and alcohol testing if a commercial driver's license is required to operate a school vehicle which transports 16 or more persons, including the driver, or which weighs 26,001 pounds or more. For the purposes of this testing program, the term "employees" includes applicants who have been offered a position to operate a school vehicle.

Employees operating a school vehicle as described above are subject to preemployment drug testing and random, reasonable suspicion, post-accident, return-to-duty, and follow-up drug and alcohol testing. Employees operating school vehicles shall not perform a safety-sensitive function within four hours of using alcohol. Employees governed by this policy shall be subject to drug and alcohol testing beginning the first day they operate or are offered a position to operate school vehicles and will continue to be subject to drug and alcohol testing as long as they may be required to perform a safety-sensitive function as it is defined in administrative regulations. (See DCCB-R.) Employees with questions about the drug and alcohol testing program may contact the superintendent.

Employees who violate the terms of this policy will be subject to discipline up to and including termination. Employees who violate this policy may be required to successfully participate in a substance abuse evaluation and, if recommended, a substance abuse treatment program. Employees required to participate in and who fail to or refuse to successfully participate in a substance abuse evaluation or recommended substance abuse treatment program will be subject to discipline up to and including termination.

It is the responsibility of the superintendent to develop administrative regulations to implement this policy. The superintendent shall also inform applicants of the requirement for drug and alcohol testing in notices or advertisements for employment, in the application form, and personally at the first interview with the applicant.

The superintendent shall also be responsible for publication and dissemination of this policy and its supporting administrative regulations to employees operating school vehicles. The superintendent shall also oversee a substance-free awareness program to educate employees about the dangers of substance abuse and notify them of available substance abuse treatment resources and programs.

EMPLOYMENT OF SUPPORT PERSONNEL

All newly hired full-time support personnel will be hired for a probationary period of 90 days. At the end of the probationary period, these employees will enter into a contract with Burlington Public Schools for the remainder of the fiscal year. Support employees have no property right to employment during the first year of employment and may be released without cause during the first year of employment.

Following the first year of employment, support employees who are not reemployed for the subsequent year shall have a right to a hearing and the unemployment or employment termination shall be for cause only.

REFERENCE: 70 O.S. §6-101.40, et seq.

EMPLOYEE RESIGNATIONS AND REFERENCE REQUESTS

It is the policy of the Burlington Board of Education that any employee may submit a written resignation from employment with the school district. The resignation must be written, dated, and signed. It must specify the date upon which the resignation is to be effective. The resignation must be mailed to the superintendent by certified mail, return receipt requested, or personally delivered to the superintendent's office and an acknowledgment of receipt inscribed on the face of the resignation. Furthermore, it is the policy of the board of education that teacher resignations must be tendered no later than fifteen (15) days after the first Monday in June.

Any individual who is a school employee, contractor, or agent of the school district is prohibited from assisting a school employee, contractor, or agent in obtaining a new job, if the individual 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. This prohibition shall not apply if:

1. The information giving rise to probable cause has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct; and

2. The information giving rise to probable cause has been properly reported to any other authorities as required by Federal, State, or local law; and

3. The matter has been officially closed or the prosecutor or police with jurisdiction over the alleged sexual misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law; and

4. The school employee, contractor, or agent has been charged with, and acquitted or otherwise exonerated of the alleged misconduct; or

5. The case or investigation remains open and there have been no charges filed against, or indictment of, the school employee, contractor, or agent within four (4) years of the date on which the information was reported to a law enforcement agency.

The routine transmission of administrative and personnel files is not considered assisting a school employee in obtaining a new job and will be exempt from the requirements of the procedure listed above.

REFERENCE: 70 O.S. §6-101
20 U.S.C. § 7926

ACCEPTANCE OF LETTERS OF RESIGNATION

Burlington Board of Education empowers the superintendent, as agent of the board, to accept on its behalf letters of resignation from any school district employee. Receipt of a letter of resignation by the superintendent constitutes acceptance of such resignation by the board of education and releases the employee and the district from any and all further contractual obligations beyond the effective date of the resignation. Any resignation received by the superintendent is irrevocable.

Upon receipt of a letter of resignation, the superintendent will give the resigning employee, either in person or by certified mail, the following statement:

> I, the Superintendent of Schools, acting as the Chief Executive Officer of the Burlington Board of Education, acknowledge receipt this date of a resignation from employment signed by _____, effective the _____ day of _____, _____. My signature constitutes acceptance of this resignation by the Board of Education and releases the resigning employee and the district, upon the effective date of the resignation, from all further contractual obligations. By accepting this resignation from the employee, the employee's offer to be released from his or her contract with the board of education is accepted, and thus the resignation is irrevocable.

_____
Superintendent

_____
Employee

_____
Date

SALARY SCHEDULES

Teachers
When employed, teachers will be placed on the appropriate salary step on the teachers' salary schedule that corresponds to the number of years of experience credited by the State Department of Education.

Retired teachers that are employed by the school district shall be placed on the minimum salary schedule.

Administrators
All administrators, when employed, will be placed on the appropriate step of the administrators' salary schedule. Upon recommendation of the superintendent and approval by the board, newly hired administrators may be placed on a salary schedule based upon individual building criteria such as enrollment, supervision of extracurricular activities, number of teachers, and length of school year contract.

Documentation
Certified employees who begin their employment prior to providing all official documentation required of their position shall be compensated at a daily rate of pay equal to that of a substitute teacher. Official documentation provided within the first 35 teaching days of employment establishing retroactive qualification for the position shall result in a salary adjustment retroactive to the first of the semester. Official documentation provided after the above dates will result in salary adjustment on the date of receipt of such documentation.

Advancement
School district employees shall advance on the salary schedule at the rate of one year for each year of creditable service after initial employment. For salary advancement purposes only, a year of creditable service must be at least 120 days.

Out-of-State Experience
Individuals who are employed by the school district after _____ shall be provided with credit for ___ years of out-of-state experience.

All employee compensation shall be addressed in the employment and/or extra duty contract. Employee compensation shall be reasonable for the services rendered.

LEGAL REFERENCE: **2 C.F.R. §430(a)(1).**

SALARY AND WORKING CONDITIONS FOR EDUCATIONAL SUPPORT EMPLOYEES

In order to retain competent support employees, the board of education desires that its salary and wage policy shall be based upon the payment of prevailing wages and that its personnel policies relating to working conditions be as advantageous to the employees as any in the area.

"Prevailing wages" is defined as the average wage paid by private and public employers for the same type or classification of work in the work area of the school district, as performed by school employees. The board believes the school district should pay neither more nor less than does the surrounding area for comparable skills.

SICK LEAVE
CERTIFIED PERSONNEL
(REGULATIONS)

The board of education shall provide sick leave benefits to all certificated personnel in order to promote a sense of security and permit an ease of mind that is essential to the satisfactory performance of professional services. The board sets forth the following provisions for administering this policy:

1. The superintendent or designee shall administer this plan.

2. Teachers may be absent from duty because of personal accidental injury, illness or pregnancy, or injury, illness or death in the immediate family without loss of salary not to exceed ten days during each school year. The right to such sick leave shall be vested at the beginning of the school year. Certificated employees who have an eleven-month contract shall receive eleven sick leave days per year and those who have a twelve-month contract shall receive twelve days. If an employee is injured as a result of an assault or battery upon the person of the employee while the employee is in the performance of any duties as an education employee, the employee shall be entitled to a leave of absence from employment with the school without a loss of leave benefits.

3. If sick leave is taken for bereavement purposes, the leave for that period may extend to the date of the funeral and a reasonable time thereafter to allow for travel as long as the employee has leave available to use.

4. Unused sick leave shall be cumulative to a total of sixty days and is transferable to any other school district in Oklahoma. Up to a maximum of sixty days of sick leave earned in another Oklahoma district may be transferred to this district. Sick leave so transferred must be certified by the sending district.

5. Any employee who attempts to take unfair advantage of sick leave benefits shall be subject to dismissal or other disciplinary action as provided by contract and/or state law. Any employee may be required to submit appropriate evidence concerning the cause of his absence in order to qualify for sick leave benefits. Appropriate evidence may include the following:

   A. Physician's statement endorsed by the employee
   B. Employee statement endorsed by the principal or immediate supervisor
   C. Copies of claim submitted for insurance benefits
   D. Other information as may be indicated by the circumstances

6. Appropriate evidence will be submitted when requested by the principal, immediate supervisor, or the superintendent in the following situations:

   A. Sick leave claim on days of unusual or inclement weather
   B. Sick leave claim during the last four weeks of employment
   C. Sick leave claim on days immediately preceding or immediately following holidays or non-work days other than weekends
   D. Reasonable cause exists to believe that sick leave benefits are being abused

7. When a teacher's accrued sick leave is exhausted and the teacher is absent due to personal accidental injury, illness, or pregnancy, the teacher shall receive full salary less the amount that would be paid a substitute teacher for a maximum of 20 days.

SICK LEAVE, CERTIFIED PERSONNEL, REGULATIONS (Cont.)

8. After an employee has exhausted all accumulated sick leave, personal leave, and vacation time, the employee may be eligible for whatever time may be remaining of the up to 12 work weeks of unpaid leave for employees who meet the federal definitions for leave in accordance with the Family Medical Leave Act. The 12 work weeks of leave afforded under the Family Medical Leave Act may include paid and unpaid leave in accordance with federal law.

9. Sick leave benefits may be paid in addition to workers' compensation benefits; however, the sum of the payments will not exceed 100% of the employee's net pay as it existed prior to injury.

NOTE: **The term "immediate family" has been defined as those close family members such as a spouse or children residing within the same household as the employee. Sick leave may also be taken for the life-threatening illness of non-dependent children, mother, father, sister, brother, grandparents, mother-in-law, or father-in-law.**

REFERENCE: **70 O.S. §6-104**
70 O.S. §6-147
Atty. Gen. Op. No. 84-12
Atty. Gen. Op. No. 91-632

SICK LEAVE
SUPPORT PERSONNEL
(REGULATIONS)

The board of education will provide sick leave benefits to all support employees in order to promote a sense of security and permit the ease of mind essential to the satisfactory performance of services. In compliance with Oklahoma Statutes, Title 70, Section 6-104, the following guidelines are set forth:

1. For the purposes of this policy, support employee is defined as a full-time employee of the school 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 who is employed a minimum of 172 days and who provides those services which are not performed by certified teachers, principals, superintendents or administrators and which are necessary for the efficient and satisfactory functioning of a school district.

2. The superintendent of schools, or designee, shall be responsible for administering this plan.

3. A support employee may be absent from duty due to a personal accidental injury, illness, or pregnancy, or accidental injury, illness, or death in the immediate family without loss of salary. Benefits shall include paid sick leave of one day per month of employment. The one day sick leave per month equals the number of hours the employee normally works per day. If an employee is injured as a result of an assault or battery upon the person of the employee while the employee is in the performance of any duties as an education employee, the employee shall be entitled to a leave of absence from employment with the school without a loss of leave benefits.

4. Unused sick leave shall be cumulative to a total of 60 days.

5. The sick leave granted to support employees under this policy shall be vested at the time of accrual, that is, upon the completion of the first month's employment, the employee shall have accrued one sick leave day.

6. Accumulated sick leave may be transferred to another school district where a support employee is employed the next succeeding school year in accordance with that district's policies.

7. Support personnel who are employed for the first time in this district and who were employed at another school district during the year immediately preceding their employment with this district may transfer a maximum of 60 sick leave days.

8. Sick leave benefits may be paid in addition to workers' compensation benefits; however, the sum of the payments will not exceed 100% of the employee's net pay as it existed prior to injury.

REFERENCE: **70 O.S. §6-101.40**
70 O.S. §6-104
70 O.S. §6-147
Atty. Gen. Op. No. 84-12
Informal Atty. Gen. Op. No. 91-632

PERSONAL BUSINESS LEAVE
(REGULATIONS)

The board of education shall provide for a minimum of three days for personal business leave for teachers and support personnel. Such leave shall be limited to personal business matters that cannot be conducted before or after school hours or on weekends. Personal business leave is noncumulative.

Requests for personal business leave shall be made in writing and in advance when possible. If advance request is not possible, the written request shall be filed within one day after returning to work. The request shall include a signed statement that the leave was not used for personal entertainment, recreation, gainful employment, or to seek another position. The request shall be considered by the principal and superintendent who shall approve or disapprove.

The types of situations that may qualify for personal business leave are varied. The following examples serve only as guidelines:

1. Family illness other than immediate family
2. Emergency business transactions
    A. Loan closings
    B. Other banking matters
    C. IRS reviews
3. Legal Matters
    A. Meetings with an attorney for personal, spouse, or children's business
    B. Court appearances
    C. Settling of estates
4. Miscellaneous
    A. Attend business convention with spouse
    B. Military obligations
    C. Attendance at a school activity if son or daughter is participating
    D. Attending funerals

The following examples are types of absences that will NOT be approved for personal business leave:

1. Pleasure trips or vacations

PERSONAL BUSINESS LEAVE, REGULATIONS (Cont.)

2. Attending school activities or sporting events when son or daughter is not competing
3. Seeking other employment
4. Participating in political or social activities
5. Performing any service for compensation

REFERENCE: **70 O.S. §6-104**
Atty. Gen. Op. No. 77-217 (Aug. 19, 1977)

NOTE: **Referenced statute requires each school district to provide a minimum of three days for personal leave to certified and support personnel. However, "a local board of education is authorized to adopt reasonable rules, regulations and policies defining activity which shall be deemed to constitute or qualify as 'personal business' leave. In adopting such a definition, the ordinary and every day commonly understood meaning of the phrase 'personal business' should be followed." Atty. Gen. Op. No. 77-217 (Aug. 19, 1977)**

EMERGENCY LEAVE
(REGULATIONS)

The board of education shall provide not more than 15 days each year for emergency leave. These days shall not be chargeable to sick leave and will be noncumulative. The term emergency should be construed to mean a situation or occurrence of a serious nature, developing suddenly and unexpectedly, and demanding immediate attention. Emergency leave will be granted at the discretion of the principal or designee. The school district will pay the substitute's salary.

The board of education may grant leave with pay not to exceed fifteen (15) working days to an employee who is affected by a presidentially declared national disaster in Oklahoma after May 1, 1999, if:

1. The employee suffered a physical injury as a result of the disaster;

2. A relative or household member of the employee suffered a physical injury or died as a result of the disaster; or

3. The domicile of the employee or the domicile of a relative of the employee was damaged or destroyed as a result of the disaster.

REFERENCE: 70 O.S. §6-104
70 O.S. §6-104.7

NOTE: 70 O.S. §6-104 allows emergency leave to be granted at the discretion of the board. However, the board may not provide more than five days.

JURY DUTY SERVICE AND WITNESS LEAVE (REGULATIONS)

The board of education shall grant leave to employees who have been selected for jury duty or who have been subpoenaed as a witness in a criminal, civil, or juvenile proceeding. Employees shall be paid the full, current contract salary during such service. Monies necessary to pay substitute teachers shall not be deducted from the salary of a teacher performing jury duty. However, the amount received by the teacher for jury duty service shall be applied toward the expense of the substitute teacher.

It is the policy of the board that the school district will not provide teachers with paid leave for non-subpoenaed testimony as a witness in a child custody case involving a student in this district. If a teacher testifies as a witness as a result of being subpoenaed, any compensation received from the court by the teacher shall be applied toward the expense of a substitute teacher.

If a school district employee is subpoenaed to appear as a witness in a civil court proceeding, except in a proceeding in which the school district or the state is a party, the school district shall be entitled to a witness fee equal to the amount of the substitute teacher cost, not to exceed One Hundred Dollars ($100.00) per day.

REFERENCE: 70 O.S. §6-104
28 O.S. §84.1

MILITARY LEAVE
(REGULATIONS)

The board shall provide leave to qualified employees who are members of any component of the Armed Forces of the United States (Army, Navy, Marine Corps, Air Force, Coast Guard), including members of the Army and Air National Guard and the Reserve Forces and the commissioned corps of the Public Health Service, when the employee meets the requirements set forth below and the Uniformed Services Employment and Re-employment Rights Act of 1994 (USERRA). A leave of absence for the period of active service shall be without loss of status or efficiency rating and without loss of pay during the first 30 days of such leave.

Reemployment Rights

In order to qualify for reemployment rights, the employee must be or must have been employed on a regular basis. Employees who are employed as temporary employees for a definite, nonrecurring period of time are not eligible. In order to qualify for reemployment rights, employees must be qualified as set forth in these regulations and in The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

Employees must provide advance notice of military service unless military necessity prevents such notice or unless notice is otherwise impossible or unreasonable. Such oral or written notice must be provided by the employee or by an appropriate officer of the service branch. In order to qualify for reemployment, the employee cannot be absent for a period greater than five years unless the employee qualifies for an exception as set forth below. The employee must be or have been separated from the service under honorable conditions.

If the service is less than 31 days or is for the purpose of taking a fitness-for-duty examination, the employee must report for reemployment at the beginning of the first full regularly scheduled working period on the first calendar day following completion of service plus additional time for safe travel back to the employee's residence plus eight hours.

If the service is for a period greater than 31 days but less than 181 days, the employee must submit an application for reemployment no later than 14 days following completion of service.

If the service is for a period greater than 181 days, the employee must submit an application for reemployment no later than 90 days following completion of service.

These time limits may be extended up to two years if the employee is hospitalized or is convalescing from an injury or illness caused by the military service. The two-year extension may be further extended if reporting is impossible or unreasonable due to circumstances beyond the employee's control.

An employee with less than 91 days of service will be immediately re-employed in the position the employee would have attained had the employee not been absent if all qualifications for the position are met. If the employee is not or cannot reasonably become qualified for the advanced position, reemployment will be offered in the same position held prior to military service if qualified. If the employee is not and cannot become reasonably qualified for the same position, a position of lesser status and pay will be offered.

An employee who is absent for more than 91 days will be offered reemployment under the same conditions as above except that a different position with equivalent pay, status, and seniority may be offered.

MILITARY LEAVE, REGULATIONS (Cont.)

Refresher training or "update" training will be provided if appropriate and necessary.

If a qualified employee applies for reemployment and has a service-related disability, reasonable accommodations will be made if possible. If reasonable accommodations cannot be made, a position providing equivalent seniority, pay and status will be offered. If neither of these options is possible because of the disability, a position as nearly equivalent as possible in seniority, pay and status will be offered.

Employees who are reemployed under these regulations are entitled to participate in any benefits available to employees on nonmilitary leaves of absence but must pay any employee participation costs that other employees pay.

An employee who is reemployed under these regulations will not be considered as having a break in service for purposes of any applicable pension plan and the military service time will be considered for benefit vesting and accrual consistent with any state regulations or law.

Health Insurance Coverage

If requested, the school district will maintain health insurance coverage on the employee (and the employee's family) for the first 30 days of military service regardless of whether the employee is called to active duty for more or less than 30 days. However, the employee must pay any employee participation costs that other employees pay. If the employee is called to active duty for more than 30 days, the military medical benefit will provide coverage. If the employee wishes to maintain private insurance after the first 30 days (for up to 18 months), the employee must pay the full cost of the premium.

The employee (and the employee's family) may choose to go back on the district health plan immediately upon return to district employment. There will be no waiting period and no exclusion of pre-existing conditions, other than for VA-determined service-connected conditions.

REFERENCE: 40 O.S. §209
70 O.S. §6-105
USERRA, 1994 as amended

FAMILY MEDICAL LEAVE

If the district employs 50 individuals, the district is required to provide eligible employees with leave under the auspices of the Family Medical Leave Act (FMLA).

In order for school district employees to qualify for FMLA leave, three conditions must be met:

1. The school district must have 50 or more employees on the payroll for 20 workweeks during the current or preceding calendar year.

2. At least 50 employees must work within 75 miles of the district's worksite for the district to be covered; and

3. The employee must have worked for the school district for at least 12 months and for at least 1,250 hours during the last year.

Eligible employees are those district employees who meet the above requirements and who request leave for one of the following reasons:

1. Birth, adoption, or foster placement of a child by an employee;

2. To care for a spouse, son, daughter, or parent who suffers from a severe health condition; ~~or~~

3. For a serious health condition the employee is experiencing~~.~~;

4. To care for a covered family servicemember with a serious illness or injury incurred in the line of duty on active duty; or

5. To use for any qualifying exigency arising out of the fact that a covered military member is on active duty or called to active duty status in support of a contingency operation.

Before an employee will be placed on unpaid family leave, the employee must first exhaust any accumulated sick leave, personal leave, and vacation time. Such sick leave, personal leave, and vacation time will be deducted from the 12 workweeks of eligibility. If both spouses are employees of this district, their total leave in any 12-month period will be limited to 12 weeks if the leave is taken (1) for the birth or adoption of a child or (2) to care for a sick parent. The right to take leave for the birth or placement of a son or daughter expires 12 months after the birth or placement with the employee. Eligible employees who are family members of covered servicemembers with a serious illness or injury incurred in the line of duty on active duty will be able to take up to 26 workweeks of leave in a single 12-month period. Sick leave, personal leave, and vacation leave will be deducted from the 26 workweeks of eligibility.

If the superintendent deems it necessary or desirable, an employee may be required to provide certification from a physician of the necessity of any leave requested. The superintendent may require certification as to the date the medical condition began, the anticipated duration and prognosis, and medical facts about the medical condition and treatment.

If the superintendent deems it necessary or desirable, the superintendent may require a second opinion by a physician selected and paid for by the district. If the original opinion and the second opinion conflict, the district may require a third opinion at the district's expense. The conclusion of the third opinion will be final and binding upon the employee and the district.

FAMILY MEDICAL LEAVE (Cont.)

If family leave is granted for a continuing health condition, subsequent recertification may be required at the discretion of the superintendent.

Intermittent leave may be taken in lieu of continuous leave for the birth or adoption of a child only with the concurrence of the district. The employee must provide 30 days of advance notice or as many days of advance notice as are practical. Leave taken for serious health conditions of the employee or an eligible member of the employee's family may be taken intermittently without district concurrence. However, the employee may be transferred to another position that can better accommodate the employee's recurring absences. Such transfer will not reduce the employee's pay and benefits.

Upon completion of family leave, the employee will be entitled to return to the former position of employment with equivalent benefits and pay without loss of seniority or tenure. The employee will be deemed to be at work for the purposes of tenure accrual and retirement vesting and participation. The district will maintain the employee's medical insurance coverage. If the employee contributes toward the premiums, the employee will continue to pay the same rate while on leave.

NOTE: **During FMLA leave, a board has no obligation to continue to give an employee any benefits other than health insurance, and those benefits thus may be discontinued during the leave. A board may decide whether to extend continuation of coverage to life, dental, and vision insurance, but should know extensions are not required by the FMLA and there can be a substantial cost to the district in doing so. One option that is cost effective and still protects employees while they are on unpaid leave is to permit employees to retain ancillary insurances by reimbursing the district for the full cost of the premiums during the leave period. No benefits or seniority accrues during leave. The district may require documentation from the employee's physician that the employee is able to return to work. FMLA will run concurrently.**

REFERENCE: **29 CFR pt. 825**
PL 103-3

THIS POLICY REQUIRED BY LAW.

BEREAVEMENT LEAVE
(REGULATIONS)

The board of education will provide up to 2 (two) days leave with pay for each bereavement in the immediate family of an employee. Such leave must be approved by the principal and the superintendent.

If the employee has to be absent for a funeral other than immediate family, the absence will be charged to emergency leave. If additional time is needed because of travel or other special considerations, a request may be submitted; and, if approved by the principal and superintendent, the time will be charged to sick leave.

Immediate family is defined as the employee's spouse, parent or guardian, child, brother, sister, grandparent, grand-child, or each similar relationship as established by marriage; or a person residing in the same household as the employee.

TRAVEL AND EXPENSES

It is the policy of the board of education that official school travel for board members must be approved in advance by the board and travel for employees will be approved in advance by the building administrator or the superintendent. Requests and arrangements for employee travel will originate from the appropriate building administrator's office. Travel requests will be made as early as possible and placed on the building calendar as well as the master calendar. Emergency travel will be placed on the respective calendars as soon as possible following the travel or notification of the emergency. The district will not pay for any board member or employee dependent-care expenses regardless of whether the funding source is federal, state, or local funding.

The school will reimburse reasonable costs, subject to the availability of funds, for approved and documented travel. Lodging expenses will be reimbursed at actual cost for a single occupancy room not to exceed $250 per night/per person.

Documented meal costs will be reimbursed in an amount not to exceed $30 per meal or $75 per day when appropriate receipts are provided. The district will pay up to 15% of the cost of meals for a meal gratuity. The costs of meals and incidental expenses for group meetings conducted for the general improvement of the school system may be approved as a separate item by the board. The board may approve payment of meal expenses on a per diem basis rather than requiring meal expenses to be itemized and documented. If overnight travel is not involved and/or a meal is not provided as part of a workshop or part of a legitimate business meeting relating to school business, reimbursement for meals will be reported as taxable compensation and run through payroll.

Expenses for registration, parking, toll charges, and similar expenses will be reimbursed when documented by receipts or notarized affidavits.

School vehicles, when available, may be used for official business only. Private vehicles may be used when school vehicles are not available. Mileage expense will be reimbursed at the current IRS approved rate per mile when a school gasoline credit card is not used.

Claim forms for travel expenses are available in the building administrator's office. The forms will be completed and approved in the respective building and hand-delivered to the business office for payment.

REFERENCE: 70 O.S. §5-117
2 C.F.R. 200.432 and 200.474

EXPENSE REIMBURSEMENT

It is the policy of the Burlington Board of Education to reimburse itemized and necessary expenses incurred by employees or members of the board on educational trips authorized by the board and itemized and necessary expenses incurred transacting school business. The superintendent is directed to prepare a regulation supporting this policy and establishing a rate schedule for board approval.

REFERENCE: 70 O.S. §5-117

THIS POLICY REQUIRED BY LAW.

STUDENT ACTIVITIES
EXPENSE REIMBURSEMENT

It is the policy of the Burlington Board of Education to reimburse pre-approved itemized and necessary meal and lodging expenses incurred by school district students and sponsors involved in authorized school-sponsored cocurricular activities.

Requests and arrangements for student travel will originate from the appropriate building administrator's office. Travel requests will be made as early as possible and placed on the building calendar as well as the master calendar.

The school will reimburse reasonable costs, subject to the availability of funds, for approved and documented lodging and meal expenses.

Claim forms for travel expenses are available in the building administrator's office. The forms will be completed and approved in the respective building and hand-delivered to the business office for payment.

The board of education will determine if reimbursement will be made from the general funds of the school district or from the school activity funds.

REFERENCE: 70 O.S. §5117

THIS POLICY REQUIRED BY LAW.

LEAVE SHARING PLAN

The Burlington Board of Education has established a sick leave sharing plan for employee use of sick leave days donated from other employees of the district. The plan will permit the use of donated sick leave by a district employee who is pregnant or recovering from childbirth or who is suffering from or who has a relative or household member who is suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition which has caused or is likely to cause the employee to take leave without pay or to terminate employment.

The superintendent is directed to establish procedures to implement and support this policy.

REFERENCE: 70 O.S. §6-104.6

ROUTINE PROCEDURES FOR SANITATION AND HYGIENE WHEN HANDLING BODY FLUIDS

Definitions

1. Bloodborne Pathogens means pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, Hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

2. Contaminated means the presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.

3. Contaminated Laundry means laundry that has been soiled with blood or other potentially infectious materials or may contain sharps.

4. Exposure Incident means a specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties.

5. Methods of Compliance - General-Universal precautions shall be observed to prevent contact with blood or other potentially infectious materials. Under circumstances in which differentiation between body fluid types is difficult or impossible, all body fluids shall be considered potentially infectious materials.

6. Occupational Exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.

Equipment Needed

Water	Disposal Bags	Baggies
Hand Soap	Dust Pans/Brush/Broom	Paper Towels
Towelettes	Disposable Gloves	Utility Gloves
Trash Cans & Plastic Liners		Mops & Buckets
Sanitary Napkin Container		

Disinfectant - Should use one or more of these:

A. Sodium hypochlorite solution (household bleach)
One (1) part bleach to ten (10) parts water
Ex: 1½ cups bleach to 1 gallon of water
Needs to be prepared each time used on inanimate objects.

B. ViroGuard-Q - Distributed by Health Services
One (1) oz. of ViroGuard-Q to 128 oz. of water.
ViroGuard-Q is a germicidal product that is to be used on inanimate objects. ViroGuard-Q has bactericidal efficacy and fungicidal efficacy, mildew stat efficacy, virucidal efficacy, and sanitizing efficacy.

C. Hydrogen Peroxide 3% - to be used on skin surfaces.

ROUTINE PROCEDURES FOR SANITATION AND HYGIENE WHEN HANDLING BODY FLUIDS (Cont.)

D. Isopropyl Alcohol - to be used on some skin surfaces and for rinsing the hands.

E. Sanitary absorbing agent (e.g., chlora-sorb).

Procedure

1. General

   A. Wear disposable gloves before making contact with body fluids during care, treatment, and all cleaning procedures.

   B. Discard gloves after each use.

   C. Wash hands with germicidal soap after handling fluids and contaminated articles, whether or not gloves are worn.

   D. Discard disposable items including tampons, used bandages, and dressings in plastic lined trash containers; close bags and discard daily.

   E. Do not reuse plastic trash bags.

   F. Use disposable items to handle body fluids whenever possible.

   G. Use paper towels to pick up and discard any solid waste materials such as vomitus or feces.

   H. Use general-purpose utility gloves (e.g., rubber household gloves) for housekeeping chores involving potential blood contacts and for general cleaning. Utility gloves can be cleaned and reused but should be discarded if they are peeling, cracked or discolored, or if they have punctures, tears or other evidence of deterioration.

2. Handwashing

   A. Use germicidal soap and running water. Soap suspends easily removable soil and microorganisms, allowing them to be washed and rinsed away.

   B. Rub hands together for approximately ten (10) seconds to work up a lather.

   C. Scrub between fingers, knuckles, back of the hands and nails. Nails should be short and trimmed. Jewelry should not be worn.

   D. Rinse hands under running water. Running water is necessary to carry away debris and dirt.

ROUTINE PROCEDURES FOR SANITATION AND HYGIENE WHEN HANDLING BODY FLUIDS (Cont.)

E. Use paper towels to thoroughly dry hands.

F. Use paper towel to turn water off, discard paper towel.

3. Washable Surfaces (bottles, dishes, toys, tables, desks, etc.)

A. Use ViroGuard-Q solution or use household bleach solution, mixed fresh. Scrub as needed.

B. Rinse with water.

C. Allow to air dry.

D. When bleach solution is used, handle carefully.

1. Gloves should be worn since the solution is irritating to the skin.
2. Avoid applying to metal, since it will corrode most metals.

E. Toys that are placed in children's mouths should be cleaned with water and detergent, disinfected, and rinsed before handling by another child.

F. All frequently touched toys should be cleaned and disinfected daily.

G. The use of soft, non-washable toys in classrooms should be discouraged.

4. Floors

A. Use household bleach solution, mixed fresh, or multi-purpose disinfectant.

B. Use the two (2) bucket system: One bucket to wash the soiled surface and one bucket to rinse, as follows:

1. In bucket #1, dip, wring, mop up vomitus, blood, etc.
2. Dip, wring, and mop once more.
3. Dip and wring out mop in bucket #1.
4. Put mop into bucket #2 (rinse bucket) that has clean bleach solution.
5. Mop or rinse area.
6. Return mop to bucket #2 to wring out. This keeps the rinse bucket clean for second spill in the area.
7. After spills are cleaned, proceed with #3.

C. Soak mop in the bleach solution after use.

D. After cleanup is completed, discard contents of bucket #1. Bucket #2 is now bucket #1; mix fresh bleach solution for bucket #2.

ROUTINE PROCEDURES FOR SANITATION AND HYGIENE WHEN HANDLING BODY FLUIDS (Cont.)

E. Water and disposable cleaning equipment should be placed in a toilet or plastic bag, as indicated.

F. Rinse nondisposable cleaning equipment (dustpan, buckets) in disinfectant.

G. Dispose of disinfectant solution down the drainpipe.

H. Remove gloves, if worn, and discard in the appropriate receptacle.

I. Wash hands as described above.

5. Non-Washable Surfaces (rugs and upholstery, etc.)

A. Apply sanitary absorbing agent, let dry, vacuum.

B. If necessary, use broom and dustpan to remove soiled materials.

C. Apply rug or upholstery shampoo as directed. Re-vacuum according to directions on shampoo.

D. Spray soiled area with ViroGuard-Q solution, air dry.

E. Clean dustpan and broom, if used. Rinse in ViroGuard-Q solution or household bleach solution.

F. Wash hands as described above.

6. Soiled Washable Materials (clothing, towels, uniforms, etc.)

A. Rinse items under running water, using gloved hands, if appropriate.

B. Place items in plastic bag and seal until items are washed. Plastic bags containing soiled, washable material must be clearly identified.

C. Wash hands as described above.

D. Wipe sink with paper towels, discard towels.

E. Machine wash soiled items separately.

1. If material is bleachable, add ½ cup bleach to the wash cycle. If it is not bleachable, add ½ cup nonchlorine bleach (Clorox II/Borateem) to the wash cycle.
2. Wash in hot water: 160° F for 25 minutes, using detergent with disinfecting agent.
3. Discard plastic bag.
4. After handling soiled items, wash hands as described above.

ROUTINE PROCEDURES FOR SANITATION AND HYGIENE WHEN HANDLING BODY FLUIDS (Cont.)

7. To Clean Blood or Body Fluid Spills (blood from nose, mouth, and skin lesions)

   A. Put on gloves.

   B. Use disposable wipes, cotton balls, or gauze pads which have been immersed in 3% peroxide.

   C. Proceed to clean blood spills with the solution soaked materials.

   D. Place soiled materials in a plastic bag for disposal.

   E. Remove gloves, include with soiled materials and discard.

   F. Wash hands as described above.

8. Toileting and Diapering

   A. Toileting and toilet training equipment should be maintained in a sanitary condition.

   B. Diaper changing surfaces should be nonporous and sanitized between uses for different children.

   C. Soiled disposable diapers or soiled disposable wiping cloths should be disposed of in a secure plastic lined container.

   D. Diapers should be able to contain urine and stool and minimize fecal contamination of the children, providers, and environmental surfaces and objects.

   E. Diapers should have an absorbent inner lining attached to an outer covering made of waterproof material that prevents escape of feces and urine. Outer and inner lining must be changed as a unit and not reused.

   F. Fecal contents may be placed in toilet, but diapers must not be rinsed. Preferably, dispose of diaper and contents as a total unit.

   G. Diaper changing areas should never be located in food preparation areas and should never be used for temporary placement of foods.

9. Potty Chairs

   A. Potty chairs must be emptied into a toilet after each use, cleaned in a utility sink, and disinfected after each use.

   B. Gloves should be used if wiping a child. Leave gloves on until cleaning procedure is finished.

ROUTINE PROCEDURES FOR SANITATION AND HYGIENE WHEN HANDLING BODY FLUIDS (Cont.)

C. Staff should sanitize potty chairs, flush toilets, and diaper changing areas with the household bleach solution or ViroGuard-Q solution.

D. Wash hands as described above.

10. Sleeping Equipment

A. Each item should be used by only one child.

B. The sleeping equipment should be cleaned and sanitized prior to assignment to another child.

C. Crib mattresses should be cleaned and sanitized when soiled or wet.

D. Sleeping mats should be stored so that contact with the surface of another mat does not occur.

E. Bedding should be assigned to each child and cleaned when soiled or wet.

11. General Information

A. CPR - Use disposable mouth piece and/or face shield (will be kept in the clinic).

B. ViroGuard-Q will be requested from the school and kept in the clinic in a spray bottle, ready for use.

C. Prepare a "cleanup baggie" by placing in a baggie a towelette moistened with hydrogen peroxide. Keep cleanup baggie and gloves in your desk or pocket. Use for recess or duty, if not used pass it to the next person on the duty schedule.

D. P.E. teachers, coaches, and trainers need cleanup baggies ready for use in classes, at athletic events, and during team practice sessions.

E. Take cleanup baggies and gloves on field trips.

F. All cleaning supplies must be labeled regardless of container.

12. Personal Hygiene Measures

A. Wash hands in soap and water immediately after evacuating bowels or bladder and always before handling food or eating.

B. Keep hands and unclean articles or utensils that have been used for bodily purposes by others away from the mouth, eyes, nose, ears, and wounds.

ROUTINE PROCEDURES FOR SANITATION AND HYGIENE WHEN HANDLING BODY FLUIDS (Cont.)

C. Avoid using common or unclean eating utensils, drinking cups, towels, combs, handkerchiefs or disposable tissues.

D. Avoid exposure to other persons' spray from the nose or mouth as in coughing, sneezing, laughing, or talking.

E. Wash hands thoroughly after handling another person's belongings.

HYGIENE AND SANITATION (BLOODBORNE PATHOGENS) (REGULATION)

In accordance with the policy of the board of education, the following regulation and attached procedures contains guidelines for cleaning and disposal of body fluids. For the purpose of this regulation, the term "body fluids" shall include reference to blood, semen, feces, urine, vomit, drainage from scrapes and cuts, and respiratory secretions.

1. Wear gloves. All personnel will wear disposable gloves during the cleanup and disposal of any of the body fluids listed above. When in doubt about material, assume it to be a body fluid. After each use, gloves should be destroyed or disposed of. Under no circumstances should gloves be recycled or used for more than one incident.

2. If gloves are not available and contact with body fluids or open wounds is necessary, hands should be carefully washed as follows:

   A. Use liquid soap and water with vigorous washing under running water for at least 10 seconds;

   B. Dry hands thoroughly with a paper towel. Use the paper towel to turn off the facet and discard the towel in a proper container.

   C. Use hand lotion if desired. CAUTION: Dry, cracked hands provide openings in the skin for bacteria to enter.

3. A 1 to 10 solution of household bleach and water may be stored in proper containers in areas where soap and water are not readily available. Such containers should be clearly marked as to the contents. The solution may be used in cleaning body fluid spillage and hands (if soap and water are not available) following cleanup.

4. Materials used in the cleanup of body fluids or suspected body fluids will be sealed in a plastic bag and discarded in appropriate trash containers. Soiled clothing articles, including sanitary napkins will be sealed in plastic bags and discarded. Other non-disposable cleaning items such as mops, towels, buckets, and other items will be thoroughly rinsed in the bleach and water solution and carefully washed in hot, soapy water.

5. Personnel will use the same procedures for washing non-disposable cleaning equipment as for handling body fluids and soiled clothing or other personal apparel.

6. Sanitary absorbents may be used to clean spilled body fluids. The absorbent should be swept up or vacuumed. Carpets should also be shampooed with a germicidal rug shampoo. Sweepings or used vacuumed bags should be sealed in a plastic bag for disposal. Brooms, dustpans, and vacuum brushes should be washed in a solution of 1 part bleach to 10 parts water.

7. Any liquid disinfectant used in cleaning floors, equipment, or materials should be discarded in a suitable and appropriate sewage drain.

8. Clothing, towels, and similar cleaning equipment should be washed in hot soapy water with one-half to one cup of bleach added to the wash water.

HYGIENE AND SANITATION, BLOODBORNE PATHOGENS, REGULATION (Cont.)

9. Custodians and sanitation personnel should wear latex disposable gloves during any cleaning operation where the possibility of encountering body fluid exists whether or not the fluid is touched.

10. Careful handwashing is the single most effective method of preventing the spread of contagious diseases. Hands should be washed in hot soapy water before and after any cleanup operation.

11. A copy of the Routine Procedures for Sanitation and Hygiene When Handling Body Fluids will be provided to each employee and must be followed when appropriate and necessary. (See DIAF-P.)

HYGIENE AND SANITATION
(BLOODBORNE PATHOGENS)

The Burlington Board of Education recognizes that body fluids of any person may contain infectious or contagious bacteria or viruses, and that such bacteria or viruses may be spread from one person to another by accidental or careless handling of body fluids during sanitation or custodial work or the administration of emergency first aid.

The superintendent is directed to prepare regulations establishing proper procedures for handling body fluids during normal housekeeping. Such procedures shall include methods for the handling and disposal of body fluids in school buildings and on school equipment and material. The district will make personal protective equipment available to employees for use in handling and disposing of body fluids.

The superintendent will also direct the identification of employees who could be reasonably anticipated as the result of their job duties to face contact with blood or other potentially infectious materials. Any employees so identified will be offered Hepatitis B vaccinations at district cost. Such vaccinations will be provided at a reasonable time and place, under the supervision of a licensed physician or health care professional and according to the latest recommendations of the U.S. Public Health Service.

School district employees who have had an exposure incident to body fluids will participate in a follow-up confidential medical evaluation documenting the circumstances of exposure, identifying and testing the source individual if feasible, testing the exposed employee's blood if the employee consents, post-exposure prophylaxis, counseling and evaluation of reported illnesses. Health care professionals must be provided specified information to facilitate the evaluation and their written opinion on the need for Hepatitis B vaccination following exposure. Information such as the employee's ability to receive the Hepatitis B vaccine must be supplied to the employer. All diagnoses must remain confidential.

REFERENCE: 63 O.S. §1-502, et seq.
29 CFR Part 1910.1030, OSHA

PLANNING PERIODS

All instructors, excluding vocational staff cooperating with the State Department of Career and Technology Education, shall be provided planning time each week as required by the State Accreditation Standards within the student school day for preparation. Elementary and middle school teachers with 200 minutes will be provided 200 minutes for planning each week. Secondary teachers are to be provided 225 minutes for planning each week. The preparation period may be used for the following duties: personal instructional preparation; planning, selecting, and preparing materials for instruction; conferring with parents, staff, and administrators; keeping school records; supervising aides (if assigned); grading student papers and recording student grades; and study of current literature to keep abreast of developments within the subject matter taught by the teacher. The preparation period shall be utilized within the building of major assignment and for the purposes indicated. Teachers shall leave the school premises only to carry out functions relating to the above duties when written permission to do so has been obtained from the building principal.

PROFESSIONAL GROWTH AND DEVELOPMENT (REGULATION)

In accordance with the policy of the board of education, the following regulation shall govern professional development.

Professional Development of Certified and Licensed Personnel

1. Membership in Professional Organizations

   The board of education feels genuine professional growth can be obtained by membership in the various professional organizations, but that membership should be on a voluntary basis and not compulsory.

2. Attendance at Required Meetings (all certified and licensed personnel)

   Certified and licensed persons are expected to attend all curriculum meetings planned by the professional development committee.

3. In-service Training

   A. A minimum of 75 professional development points shall be earned within a five-year period by each certified and licensed individual in order to maintain employment in this district. One point shall be equivalent to one clock hour.

   B. A minimum of 15 professional development points shall be earned annually by each certified and licensed individual in order to maintain employment in this district.

   C. Four professional development points must be earned from the 2 professional days in August. Any exceptions must be submitted and approved by the professional development committee.

   D. At least once a year a program shall be offered on recognition and reporting of child abuse and neglect which all teachers will be required to complete. For those teachers who are unable to complete the program on the day offered, other arrangements will be made.

4. National Board Certification

   Teachers who have submitted an application for National Board Certification may receive two (2) professional days for certification portfolio development during which a substitute teacher shall be provided by the school district at no cost to the teacher.

Approved Professional Development Opportunities

1. Such workshops as shall be provided by the local professional development committee in response to analysis of needs assessments administered annually to all certified and licensed personnel.

2. Credit may be earned through the following alternatives:

PROFESSIONAL GROWTH AND DEVELOPMENT, REGULATION (Cont.)

A. Professional Meetings (Sanctioned by State Department of Education or professional organizations where professional development points are awarded.)

1. State and Zone O.E.A. Workshops and C.C.O.S.A. Meetings
2. Summer and Saturday Workshops
3. Coaches Clinics (for Summer Coaching Clinic in the absence of signed vouchers - 10 professional development points allowed with local voucher to be signed by superintendent)
4. Vocational Workshops
5. Teacher Visitation
6. Etc.

B. Professional Committees

1. Textbook Committee
2. Professional Development Committee
3. Local certified personnel conducting workshops
4. Local Teacher Association President (5 points/year)
5. Curriculum Review Planning Committee
6. Curriculum Review Chairpersons (1 point/year)

C. College Courses and Credits (One semester hour of approved college credit shall equal 15 professional development points.)

D. Additional kinds of experiences may be recommended as alternative activities to the professional development committee to be approved by the board of education.

E. For each clock hour of participation in alternate activities, one professional development point will be awarded.

Record Keeping

1. Vouchers for workshops and individual records of professional development points will be kept by the Professional Development Representative in each building.

2. Turning in vouchers, evaluations, and signing the record of points is the responsibility of each individual.

3. Vouchers and evaluations must be turned in to the building representative no later than one week after a workshop. These points will be lost if this is not done during this time period.

4. An evaluation is to be filled out for every local workshop and returned to the building representative.

5. Lost vouchers result in points not being counted. Replacement vouchers will not be available.

6. A comparison check of each certified and licensed person's points will be made once each semester by the building representative and the representative from the central office.

PROFESSIONAL GROWTH AND DEVELOPMENT, REGULATION (Cont.)

7. Any questions concerning professional development should be directed to the building representative.

8. College credit earned during the summer must be turned in to the building representative no later than the end of the first full week beginning each school year. (A copy of the transcript or grades is needed to show the number of hours earned.)

Evaluation

1. Individual records of professional development points will be maintained as required by state statutes.

2. Cooperation of all certified and licensed personnel will be necessary to maintain an accurate professional development record for each person.

3. Failure to fulfill professional development training requirements result in action by the board of education according to state statutes.

Guidelines for Membership on Professional Development Committee

1. Classroom teacher and principal replacement members for the professional development committee will be elected for a two-year term. Terms for regular and alternate members will coincide.

2. The chairperson and co-chairperson will be chosen at the end of each school term to begin serving the following school year. The chairperson should be a professional development member with one year of experience on the committee.

PROFESSIONAL GROWTH AND DEVELOPMENT

It is the policy of the Burlington Board of Education that teachers and other employees shall continue their professional growth through seminar and workshop attendance and membership in professional organizations. The board believes that it has a responsibility to provide opportunities for the continual growth of its professional staff. Such opportunities may include, within budgetary limitation, special in-service training courses and workshops as recommended by a professional development committee and/or the board. Staff members are encouraged to seek additional and higher degrees, to obtain further certification, and to become more proficient not only in their subject area, but also in their ability to handle discipline, to motivate students, and to cope with both personal and job-related stress.

A focused and individualized program of professional development shall be created for each teacher and administrator that is consistent with the qualitative component of the TLE. Annual professional growth goals shall be developed for each certified employee in collaboration with the certified employee's evaluator. The goals shall be tailored to address a specific area or criteria identified through the qualitative component of the TLE. The certified employee will actively engage with learning practices that are evidence-based, researched practices that are correlated with increased student achievement, and the professional development will be supported by resources that are easily available and supplied by the school district and the State Department of Education. The superintendent or designee shall monitor compliance with each individualized program of professional development.

The professional development committee shall be composed of classroom teachers, administrators, school counselors or licensed mental health providers, and parents, guardians, or custodians of children in the district. A majority of the committee shall be composed of classroom teachers who will be selected by a designated administrator of the district from a list provided by the teachers in the school district. The members selected shall be subject to the approval of a majority vote of the teachers in the district. The administrators shall be selected by the board from a list provided by the superintendent. Parents shall be selected by the board from a list provided by the administration and the professional development committee.

When classes are dismissed for that purpose, teachers are expected to attend professional meetings or forfeit one day's pay for each day of the meeting unattended unless an emergency exists.

The board may authorize the attendance of teachers at educational conferences and may reimburse travel and lodging expenses. Authorization to attend shall be obtained from the board prior to the activity date. Written requests shall be submitted to the superintendent who will forward the request to the board.

REFERENCE: 70 O.S. §3-104.2
70 O.S. § 101.10
70 O.S. §6-192, et seq.
70 O.S. §6-194
70 O.S. §6-204.2

TEACHER EVALUATION

The Burlington Board of Education believes that personnel evaluation is a mutual endeavor among all staff members and the board to improve the quality of the overall educational program. The improvement of the district's educational efforts must be a joint responsibility of the school district and the individual educator.

All certified staff members shall be evaluated using an evaluation system that has been approved by the Oklahoma State Board of Education. The completed evaluation shall be retained in the personnel file of the person being evaluated. The evaluation instrument is a confidential document and shall be protected accordingly.

Probationary teachers shall receive formative feedback from the evaluation process at least twice each year. Formative feedback shall occur during the fall semester, and at least once during the spring semester, each year. Career teachers shall be evaluated at least once each year except for career teachers receiving a district evaluation rating of "superior" or "highly effective" rating under the TLE, who may be evaluated once every three (3) years. Evaluations of teachers shall be made by the appropriate certified principal, or other designated certified and qualified administrative person.

The evaluation rating of teachers and administrators shall be based on the qualitative component of the TLE. A school district with an average daily attendance of more than thirty-five thousand (35,000) may incorporate at its own expense prior to the 2015-2016 school year the quantitative components of the TLE into its evaluation system of teachers and administrators as defined by the school district's written policy. The district may continue to use, at its own expense, quantitative measures of teachers and leaders as a part of the district evaluation rating. Such measures shall include a minimum of one reliable, researched-based measure as approved by the State Board of Education.

For evaluations of teachers and administrators conducted during the 2017-2018 school year, and each school year thereafter, school districts shall incorporate and put into operation the qualitative component of the TLE and shall provide all teachers and administrators with a district evaluation rating based upon the components of the TLE. For the 2017-2018 school year school districts shall incorporate the individualized programs of professional development set forth at 70 O.S. § 6-101.10 (B) on a pilot program basis.

For evaluations of teachers and administrators conducted during the 2018-2019 school year, and each school year thereafter, school districts shall fully incorporate and put into operation the individualized programs of professional development as set forth at 70 O.S. § 6-101.10 (B).

The evaluation shall be reviewed by the staff member and the evaluator. Either or both may attach written and signed comments to the evaluation instrument within two weeks of the evaluation, provided that no additional statements or comments shall be attached without the teacher's knowledge. The teacher's signature on the evaluation instrument shall serve only to reflect the teacher's acknowledgment that an evaluation was conducted. A copy of the completed evaluation instrument will be provided to the teacher.

Except by order of a court of competent jurisdiction, evaluation documents and the responses thereto shall be made available only to the evaluated person, the board of education, the administrative staff making the evaluation, the board and administrative staff of any school to which the evaluated person applies for employment, and such other persons given consent by the teacher in writing, and shall be subject to disclosure at a hearing or trial de novo.

If the evaluation discloses any area(s) in which improvement can be reasonably expected and desired, the principal shall discuss such area(s) with the teacher and offer suggestions and recommendations as to how improvement may be achieved. Such recommendations shall be recorded on the evaluation instrument.

TEACHER EVALUATION (Cont.)

When the evaluating administrator identifies poor performance or conduct that the administrator believes may lead to a recommendation for the career teacher's dismissal or nonreemployment, the administrator will admonish the teacher in writing and make reasonable effort to assist the teacher in correcting the poor performance or conduct; and establish a reasonable time for improvement, not to exceed two months.

If the career teacher does not correct the poor performance or conduct cited in the admonition within the time specified, the administrator shall make a recommendation to the superintendent for the dismissal or nonreemployment of the teacher. A probationary teacher will receive a plan of improvement if inadequate teaching performance exists.
The board shall review this evaluation policy on an annual basis following consultation or involvement by representatives selected by the teachers in this district.

REFERENCE: 70 O.S. §6-101.10, et seq.

THIS POLICY REQUIRED BY LAW.

TEACHER EVALUATION (Cont.)

ANNUAL REVIEW

Date of Review Signature

EVALUATION OF ADMINISTRATIVE PERSONNEL

Except for the superintendent of schools, who shall be evaluated by the board of education, all certified and non-certified administrators shall be evaluated at least annually by the certified administrative personnel designated by the superintendent. All evaluations shall be made in writing utilizing a system for evaluation approved by the State Board of Education. An individualized program of professional developmemt shall be created for all adminsitrators.

Evaluation documents and responses thereto are to be maintained in a personnel file for each administrator. The same evaluation form shall be used for both certified and non-certified administrators. The evaluator may omit any criterion or indicator on the evaluation form that is not applicable to the administrative position being evaluated. The evaluation instrument is a confidential document and shall be protected accordingly.

This policy and the evaluation form utilized to effectuate this policy shall promptly be made available to all persons subject to this policy.

All certified and non-certified administrators shall be evaluated and the evaluation form completed no later than January of each school year.

The board of education shall evaluate and complete the evaluation form on the superintendent of schools prior to the board taking any action to renew or not renew the superintendent's contract.

THIS POLICY REQUIRED BY LAW.

PERSONNEL FILES
CERTIFIED STAFF

A file of personnel records shall be maintained in the superintendent's office for each certificated employee of the Burlington Public Schools. A file shall be kept for all resigned or retired employees, including such essential information as shall seem appropriate to the administration as specified by state and federal laws.

Confidentiality

Personnel information concerning district employees is generally confidential and may be reviewed only on a "need to know" basis under conditions which guarantee management's right of access to information necessary to make judgments and the protection of the employees of the district against unnecessary invasion of privacy. Some personnel information is "public record" and must be released to any person upon request.

Files containing medical information regarding an employee will be kept separate from other personnel files.

Types of Information

It shall be the responsibility of each certificated employee to see that there is filed with the district any record of prior teaching experience. In addition, if the teacher has rendered military service, the proof of discharge from the service must be furnished. It is the obligation of the certificated employee to see that information that will maintain the employee's personnel file on a complete and up-to-date basis is sent to the superintendent's office. The records shall contain the following information:

1. The correct name and the current address and telephone number of the employee;
2. An accurate record of the work experience of the employee;
3. Current data on education completed, including the transcripts of all academic work;
4. Proof of requirements fulfilled in order to be eligible for salary;
5. Current data on credentials;
6. Any current data requested concerning the health of the employee, or medical examinations that the employee may have undergone;
7. Records of assignment;
8. Evaluations of performance;
9. Letters of commendation, reprimand, or omission of duty;
10. Other materials mutually agreed upon between the principal and the teacher.

PERSONNEL FILES, CERTIFIED STAFF (Cont.)

Use of Personnel Records

All the contents of the personnel records file shall be available for inspection by the employee concerned. The district reserves the right to have a member of the superintendent's office staff present at the time the employee inspects his or her personnel file for the purpose of explaining and interpreting the information therein. Similarly, at the time the record is reviewed, the employee shall have the right to have present a representative of his or her own choosing, if desired.

The teacher shall have the right to respond to all materials contained in the personnel file and to any materials to be placed in the file in the future. Responses shall become part of the file.

Parental Notice

If the school district receives Title I funds, the No Child Left Behind Act requires the district to provide parents with notice that they may request information about the professional qualifications of classroom teachers. The notice to parents must include the following:

1. Whether the teacher has met state qualifications for the grade levels and subject areas taught.
2. Whether the teacher is teaching under emergency or other provisional status.
3. The baccalaureate degree of the teacher and any other graduate certification or degree held by the teacher, and the subject area(s) of the certification or degree.
4. Whether the child is provided services by paraprofessionals, and, if so, their qualifications.

If a parent requests the above-listed information, the district is required to provide the information in a timely manner. If the district has hired a teacher who is not highly qualified and the teacher has taught a child for four or more weeks, the district is required to provide the parents notice that their child has been taught by a teacher who is not highly qualified.

REFERENCE: 51 O.S. §24A.7.
70 O.S. §6-101.11
P. L. 107-110, No Child Left Behind Act of 2001
The Americans With Disabilities Act

THIS POLICY REQUIRED BY THE NO CHILD LEFT BEHIND ACT.

TEACHER TERMINATION PROCEDURES

In accordance with the policy of the board of education, the following procedures shall be followed in terminating the employment of career and probationary teachers.

Whenever the superintendent recommends to the board of education that a teacher employed within this school district be dismissed or not reemployed, the superintendent's written recommendation shall set forth the basis for the recommendation. The recommendation shall include the specific statutory grounds on which a career teacher should be dismissed or not reemployed, or the cause for which a probationary teacher should be dismissed or not reemployed, and shall include the underlying facts supporting the recommendation.

Whenever the board of education receives a recommendation for the dismissal or nonreemployment of a teacher, the board or individual designated by the board shall mail, or cause to be mailed, a copy of the recommendation to the teacher, by personal delivery to the teacher with a signed acknowledgement of receipt, or serve the recommendation and notice of hearing by process server. If mailed, such mailing will be by certified mail, restricted delivery, return receipt requested. The notice must specify the statutory grounds - for career teachers - or the cause - for probationary teachers - upon which the recommendation is based and shall include the teacher's right to a hearing before the board and the date, time, and place set by the board for hearing. Such hearing shall be held within the school district no sooner than twenty days nor later than sixty days following the teacher's receipt of notice. The board delegates the superintendent, as its agent, to set a time, date, and place for the hearing after consultation with the board president.

Hearing procedures for teachers shall be as follows:

1. The parties to the hearing are the teacher and the superintendent or designee, and they shall be afforded the following rights at any hearing held pursuant to these regulations:

   A. The right to be represented.

   B. The right to present witnesses in person or to present their testimony by interrogatories, affidavits, or depositions if agreed to by the parties. A list of all witnesses and exhibits shall be furnished to the other party at least five (5) days before the hearing.

   C. The right to cross-examine witnesses.

   D. The right to testify in his/her own behalf and present evidence and argument on all issues involved.

   E. The right to have an orderly hearing.

   F. The right to have an impartial decision based upon the evidence presented.

2. The board president or, in case of absence, a designee, shall be the presiding officer at the hearing.

3. The hearing shall be convened by the board president who shall state the purpose of the hearing, introduce the parties, and administer the oath to all persons who will testify.

TEACHER TERMINATION PROCEDURES (Cont.)

4. Upon the request of either party, the presiding officer may exclude from the hearing room the witnesses not at the time under examination, except that a party to the proceeding and his/her representative shall not be excluded.

5. At the hearing, the burden of proof shall be on the superintendent and the standard of proof shall be by a preponderance of the evidence.

6. The local board of education shall maintain such a record (including a tape or other electronic or digital recording of the hearing and any documents or evidence presented to the board) for two (2) years from the date of the hearing.

7. Informal disposition of any recommendation for dismissal or nonrenewal may be made by written stipulation, agreed settlement, consent order, or default.

8. The order of the procedures shall be:

   A. Opening statement by the superintendent.

   B. Opening statement by the teacher.

   C. Presentation of the superintendent's evidence, followed by cross-examination of witnesses by the teacher.

   D. Questions by the board members.

   E. Presentation of the teacher's evidence, followed by cross-examination of witnesses by the superintendent.

   F. Questions by the board members.

   G. Presentation of rebuttal and surrebuttal evidence as necessary.

   H. Closing argument by the superintendent.

   I. Closing argument by the teacher.

   J. Deliberation by the board members.

   K. Vote by the board to accept or reject the superintendent's recommendation and recitation of findings of fact upon which the decision is based.

9. Presentation and consideration of evidence shall abide by the following:

   A. Only evidence that reasonably relates to the issues before the board, as reflected in the notice to the teacher, should be deemed relevant.

TEACHER TERMINATION PROCEDURES (Cont.)

B. Strict rules of evidence as required by a court of law shall not apply in these hearings.

C. Rulings on admissibility of evidence will be made by the presiding officer.

D. Documentary evidence may be received in the form of copies or excerpts.

E. Documentary evidence presented to the board shall be marked with a distinguishing number or letter such as Teacher's Exhibit #1 or Superintendent's Exhibit #1.

F. While hearings are open to the public, no questions or statements will be allowed by members of the public attending the hearing except through the parties or their council.

The board of education may convene into executive session to deliberate findings of fact. After due consideration of the evidence and testimony presented at the hearing, the board of education shall vote in open meeting whether or not to dismiss or nonreemploy the teacher. The board's decision shall include a recitation of the basic or underlying facts relied upon by the board in reaching its decision. The teacher shall be notified in writing of the board's decision by certified mail, restricted delivery, return receipt requested, or substitute process as authorized by law within ten (10) business days of the hearing. The decision of the board regarding a teacher shall be final and nonappealable.

The board of education must forward hearing information concerning teachers to the State Board of Education on a prescribed form available from the administrative office.

TERMINATION OF EMPLOYMENT
TEACHERS

It is the policy of the Burlington Board of Education that professional employees, who for any reason intend to resign or who intend to retire, are encouraged to indicate their plans in writing to the board as early in the school year as plans may become firm and the decision to leave the district is made. Resignations become effective at the end of the school year in which they are submitted. Resignations to become effective earlier than at the end of the school year require a release by the board and must be considered on an individual basis. Resignations for the subsequent school year likewise require a release by the board and will be considered on an individual basis. Letters of resignation must be mailed to the board by registered or certified mail.

Career teachers will be subject to dismissal at any time - or will not be eligible for reemployment - for:

1. Willful neglect of duty,
2. Repeated negligence in the performance of duty,
3. Mental or physical abuse to a child,
4. Incompetency,
5. Instructional ineffectiveness,
6. Unsatisfactory teaching performance,
7. Commission of an act of moral turpitude,
8. Abandonment of contract,
9. Conviction of a felony,
10. After a finding that such person has engaged in criminal sexual activity or sexual misconduct that has impeded the effectiveness of the individual's performance of school duties, or
11. Failure to earn required staff development points.

Probationary teachers may be terminated for cause or nonrenewed by the board at its discretion subject to any statutory due process requirements in effect at the time such teacher is recommended for dismissal or nonrenewal.

Procedures for dismissal of certified employees are governed by state law and all actions of the school district and the board are clearly identified in the statutes. However, nothing in this policy shall be construed to prevent layoffs due to lack of funds or work. No action regarding dismissal or nonrenewal of an employee shall be taken until the employee has received due process (see DO-R).

The board of education may vote to offer employment or to not offer employment for the subsequent school year in advance of the statutory deadline. Until a written contract is executed or until the statutory deadline passes, the board may vote to not reemploy a certified employee.

TERMINATION OF EMPLOYMENT, TEACHERS (Cont.)

The superintendent is directed to prepare procedures for the termination of career and probationary teachers in support of this policy.

REFERENCE: 70 O.S. §6-101, §6-101.20, et seq.
70 O.S. §18-123

SUPPORT PERSONNEL
SUSPENSION, DEMOTION, NONRENEWAL, OR TERMINATION

The Burlington Board of Education has adopted the following procedure for the suspension, demotion, or termination of support personnel in accordance with Title 70 of Oklahoma Statutes, Sections 6-101.40 through 6-101.47.

For the purpose of this policy, "support employee" means a full-time employee 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 who is employed a minimum of one hundred seventy-two days (172) and who provides those services which are not performed by certified teachers, principals, superintendents or administrators and which are necessary for the efficient and satisfactory functioning of a school district.

No support employee who has been employed in the school district for more than one year may be suspended, discharged, or nonrenewed except within the provisions of this policy. However, this policy shall not be construed to prevent layoffs or reductions-in-force for lack of funds or work.

When the immediate suspension of a support employee is in the best interest of the school, the superintendent may suspend the employee with or without pay without a hearing. If an employee is suspended for a period exceeding 10 days, the superintendent shall initiate termination proceedings immediately upon the beginning of suspension. However, in a case involving a criminal charge, the suspension may be delayed until the case is adjudicated at trial. Nothing herein shall prevent proceeding against the employee for termination of employment during or after the suspension.

Prior to demotion, termination, or nonrenewal and after any suspension, the support employee shall receive notice of his or her right to a board hearing if so requested. Employees will be notified by certified mail of a superintendent's recommendation to demote or terminate employment, and the support employee must request a hearing by certified mail to the board clerk within 10 working days of said notice, or the employee shall be deemed to have waived his or her right to a hearing.

If a hearing is requested, the hearing shall be conducted at the next succeeding regular meeting of the board if the request is received by the board clerk at least 10 days prior to such meeting. However, a special meeting may be conducted if requested by the employee or at the discretion of the board of education. Such special meeting shall be conducted no sooner than 10 days, nor later than 30 days, after receipt of the hearing request. The decision of the board shall be final.

The procedures of this policy only protect employees who have been employed more than one year immediately preceding adverse employment action and are suspended or discharged during a contractual period of employment or are nonrenewed.

In accordance with Title 70 of the Oklahoma Statutes, Sections 6-101.40 through 6-101.47, the board hereby adopts the following causes for suspension, demotion, termination, or nonrenewal of support personnel:

1. Leaving workstation without authorization prior to lunch periods or end of workday.
2. Excessive unexcused absenteeism.
3. Chronic absenteeism for any reason.
4. Excessive tardiness.

SUPPORT PERSONNEL, SUSPENSION, DEMOTION, NONRENEWAL OR TERMINATION (Cont.)

5. Persistently wasting time or distracting others during working hours.
6. Leaving work area during working hours without proper notification and permission.
7. Falsification of personnel or other records (personal or another employee's records).
8. Possession of weapons on the premises at any time.
9. Removing district property, records, or confidential information from premises without proper authority.
10. Willful abuse, misuse, defacing, or destruction of district property, including tools, equipment, or other property of other employees.
11. Theft or misappropriation of property of employees, students, or of this district.
12. Sabotage.
13. Refusal to follow instructions of supervisor.
14. Refusal or failure to do work assignment.
15. Unauthorized operation of vehicles, machines, tools, or equipment.
16. Threatening, intimidating, coercing, or interfering with employees, supervisors, or students at any time.
17. The making or publishing of false, vicious, or malicious statements concerning any employee, supervisor, students, or the district.
18. Creating or contributing to unsanitary conditions.
19. Practical jokes injurious to employee's or district property.
20. Possession, consumption, or reporting to work under the influence of alcohol, nonprescribed drugs, or controlled substances.
21. Creating disturbances on the premises at any time.
22. Disregard of known safety rules or common safety practices.
23. Unsafe operation of motor driven vehicles.
24. Operating machines or equipment without safety devices provided.
25. Participating in or witnessing gambling, lottery, or any other game of chance on district property.

SUPPORT PERSONNEL, SUSPENSION, DEMOTION OR TERMINATION (Cont.)

26. Unauthorized distribution of literature, written, or printed matter of any description on district property.
27. Posting or removing notices, signs, or writing in any form on bulletin boards of district property at any time without specific authority of the administration.
28. Poor workmanship.
29. Immoral conduct or indecency including abusive and/or foul language.
30. Making or receiving personal telephone calls or texting, posting to Facebook, or use of other social media during working hours.
31. Walking off the job.
32. Continued poor or negative attitude while on the job, including poor relationship with other staff or students.
33. Smoking in unauthorized area or at unauthorized time.
34. Failure to dress appropriately for work assignment.
35. Refusal of job transfer within the district when transfer does not result in demotion.
36. Abuse of rest periods or meal period policies.
37. Inappropriate and/or unauthorized use of the school district's computer network or Internet connections.
38. Insubordination of any kind.
39. Racial discrimination, including racial slurs or other demeaning remarks concerning another person's race, ancestry, or country of origin and directed toward another employee, a student or a visitor.
40. Violation of any district rule or policy.
41. Violation of any administrative rule or order.
42. If it is in the best interest of the school district, any support person may be suspended, demoted, or terminated.

Violations of any of the above may lead to the suspension, demotion, or termination of the support employee.

REFERENCE: 70 O.S. §6-101.40, et seq.

THIS POLICY REQUIRED BY LAW.

REDUCTION-IN-FORCE
CERTIFIED PERSONNEL

It is the policy of the Burlington Board of Education that, in the event it becomes necessary to reduce the professional staff of this school district, reduction-in-force at any level may be based on any of the following conditions:

Decrease in revenue,
Decrease in student enrollment,
Changes in educational programs or curriculum,
Cancellation of programs, or
Any other circumstances determined by the board.

Definitions

Career teacher means a teacher who:

a. is employed by a school district prior to the 2017-2018 school year and has completed three (3) or more consecutive complete school years as a teacher in one school district under a written continuing or temporary teaching contract, or

b. for teachers employed for the first time by a school district under a written continuing or temporary teaching contract during the 2017-2018 school year and thereafter.

(1) has completed three (3) consecutive complete school years as a teacher in one school district under a written continuing or temporary teaching contract and has achieved a district evaluation rating of "superior" as measured pursuant to the ~~(~~TLE~~)~~ as set forth in 70 O.S. § 6-101.16 of this act for at least two (2) of the three (3) school years,

(2) has completed four (4) consecutive complete school years as a teacher in one school district under a written continuing or temporary teaching contract, has averaged a district evaluation rating of at least "effective" as measured pursuant to the TLE for the four-year period, and has received a rating of at least "effective" for the last two (2) years of the four-year period, or

(3) has completed four (4) or more consecutive complete school years in one school district under a written continuing or temporary teaching contract and has not met the requirements of subparagraph “a” or “b” of this paragraph, only if the principal of the school at which the teacher is employed submits a petition to the superintendent of the school district requesting that the teacher be granted career status, the superintendent agrees with the petition, and the school district board of education approves the petition. The principal shall specify in the petition the underlying facts supporting the granting of career status to the teacher;

Probationary teacher means a teacher who:

a. for teachers employed by a school district prior to the 2017-2018 school year and has completed fewer than three (3) consecutive complete school years as a teacher in one school district under a written teaching contract, or

b. for teachers employed for the first time by a school district under a written teaching contract during the 2017-2018 school year and thereafter.

REDUCTION-IN-FORCE, CERTIFIED PERSONNEL (Cont.)

In the event any of the above conditions occur, every effort will be made to accomplish the necessary reduction by attrition, voluntary resignation, or voluntary retirement. Reduction-in-force will be made according to the following procedures:

1. The position will be the determining factor in a reduction, not the teacher occupying the position.

2. The order of termination will be as follows:

   A. A probationary teacher in an eliminated position will be terminated first

   B A career teacher in an eliminated position will be placed in a retained position in which the teacher is, at the time of the presentation of the recommendation to reduce force, certified by standard certification, provided the position is occupied by a probationary teacher.

   C. If a career teacher is qualified for standard certification in a position held by a probationary or licensed teacher but does not have such a certificate, then such career teacher must have evidence of eligibility for such certification on file in a personnel file in the office of the superintendent at the time of the presentation of the recommendation to reduce force.

   D. If there is more than one career teacher assigned to the position that is subject to being eliminated, the following criteria, in this order, will be used to determine which of the career teachers will be retained:

      1. Certification in a retained teaching position that is open. A career teacher with standard certification for the retained position will be retained over a probationary teacher.

      2. Seniority in continuous, full-time, contracted, certified employment in the district. (Approved medical leave shall not result in a break in service.)

      3. If certification and seniority are the same according to the above criteria, the determining factors in order of importance are:

         a. Years of teaching experience in the retained position in the local school district.
         b. Academic degree status:

            A teacher with a doctor's degree will be retained over a teacher with a master's or a bachelor's degree; a teacher with a master's will be retained over a teacher with a bachelor's degree.

   E. If there is more than one probationary teacher in the position being reduced, the criteria listed in E, 1 through 3, will be used in determining which probationary teacher or licensed teacher will be retained.

Any person terminated under the provisions of this policy who wishes to be considered for future vacancies must make formal application for a teaching position and must notify the superintendent by certified mail, restricted delivery, within ten (10) days following final board action on the termination, of the teacher's desire to remain an active applicant for a teaching position.

REDUCTION-IN-FORCE
SUPPORT PERSONNEL

The Burlington Board of Education 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, 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 is 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 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. Job categories are listed alphabetically as follows:

a. Assistants for handicapped students
b. Bus drivers
c. Classroom assistants
d. Food service
e. Maintenance/custodial
f. Media/library assistants
g. Office personnel/assistants

If normal attrition and the release of temporary and part-time employees do not sufficiently reduce the support staff, the following items will be considered in the reduction process in the order listed:

1. Job qualification by training and years of experience
2. In the event that two or more employees in the affected category are equal in the above factor, 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 service as a support employee within this district. Employees who are terminated and subsequently reinstated shall retain cumulative seniority for all periods worked except for the period of termination.

Demotions in position shall follow the same procedure as terminations.

REDUCTION-IN-FORCE, SUPPORT PERSONNEL (Cont.)

An employee who takes a voluntary demotion or a voluntary reduction in assigned time in lieu of termination shall be returned to a higher position or a position with more hours as vacancies become available, if the employee chooses to return.

WRITTEN ADMONISHMENT
TEACHER

It is the policy of the Burlington Board of Education that if a principal or the superintendent, acting through the principal, admonishes a teacher for any reason which may lead to the dismissal or nonrenewal of the teacher, the matter shall be brought to the attention of the teacher in writing. A copy of the admonishment shall be provided to the superintendent.

The principal shall make a reasonable effort to assist the teacher in correcting the cause of potential dismissal or nonrenewal. The principal shall develop and provide to the teacher recommendations and suggestions for corrective action. The teacher shall be allowed a reasonable time, not to exceed two months, for improvement. If the teacher does not correct the cause for the admonishment within the specified time, the principal shall recommend the dismissal or nonrenewal of the teacher to the superintendent.

A teacher shall not be prohibited or disciplined for:

1. Disclosing public information to correct what the teacher reasonably believes evidences violation of the Constitution, or law, or a rule promulgated pursuant to law;
2. Reporting a violation of the Oklahoma Constitution, or state or federal law. Reporting would be limited to providing a spoken or written account to a supervising teacher, 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; or
3. Taking any of the above actions without giving prior notice to the teacher's supervisor or anyone else in the teacher's chain of command.

"Reporting" means providing a spoken or written account to a supervising teacher, 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 school district may discipline any teacher who violates students' or parents' rights to confidentiality and protection under the Family Educational Rights and Privacy Act (FERPA).

REFERENCE: 70 O.S. §6-101.24
70 O.S. §6-101.6b

EMPLOYMENT OF TEACHERS

It shall be the policy of the Burlington Board of Education that recommendations for renewal or nonrenewal of teachers' contracts shall be made by the principal to the superintendent. The superintendent shall make recommendations to the board prior to the first Monday in June each year. Principals may be requested to attend when such recommendations are to be considered by the board.

Professional staff positions are created only with the approval of the board of education. Before any new position is established, the superintendent shall present for board approval a job description specifying the required qualifications and performance responsibilities.

REFERENCE: 70 O.S. §6-101

QUALIFICATIONS
TEACHERS

The Burlington Board of Education shall employ teachers on a professional basis without regard to age, race, color, sex, or national origin.

Every teacher employed in this school system must possess a valid license or certificate and shall execute a written contract with the board of education.

Applications shall be considered by the principal and the superintendent. Selected applicants shall be interviewed by the administration and a recommendation shall be made to the board of education who shall make the final employment determination.

School districts receiving Title I funds must ensure that teachers hired in a program supported by such funds are "highly qualified." By the end of the 2005-2006 school year, all teachers within this school district are required to be "highly qualified." The No Child Left Behind Act defines "highly qualified" as an elementary or secondary school teacher who has obtained full state certification and has not had certification requirements waived on an emergency, temporary, or provisional basis.

Elementary teachers who are new to the profession must hold at least a bachelor's degree and have demonstrated, by passing a rigorous state test, subject knowledge and teaching skills in reading, writing, mathematics, and other areas of the basic elementary curriculum. Middle and secondary school teachers, new to the profession, will be deemed to be highly qualified if the individual teacher holds at least a bachelor's degree and has demonstrated a high level of competency in each of the academic subjects in which the individual teaches by passing a rigorous state academic subject test in each such academic subject; or has successfully completed a grade degree with coursework that is equivalent to an undergraduate major, or advanced certification or credentialing for each academic subject that the individual teaches.

Veteran regular teachers currently employed by the district will be identified as highly qualified if they:

1. Hold at least a bachelor's degree; and

2. Have met the applicable standard for a teacher who is new to the profession, which includes an option for a test; or

3. Demonstrate competence in all the academic subjects in which the teachers teach, based upon a high objective uniform state standard of evaluation.

Special education teachers who are not teaching core academic classes are not required to meet the definition of a highly qualified teacher. However, special education teachers who are teaching core academic subjects exclusively to students who are being assessed against alternative achievement standards, must meet the highly qualified requirements for elementary school teachers and for instruction above the elementary level and have subject-matter knowledge appropriate to the level of instruction being provided.

QUALIFICATIONS, TEACHERS (Cont.)

Additional qualifications and terms of employment for teachers may be found in the standard teacher contract. Specific duties may be found in the teacher job description found elsewhere in this manual. Nothing in this policy manual shall be construed as limiting or expanding the terms of the employment contract.

REFERENCE: 70 O.S. §6-101.20, et seq.
P. L. 107-110, No Child Left Behind Act of 2001
Individuals with Disabilities Education Improvement Act of 2004

THIS POLICY REQUIRED BY LAW

QUALIFICATIONS
PRINCIPALS

It is the policy of the Burlington Board of Education that persons employed as principals in this school district shall have completed, or be in pursuit of, a Master's degree with emphasis on administration, and that all such persons shall have not less than three years of teaching experience at the level to which they are assigned.

Principals of schools within this public school system are employed to act as administrators in the senior high schools, grades 7 through 12, and the elementary schools, grades K through 6.

The reemployment of principals shall be based on an annual evaluation by the superintendent or designee and will be considered by the board members prior to the regular February board of education meeting each year. The superintendent is directed to inform affected principals of any decisions made by the board.

Principals shall assume administrative responsibility and instructional leadership - under the supervision of the superintendent - for discipline and for the planning, operation, supervision, and evaluation of the educational program of the schools to which they are assigned. Principals shall prepare and submit such reports as the superintendent may require for the purpose of reporting to the board, the community, and the State Department of Education.

A description of the duties and responsibilities of school principals may be found in the appropriate job description located elsewhere in this manual. Nothing in this policy manual shall be construed as limiting or expanding the terms of the employment contract.

REFERENCE: **70 O.S. §6-101.10, et seq.**
70 O.S. §6-108

NOTE: **Beginning July 1, 1993, teaching principals shall be required to hold administrative certificates.**

SCHOOL BUS DRIVERS
(REGULATION)

In accordance with the policy of the board of education, this regulation shall govern the operation of school buses in the Burlingame Public School system. Bus drivers shall:

1. Be eighteen years of age or older.

2. Possess an Oklahoma Commercial Driver License (CDL), A, B or C, authorizing the operation of a school bus and an Oklahoma bus driving certificate.

3. Be required to complete a satisfactory physical examination upon the offer of employment and must obtain an annual physical examination. Such examination will include drug testing as set forth in policy DCC. A copy of the results of the annual physical examination shall be maintained by the superintendent.

4. Submit to drug and alcohol testing as required by state and federal law. (See policies DCC and DCCB.)

5. Operate on their designated routes approved by the transportation division of the State Department of Education.

6. Complete their bus routes by 7:45 each morning when reasonably safe and proper to do so.

7. Report individuals illegally passing their schools buses. The approved form (see CN-E) will be completed and submitted to the law enforcement authority of the municipality where the alleged violation occurred and to the district's director of transportation.

8. Make other appropriate reports as required by state law and/or district administrators.

Bus drivers will be employed by the board of education upon the recommendation of the superintendent. Bus drivers are hereby notified that they shall not write, read, or send text messages while operating a school bus or multi-passenger vehicle owned and approved to operate by the State Department of Education or any school district within Oklahoma. Any person who violates this provision of law, upon conviction, shall be guilty of a misdemeanor punishable by a fine of Five Hundred Dollars ($500). Please note that this fine is for the individual and not the school district. As a result, if any school employee is charged and convicted of the offense, that individual becomes personally responsible for the fine and will not be reimbursed by the school district for the expense.

REFERENCE: 47 O.S. §11-705
47 O.S. § 11-901c
70 O.S. §9-107

DIRECTOR OF FEDERAL PROGRAMS

When the Burlington school systems does not employ a federal programs director, the superintendent shall assume the responsibility for these duties. The superintendent has the authority to delegate this responsibility to a qualified administrative assistant.

The superintendent or administrative assistant will report semi-annually to the school board on all federal programs and keep the administration advised of pending charges in the various programs.

Administrative Responsibility

1. Complete applications for existing programs.
2. Complete applications for programs not in existence.
3. Disseminate information to the public.
4. Complete final reports. This includes maintaining time distribution and management records for those employees who are paid with federal funds.
5. Order and mark supplies and materials with date of purchase for Title I, ESEA; Title IVB Library Equipment, Guidance, Counseling, and Testing; Johnson O'Malley; and Title IVC, Innovative and Support Programs.
6. Develop goals and guidelines for the school system to comply with HEW Title IX regulations.
7. Select parent committee to serve on individual federal programs.
8. Organize meetings and keep all interested parties informed and serve as chairperson for all groups.

Special Education - P.L. 89-313 ESEA Handicapped, VI-B Handicapped

1. Homebound program;
2. Title programs that apply to special education;
3. Special education - out of district transportation reporting;
4. Special education report on class membership;
5. Special education claims for other districts' students.

Dropout Report

Subsection 2.16 of the State Board of Education Guidelines for Title I specifies that each local education agency utilizing Title I funds develop procedures for the resolution of complaints. The board of education has adopted said instrument developed by the Title I section of the State Board. This form will be on file in the administrative office of the school.

SUBSTITUTE TEACHERS

The Burlington Board of Education realizes that teachers may occasionally be absent from the classroom and recognizes the need for qualified substitute teachers. In recognizing that need, the board has decided that noncertified substitute teachers or substitute teachers with a lapsed or expired teaching certificate shall be paid at the rate of $80.00 per teaching day. Certified substitute teachers shall be paid $80.00 per day.

The Burlington Board of Education supports the concept that when a teacher is absent, the teacher's class should be assigned to a regular teacher employed by the district or a substitute teacher. The principal will assign to that classroom the person who is most appropriate for the education of the students. Each teacher may recommend a substitute to cover the class.

Another teacher in the school district may be assigned to that class at no cost or a cost agreed upon between the district and the teacher. Any additional compensation received by a teacher shall be reflected on payroll and will be reported on the employee's W2.

In compliance with state law, no substitute teacher shall be employed for more than ninety (90) days during a school year unless he/she holds a valid teaching certificate or more than one hundred (100) days if the substitute holds a college degree.

Substitute teachers who do not hold a valid certificate and who are employed to teach special education for physically handicapped students or mentally retarded students are not subject to these restrictions if no certified teachers are available to teach such students and the students would be denied instruction in special education if the substitute teacher were not employed. The district will provide in-service training for a substitute teacher employed to teach special education for more than 15 consecutive days or 30 total days in the same assignment.

A certified substitute teacher may be employed on a monthly or annual basis in accordance with the terms of a written employment contract in the same manner and under the same conditions as regular teachers. Such substitute teachers shall receive the same compensation as regular teachers, at the same salary level, and will be employed pursuant to a temporary employment contract.

REFERENCE: 70 O.S. §6-105
Atty. Gen. Op. No. 80-112 (June 16, 1980)

SCHOOL DISTRICT SCREENING PROTOCOL
SOCIAL DISTANCING AND GATHERINGS

In an effort to prevent the spread of communicable diseases, the district will be implementing the following protocol to control and restrict access to school property, activities and events:

The district encourages parents, legal guardians, and all school employees to self-screen at home. If a student or employee has a temperature of 100 degrees Fahrenheit or higher, the student or employee should remain at home until the individual has been free of fever for twenty-four (24) hours.

The district will adhere to guidelines set by the Centers for Disease Control with regard to social distancing and gatherings when feasible.

REFERENCE: 70 O.S. § 5-117
63 O.S. § 1-507

SCHOOL LIBRARY MEDIA CENTER

It is the policy of the Burlington Board of Education that efforts be made to staff and maintain a school library media center adequate for the needs of students and teachers.

The superintendent is directed to develop regulations governing the selection of materials for and the use of the library media center.

REQUEST FOR RECONSIDERATION OF LIBRARY MATERIAL

Name _____

Address _____

Telephone _____

Type of material _____

Title _____

Author _____

State specific objections. (Please cite pages or portions)

_____

_____

State any merits noted in the material

_____

_____

What do you believe might result from using this material?

_____

_____

What do you believe is the theme or purpose of this material?

_____

_____

Have you reviewed the entire material? _____

Have you reviewed other material by this person? _____

If yes, please list the material _____

What material dealing with same subject would you recommend as replacement? _____

_____ _____

Date Signature

SCHOOL LIBRARY MEDIA CENTER SELECTION OF MATERIALS (REGULATION)

The responsibility for the selection of library media center materials rests with the Burlington Board of Education. Authority for the selection of proper materials shall be delegated to the library media center staff. Materials shall be selected in accordance with the principles established by the School Library Bill of Rights as approved by the American Association of School Librarians. Final selection will be made by the media specialist subject to approval by the board. Suggestions from the administration, the faculty, and from the students are encouraged.

The superintendent shall prepare regulations that support this policy.

The board of education and the media staff of the Stillwater Public Schools subscribe in principle to the following statement of policy expressed by the American Association of School Librarians:

BILL OF RIGHTS FOR LIBRARY MEDIA CENTER PROGRAMS

The professional staff of school media centers is concerned with the development of informed and responsible citizens. To this end, the American Association of School Librarians reaffirms the Library Bill of Rights of the American Library Association and asserts that the responsibility of the school media center is:

To provide materials that will enrich the student as an individual and support the curriculum, taking into consideration individual needs, and the varied interests, abilities, socioeconomic backgrounds, and maturity levels of the student served.

To provide materials that will stimulate growth in knowledge and develop literary, cultural, and aesthetic appreciations and ethical standards.

To provide materials on all sides of issues, beliefs, and ideas so that young citizens may develop the habit of critical thinking, reading, listening, and viewing, thereby enabling them to develop an intellectual integrity in forming judgments.

To provide materials which accurately reflect all religious, social, political, and ethnic groups, and their contributions to our American heritage as well as knowledge and appreciation of world history and culture.

To provide a comprehensive collection of instructional materials which, when selected in compliance with basic selection principles, can be defended on the basis of their appropriateness for the users of the media center.

<u>Responsibility for Selection</u>

The board of education, the governing body of the school district, is legally responsible for the selection of instructional materials. This authority is delegated to the professional personnel of the district for the selection of these materials.

Materials for the library media center are selected primarily by the librarian with input from the Review Committee.

SCHOOL LIBRARY MEDIA CENTER, SELECTION OF MATERIALS, REGULATION (Cont.)

Review Committee

Library Media Specialist
Principal
Counselor
Classroom Teacher

This committee must be approved by the superintendent.

Types of Material for Purchase

1. Instructional materials are chosen because they are of interest and have learning value for the student in the community. Materials are not excluded because of race, nationality, religion, or political views of the writer.

2. Insofar as it is practical, materials are provided which present all points of view concerning the problems and issues of our time: international, national, and local. Books and materials of sound factual authority are not removed or banned from library media center shelves because of partisan or doctrinal disapproval.

3. Periodicals and newspapers that supplement the curriculum needs shall be chosen for accuracy, objectivity, accessibility, demand, and prices.

4. Multiple items of outstanding quality and much in demand media are purchased as needed.

5. Nonfiction subjects that are topics of criticism are carefully considered before selection. Among these are:

   A. Religion -- Factual unbiased material that represents all major religions may be included in the library media center collection. Bibles and other sacred writings are acceptable. Publications from religious bodies may be selected if they have general value or appear in magazine indexes.

   B. Ideologies -- The library media center should, without making any effort to sway the reader's judgment, make available basic factual information on the maturity level of its reading public of ideologies or philosophies that are of current or continuing interest.

   C. Science -- Medical and scientific knowledge suitable to the development stage of the student should be made available without any biased selection of facts.

Criteria for Selection

1. Selections are made for, and in accordance with, the different maturity levels of the students.

2. Materials are selected which fill a need related to the curriculum and/or contribute to the development and enrichment of the student.

SCHOOL LIBRARY MEDIA CENTER, SELECTION OF MATERIALS, REGULATION (Cont.)

3. Interests, needs, abilities of the students, and correlation of materials with the curriculum are dominating factors in the selection of materials.

Criteria for Evaluation

1. The author or producer should be qualified as a subject specialist.
2. Concepts, content, and vocabulary should be appropriate for the potential user.
3. Facts presented should be accurate and up-to-date.
4. Information should be logically arranged.
5. Subject matter should hold the attention of the student.
6. Format of the material should be attractive and durable.
7. Illustrations should be pertinent and well executed.
8. Each medium should meet a real or potential need.
9. Evaluation from standard selection aids should be given consideration.

Selection Tools

In selecting materials for purchase, the media specialist evaluates the existing collection and consults reputable, unbiased, professionally prepared selection aids, such as:

Booklist
Bulletin of the Center for Children's Books
Children's Catalog
The Elementary School Library Collection
Hornbook
Oklahoma Department of Libraries Book
School Library Journal
Junior High & Senior High School Catalog
Fiction Catalog

When possible, audiovisual materials shall be previewed before purchase or ordered with return privilege guaranteed.

SCHOOL LIBRARY MEDIA CENTER, SELECTION OF MATERIALS, REGULATION (Cont.)

Gift Books and Materials

1. Gift books and materials are accepted with the understanding that they must meet the same selection criteria as materials purchased with board of education funds. The practice of a donor's purchasing new books or materials as library media center gifts is discouraged. It is preferable that donors make monetary gifts for the purchase of books and materials because the school receives a discount and can purchase more books for the same amount of money.

2. Gift books and other materials, once accepted by the Burlington Public Schools, become the property of the Burlington Public Schools.

Procedures for Reconsideration of Materials

It is recommended that a student or the student's parent should have this right to reject the use of library media center materials which seem incompatible with the student's values or beliefs. It is further recommended that classroom assignments involving library media center materials provide for alternative choices. This procedure is consistent with the National Council of Teachers of English Statement on Students' Right to Read, which is endorsed in its entirety. However, no parent has the right to determine the reading matter for students other than his/her own children. Books and other materials shall not be removed or banned solely because of partisan or doctrinal disapproval.

If an objection to a selection is made by the public, the procedures are as follows:

Be courteous and inform the patron of the process of media review. Make no commitments.

Invite the complainant to file his/her objections in writing on forms provided through the principal's office.

Completed forms are to be returned to the principal.

An informal conference with the principal will be held.

If unable to satisfy the complainant, refer the complaint to the Review Committee.

Material is not to be withdrawn without referring to the Review Committee, which determines whether the material should be withdrawn.

Material is reviewed and judged by this committee as to conformity with selection criteria and instructional goals.

The decision of the committee is submitted to the complainant and a file of the objection and decision is kept by the library media specialist and the principal.

SCHOOL LIBRARY MEDIA CENTER, SELECTION OF MATERIALS, REGULATION (Cont.)

In the event that the complainant does not accept the decision of the Review Committee, he/she may appeal to the board of education through the superintendent.

Final decision rests with the board of education.

Weeding and Discarding

Worn or missing standard items will be replaced periodically.

Out-of-date or no longer useful media are withdrawn from the collection.

Definition of Critical Terms

Selection -- the act or process of selecting materials.

Instructional Materials -- materials that fill a need related to the curriculum or contribute to the development and enrichment of the student.

Evaluation -- to examine and judge the quality of materials.

Inquiry -- an information request, usually informal, that seeks to determine the rationale behind the presence of a particular item in a collection.

Expression of Concern -- an inquiry that has judgmental overtones. The inquirer has already made a value judgment on the material in question.

Complaint -- an oral charge against the presence and/or appropriateness of the material in question.

Challenge -- a formal written complaint filed with the library media center questioning the presence and/or appropriateness of specific material.

Attack -- a publicly worded statement questioning the value of the material, presented to the media and/or others outside the library media center organization, in order to gain public support for further action.

Censorship -- the removal of material from open access by any governing authority or its representative (boards of education/trustees, principals/library media center directors, etc.).

INTERNET AND OTHER COMPUTER NETWORKS ACCEPTABLE USE AND INTERNET SAFETY POLICY

The Burlington Public Schools district is pleased to make available to students and staff access to interconnected computer systems within the district and to the Internet, the worldwide network that provides access to significant educational materials and opportunities.

In order for the school district to ensure the continued accessibility of its computer network and the Internet, all students and staff must take responsibility for appropriate and lawful use of this access. Students and staff must understand that one person's misuse of the network and Internet access may jeopardize the ability of all students and staff to enjoy such access. While the school's teachers and other staff will make reasonable efforts to supervise student use of network and Internet access, they must have student cooperation in exercising and promoting responsible use of this access.

Below is the Acceptable Use and Internet Safety Policy ("policy") of the school district and the Data Acquisition Site that provides Internet access to the school district. Upon reviewing, signing, and returning this policy as directed, each student and staff member agrees to follow the policy and will be given the opportunity to enjoy Internet access at school. If a student is under 18 years of age, he or she must have his or her parent or guardian read and sign the policy. The school district shall not provide access to any student who, if 18 or older, fails to sign and submit the policy to the school as directed or, if under 18, does not return the policy as directed with the signatures of the student and his/her parent or guardian.

Listed below are the provisions of the agreement regarding computer network and Internet use. The district has designated a staff member to whom users may direct questions. If any user violates this policy, the user's access will be denied or withdrawn, and the user may be subject to additional disciplinary action.

Personal Responsibility

By signing this policy, the user agrees not only to follow the rules in this policy, but also to report any misuse of the network to the person designated by the school for such reporting. Misuse means any violations of this policy or any other use that is not authorized under this policy, and having the effect of harming another or his or her property.

Term of the Permitted Use

A student or staff member who submits to the school, as directed, a properly signed policy and follows the policy to which she or he has agreed will have computer network and Internet access during the course of the school year only. Students and staff will be asked to sign a new policy each year during which they are students or staff members in the school district before they are given an access account.

Acceptable Uses

1. **Educational Purposes Only.** The school district is providing access to its computer networks and the Internet for educational purposes *only*. If the user has any doubt about whether a contemplated activity is educational, the user may consult with the person(s) designated by the school to help decide if a use is appropriate.

2. **Unacceptable Uses of Network.** Among the uses that are considered unacceptable and which constitute a violation of this policy are the following:

INTERNET AND OTHER COMPUTER NETWORKS ACCEPTABLE USE AND INTERNET SAFETY POLICY (Cont.)

A. Uses that violate the law or encourage others to violate the law. Do not transmit offensive or harassing messages; offer for sale or use any substance the possession or use of which is prohibited by the school district's student discipline policy; view, transmit or download pornographic materials or materials that encourage others to violate the law; intrude into the networks or computers of others; and download or transmit confidential, trade secret information, or copyrighted materials. Even if materials on the networks are not marked with the copyright symbol, the user should assume that all materials are protected unless there is explicit permission on the materials to use them.

B. Uses that cause harm to others or damage to their property. For example, do not engage in defamation (harming another's reputation by lies); employ another's password or some other user identifier that misleads message recipients into believing that someone other than the user is communicating or otherwise using his/her access to the network or the Internet; upload a worm, virus, "Trojan horse," "time bomb," or other harmful form of programming or vandalism; participate in "hacking" activities or any form of unauthorized access to other computers, networks, or information systems.

C. Uses that jeopardize the security of student and staff access and of the computer network or other networks on the Internet. For example, do not disclose or share your password with others; do not impersonate another user.

D. Uses that are commercial transactions. Students, staff, and other users may not sell or buy anything over the Internet. The user should not give others private information about the user or others, including credit card numbers and social security numbers.

3. **Netiquette.** All users must abide by rules of network etiquette, which include the following:

A. Be polite. Use appropriate language. No swearing, vulgarities, suggestive, obscene, belligerent, or threatening language.

B. Avoid language and uses that may be offensive to other users. Do not use access to make, distribute, or redistribute jokes, stories, or other material that is based upon slurs or stereotypes relating to race, gender, ethnicity, nationality, religion, or sexual orientation.

C. Do not assume that a sender of e-mail is giving his or her permission for the user to forward or redistribute the message to third parties or to give his/her e-mail address to third parties. This should be done only with permission or when the user knows that the individual would have no objection.

D. Be considerate when sending attachments with e-mail (where this is permitted). Be sure that the file is not too large to be accommodated by the recipient's system and is in a format that the recipient can open.

4. ***Cyber Bullying*** - Cyber bullying is when one or more people intentionally harm, harass, intimidate, or reject another person using technology. This includes but is not limited to the following:

- Sending mean or threatening messages via email, IM (instant messaging), or text messages.
- Spreading rumors about others through email, IM, or text messages.

INTERNET AND OTHER COMPUTER NETWORKS ACCEPTABLE USE AND INTERNET SAFETY POLICY (Cont.)

- Creating a Web site or MySpace (or other social-networking) account that targets another student or other person(s).
- Sharing fake or embarrassing photos or videos of someone with others via a cell phone or the Web.
- Stealing another person's login and password to send mean or embarrassing messages from his or her account.

It shall be the policy of Burlington Public Schools that cyber bullying will not be tolerated under any circumstances. A student caught violating this policy will lose computer privileges and these actions may result in further disciplinary action including suspension or expulsion from school of the student(s) involved. In addition, violators and their parents/guardians may be subject to civil and/or criminal penalties as specified by Oklahoma and/or federal law.

Internet Safety

1. **General Warning; Individual Responsibility of Parents and Users.** All student users and their parents/guardians are advised that access to the electronic network may include the potential for access to materials inappropriate for school-aged students. Every user must take responsibility for his or her use of the computer network and Internet and stay away from these sites. Parents of minors are the best guides to materials to shun. If a student or staff member finds that other users are visiting offensive or harmful sites, he or she should report such use to the appropriate school designee.

2. **Personal Safety.** Be safe. In using the computer network and Internet, the user should not reveal personal information such as the user's home address or telephone number. The user should not use his/her real last name or any other information which might allow a person to locate the user without first obtaining the permission of a supervising teacher. Do not arrange a face-to-face meeting with someone "met" on the computer network or Internet without a parent's permission (if the user is under 18). Regardless of the user's age, the user should never agree to meet a person the user has only communicated with on the Internet in a secluded place or in a private setting.

3. **"Hacking" and Other Illegal Activities.** It is a violation of this policy to use the school's computer network or the Internet to gain unauthorized access to other computers or computer systems, or to attempt to gain such unauthorized access. Any use which violates state or federal law relating to copyright, trade secrets, the distribution of obscene or pornographic materials, or which violates any other applicable law or municipal ordinance, is strictly prohibited.

4. **Confidentiality of Student Information.** Personally identifiable information concerning students may not be disclosed or used in any way on the Internet without the permission of a parent or guardian or, if the student is 18 or over, the permission of the student. Users should never give out private or confidential information about themselves or others on the Internet, particularly credit card numbers and Social Security numbers. A supervising teacher or administrator may authorize the release of directory information, as defined by law, for internal administrative purposes or approved educational projects and activities.

5. **Active Restriction Measures.** The school, either by itself or in combination with the Data Acquisition Site providing Internet access, will utilize filtering software or other technologies to prevent users from accessing

INTERNET AND OTHER COMPUTER NETWORKS ACCEPTABLE USE AND INTERNET SAFETY POLICY (Cont.)

visual depictions that are (1) obscene, (2) pornographic, or (3) harmful to minors. We are using internet filtering software for our technology protection measure to ensure that users are not accessing such depictions or any other material that is inappropriate for minors.

Internet filtering software or other technology-based protection systems may be disabled by a supervising teacher or school administrator, as necessary, for purposes of bona fide research or other educational projects being conducted by students age 17 and older.

The term "harmful to minors" is defined by the Communications Act of 1934 (47 USC Section 254 [h][7]), as meaning any picture, image, graphic image file, or other visual depiction that

- taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;

- depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals;

- taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

6. All students will be educated about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber bullying awareness and response.

Privacy

Network and Internet access is provided as a tool for the user's education. The school district reserves the right to monitor, inspect, copy, review, and store at any time and without prior notice any and all usage of the computer network and Internet access and any and all information transmitted or received in connection with such usage. All such information files shall be and remain the property of the school district and no user shall have any expectation of privacy regarding such materials.

Failure to Follow Policy

The user's use of the computer network and Internet is a privilege, not a right. A user who violates this policy, shall at a minimum, have his or her access to the computer network and Internet terminated, which the school district may refuse to reinstate for the remainder of the student's enrollment or the staff member's employment in the school district. A user violates this policy by his or her own action or by failing to report any violations by other users that come to the attention of the user. Further, a user violates this policy if he or she permits another to use his or her account or password to access the computer network and Internet, including any user whose access has been denied or terminated. The school district may also take other disciplinary action in such circumstances.

Warranties/Indemnification

The school district makes no warranties of any kind, either express or implied, in connection with its provision of access to and use of its computer networks and the Internet provided under this policy. It shall not be responsible for

INTERNET AND OTHER COMPUTER NETWORKS ACCEPTABLE USE AND INTERNET SAFETY POLICY (Cont.)

any claims, losses, damages, or costs (including attorney's fees) of any kind suffered, directly or indirectly, by any user (or his or her parents or guardian) arising out of the user's use of its computer networks or the Internet under this policy. By signing this policy, users are taking full responsibility for their own use, and the user who is 18 or older or the parent(s) or guardian(s) of a minor student are agreeing to indemnify and hold the school, the school district, the Data Acquisition Site that provides the computer and Internet access opportunity to the school district and all of their administrators, teachers, and staff harmless from any and all loss, costs, claims, or damages resulting from the user's access to its computer network and the Internet, including but not limited to any fees or charges incurred through purchases of goods or services by the user. The user or the parent(s) or guardian(s) of a minor student agree to cooperate with the school in the event of the school's initiating an investigation of a user's use of his or her access to its computer network and the Internet, whether that use is on a school computer or on another computer outside the school district's network.

Updates

Users, and if appropriate, their parents/guardians, may be asked from time to time to provide new or additional registration and account information or to sign a new policy reflecting developments in the law or technology or changes in district policy. Such information must be provided by the user (or his/her parents or guardian) or such new policy must be signed if the user wishes to continue to receive service. If after account information is provided, some or all of the information changes, the user must notify the person designated by the school to receive such information.

REFERENCE: 21 O.S. §1040.75, §1040.76
Children's Internet Protection Act of 2000 (HR 4577, P.L. 106-554)
Communications Act of 1934, as amended (47 U.S.C. 254[h], [l])
Elementary and Secondary Education Act of 1965, as amended (20 U.S.C. 6801 et seq., Part F)

THIS POLICY REQUIRED BY LAW.

INTERNET ACCESS CONDUCT AGREEMENT

Every student, regardless of age, must read and sign below:

I have read, understand, and agree to abide by the terms of the foregoing Acceptable Use and Internet Safety Policy. Should I commit any violation or in any way misuse my access to the school district's computer network and the Internet, I understand and agree that my access privilege may be revoked and school disciplinary action may be taken against me. I understand I have no expectation of privacy with regard to my use of the school district's technology.

User's Name (print clearly) _____ Home Phone: _____

User's Signature: _____ Date: _____

Address: _____

Status: Student _____ Staff _____ Patron _____ I am 18 or older _____ I am under 18 _____

If I am signing this policy when I am under 18, I understand that when I turn 18, I will have to sign another policy.

Parent or Guardian: (If applicant is under 18 years of age, a parent or guardian must also read and sign this agreement.) As the parent or legal guardian of the above student, I have read, understand, and agree that my child or ward shall comply with the terms of the school district's Acceptable Use and Internet Safety Policy for the student's access to the school district's computer network and the Internet. I understand that access is being provided to the students for educational purposes only. However, I also understand that it is impossible for the school to restrict access to all offensive and controversial materials and understand my child's or ward's responsibility for abiding by the policy. I am, therefore, signing this policy and agree to indemnify and hold harmless the school, the school district, and the Data Acquisition Site that provides the opportunity to the school district for computer network and Internet access against all claims, damages, losses, and costs, of whatever kind that may result from my child's or ward's use of his or her access to such networks and/or his or her violation of the foregoing policy. Further, I accept full responsibility for supervision of my child's or ward's use of his or her access account if and when such access is not in the school setting. I hereby give permission for my child or ward to use the building-approved account to access the school district's computer network and the Internet.

Parent or Guardian (please print): _____ Home Phone: _____

Signature: _____ Date: _____

Address: _____

This agreement is valid for the _____ school year only.

CODE OF CONDUCT FOR INTERNET AND OTHER COMPUTER NETWORK ACCESS

The purpose of providing Internet and other computer network access in this district is to promote the exchange of information and ideas with the global community. The following represents a guide to the acceptable use of the technology provided by this district. All network use must be consistent with the policies and goals of this school district. Inappropriate use of district technology will result in the loss of technology use, disciplinary action, and/or referral to legal authorities. The district may monitor use of district technology at any time. All Internet and computer network users are hereby informed that there shall be no expectations of privacy in that school officials may monitor users at any time.

All Internet and other computer network users will be expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to, the following:

1. Be polite. Messages should not be abusive to others.
2. Take pride in communications. Check spelling and grammar.
3. Use appropriate language. Do not swear or use vulgarities or any other inappropriate language, symbols, or pictures.
4. Protect password confidentiality. Passwords are not to be shared with others. Using another user's account or password or allowing such access by another may be permitted only with the approval of the supervising teacher or system administrator.
5. Do not reveal your personal address or telephone number or those of other persons. No student information protected by FERPA should be electronically transmitted or otherwise disseminated through the network.
6. Do not disguise the point of origin or transmission of electronic mail.
7. Do not send messages that contain false, malicious, or misleading information that may be injurious to a person or a person's property.
8. Illegal activities are strictly prohibited: transferring offensive or harassing messages; offering for sale or use any substance the possession or use of which is prohibited by the school district's staff and student policies; viewing, transmitting, or downloading pornographic materials or materials that encourage others to violate the law; intruding into the networks or computers of others; and downloading or transmitting confidential, trade secret information, or copyrighted materials.
9. The district technology is not to be used for playing multi-user or other network intensive games, commercial ventures, Internet relay chat lines, or downloading excessively large files.
10. No charges for services, products, or information are to be incurred without appropriate permission.
11. Do not use the network in such a way that you would disrupt the use of the network by other users.
12. Users shall respect the privacy of others and not read the mail or files of others without their permission. Copyright and licensing laws will not be intentionally violated.

CODE OF CONDUCT FOR INTERNET AND OTHER COMPUTER NETWORK ACCESS (Cont.)

13. Vandalism will result in cancellation of privileges. Vandalism is defined as any malicious attempt to harm or destroy hardware, data of another user, Internet, or any other agencies or other networks that may be accessed. This includes, but is not limited to, the uploading or creation of computer viruses.

14. Report security problems to the supervising teacher or system administrator.

15. Violators of this policy shall hold the district, including its employees and agents, harmless against any and all causes of action, damages, or other liability resulting from the willful or negligent violation of this policy.

FIELD TRIPS AND EXCURSIONS

Local field trips will be made only with the prior approval of the building principal. Advance consent of the student's parent or guardian is required for any excursion or field trip.

Senior trips, except for local field trips, may not be taken during the regular 180-day school year.

The board of education defines educational field trips as visits to an area industry, factory, shop or plant, courthouse, museum, theater, lecture or symposium, or farm, ranch, rock quarry, creek, river, park, etc., by a group of students pursuing academic or vocational study in a stated subject for the purpose of enriching their appreciation of, or acquiring additional knowledge in the subject. It does not refer to recreational outings or excursions, interscholastic contests, or extracurricular activities where students perform or compete.

The board recognizes educational field trips as a part of the curriculum. The following criteria should be considered in deciding whether or not a field trip would be a profitable educational experience for students:

1. Will this be a better experience for students than other activities that might be conducted within the school building?

2. Should the trip be denied for safety reasons due to trip location and advisability?

3. Would the students profit more from the field trip than they would from an available motion picture, videotape, slides, filmstrip presentation, model, experiment, resource person, etc.?

4. Will the field trip enrich the lives of the students involved?

Any school-sponsored trip exceeding 350 miles from Burlington or outside the state of Oklahoma must have prior board approval. Any trip less than 350 miles must have approval of the superintendent or a designee. Distance, educational value, student safety, and expense will be taken into consideration before approval is given for any trip or activity.

The decision as to whether overnight travel will be involved will be made by the superintendent or a designee. If a trip requires overnight travel, rooming assignments will be made in advance by the superintendent or a designee. When making rooming assignments, the superintendent will ensure that an appropriate number of adults will be involved in the activity trip to provide adequate supervision of students. Sponsors will be expected to do random inspections to ascertain whether students are in assigned locations.

REFERENCE: Department of Education, Administrator's Handbook

FIELD TRIPS, EXCURSIONS, AND CONTESTS
(STUDENT-PARENT FORM)

Teacher-Sponsor _____

Class, Organization, or Team _____

Date of Trip _____ Destination _____

Purpose of Trip _____

_____

STUDENT AGREEMENT

While participating in this activity, I will accept the responsibility for maintaining good conduct and I will follow direction of coaches or sponsors at all times.

Date _____ _____

(Student's Signature)

PARENT'S PERMISSION

I give my permission for _____ to participate in this activity and to accompany the group on this or future trips that may be scheduled by coaches or sponsors. I understand that the school will provide supervision for the trip. I also understand that no special insurance is provided by the school board; however, the insurance required of athletics and the school-time accident insurance taken by many students will apply to this activity.

Date _____ _____

(Parent's Signature)

_____

(Contact Phone Number if Needed)

STUDENT OUT-OF-STATE TRIPS

Students wishing to compete in any activity that may lead to further competition beyond the state level must have board of education approval prior to the initial qualifying competition. Academic competition that is a result of enrollment in courses that are part of the student school day shall have priority consideration.

Out-of-state trip requests shall be considered by the board on the basis of the following criteria:

1. The contribution of the event to the academic program of studies;
2. The total cost of the out-of-state trip that includes the cost to the school, community, and parents;
3. The number of days out of school *;
4. The distance involved;
5. Age of students involved **.

Other non-qualifying student groups, upon special invitation to significant out-of-state functions, shall be considered by the board using the above criteria.

* Students should be aware the attendance policy applies. (See policy FDC.)

** Preference of approval will be given to elementary students accompanied by sufficient parental/guardian supervision.

BASIC INSTRUCTIONAL PROGRAM

The Burlington Board of Education will provide reasonable educational opportunities to enable all children to succeed, both personally and as citizens.

Instructional programs will be developed with the view toward maintaining a balanced curriculum which will serve the general academic needs of all school-aged children and provide opportunities for individual children to develop specific talents and interests.

The board will encourage and support the professional staff in its efforts to investigate new curricular ideas, develop and improve programs, and evaluate results.

The board will appoint a committee composed of administrators, teachers, and parents to annually evaluate the curriculum to determine whether each child in the school system is receiving basic skill instructions.

The committee shall have access to all materials pertaining to the school curriculum, class schedules, and other information as long as the materials are not confidential or personal information. Members of the committee may visit with other staff members, students, former graduates, parents, and business people in the community for input into their evaluation.

The committee chairperson shall prepare a written report of the findings of the committee to the superintendent prior to the first day of February each year. This report should list the strengths and recommendations for each basic skill area.

The superintendent shall present the report to the board of education at a regular or special meeting. The board will consider each recommendation made by the committee. Any changes in methods of instruction, scheduling, or curriculum changes will be left entirely up to the superintendent and the board of education.

This committee shall be appointed to serve for a one-year term. However, individual members may be appointed to succeed themselves if the board so desires.

At all levels, provisions will be made for a wide range of individual differences through use of a variety of materials, adjustment in studies, and modified courses.

In all instances, the curriculum will meet the educational requirements established by state law.

The goals of the evaluation committee will be to permit and assist every child to acquire the following:

1. An understanding of himself and of his worth as an individual and a member of society.

2. A mastery of the basic skills in the use of the language arts -- listening, speaking, writing, reading, spelling, and grammar.

3. A mastery of mathematics for obtaining information, communicating effectively, thinking critically, reasoning logically, and solving problems.

BASIC INSTRUCTIONAL PROGRAM (Cont.)

4. Basic understanding of the principles of the natural, physical, biological, and social sciences and current events.

5. The desire and the ability to express himself creatively in one or more of the fine and creative arts and to appreciate the aesthetic expressions found in the art of others.

6. The attitudes associated with responsible citizenship for effective participation in the community, the state, the nation, and the world.

7. An understanding of career roles and how to relate learning experiences to real life.

REFERENCE: 70 O.S. §11-103

DIPLOMAS FOR VETERANS

In order to recognize and pay tribute to veterans who left high school prior to graduation to serve in World War II, in the Korean war, or in the Vietnam War, the Paoli Board of Education will grant a diploma of graduation to any veteran who meets the requirements as listed below. Such diplomas will be presented in conjunction with appropriate Veterans Day programs.

To be eligible to receive a high school diploma, a veteran shall:

1. Have been honorably discharged from the Armed Forces of the United States of America;

2. Have served on active duty or have been discharged with a service-connected disability between the dates of September 16, 1940, and December 31, 1946, or between the dates of June 27, 1950, and January 31, 1955, or between the dates of May 13, 1961, and April 29, 1975; and

3. Be a resident of the State of Oklahoma.

Additional rules may be imposed by the State Department of Education after consulting with the Department of Veterans Affairs.

REFERENCE: 70 O.S. §24-153

AIDS PREVENTION EDUCATION FOR STUDENTS

The Burlington Board of Education recognizes that Acquired Immune Deficiency Syndrome (AIDS) prevention education should be integrated into the health and family life curriculum, but may also be applied to other curriculum areas. Therefore, AIDS prevention education will be taught according to the following schedule.

Students shall receive aids prevention education:

1. At the option of the school district, a minimum of once during the period from grade five through grade six.
2. A minimum of once during the period from grade seven through grade nine.
3. A minimum of once during the period from grade ten through grade twelve.

The district's AIDS education program must address, at a minimum, the nature, transmission, prevention, and effects of the disease. The program shall be provided in a sequential manner in all grades, taking into consideration the age and maturity of the students and the subject matter of the course. Development of the program should take into account the instructional needs of all students in the district.

The superintendent shall ensure that the information presented as part of the AIDS program is articulated in such a way that transition from grade to grade in the elementary schools and from elementary to secondary approaches to the material will be appropriate for all students.

The superintendent shall ensure that all staff involved in teaching the AIDS education program are properly certified and adequately prepared to teach the material. As necessary, appropriate staff training shall be provided. All employees shall have training in universal precautions.

The district may develop its own AIDS prevention education curriculum and materials (with the approval of the State Department of Health for medical accuracy) or will use the curriculum developed by the Oklahoma State Department of Education.

AIDS prevention education shall specifically teach students that:

1. Engaging in homosexual activity, promiscuous sexual activity, intravenous drug use or contact with contaminated blood products is now known to be primarily responsible for contact with the AIDS virus;

2. Avoiding the activities specified above is the only method of preventing the spread of the virus;

3. Sexual intercourse, with or without condoms, with any person testing positive for human immunodeficiency virus (HIV) antibodies, or any other person infected with HIV, places that individual in a high risk category for developing AIDS;

4. Abstinence from sexual activity is the only certain means for the prevention of the spread or contraction of the AIDS virus through sexual contact; and

5. That artificial means of birth control are not a certain means of preventing the spread of the AIDS virus and reliance on such methods puts a person at risk for exposure to the disease.

AIDS PREVENTION EDUCATION FOR STUDENTS (Cont.)

The district will make the curriculum and materials that will be used to teach AIDS prevention education available for inspection by the parents and guardians of the students who will be involved with the curriculum and materials. Furthermore, the curriculum must be limited in time frame to deal only with factual medical information for AIDS prevention. At least one month prior to teaching AIDS prevention education in any classroom, the district shall conduct for the parents and guardians of the students involved, during weekend and evening hours, at least one presentation concerning the curriculum and materials that will be used for such education. No student shall be required to participate in AIDS prevention education if a parent or guardian of the student objects in writing to such participation.

REFERENCE: 70 O.S. §11-103.3

ATTENDANCE WAIVER FOR AIDS PREVENTION EDUCATION

No student shall be required to participate in AIDS prevention education if a parent or guardian of the student objects in writing to such participation.

I do not wish _____
Student's Name

a student at _____
Name of School

To participate in AIDS prevention education.

_____ _____
Parent's or Guardian's Signature *Date*

(This form should be returned to the office of the principal of the school the student attends.)

PHYSICAL EDUCATION

Health and Fitness Curriculum

The superintendent shall adopt and implement a comprehensive health and fitness curriculum, which will provide opportunities for developmentally appropriate instruction for grades K-12. Evaluation procedures will utilize classroom-based assessments or other strategies and will be in place by the end of the current school year.

The specific objectives and goals the district intends to accomplish through the physical education curriculum are to teach self-management and movement skills as well as cooperation, fair play, and responsible participation in physical activity. The goal of the school district is to promote student participation in physical activity for a healthier lifestyle.

All students in grades kindergarten through five are required to complete an average of sixty (60) instructional minutes per week of physical education and sixty (60) minutes of physical activity. The time students participate in recess shall not be counted toward the sixty minutes per week physical education requirement. The sixty (60) minutes of physical activity may include, but is not limited to, physical education, exercise programs, fitness breaks, recess, classroom activities, and wellness and nutrition education. All high school students are strongly encouraged to complete two units or sets of competencies of physical and health education as part of the core curriculum. District high schools are encouraged to offer a variety of health and fitness classes for each grade in the high school.

Suitable adapted physical education shall be included as part of individual education plans for students with chronic health problems, other disabling conditions, or other special needs that preclude such students' participation in regular physical education instruction or activities.

In addition to required physical education, students at the elementary level should have the opportunity to participate in daily recess and physical activity. The district shall provide daily recess period(s) for elementary school students, featuring time for unstructured but supervised active play. The district is encouraged to provide adequate co-curricular physical activity programs, including fully inclusive intramural programs and physical activity clubs; and to promote the use of school facilities for physical activity programs offered by the school and/or community-based organizations outside of school hours

The school district may exclude from the participation in physical education or exercise programs those students who have been placed into an in-house suspension or determination class or placement or those students who are under an in-school restriction or are subject to an administrative disciplinary action.

Cardiopulmonary Resuscitation Courses

Students in grades nine through twelve may be taught the techniques of cardiopulmonary resuscitation as part of their physical education program.

REFERENCE: 70 O.S. §1-107
70 O.S. §11-103, §11-103.9
70 O.S. §1210.199
7 CFR, Parts 210 and 220
7 CFR, Part 245.5

THIS POLICY REQUIRED BY PUBLIC LAW 108-265, SECTION 204.

GIFTED CHILD EDUCATIONAL PROGRAM

The Burlington Board of Education recognizes that educational programs are necessary for gifted children as defined in Oklahoma Statutes Section 1210.307 of Title 70.

Therefore, it is the policy of the board of education to cooperate fully with the State Department of Education in identifying gifted and talented children and in developing appropriate educational programs.

Children in this district will be considered for placement in the program in accordance with scores on standardized achievement and intelligence tests, records, and recommendations of teachers and parents.

Children identified as gifted and talented will be offered gifted and talented educational programs directly through the facilities of this district.

Student participation in extracurricular activities shall be dependent upon the maintenance of minimum academic standards established by the board, the student's individual ability in the extracurricular activity, and such other factors as may be determined by the administration
The superintendent is directed to develop and implement regulations that support this policy.

REFERENCE: 70 O.S. §1210.307, et seq.
70 O.S. §5-135

GIFTED CHILD EDUCATIONAL PROGRAMS (REGULATIONS)

In accordance with the policy of the board of education, a local advisory committee (which may or may not be comprised of the curriculum advisory committee) shall be established. The committee will consist of administrators, teachers, and parents with no fewer than 3 and no more than 11 members, at least one third (1/3) of whom shall be selected from a list of nominations submitted by associations whose purpose is advocacy for gifted and talented children.

The purpose of the committee is to assist in the development of the district plan for gifted child educational programs, to assist in preparation of the district report on gifted child educational programs, and to perform other advisory duties as may be requested by the board of education. A chair and vice-chair will be elected, and written records and reports shall be made by the committee. The committee will establish a regular meeting schedule sufficient to implement the program.

The committee will make available to the board of education copies of their agendas, minutes, and evaluations of the program. The committee will reorganize biennially prior to September 15. A meeting will be called by the superintendent not later than October 1 of each school year. All meetings of the committee shall be subject to the provisions of the Oklahoma Open Meeting Act (70 O.S. §1210.308).

The committee will advise and assist district professional staff with the development of a plan which will include a description of the curriculum for the gifted child educational program, the criteria for evaluation of the this program, the competencies and duties of the program's staff, number and percentage of students identified by the district as gifted children, and a budget for the district gifted child educational program.

Definition

Gifted and talented students are those students at the preschool, elementary, and secondary levels having demonstrated potential abilities of high performance capability and needing differentiated or accelerated education or services.

Identification of gifted and talented students will be identified as follows:

1. Students scoring at or above the 97th percentile on the composite score of a nationally recognized achievement test;

2. An Intelligence Quotient (IQ = Mental Age/Chronological Age) at or above 125 as determined by a standardized intelligence test such as the Otis-Lennin, WISC-R, or the Stanford Binet;

3. Through the recommendation of a teacher or counselor who has taught the student, and/or;

4. Students who have demonstrated:

   A. Creative thinking ability

   B. Leadership ability

   C. Visual performing arts ability, and/or

GIFTED CHILD EDUCATIONAL PROGRAMS, REGULATIONS (Cont.)

D. Specific academic ability.

To insure due process rights for all potentially identifiable and identified gifted students, multicriteria assessments shall be used and a student will not be denied needed programming on the basis of one assessment criterion.

Procedural safeguards will include:

1. Written parental consent is required for individual evaluation.
2. Records will be kept confidential and will comply with the Family Educational Rights and Privacy Act.
3. Parents may request additional evaluation of their child for placement purposes. Tests must be approved by school officials and must have been administered by a psychometrist or other approved professional licensed by the state of Oklahoma.
4. Students transferring into the district will be screened when records of the student have been received from the sending school. The student will be subject to the local procedures and criteria regardless of past placement.
5. Placement will be reviewed annually by teachers, counselors, and administrators.
6. Removing a student from the gifted child educational program will be by request of the parents, student, or student's teacher(s) after an appropriate review process is completed.

The committee will use discretion in notifying the students and parents regarding placement in the program. The regular avenues of appeal provided by school board policy will be available to parents if they choose to use them.

Some of the desired goals of this program are:

1. To develop critical thinking skills;
2. To develop problem-solving skills;
3. To develop oral and written communication skills;
4. To encourage and recognize creativity;
5. To encourage and provide opportunities for leadership development;
6. To develop and reinforce positive self concepts;
7. To provide enrichment activities to enhance the cultural and educational experiences; and
8. To encourage individuals to become life-long learners.

SPECIAL EDUCATION

It is the policy of this school district to provide special education to all exceptional children who reside in the school district. This duty will be satisfied by the district directly providing special education for such children.

Prior to July 1, 1990, exceptional children shall mean educable mentally handicapped children, trainable mentally retarded children, speech-defective children, emotionally disturbed or perceptually handicapped children, children with special health problems, children requiring the services of a visiting counselor, children with special learning disabilities as a result of neurological impairment, multiple-handicapped children, and other handicapped children of four years of age as of the first day of September of the school year, and on and after July 1, 1990 of three years of age; provided up to July 1, 1991, that there shall be no set minimum age for blind children, partially blind children, deaf and hard-of-hearing children, and low incidence severely multiple-handicapped children, i.e., deaf-blind, retarded-cerebral palsied, autistic, and other children failing to thrive.

Provided, on and after July 1, 1991, children from age birth through two years (0-24 months) of age who meet the eligibility criteria specified in Section 3 of the Oklahoma Early Intervention Act, shall be served pursuant to the provisions of the Oklahoma Early Intervention Act; further provided that any children served shall be bona fide residents of this state, whose conditions are such that it is impractical or impossible for them to benefit from or participate in the regular classroom program of the public schools in the district in which they reside and whose education requires a modification of the classroom program. Provided, that the attendance of said children in special education classes shall be included in the average daily attendance computations for State Aid purposes.

If valid and reliable testing and full and individual evaluation materials appear to have led to the overrepresentation of students who are members of a particular race, national origin or cultural group in any special education category, then the school district shall conduct a thorough self-evaluation in order to determine:

1. Whether additional or substitute materials and procedures, which have at least equal predictive validity, but do not have such an adverse effect on members of a particular racial, national origin or cultural group, can be identified.

2. Whether any of the following resulted in racial or cultural bias:

    a. The use of tests with inherent content and/or language bias;

    b. The use of tests that lack validity for a group of persons with whom or the purposes for which they are used;

    c. The use of tests that lack reliability for a group of persons with whom they are used;

    d. The presence of culturally and linguistically incompetent test administration;

    e. Student unfamiliarity with test behaviors and assumptions;

    f. Student discomfort with the test administrator and/or testing environment;

    g. Lack of student motivation to perform well; and/or

    h. The failure to integrate full and individual evaluation information from multiple sources and/or to reconcile inconsistent or conflicting full and individual evaluation results.

SPECIAL EDUCATION (Cont.)

The school district will utilize the policies and procedures for Special Education Services set forth by the Oklahoma State Department of Education.

REFERENCE: 70 O.S. §1-107
70 O.S. §13-101 through §13-113
70 O.S. §18-109.5
Individuals With Disabilities Education Act, 20 USC §1400, et seq.

SPECIAL EDUCATION SERVICES FOR CHILDREN ENROLLED IN PRIVATE SCHOOL

The school district shall provide special education services for district resident children enrolled in private schools located within the school district in accordance with state and federal law requirements. To ensure timely and meaningful consultation, the superintendent or designee shall consult with private school officials to design and develop educational programs and services. Consultation shall include:

A. How the children's needs will be identified;
B. What services will be offered;
C. How, where and by whom the services will be provided;
D. How the services will be academically assessed and how the results of that assessment will be used to improve those services;
E. The size and scope of the equitable services to be provided to the eligible private school children, the proportion of funds that are allocated under federal law for the services;
F. The method and sources of data that are utilized to determine the number of children from low-income families in participating school attendance areas who attend private schools;
G. How and when the school will make decisions about the delivery of services to such children, including a thorough consideration and analysis of the views of the private school officials on the provision of services through a contract with potential third-party providers;
H. How, if the school and the private school officials disagree on the provision of services through a contract, the school will provide in writing to the private school officials an analysis of the reasons why a contractor was not utilized;
I. Whether the school will provide services directly or through a separate government agency, consortium, entity, or third-party contractor;
J. Whether to provide equitable services to eligible private school children:
    a. By creating a pool or pools of funds with all of the funds allocated by federal law based upon all the children from low-income families in a participating school attendance area who attend private schools; or
    b. By using a proportion of funds allocated under federal law based upon the number of children from low-income families in the school district's participating school attendance area who attend private schools.
K. When, including the approximate time of day, services will be provided; and
L. Whether to consolidate and use funds provided under federal law in coordination with eligible funds available for services to private school children under applicable programs defined in federal law to provide services to eligible private school children participating in programs.

If the school district disagrees with the private school regarding an issue addressed above, the school district shall provide in writing to private school officials the reasons why the school district disagrees. The school district will maintain written documentation which includes a written affirmation signed by private school officials that consultation has occurred. The written affirmation shall also include an option for private school officials to provide that the private school officials do not believe that timely and meaningful consultation has occurred and that the program design is not equitable with regard to private school students.

LEGAL REFERENCE: **ESSA Section 1117**

EXTENDED SCHOOL YEAR SERVICES

In recognition that some children need educational services in excess of the 180 days provided during the traditional school year, the Burlington Public Schools has developed an extended school year program in order to provide students with a free, appropriate, public education. Whether a student is entitled to extended year services will be determined on a case-by-case basis. Once a student is deemed to require additional educational services, the student's IEP team will determine what areas of the curriculum will be included in each individual student's extended school year program. This program and its attendant procedures do not supersede or preempt the prerogative of the individualized education planning team. The intent is to assure thorough review and careful consideration of the individual needs of our student population who will benefit from extended school year services.

REFERENCE: 70 O.S. §13-101
300.320 IDEA Regulations

TITLE I PARENT INVOLVEMENT

The Burlington Board of Education endorses the parent involvement goals of Title I and encourages the regular participation by parents of Title I eligible children in all aspects of the program. The education of children is viewed as a cooperative effort among the parents, school, and community. In this policy, the word "parent" also includes guardians and other family members involved in supervising the child's education.

Pursuant to federal law, the district will develop jointly with, agree on with, and distribute to parents of children participating in the Title I program a written parent involvement policy.

A meeting of the parents of participating Title I students will be held annually to explain the goals and purposes of the Title I program.

Parents will be given the opportunity to participate in the design, development, operation, and evaluation of the program for the next school year and to participate in planning activities, to offer suggestions, and to ask questions regarding policies and programs. Parents will be encouraged to attend the meeting and to become involved.

In addition to the required annual meeting, at least three (3) additional parent meetings shall be held, at various times of the day and/or evenings, for parents of children participating in the Title I program. Notices will be sent to the parents and articles will appear in the local newspaper advising parents and interested persons of the meetings. These meetings shall be used to provide parents with:

1. Information about programs provided under Title I;

2. A description and explanation of the curriculum in use, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet;

3. Opportunities to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children; and

4. The opportunity to bring parent comments, if they are dissatisfied with the school's Title I program, to the district level.

Title I funding, if sufficient, may be used to facilitate parent attendance at meetings through payment of transportation and childcare costs.

The parents of children identified to participate in Title I programs shall receive from the school principal and Title I staff an explanation of the reasons supporting each child's selection for the program, a set of objectives to be addressed, and a description of the services to be provided. Parents will be advised of their children's progress on a regular basis. Opportunities will be provided for the parents to meet with the classroom and Title I teachers to discuss their children's progress. Parents will also receive information and training that will assist them in helping their children at home and at school.

Each school in the district receiving Title I funds shall jointly develop with parents of children served in the program a "School-Parent Compact" outlining the manner in which parents, school staff and students share the responsibility for improved student academic achievement in meeting state standards. The compact shall:

TITLE I PARENT INVOLVEMENT (Cont.)

1. Describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment enabling children in the Title I program to meet the state's academic achievement standards;

2. Indicate the ways in which each parent will be responsible for supporting their children's learning, such as monitoring attendance, homework completion, monitoring television watching, volunteering in the classroom, and participating, as appropriate, in decisions related to their child's education and positive use of extracurricular time; and

3. Address the importance of parent-teacher communication on an on-going basis, with at a minimum, parent-teacher conferences, frequent reports to parents, and reasonable access to staff.

REFERENCE: P. L. 103-382, Improving America's Schools Act
P. L. 107-110, No Child Left Behind Act of 2001

NOTE: Districts with more than one school participating in a title I program may wish to consider the establishment of a district-wide parent advisory council.

THIS POLICY REQUIRED BY THE NO CHILD LEFT BEHIND ACT.

PARENT PARTICIPATION IN THE SCHOOL DISTRICT

The board of education, in consultation with parents, teachers, and administrators, has developed and adopted this policy to promote and encourage the involvement of parents and guardians of children within the school district.

1. Parent participation in the schools is encouraged to improve parent and teacher cooperation in such areas as homework, attendance and discipline. At the beginning of each school year each teacher shall provide parents with contact information so that a parent has the opportunity to contact the teacher or administration to address concerns related to homework, attendance and discipline.

2. Parents may request additional information from the administration to learn about the course of study for their children and review learning materials, including the source of any supplemental educational materials.

3. Parents who object to any learning material or activity on the basis that it is harmful may withdraw their children from the activity or from the class or program in which the material is used. Objection to a learning material or activity on the basis that it is harmful includes objection to a material or activity because it questions beliefs or practices in sex, morality or religion. Parents are hereby informed that the withdrawal of a child from any state mandated courses could prevent their child from being eligible to receive a high school diploma.

4. If the school district offers any sex education curricula pursuant to Section 11-105.1 of Title 70 of the Oklahoma Statutes or pursuant to any rules adopted by the State Board of Education, parents may opt their child out of sex education instruction if the child's parent provides written objection to the child's participation in the sex education curricula.

5. Parents are hereby notified and given the opportunity to withdraw their children from any instruction or presentations regarding sexuality in courses other than formal sex education curricula pursuant to Section 11-105.1 of Title 70 of the Oklahoma Statutes;

6. Parents may learn about the nature and purpose of clubs and activities that are part of the school curriculum, as well as extracurricular clubs and activities that have been approved by the school. A list of school clubs that have been approved by the board of education is available from the administration upon request.

7. Specific parent rights and responsibilities provided under the laws of this state, include the following:

    a. the right to opt out of a sex education curriculum if one is provided by the school district.

    b. open enrollment rights.

    c. the right to opt out of assignments.

    d. the right to be exempt from the immunization laws of the state pursuant to Section 1210.192 of Title 70 of the Oklahoma Statutes,

    e. the promotion requirements prescribed in Section 1210.508E of Title 70 of the Oklahoma Statues,

    f. the minimum course of study and competency requirements for graduation from high school prescribed in Section 11-103.6 of Title 70 of the Oklahoma Statutes,

PARENT PARTICIPATION (Cont.)

g. the right to opt out of instruction on the acquired immune deficiency syndrome pursuant to Section 11-103.3 of Title 70 of the Oklahoma Statutes,

h. the right to review test results,

i. the right to participate in gifted programs pursuant to Sections 1210.301 through 1210.308 of Title 70 of the Oklahoma Statutes,

j. the right to inspect instructional materials used in connection with any research or experimentation program or project pursuant to Section 11-106 of Title 70 of the Oklahoma Statutes,

k. the right to receive a school report card,

l. the attendance requirements prescribed in Section 10-106 of Title 70 of the Oklahoma Statutes,

m. the right to public review of courses of study and textbooks,

n. the right to be excused from school attendance for religious purposes,

o. policies related to parental involvement pursuant to this section,

p. the right to participate in parent-teacher associations and organizations that are sanctioned by the board of education of a school district, and

q. the right to opt out of any data collection instrument at the district level that would capture data for inclusion in the state longitudinal student data system except what is necessary and essential for establishing a student's public school record.

Parents may submit a written request for information during regular business hours to either the school principal at the school site or the superintendent at the office of the school district. Within ten (10) days of receiving the request for information, the school principal or superintendent, shall deliver the requested information to the parent or provide a written explanation of the reasons for the denial of the requested information. If the request is denied or the parent does not receive the requested information within fifteen (15) days after submitting the request, the parent may submit a written request for the information to the board of education. The board of education shall formally consider the request at the next scheduled public meeting if the request can be properly noticed on the agenda. If the request cannot be properly noticed on the agenda, the board of education shall formally consider the request at the next subsequent meeting of the board of education.

LIMITED ENGLISH PROFICIENCY INSTRUCTION

The Board of Education will provide a program of language instruction to students who have limited English proficiency. Student participation in any language instruction program or instruction in English as a second language is voluntary and requires written parental permission.

Students who meet any one or more of the following criteria shall be identified as being limited in English proficiency:

A student who:

1. Was not born in the United States or whose native language is a language other than English and comes from an environment where a language other than English is dominant;

   or

2. Is a Native American or Alaskan Native or who is a native resident of the outlying areas and comes from an environment where a language other than English has had a significant impact on the student's level of English language proficiency;

   or

3. Is migratory and whose native language is other than English and comes from an environment where a language other than English is dominant;

   and

4. Who has sufficient difficulty speaking, reading, writing, or understanding the English language and whose difficulties may deny such individual the opportunity to learn successfully in classrooms where the language of instruction is English or to participate fully in our society.

Tutorial Programs

Students who are certified to receive educational services through the State Migrant Education Department in cooperation with the State Department of Education are offered 30-minute tutorial help during the school day in the areas of reading, math, and language arts. Criteria for eligibility include students who have moved into a district within the last six years from another district or state and whose parents seek either seasonal or temporary employment in agriculture.

No Child Left Behind Act of 2001

If this district receives federal funding for Limited English Proficient (LEP) Programs, the following will be provided:

1. Parents will be notified of their student's placement in a language program and their options associated with that placement. Notification will include the reasons for identifying the child as LEP and the reasons for placing the child in the specified program.

LIMITED ENGLISH PROFICIENCY INSTRUCTION (Cont.)

2. Students will participate in regular assessments in a manner that will yield an accurate assessment. (See also policy EK.) Test waivers may be granted on a case-by-case basis for LEP students who demonstrate unusual and unique circumstances; however, students who have been educated in the United States for three years are required to participate in reading/language arts assessment in English.

3. Certification that teachers in the program are fluent in English as well as other languages used in instruction (if the district receives subgrants).

4. Evaluation of the program and the academic success and language achievement of the students in the program. Parents will be notified of:

   A. Their child's level of English proficiency and how such a level was assessed.

   B. The status of their child's academic achievement.

   C. The method of instruction used in the program in which the child is placed, and the methods of instruction used in other available programs.

   D. Information as to how the program will meet their child's educational strengths, assist him/her to learn English, and meet age-appropriate academic achievement standards.

   E. Exit requirements for the program.

   F. If the child has a disability, a statement as to how the LEP will meet the objectives of the child's IEP.

Consequences of inadequate yearly progress include notification of parents, development of improvement plans, and restructuring of programs or the district will lose federal funds.

For non-English speaking parents, the district will arrange to provide translations of this information in their native language.

REFERENCE: ESSA Sections 3111-3116

THIS POLICY REQUIRED BY ESSA

ALTERNATIVE EDUCATION

This school district shall provide an alternative education program that conforms to the requirements of state law and rules applicable to alternative education. The alternative education program shall conform to federal law requirements if federal funding is utilized to provide services to meet the educational needs of neglected, delinquent, and at-risk children and youth. The program shall:

1. Allow class sizes and student/teacher ratios conducive to effective learning for at-risk students;
2. Incorporate appropriate structure, curriculum, and interaction and reinforcement strategies designed to provide effective instruction;
3. Include an intake and screening process to determine eligibility of students;
4. Demonstrate that teaching faculty are appropriately licensed or certified teachers;
5. Demonstrate that teaching faculty have been selected on the basis of a record of successful work with at-risk students or personal and educational factors that qualify them for work with at-risk students;
6. Reflect appropriate collaborative efforts with state agencies and local agencies serving youth;
7. Provide courses that meet the academic curricula standards adopted by the State Board of Education and additional remedial courses;
8. Offer individualized instruction;
9. State clear and measurable program goals and objectives;
10. Include counseling and social services components with the provision that providers of services are not required to be certified as school counselors;
11. Require a plan leading to graduation be developed for each student in the program that will allow the student to participate in graduation exercises for the school district after meeting all of the graduation requirements of the school district.
12. Offer life skills instruction;
13. Provide opportunity for arts education to students, including Artists in Residence programs coordinated with the Oklahoma Arts Council;
14. Provide a proposed annual budget;
15. Include an evaluation component including an annual written self-evaluation;
16. Be appropriately designed to serve middle school, junior high school, and secondary school students in grades six through twelve who are most at risk of not completing a high school education for a reason other than as identified in 70 O.S. §13-10, and;

ALTERNATIVE EDUCATION (Cont.)

17. Allow all students in the alternative education program, who otherwise meet all of the participation requirements, to participate in vocational programs and extracurricular activities, including but not limited to athletics, band, and clubs.

The alternative education program shall be operational and serving students by September 15, of each school year.

Any equipment or material purchased by the school district with revenue received for students participating in an alternative education program shall be used only in or directly for the alternative education program offered by the district during the hours the alternative education program is in operation. The equipment or materials may be used for other purposes during hours when the alternative education program is not in operation.

If a program will serve fewer than ten (10) students, the alternative education program shall be offered by the district through an interlocal cooperative in which the district participates, unless the program has been granted a waiver from this requirement by the State Department of Education.

REFERENCE: 70 O.S. §1210.568
70 O.S. §1210.569
20 U.S.C. § 6434

NOTE: Referenced statute 70 O.S. §1210.568 requires the program be provided by all school districts beginning with the first semester of the 2000-2001 school year.

ONLINE INSTRUCTION

Online instructional programs offered for instructional purposes and/or high school credit shall be approved by and under the supervision of the Burlington Board of Education. The proposed course(s) may be evaluated by the State Department of Education. The district may provide a virtual instruction or distance learning program on dates to be determined by the Superintendent. This power shall be provided by the board of education so that the students of the district may be allowed to continue instruction in the event of a school closure for an emergency. Such dates shall be provided to parents and students on the school website with as much advance notice as possible under the circumstances. Students and staff will be expected to participate and attendance shall be taken in accordance with district attendance policies and procedures for students and employees. The school district will provide resources to ensure that all student have access to virtual or distance learning programs. All instruction will be provided in compliance with Oklahoma's Academic Standards. Grades will be assigned which will reflect the progress of the student with regard to assignments and/or tests provided.

Definitions

Synchronous instruction occurs when the instructor and student's primary interactions are in real-time. Regular classroom instruction is synchronous instruction, as well as two-way interactive video. Web-based instruction that requires real-time interaction between student(s) and instructor as the primary format of instruction is also synchronous instruction.

Asynchronous instruction is not dependent on instructor and student interaction in real time. Asynchronous instruction allows the student to engage in learning activities anywhere at any time. For instruction to be considered asynchronous, the primary format of instruction does not depend on real-time interaction of the participants.

Supplemental online course is an online program that allows students who are enrolled in a public school to supplement their education by enrolling part time in online courses that are educationally appropriate for the student, which are equal to the equivalent of classroom instruction time required by student attendance and participation in the district.

Educationally appropriate means any instruction that is not substantially a repeat of a course or portion of a course that the student has successfully completed, regardless of the grade of the student, and regardless of whether a course is similar to or identical to the instruction that is currently offered in the school district. The determination of educationally appropriate will be made at the local school district level.

Web-based instruction uses the World Wide Web as the primary medium of instruction, with a computer serving as the primary tool of instruction. Web-based instruction may be synchronous or asynchronous.

Two-way interactive video instruction provides for real-time (synchronous) interaction between student(s) and instructor by means of an electronic medium that provides for both audio (sound) and video (sight) signal. Students and instructors participating in two-way interactive video instruction may both see and hear each other in an approximation of real-time.

Guidelines

Prior to offering an online instructional course, the board of education shall comply with the following guidelines recommend by the State Department of Education:

1. Web-based and two-way interactive video instruction shall be viewed as methods by which the school district can expand the course offerings and access to instructional resources. These technologies should not be

ONLINE INSTRUCTION (Cont.)

viewed solely as substitutes for direct, face-to-face student and teacher interactions, but as a means of expanding the ability of the district to bring the world of knowledge to the students.

2. The board of education will grant students credit for completion of courses offered by means of online instruction. School district policies governing grading scales and credits earned shall be applied to Oklahoma Supplemental Online Course Program courses under the same criteria as courses offered by the school district. A grade assigned for course credit that was completed through the supplemental online program shall be treated the same as any other course offered by the district.

3. Only students who are enrolled in this district will be granted access to supplemental online courses.

4. Requests for enrollment in supplemental online courses shall be as follows:
   a. Interested students shall be required to fill out a request for enrollment in supplemental online course(s) form.
   b. The principal or designee shall evaluate the application and determine whether the supplemental online course is educationally appropriate for the student.
   c. If the supplemental online course is not deemed to be educationally appropriate, notification shall be provided to the student in writing as to the reasons in support of the principal's recommendation and the student shall be afforded the opportunity to appeal the principal's decision to the local school board. The decision of the local board with regard to whether a course is educationally appropriate is final and nonappealable. A copy of the notification shall be provided to the Director of Instructional Technology at the State Department of Education.

5. If enrollment in the supplemental online course is allowed, the principal shall appoint a certified staff member to serve as the building level contact person to assist students enrolling in on-line courses and to serve as a liaison to the on-line teachers and provider(s). Students shall have a grace period for withdrawal from a supplemental online course of fifteen (15) calendar days from the first day of a supplemental online course enrollment without academic penalty. A written request for withdrawal should be provided to the principal from the student prior to the expiration of the fifteen (15) day period.

6. Students earning credit by means of online instruction shall participate in ~~all~~ require state-level academic assessments in the same manner as other regularly enrolled students within the district. No student shall be allowed to participate in these assessments at a place other than the school site at which the student is enrolled.

7. Courses offered for credit by means of online instruction shall be aligned with the Priority Academic Student Skills (PASS).

8. Student progress shall be monitored on a weekly basis by the supplemental online course provider. Attendance/participation in a supplemental online course shall be monitored in accordance with local district policy and determined by documented student/teacher/course interaction that may include, but is not limited to, online chats, emails, posting/submission of lessons. The student may be counted "present" or "in attendance" when the supplemental online course provider provides evidence of student/teacher/ course interaction that demonstrates student progress toward learning objectives and demonstrates regular student engagement in course activity. Supplemental online course providers shall make available to students, parents, and the school district reports that reflect daily attendance/participation, progress reports, and grades. Such attendance/participation reports, progress reports, and grades shall be provided on a regular weekly basis to

ONLINE INSTRUCTION (Cont.)

parents and the school district via electronic format. The district will review progress reports and grades twice per month.

9. The security of individual student data and records shall be maintained and receive the same protection afforded students under state and federal laws. No individual student data obtained through participation in online instruction courses shall be used for any purposes other than those that support the instruction of the individual student.

10. District level aggregated data obtained through participation in online instruction courses shall be utilized for education purposes only and shall not be provided to commercial entities.

11. All federal and state statutes pertaining to student privacy, the posting of images on the World Wide Web, copyright of materials, Federal Communications Commission rules pertaining to the public broadcasting of audio and video, and other such issues shall be adhered to by the district. (See cross-referenced policies concerning these issues.)

12. Prior to the beginning of instruction, cooperating school districts sharing courses by means of two-way interactive video technology shall, by means of contractual agreement, address such issues as the instruction costs, bell schedules, school calendars, student behavior, teacher evaluation, textbooks, class periods, student grades and grading policies, teacher load, and instructor employment.

13. Contractual agreements shall be established between the school district and parent(s), or legal guardian, of students participating in alternative instructional delivery system courses prior to the beginning of instruction. These contracts may address such issues as grading criteria, time allotted for course completion, student attendance, and the responsibility for course costs and equipment.

14. Instructors of online courses shall be: (a) certified in Oklahoma or another state to teach in the content area of the course offered, or (b) a faculty member at an accredited institution of higher education, possessing the specific content expertise necessary to teach the course.

15. Students at remote sites who participate in the online courses offered by the district will be responsible for providing their own equipment and Internet access.

16. Annually, the board of education shall establish fees or charges for the provision of alternative instructional delivery system courses. The district shall not be liable for payment of any fees or charges for any online course for a student who has not complied with district policies and procedures.

REFERENCE: 70 O.S. §1-111

A POLICY ON THIS SUBJECT IS REQUIRED BY LAW.

PROMOTION AND RETENTION

The Burlington Board of Education believes the primary goal of the educational process is to educate. The board also believes that since each child develops physically, mentally, emotionally, and socially at an individual rate, not all children will complete twelve grade levels of work at the same rate. Therefore, for some children, more than twelve years of public education are necessary to achieve the minimal standards of an appropriate education.

Students in special education are excluded from this policy and will be advanced or retained in accordance with their Individual Educational Program as created by their IEP team.

Grade level placement in the elementary and in the junior high school will be based upon the child's maturity (emotional, social, mental, and physical), chronological age, school attendance, effort, and marks achieved. Standardized test results can be used as one means of judging progress. The grade marks earned by the child throughout the year shall reflect the probable assignment for the coming year. Assignment of grade marks will not be used as a means of discipline or reward under any circumstances.

Whenever a teacher or a placement committee recommends that a student be retained at the present grade level or not receive a passing grade in a course; the parent(s) or guardian, if dissatisfied with the recommendation, may appeal the decision by complying with the district's appeal process. The decision of the board of education shall be final. The parent(s) or guardian may prepare a written statement to be placed in and become a part of the permanent record of the student stating the parent(s)'s or guardian's reason(s) for disagreeing with the decision of the board.

A grade mark on a report card at the end of the grading period shall not fulfill the teacher's responsibility in reporting a child's progress to the child's parent(s) or guardian. Informal notes and personal conferences are necessary to help the teacher and the parent(s) or guardian understand the child's development and progress. The parent(s) or guardian shall be informed, and a conference scheduled if the parent(s) or guardian desire, when it becomes apparent that a child may need to remain at a grade level.

Upon request of the student, or the student's parent(s) or guardian, a student who has been recommended for retention, is failing a grade, or seeks advancement will be given the opportunity to demonstrate proficiency in the Priority Academic Student Skills (PASS) for the applicable grade level or course. Proficiency will be demonstrated by some means of assessment or evaluation appropriate to the curriculum area, for example: semester test, portfolio, criterion-referenced test, thesis, project, product, or performance. (See also policy EIAE.)

Students demonstrating proficiency in a set of competencies at the 60% level shall be advanced to the next level of study in the appropriate curriculum area(s). This decision will take into consideration such factors as social, emotional, physical, and mental growth. The school will confer with parents or guardians in making such promotion/acceleration decisions.

Elementary, middle level, or high school students may demonstrate proficiency in the PASS Outcomes for grades 9-12 high school curriculum areas. Appropriate notation will be placed on the high school transcript. The unit(s) shall count toward meeting the requirements for the high school diploma.

The superintendent is directed to establish a regulation containing criteria to be used by the administration in considering students for promotion or retention.

REFERENCE: 70 O.S. §24-114.1
70 O.S. §11-103.6

READING DEFICIENCY
PARENT NOTIFICATION

Date: _____

Dear Parent:

Please be informed that your child, _____, has been identified as having a substantial deficiency in reading. While the results of the criterion-referenced test are the initial determinant, it is not the sole determiner of promotion and that portfolio reviews and assessments are available. Currently, your child is receiving the following reading instruction services:

_____
_____.

The following services are proposed supplemental instruction services and supports that will be provided to your child in an effort to remediate the identified area of reading deficiency:

_____
_____.

The school district recommends the following strategies for you to utilize in helping your child succeed in reading proficiency:

_____
_____.

Oklahoma law provides that no student may be assigned to a grade level solely on age or other factors that constitute social promotion. Please be advised that your child will not be promoted to fourth grade if the reading deficiency is not remediated by the end of the third grade. Your child may be promoted if "good cause" exists. Oklahoma law identifies "good cause" exemptions for promotion as the following:

(1) Limited-English-proficient students who have had less than two years of instruction in an English language learner program;
(2) Students with disabilities whose individualized education plans, consistent with state law, indicates that participation in the statewide criterion-referenced tests are not appropriate;
(3) Students who demonstrate an acceptable level of performance on an alternative standardized reading assessment approved by the State Board of Education;
(4) Students who demonstrate through a student portfolio, that the student is reading on grade level as evidenced by demonstration of mastery of the state standards beyond the retention level;
(5) Students with disabilities who participate in the statewide criterion-referenced tests and who have an individualized education plan that reflects that the student has received intensive remediation for reading for more than two years but still demonstrates a deficiency in reading and was previously retained in kindergarten, first grade, second grade, or third grade; and
(6) Students who have received intensive remediation in reading through a program of reading instruction for two or more years but still demonstrate a deficiency in reading and who were previously retained in kindergarten, first grade, second grade, or third grade for a total of two years.
(7) Students who have been granted an exception for medical emergencies by the State Department of Education

READING DEFICIENCY, PARENT NOTIFICATION (Cont.)

If your child is retained, our school district does allow for a midyear promotion in the fourth grade. Such promotion will be considered if your child can demonstrate that he/she is a successful and independent reader, is reading at or above grade level, and is ready to be promoted to the fourth grade. Tools that may be utilized to reevaluate any retained student may include subsequent assessments, alternative assessments, and portfolio reviews, in accordance with rules of the State Board of Education. Retained students may only be promoted midyear prior to November 1 and only upon demonstrating a level of proficiency required to score above the unsatisfactory level on the third-grade statewide criterion-referenced test and upon showing progress sufficient to master appropriate fourth-grade-level skills, as determined by the school district. A midyear promotion shall be made only upon the agreement of the parent or guardian of the student and the school principal.

If you have any questions, please feel free to contact me as soon as possible.

Sincerely,

_____

Principal

GRADING CODES K-6

Kindergarten and Developmental 1st Grade

Evaluation Letter	S - Satisfactory N - Needs Improving P - Progressing - but below grade level	

Grades 1 and 2

Letter Grades used on Report Cards	A - 90 - 100 B - 80 - 89 C - 70 - 79 D - 60 - 69 F - Below 60	Lower failure point is used here, while children are adjusting to school routine.

Grades 3, 4, 5, and 6

Numerical Grades used on Report Cards	A - 90 - 100 B - 80 - 90 C - 70 - 80 D - 60 - 69 F - Below 60

Grades K - 6 (Music and Physical Education)

Letter Grades used on Report Cards	S - Satisfactory U - Unsatisfactory

Grades 1 - 6	Chapter I, Special Education Same Scale as Regular Classroom - determined by both regular and special teachers (only 1 grade given).
The performance grade level is based on materials.	Above Grade Level (1) On Grade Level (2) Below Grade Level (3)

STUDENT RETENTION
(REGULATION)

In accordance with the policy of the board of education, the following criteria for the selection of students to be retained in their current grade, or denied course credit, will be used in this school district.

Students shall be promoted or receive credit for a course of study if a grade average of 60% has been achieved for an entire course of study as determined by the teacher.

Students in grades one through eight must achieve a grade average of 60% or higher in at least three major courses of study to be promoted to the next higher grade. The major courses of study are math, language arts, science, reading, and social studies.

1. Any first-grade, second-grade, or third-grade student who demonstrates proficiency in reading at the third-grade level through a screening instrument which meets the acquisition of reading skills criteria shall not be subject to retention. Upon demonstrating proficiency through screening, the district shall provide notification to the parent(s) and/or guardian(s) of the student that they have satisfied the requirements of the Reading Sufficiency Act and will not be subject to retention pursuant to this section.

2. If a third-grade student is identified at any point of the academic year as having a significant reading deficiency, which shall be defined as scoring below proficient on a screening instrument which meets the acquisition of reading skills criteria, the district shall immediately begin a student reading portfolio and shall provide notice to the parent of the deficiency.

3. If a student has not yet satisfied the proficiency requirements of this section prior to the completion of third grade and still has a significant reading deficiency, as identified based on assessments administered as required by law, has not accumulated evidence of third-grade proficiency through a student portfolio, or is not subject to a good cause exemption, then the student shall not be eligible for automatic promotion to fourth grade.

4. Starting with the 2017-2018 school year, a student not eligible for automatic promotion under paragraph 3 of this subsection and who scores at the unsatisfactory level on the reading portion of the third-grade statewide criterion-referenced test, may be evaluated for "probationary promotion" by the Student Reading Proficiency Team. Beginning with the 2017-2018 school years, a student not eligible for automatic promotion as provided for under paragraph 3 of this subsection and who scores below the proficiency levels on the reading portion of the statewide third-grade assessment may be evaluated for “probationary promotion” by the Student Reading Proficiency Team. The Student Reading Proficiency Team shall be composed of:

   (1) the parent(s) and/or guardian(s) of the student,

   (2) the teacher assigned to the student who had responsibility for reading instruction in that academic year,

   (3) a teacher who is responsible for reading instruction and is assigned to teach in the next grade level of the student, and

   (4) a certified reading specialist if one is available.

STUDENT RETENTION (Cont.)

The student shall be promoted to the fourth grade if the team members unanimously recommend "probationary promotion" to the school principal and the school district superintendent and the principal and the superintendent approve the recommendation that promotion is the best option for the student. If a student is allowed a "probationary promotion," the team shall continue to review the reading performance of the student and repeat the requirements of this paragraph each academic year until the student demonstrates grade-level reading proficiency, as identified through a screening instrument which meets the acquisition of reading skills criteria, for the corresponding grade level in which the student is enrolled or transitions to the requirements set forth by the Achieving Classroom Excellence Act.

5. Students who score below the proficient level on the reading portion of the statewide third-grade assessment and who are not subject to a good cause exemption as provided in subsection K of this section, and who do not qualify for promotion or "probationary promotion" shall be retained in the third grade and provided intensive instructional services and supports.

6. The school district shall annually report to the State Department of Education the number of students promoted to the fourth grade as required by law.

A third grade student may be promoted for "good cause" if the student meets one of the following statutory exemptions:

(1) Limited-English-proficient students who have had less than two years of instruction in an English language learner program;

(2) Students with disabilities whose individualized education plans, consistent with state law, indicates that the student is to be assessed with alternative achievement standards through the Oklahoma Alternate Assessment Program (OAAP);

(3) Students who demonstrate an acceptable level of performance on an alternative standardized reading assessment approved by the State Board of Education;

(4) Students who demonstrate through a student portfolio, that the student is reading on grade level as evidenced by demonstration of mastery of the state standards beyond the retention level;

(5) Students with disabilities who participate in the statewide assessments and who have an individualized education plan that reflects that the student has received intensive remediation for reading for more than two years but still demonstrates a deficiency in reading and was previously retained in prekindergarten for academic reasons, kindergarten, first grade, second grade, or third grade; and

(6) Students who have received intensive remediation in reading through a program of reading instruction for two or more years but still demonstrate a deficiency in reading and who were previously retained in prekindergarten for academic reasons, kindergarten, first grade, second grade, or third grade for a total of two years.

Requests to exempt students from the mandatory retention requirements based on one of the good-cause exemptions shall be made using the following process:

STUDENT RETENTION (Cont.)

1. Documentation submitted from the teacher of the student to the school principal that indicates the student meets one of the good-cause exemptions and promotion of the student is appropriate. Documentation shall be limited to the alternative assessment results or student portfolio work and the individual education plan (IEP), as applicable;

2. The principal of the school shall review and discuss the documentation with the teacher. If the principal determines that the student meets one of the good-cause exemptions and should be promoted based on the documentation provided, the principal shall make a recommendation in writing to the school district superintendent; and

3. After review, the school district superintendent shall accept or reject the recommendation of the principal in writing.

In the elementary and middle schools, a placement committee consisting of the principal, counselor, and teacher(s) shall determine if a student is to be assigned to the next higher grade. The committee shall consider standardized test scores and the student's age.

Whenever a teacher or a placement committee recommends that a student be retained at the present grade level or not passed in a course, the parent(s) or guardian, if dissatisfied with the recommendation, may appeal the decision by complying with the district's appeal process. The decision of the board of education shall be final. The parent(s) or guardian may prepare a written statement to be placed in and become a part of the permanent record of the student stating the parent(s)'s or guardian's reason(s) for disagreeing with the decision of the board.

REFERENCE: 70 O.S. §24-114.1
70 O.S. §1210.508C

MIDYEAR PROMOTION
FOURTH-GRADE

A student retained in third grade in accordance with the Reading Sufficiency Act may be eligible for a midyear promotion to fourth grade. The midyear promotion of a retained student will be considered if the student can demonstrate that the student is a successful and independent reader, is reading at or above grade level, and is ready to be promoted to the fourth grade. Tools that may be utilized to reevaluate any retained student may include subsequent assessments, alternative assessments, and portfolio reviews, in accordance with rules of the State Board of Education. Retained students may only be promoted midyear prior to November 1 and only upon demonstrating a level of proficiency required to score at the proficient level on the third-grade statewide criterion-referenced test, or upon demonstrating proficiency in reading at the third-grade level through a screening instrument administered in accordance with law, and upon showing progress sufficient to master appropriate fourth-grade-level skills, as determined by the school district. A midyear promotion shall be made only upon the agreement of the parent or guardian of the student and the school principal.

REFERENCE: 70 O.S. §1210.508C

PARENT-TEACHER CONFERENCES

The Burlington Public Schools system's effective service depends largely upon the interest and courteous cooperation of the students, teachers and parents. Parents are invited to confer with teachers or principals on matters relating to the student's educational efficiency.

Because of the extent of teacher's duties and their class responsibility, it is important that conferences be scheduled through the principal's office whenever possible to avoid schedule conflicts.

In addition to parent or teacher initiated conferences, the school may schedule two school-wide conference days per year.

REFERENCE: 70 O.S. §10-105.2
Department of Education, Administrator's Handbook

PROFICIENCY BASED PROMOTION

1. Upon the request of a student, parent, guardian, or educator, a student will be given the opportunity to demonstrate proficiency in one or more areas of the core curriculum.

   A. Proficiency will be demonstrated by assessment or evaluation appropriate to the curriculum area, for example: portfolio, criterion-referenced test, thesis, project, product or performance. Proficiency in all laboratory sciences will require students to perform relevant laboratory techniques.

   B. Students shall have the opportunity to demonstrate proficiency in the core areas twice each year: once before the beginning of the school term and at the end of the school term as identified in 70 O.S. §11-103.6:

      1. Social Studies
      2. Language Arts
      3. The Arts
      4. Languages
      5. Mathematics
      6. Science

   C. Students may obtain credit by examination in lieu of Carnegie Units for courses, but subject to compliance with the Oklahoma School Testing Program.

      1. Courses not tested under the Oklahoma School Testing Program.

      The school district will make available assessment tools to determine proficiency for credit by examination for courses without corresponding Oklahoma School Testing Program assessments. The assessment tools will be aligned to the school district's curriculum and will accurately measure the student's demonstration of sets of competencies in standards adopted by the State Board of Education.

      2. Courses tested under the Oklahoma School Testing Program.

      If a student seeks to "test out" of a course under the Oklahoma School Testing Program, a student must obtain a score of at least "Proficient" on the Oklahoma School Testing Program assessment corresponding to the course.

   D. Qualifying students are those who are legally enrolled in the local school district.

   E. The district will not require registration for the proficiency assessment more than one month in advance of the assessment date.

   F. Students will be allowed to take proficiency assessments in multiple subject areas.

PROFICIENCY BASED PROMOTION (Cont.)

G. Students not demonstrating proficiency will be allowed to try again during the next assessment period. Failure to demonstrate proficiency will NOT be noted on the student transcript.

H. Exceptions to standard assessment may be approved for those students with disabling conditions.

2. Students demonstrating proficiency in a core curriculum area will be given credit for their learning and will be given the opportunity to advance to the next level of study in the appropriate curriculum area.

   A. The school will confer with parents in making such promotion/acceleration decisions. Such factors as social, emotional, and intellectual needs of the student will be used in the consideration of the promotion/acceleration decision.

   B. If the parent or guardian requests promotion/acceleration contrary to the recommendation of school personnel, the parent or guardian shall sign a written statement to that effect. The statement shall be included in the permanent record of the student.

   C. Failure to demonstrate proficiency will not be noted on the transcript.

   D. Students must progress through a curriculum area in a sequential manner. Elementary, middle level, or high school students may demonstrate proficiency and advance to the next level in a curriculum area.

   E. If proficiency is demonstrated in a 9-12 curriculum area, appropriate notation will be placed on the high school transcript. The unit shall count toward meeting the requirement for the high school diploma.

   F. Units earned through proficiency assessment will be transferable with students among school districts within the state of Oklahoma.

3. Proficiency assessment will measure mastery of the priority academic student skills in the same way that curriculum and instruction are focused on the priority academic student skills. In other words, assessment will be aligned with curriculum and instruction.

4. Options for accommodating student needs for advancement after demonstrating proficiency may include, but are not limited to, the following:

   A. Individualized instruction;

   B. Correspondence courses:

   C. Independent study;

   D. Concurrent enrollment;

   E. Cross-grade grouping:

   F. Cluster grouping;

PROFICIENCY BASED PROMOTION (Cont.)

G. Grade/course advancement;

H. Individualized education programs.

5. Each year the school district will disseminate materials explaining the opportunities of proficiency based promotion to students and parents in the district. Priority Academic Student Skills and type of assessment or evaluation for each core curriculum area will be made available upon request.

Appropriate notation will be made for elementary, middle level or high school level students satisfactorily completing a 9-12 high school curriculum area. Completion will be noted with a "P" for passing. This unit will count toward meeting the requirements for the high school diploma.

PROFICIENCY BASED PROMOTION
TESTING PROCEDURES

The test adopted by the Board of Education is the Oklahoma Proficiency Test by Riverside Publishing Company through the Oklahoma Test Proficiency Coop. Test packets include teachers' directions for the various grade levels, scoring guides, outcome statements, and technical reports. Tests and answer sheets cover the following subject matter:

Grades 1-7

Reading
Mathematics
Science
Language Arts
Social Studies

Grade 8

Reading
Mathematics
Science
Language Arts
Civics

Grades 9-12

Oklahoma History
U. S. History
World History
Government
World Geography
English I, II, III, IV
General Mathematics
Pre-Algebra
Algebra I, II
Geometry
Spanish I
French I
Physical Science
Earth Science
Biology I
Chemistry I
Physics

All new or currently enrolled students have an opportunity to request a proficiency assessment for the purpose of evaluating appropriate grade or course placement. New students will have thirty (30) days from the enrollment date to request a proficiency assessment. A request may be initiated by a new student or the student's teacher, parent, or legal guardian.

All students shall be provided with at least two (2) opportunities per school year to obtain course credit through examination in each required curriculum area. A request may be initiated by a student or the student's teacher, parent, or legal guardian.

The following are the steps to be taken when a proficiency assessment is requested:

1. Within five days of receipt of a request to demonstrate proficiency, the principal will coordinate a meeting with all parties concerned: the principal, parents, counselor, teacher(s), and possibly the student. The meeting will be to determine the best possible means of assessing the student's proficiency in the selected area(s), when the assessment will start, where the assessment will take place, and to obtain the parent's or guardian's consent to give the proficiency assessment.

2. The principal will request a proficiency assessment from the District Test Coordinator giving them the date and areas that are to be tested. The District Test Coordinator will advise the principal when the assessment may be obtained.

PROFICIENCY BASED PROMOTION, TESTING PROCEDURES (Cont.)

3. The principal will go to the Superintendent's office and pick up the assessment the day before testing. The person actually giving the assessment will receive the test and make all necessary preparations for the assessment. No person other than the principal, the test administrator, and the student may see the assessment either before or after the assessment is given.

4. The assessment will be given following the directions of the publisher.

5. After the assessment is completed, it will be scored by the tester and taken to the principal. The principal will then coordinate a meeting with all parties concerned: the principal, parents, counselor, teacher(s), and possibly the student. The purpose of the meeting will be to discuss the results of the assessment. After the meeting the score sheet and the test will be destroyed.

6. Failure to demonstrate proficiency in an assessment shall not be noted on a student's transcript. Decisions regarding promotion of students who demonstrate proficiency in a required curriculum area shall be determined as follows:

    a. The school will confer with the parent or legal guardian in making decisions regarding student placement or promotion. Such factors as social, emotional, and intellectual needs of the student will be considered.

    b. If the parent or guardian requests promotion/acceleration contrary to the recommendation of school personnel, the parent or guardian shall sign a written statement to be included in the permanent record of the student.

    c. If a student is being assessed in a set of competencies that is part of a curriculum sequence, the student may demonstrate proficiency in any sequence recommended by the school district.

    d. Options for accommodating a student's needs for advancement after a student has demonstrated proficiency may include, but are not limited to, the following:

        a. Individualized instruction
        b. Correspondence courses
        c. Independent student
        d. Concurrent enrollment
        e. Cross-grade grouping
        f. Cluster grouping
        g. Grade/course skipping
        h. Individualized education programs
        i. Supplemental online courses

GRADUATION REQUIREMENTS

The Burlington Board of Education recognizes that a 12-year course of study in certain specific subject areas has proven to be beneficial in assisting students to become productive citizens and to prepare for advanced study. Therefore, it is the policy of the board of education that a minimum of 23 units of credit be earned in the subject areas listed below to be eligible for graduation. All students, in order to graduate from an Oklahoma public school, will be required to complete the "college preparatory/work ready curriculum units or sets of competencies" at the secondary level. A student will be allowed to enroll in the core curriculum in lieu of the requirements of the college preparatory/work ready curriculum upon the written approval of the parent or legal guardian of the student. Current state graduation requirements will be deemed to be the "core curriculum" option. The "college preparatory/work ready curriculum" will include the following:

4 units of English to include Grammar, Composition, Literature, or any English course approved for college admission requirements;

3 units of mathematics, limited to Algebra I, Algebra II, Geometry, Trigonometry, Math Analysis, Calculus, Advanced Placement Statistics or any mathematics course with content and/or rigor above Algebra I and approved for college admission requirements;

3 units of laboratory science, limited to Biology, Chemistry, Physics, or any laboratory science course with content and/or rigor equal to or above Biology and approved for college admission requirements;

3 units of history and citizenship skills, including one unit of American History, one-half unit of Oklahoma History, one-half unit of United States Government and one unit from the subjects of History, Government, Geography, Economics, Civics, or Non-Western culture and approved for college admission requirements;

2 units of the same foreign or non-English language or two units of computer technology approved for college admission requirements, whether taught at a high school or technology center school, including computer programming, hardware, and business computer applications, such as word processing, databases, spreadsheets, and graphics, excluding keyboarding or typing courses;

1 additional unit selected from the above categories or career and technology education courses, concurrently enrolled course, Advanced Placement courses or International Baccalaureate courses approved for college admission requirements; and

1 unit or set of competencies of fine arts, such as music, art, or drama, or 1 unit or set of competencies of speech.

In order to graduate from the district with a standard diploma, students shall complete the following core curriculum units at the secondary level:

GRADUATION REQUIREMENTS (Cont.)

Science
3 units or sets of competencies of laboratory science approved for college admission requirements:
- 1 unit or set of competencies of life science, meeting the standards for Biology I:
- 1 unit or set of competencies of physical science, meeting the standards for Physical Science, Chemistry or Physics; and
- 1 unit or set of competencies from the domains of physical science, life science or earth and space science such that content and rigor is above Biology I or Physical Science.

Language Arts
4 units or sets of competencies
- 1 unit of Grammar and Composition
  and
- 3 units which may include
  - American Literature
  - English Literature
  - World Literature
  - Advanced English Courses
  - Other English courses with content and/or rigor equal to or above grammar and composition

Social Studies
3 units or sets of competencies
- 1 unit of United States History
- ½ to 1 unit of United States Government
- ½ unit of Oklahoma History
- ½ unit to 1 unit which may include:
  - World History
  - Geography
  - Economics
  - Anthropology
  - Other social studies courses with content and/or rigor equal to or above United States History, United States Government, and Oklahoma history

Mathematics
3 units or sets of competencies
- 1 unit of Algebra I [1]
  and
- 2 units which may include:
  - Algebra II
  - Geometry [1]
  - Trigonometry
  - Math Analysis or Precalculus
  - Statistics and/or Probability
  - Calculus
  - Computer Science or acceptance and successful completion of one (1) year of a full-time, three-hour career and technology program leading to an industry credential/certificate or college credit. The list of accepted industry valued credentials shall be reviewed annually and updated at least every three (3) years by the State Board of Career and Technology Education.
  - Intermediate Algebra
  - Mathematics of Finance
  - Contextual mathematics courses that enhance technology preparation whether taught at a (1) comprehensive high school, or (2) technology center school when taken in the tenth, eleventh, or twelfth grade, taught by a certified teacher, and approved by the State Board of Education and the district board of education
  - Mathematics courses taught at a technology center school by a teacher certified in the secondary subject area when taken in the tenth, eleventh, or twelfth grade upon approval of the State Board of Education and the district board of education
  - Other mathematics courses with content and/or rigor equal to or above Algebra I
  - A science, technology, engineering and math (STEM) block course.

GRADUATION REQUIREMENTS (Cont.)

The Arts and Computer Education
1 unit or set of competencies which may include, but is not limited to, courses in Visual Arts and General Music and 1 unit or set of competencies of computer technology, whether taught at a high school or a technology center school, including computer programming, hardware and business computer applications, such as word processing, databases, spreadsheets, and graphics, excluding keyboarding or typing classes

Electives
8 units or sets of competencies

In addition to the curriculum requirements, students shall complete the requirements for a personal financial literacy passport as set forth in the Passport to Financial Literacy Act.

All students are strongly encouraged to complete two units or sets of competencies of foreign language classes and two units or sets of competencies of physical and health education as part of the core curriculum.

Credit may be given for the above-referenced classes when the courses are taken in the seventh or eighth grades if the teachers are certified or authorized by law to teach the subjects for high school credit and the required course rigor is maintained.

Courses offered by a supplemental education organization that is accredited by a national accrediting body and that are taught by a certified teacher and which provide for the teaching and learning of the appropriate skills and knowledge in the OAS (Oklahoma Academic Standards) may, upon approval of the State Board of Education and the school district board of education, be counted for academic credit and toward meeting state graduation requirements.

No student will be allowed to receive credit more than once for completion of the same unit or sets of competencies. All of the above-referenced classes may not be offered by the district. However, sufficient courses shall be offered to allow students to meet the graduation requirements during the secondary grade years of the student.

The remaining units need to consist of coursework designed to meet the individual needs and interests of the student. However, all students in grades nine through twelve are required to enroll in a minimum of six periods, or the equivalent in block scheduling, of rigorous academic and/or rigorous vocational courses each day, which may include arts, vocal and instrumental music, speech classes, and physical education classes.

Students who transfer into this school district from out of state after their junior year of high school shall not be denied, because of differing graduation requirements, the opportunity to be awarded a standard diploma. This applies

GRADUATION REQUIREMENTS (Cont.)

to students who would be unable to meet the specific graduation requirements listed above without extending the date of graduation. Exception from the graduation requirements will be based on rules established by the State Department of Education. All exceptions and the reasons therefor shall be reported to the State Department of Education on or before July 1 of each year.

All course credit earned through examination by students in required curriculum areas shall be appropriately noted on the student's transcript and/or student record. Completion may be recorded with a letter grade or pass notation, credits earned by a student through examination in accordance with the provisions of 210:35-27-2 shall be transferrable to or from any other school district within the State of Oklahoma in which the student was enrolled, is currently enrolled, or may be enrolled. Credit for units of secondary coursework in curriculum areas required for graduation count toward meeting the requirements for the high school diploma.

Beginning with the 2015-2016 school year, all students shall be required to receive instruction in cardiopulmonary resuscitation (CPR) and the awareness of the purpose of an automated external defibrillator at least once between ninth grade and high school graduation. A school administrator may waive this requirement for an eligible student who has a disability. A student may also be excused from this requirement if a parent or guardian of the student objects in writing.

Students who start ninth grade prior to or during the 2016-2017 school year will be required to complete an assessment in order to graduate with a standard diploma. The assessment required will be one that is required or has been required by the Oklahoma School Testing Program or an alternate assessment as approved by the superintendent. The highest-achieved score on the assessment and any business and industry-recognized endorsements attained will be reflected on the student's transcript.

REFERENCE: 70 O.S. § 11-103.2c
70 O.S. § 11-103.6
70 O.S. § 1210.199
70 O.S. § 1210.508

SCHOOL COUNSELOR

The school counselor is a member of the teaching team. The counselor is concerned for the welfare of the child, instructional goals of the teachers, and communication between home, school, and the community.

Student referrals to the school counselor are made by the principal and teachers. Parents wishing a conference may contact the counselor from 8:00 a.m. to 9:00 a.m. each school day. Students may make arrangements to visit the counselor through their homeroom teachers.

SUICIDE PREVENTION

The Burlington Board of Education recognizes that self-destructive behavior and suicide occurs among children and adolescents in our country. Students identified as self-destructive are in need of appropriate help as quickly as possible. The primary obligations of school personnel working with a depressed or suicidal student are support, parental contact, and referral. To that end, student confidentiality may be waived in life-threatening situations.

With the intent of contributing to the prevention of suicide among students where possible, the board directs that an adolescent suicide awareness program be initiated, including:

1. In-service education--to increase the awareness of all building staff about the seriousness of the problem and possible suicide "warning signs",

2. Establishment of referral/response procedures in each school--to facilitate assisting students identified as possibly suicidal,

3. Infusion into the curriculum of appropriate understandings and information--to help students deal appropriately with feelings, to recognize possible suicide "warning signs" in themselves and others, and to increase awareness of alternatives and resources available for assistance,

4. Parental awareness--to increase understandings of parents about the problem and the resources available, and

5. Procedures in each school for dealing appropriately with tragedies--to ease the impact on students, staff, and community in the event of a student suicide.

District personnel cannot be expected to treat the suicidal adolescent. Rather, they need to recognize that they are in a position to aid in the identification of young people who may be prone to suicide, and to intervene in order to link these young people and their families to treatment programs in the community. In addition, school personnel need to be prepared to relate to suicidal young people following a suicide attempt, and to deal with the intense emotions/reactions of the school community following an actual suicide.

TESTING PROGRAM
STUDENT SURVEYS
(REGULATION)

The board of education recognizes surveys can be a valuable resource for schools and communities in determining student needs for educational services. Such collection of input from students and parents may be used to assist school staff in decision-making related to curriculum and instruction and in program development and operations. To this end, the board supports the use of appropriate surveys in accordance with the guidelines contained in these regulations.

Administrators, teachers, other staff members, and the board of education may use surveys for many purposes, which may include, but are not limited to, the need for student services, the determination of prevailing views pertaining to proposed policies and/or practices, or the determination of student knowledge and/or attitudes related to a specific subject or unit. These are examples of surveys and not intended to be an all-inclusive listing. Administrative approval is required for surveys. Responses will not be used in any identifying manner.

Surveys used in any experimental program or research project will be subject to the requirements outlined in policy found elsewhere in this manual. (See GVA-P.) Parents shall have the right to inspect all instructional material that will be used for a survey, analysis, or evaluation as part of a federal program.

Prior to administering a survey, the board of education must approve all those that are received by the superintendent that include reference to any of the factors listed below. No student may, without prior parental consent, take part in a survey, analysis, or evaluation in which the primary purpose is to reveal information concerning:

1. Political affiliations or beliefs of the student or the student's parent;

2. Mental and psychological problems of the student or the student's family;

3. Sex behavior and attitudes;

4. Illegal, antisocial, self-incriminating, and demeaning behavior;

5. Critical appraisals of other individuals with whom students have close family relationships;

6. Legally recognized privileged ~~or analogous~~ relationships, such as ~~those of~~ lawyers, physicians, ~~and~~ or ministers; or

7. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program); or

8. Religious practices, affiliations, or beliefs of the student or the student's parent.

Prior consent to any such survey, analysis, or evaluation means the prior written consent of the student's parent or guardian or, if the student is emancipated, of the student.

Surveys conducted for other agencies, organizations, or individuals must have the recommendation of the superintendent of schools and the approval of the board of education as to content and purpose. The results of such approved surveys must be shared with the board of education.

TESTING PROGRAM, STUDENT SURVEYS, REGULATION (Cont.)

Parents/guardians shall have the right to inspect, upon their request, a survey created by a third party before the survey is administered or distributed by a school to a student. Such requests shall be made in writing with a response to be at least two weeks in advance of any survey to be given.

Overall survey results following decisions must be shared with all parties who request such information.

Parents/guardians shall be notified at least annually, at the beginning of the school year, of this policy and when enrolling students for the first time in district schools. This notification must explain that parent/guardians, or students 18 or older, have the right to "opt the student out of participation," in writing, in the following activities:

1. The collection, disclosure, and use of personal information gathered from students for the purpose of marketing or selling that information. This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to students, such as:

   A. College or other postsecondary education recruitment, or military recruitment;

   B. Book clubs, magazines, and programs providing access to low-cost literary products;

   C. Curriculum and instructional materials used in schools;

   D. Tests and assessments;

   E. Student recognition programs; and

   F. The sale by students of products or services to raise funds for school-related activities.

2. The administration of any survey that delves into the restricted sensitive subject areas identified and listed above; or

3. The administration of any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school not necessary to protect the immediate health or safety of the student or other students and not otherwise permitted or required by state law.

Parents/guardians of a student shall also have the right to inspect, upon request, any instructional material used as part of the educational curriculum.

Definitions

The term "survey" includes an evaluation.

The term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

TESTING PROGRAM, STUDENT SURVEYS, REGULATION (Cont.)

The term "personal information" means individually identifiable information, include a student's or parent's name, address, telephone number, or social security number.

The term "instructional material" means instructional content that is provided to a student, regardless of format. It does not include tests or academic assessments.

These terms do not include ordinary classroom activities or teaching techniques.

These rights transfer from the parent to a student who is eighteen (18) years of age or an emancipated minor.

Parents who believe their rights have been violated may file a complaint with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington D.C. 20202-8520

THIS POLICY REQUIRED BY THE
Every Child Succeeds Act of 2016.

TESTING PROGRAM
(REMEDIATION REGULATION)

In accordance with the policy of the board of education, the following regulation shall govern the skill reinforcement and remediation of students who do not obtain a satisfactory grade under the Oklahoma School Testing Program Act as implemented by this school district in policy EK and subsequent regulations.

Students who do not perform satisfactorily on the tests implemented by this school district under the above referenced policy shall be provided opportunities for remediation.

The regular classroom teacher will be notified of all students making an unsatisfactory score in a specific curriculum area. The teacher will refer to the Criterion Referenced Test (CRT) report regarding specific objectives for which the student scored unsatisfactorily. The teacher will correlate activities within the classroom in relation to the Priority Academic Student Skills (PASS) objectives to assist the student in preparing for future testing.

Students who fail to obtain a satisfactory score will be offered assistance from certified personnel during Expanded Learning Opportunity (ELO) or advisory periods. Students will also be offered the opportunity to work on the computer network integrated learning system (ILS) in basic skill usage on an individual basis at their level of proficiency. Finally, students will be offered assistance through individual subject area review sessions if requested.

A student who is subject to an individualized education plan (IEP) shall be tested only to the extent specified by the student's IEP.

REFERENCE: 70 O.S. §1210.508

MILITARY RECOGNITION

The legislature of the state of Oklahoma has designated the second Tuesday of April as the Oklahoma National Guard and the 45th Infantry Division Appreciation Day. The school district may consider planning an event to show appreciation for the brave and courageous deeds exhibited by the members of the Oklahoma National Guard and 45th Infantry Division.

The legislature of the state of Oklahoma has also designated the date of November 11 as "Veterans Day" and the week in which November 11 falls is hereby designated "Celebrate Freedom Week" for the public schools of Oklahoma. If the date of November 11 falls on a Saturday or Sunday or if classes are not in regular session, Veterans Day will be observed on the preceding school day. If Veterans Day falls on a Sunday, the following week will be Celebrate Freedom Week.

The Burlington Board of Education shall ensure that on Veterans Day each school in this district will conduct and observe an appropriate program of at least one class period to remember and honor American veterans. If scheduling allows, the schools may choose to have a moment of silence beginning at 11:00 a.m. on November 11 of each year. This activity is intended to serve to educate students about the termination of World War I at 11:00 a.m. on November 11, 1918.

During Celebrate Freedom Week, students in grades three through twelve shall study and recite the following text:

> "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed."

Students may be excused from the recitation of the text set forth above if:

1. The parent or guardian of the student submits to the school district a written request that the student be excused;
2. As determined by the school districts, the student has a conscientious objections to the recitation; or
3. The student is the child of representative of a foreign government to whom the United State government extends diplomatic immunity.

REFERENCE: 70 O.S. §24-152

FLAGS

It is the policy of the Burlington Board of Education that the American flag and the Oklahoma flag will be flown at the school during school hours except in bad weather. An assigned custodian will be responsible for raising and lowering the flags.

The school day will begin with a flag salute. However, foreign exchange students, students formally associated with a religious group whose tenets are not in accord with this practice, and any other students not wishing to recite the pledge will not be requested to salute the flag. A notice to this effect will be posted in a conspicuous place in each school building and/or classroom.

Flags representing United States Military branches may also be flown on school premises with the approval of the administration. No other flags shall be flown on school property at any time. In the event other flags are flown on school premises, individuals involved will be directed to remove them from the premises.

REFERENCE: 25 O.S. §91.2
25 O.S. §153
70 O.S. §24-106

MOMENT OF SILENCE

It shall be the policy of this Burlington Board of Education that no sectarian or religious doctrine shall be taught or inculcated into the curriculum or activities of the school. However, those students who wish to do so may participate in voluntary prayer so long as it is during noninstructional time and does not interfere with the rights of other students.

Each school site within the district shall observe one minute of silence each day for the purpose of allowing each student to meditate, pray, or engage in any other silent activity that does not interfere with, distract, or impede other students in the exercise of their choice. All school personnel are to afford these options to all students, who will individually make the selection as to which of these behaviors they will engage in during the moment of silence. These options will also be included in the student handbooks.

The minute of silence will be held at the start of the school day. The minute of silence will be at the appointed time.

If the district or a school employee is sued for providing a moment of silence to students, the district must notify the Attorney General within five (5) days. The Attorney General will provide legal representation to the district or employee named as a defendant in an action related to this statutory requirement.

REFERENCE: 70 O.S. §11-101.1
70 O.S. §11-101.2

CHILD IDENTIFICATION, LOCATION, SCREENING, AND EVALUATION NOTICE TO PARENTS

The Burlington Public School makes a continuing effort to locate any children in the district ages 3-21 who may be disabled and/or developmentally delayed who are not currently being served by the school. State law recognizes the following qualifying conditions: autism, deaf-blindness, hearing impairment including deafness, other health impairment, emotional disturbance, specific learning disability, speech or language impairment, traumatic brain injury, visual impairment including blindness, intellectual disability, multiple disabilities or developmental delay.

Anyone knowing a child who might be in need of services is asked to notify the local superintendent, principals, or special education teacher at 580-431-2222.
This notice is to inform parents of the child identification, location, screening, and evaluation activities to be conducted throughout the year by the local school district in coordination with the Oklahoma State Department of Education. Personally identifiable information shall be collected and maintained in a confidential manner in carrying out the following activities:

Referral

Preschool children, ages 3–5, and students enrolled in K–12 who are suspected of having disabilities which may require special education and related services may be referred for screening and evaluation through the local schools. Local school districts coordinate with the Sooner Start Early Intervention Program (which serves children birth to 36 months) in referrals for identification and evaluation of infants and toddlers who may be eligible for early intervention services beginning at three years of age. The Oklahoma Areawide Service Information System (OASIS), through a toll free number (1-800-42-OASIS), also provides state-wide information and referrals to local schools and other service providers.

Screening

Screening activities may include vision, hearing, and health. Other screening activities may include: review of records and educational history, interviews, observations, and specially developed readiness or educational screening instruments.

1. Readiness Screening: Personally identifiable information is collected on all kindergarten and first grade students participating in school-wide readiness screening to assess readiness for kindergarten and first grade entry. Results of the screening are made available to parents or legal guardians, teachers, and school administrators. No child shall be educationally screened for readiness or evaluated without notice to the child's parent or legal guardian.

2. Educational Screening: Educational screening includes procedures for the identification of children who may have special learning needs and may be eligible for special education and related services. Each school district in the state provides educational screening. No child shall be educationally screened whose parent or legal guardian has filed written objection with the school district.

   Educational screening is implemented for all first grade students each school year.

CHILD IDENTIFICATION, LOCATION, SCREENING, AND EVALUATION, NOTICE TO PARENTS (Cont.)

Second through twelfth grade students shall be screened as needed or upon request of the parent, legal guardian, or teacher.

Students entering the public school system from another state or from within the state without previous educational screening, shall be educationally screened within six months from the date of entry.

Evaluation

Evaluation means procedures used in accordance with federal laws and regulations to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs. The term means procedures used selectively or procedures used with all children in a school, grade, or class. Written consent of the parent or legal guardian for such evaluation must be on file with the local school district prior to any child receiving an initial evaluation for special education and related services.

Collection of Personally Identifiable Information

Educational records containing personally identifiable information collected by the schools in the identification, location, screening, and evaluation of children shall be maintained in accordance with the Family Educational Rights and Privacy Act (FERPA) and the Policies and Procedures for Special Education in Oklahoma. School districts develop and implement a local policy regarding the collection, storage, disclosure, and destruction of confidential student records. Parents may obtain a copy of the local policy from the local school administrator.

CHILD IDENTIFICATION, LOCATION, SCREENING, AND EVALUATION NOTICE TO PARENTS

The Burlington Public School makes a continuing effort to locate any children in the district ages 3-21 who may be disabled and/or developmentally delayed who are not currently being served by the school. State law recognizes the following qualifying conditions: autism, deaf-blindness, hearing impairment including deafness, other health impairment, emotional disturbance, specific learning disability, speech or language impairment, traumatic brain injury, visual impairment including blindness, intellectual disability, multiple disabilities or developmental delay.

Anyone knowing a child who might be in need of services is asked to notify the local superintendent, principals, or special education teacher at 580-431-2222.
This notice is to inform parents of the child identification, location, screening, and evaluation activities to be conducted throughout the year by the local school district in coordination with the Oklahoma State Department of Education. Personally identifiable information shall be collected and maintained in a confidential manner in carrying out the following activities:

Referral

Preschool children, ages 3–5, and students enrolled in K–12 who are suspected of having disabilities which may require special education and related services may be referred for screening and evaluation through the local schools. Local school districts coordinate with the Sooner Start Early Intervention Program (which serves children birth to 36 months) in referrals for identification and evaluation of infants and toddlers who may be eligible for early intervention services beginning at three years of age. The Oklahoma Areawide Service Information System (OASIS), through a toll free number (1-800-42-OASIS), also provides state-wide information and referrals to local schools and other service providers.

Screening

Screening activities may include vision, hearing, and health. Other screening activities may include: review of records and educational history, interviews, observations, and specially developed readiness or educational screening instruments.

1. Readiness Screening: Personally identifiable information is collected on all kindergarten and first grade students participating in school-wide readiness screening to assess readiness for kindergarten and first grade entry. Results of the screening are made available to parents or legal guardians, teachers, and school administrators. No child shall be educationally screened for readiness or evaluated without notice to the child's parent or legal guardian.

2. Educational Screening: Educational screening includes procedures for the identification of children who may have special learning needs and may be eligible for special education and related services. Each school district in the state provides educational screening. No child shall be educationally screened whose parent or legal guardian has filed written objection with the school district.

   Educational screening is implemented for all first grade students each school year.

CHILD IDENTIFICATION, LOCATION, SCREENING, AND EVALUATION, NOTICE TO PARENTS (Cont.)

Second through twelfth grade students shall be screened as needed or upon request of the parent, legal guardian, or teacher.

Students entering the public school system from another state or from within the state without previous educational screening, shall be educationally screened within six months from the date of entry.

Evaluation

Evaluation means procedures used in accordance with federal laws and regulations to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs. The term means procedures used selectively or procedures used with all children in a school, grade, or class. Written consent of the parent or legal guardian for such evaluation must be on file with the local school district prior to any child receiving an initial evaluation for special education and related services.

Collection of Personally Identifiable Information

Educational records containing personally identifiable information collected by the schools in the identification, location, screening, and evaluation of children shall be maintained in accordance with the Family Educational Rights and Privacy Act (FERPA) and the Policies and Procedures for Special Education in Oklahoma. School districts develop and implement a local policy regarding the collection, storage, disclosure, and destruction of confidential student records. Parents may obtain a copy of the local policy from the local school administrator.

CHILD IDENTIFICATION, LOCATION, SCREENING, AND EVALUATION NOTICE TO PARENTS

The Burlington Public School makes a continuing effort to locate any children in the district ages 3-21 who may be disabled and/or developmentally delayed who are not currently being served by the school. State law recognizes the following qualifying conditions: autism, deaf-blindness, hearing impairment including deafness, other health impairment, emotional disturbance, specific learning disability, speech or language impairment, traumatic brain injury, visual impairment including blindness, intellectual disability, multiple disabilities or developmental delay.

Anyone knowing a child who might be in need of services is asked to notify the local superintendent, principals, or special education teacher at 580-431-2222.
This notice is to inform parents of the child identification, location, screening, and evaluation activities to be conducted throughout the year by the local school district in coordination with the Oklahoma State Department of Education. Personally identifiable information shall be collected and maintained in a confidential manner in carrying out the following activities:

Referral

Preschool children, ages 3–5, and students enrolled in K–12 who are suspected of having disabilities which may require special education and related services may be referred for screening and evaluation through the local schools. Local school districts coordinate with the Sooner Start Early Intervention Program (which serves children birth to 36 months) in referrals for identification and evaluation of infants and toddlers who may be eligible for early intervention services beginning at three years of age. The Oklahoma Areawide Service Information System (OASIS), through a toll free number (1-800-42-OASIS), also provides state-wide information and referrals to local schools and other service providers.

Screening

Screening activities may include vision, hearing, and health. Other screening activities may include: review of records and educational history, interviews, observations, and specially developed readiness or educational screening instruments.

1. Readiness Screening: Personally identifiable information is collected on all kindergarten and first grade students participating in school-wide readiness screening to assess readiness for kindergarten and first grade entry. Results of the screening are made available to parents or legal guardians, teachers, and school administrators. No child shall be educationally screened for readiness or evaluated without notice to the child's parent or legal guardian.

2. Educational Screening: Educational screening includes procedures for the identification of children who may have special learning needs and may be eligible for special education and related services. Each school district in the state provides educational screening. No child shall be educationally screened whose parent or legal guardian has filed written objection with the school district.

   Educational screening is implemented for all first grade students each school year.

CHILD IDENTIFICATION, LOCATION, SCREENING, AND EVALUATION, NOTICE TO PARENTS (Cont.)

Second through twelfth grade students shall be screened as needed or upon request of the parent, legal guardian, or teacher.

Students entering the public school system from another state or from within the state without previous educational screening, shall be educationally screened within six months from the date of entry.

Evaluation

Evaluation means procedures used in accordance with federal laws and regulations to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs. The term means procedures used selectively or procedures used with all children in a school, grade, or class. Written consent of the parent or legal guardian for such evaluation must be on file with the local school district prior to any child receiving an initial evaluation for special education and related services.

Collection of Personally Identifiable Information

Educational records containing personally identifiable information collected by the schools in the identification, location, screening, and evaluation of children shall be maintained in accordance with the Family Educational Rights and Privacy Act (FERPA) and the Policies and Procedures for Special Education in Oklahoma. School districts develop and implement a local policy regarding the collection, storage, disclosure, and destruction of confidential student records. Parents may obtain a copy of the local policy from the local school administrator.

CHILD IDENTIFICATION, LOCATION, SCREENING, AND EVALUATION NOTICE TO PARENTS

The Burlington Public School makes a continuing effort to locate any children in the district ages 3-21 who may be disabled and/or developmentally delayed who are not currently being served by the school. State law recognizes the following qualifying conditions: autism, deaf-blindness, hearing impairment including deafness, other health impairment, emotional disturbance, specific learning disability, speech or language impairment, traumatic brain injury, visual impairment including blindness, intellectual disability, multiple disabilities or developmental delay.

Anyone knowing a child who might be in need of services is asked to notify the local superintendent, principals, or special education teacher at 580-431-2222.
This notice is to inform parents of the child identification, location, screening, and evaluation activities to be conducted throughout the year by the local school district in coordination with the Oklahoma State Department of Education. Personally identifiable information shall be collected and maintained in a confidential manner in carrying out the following activities:

Referral

Preschool children, ages 3–5, and students enrolled in K–12 who are suspected of having disabilities which may require special education and related services may be referred for screening and evaluation through the local schools. Local school districts coordinate with the Sooner Start Early Intervention Program (which serves children birth to 36 months) in referrals for identification and evaluation of infants and toddlers who may be eligible for early intervention services beginning at three years of age. The Oklahoma Areawide Service Information System (OASIS), through a toll free number (1-800-42-OASIS), also provides state-wide information and referrals to local schools and other service providers.

Screening

Screening activities may include vision, hearing, and health. Other screening activities may include: review of records and educational history, interviews, observations, and specially developed readiness or educational screening instruments.

1. Readiness Screening: Personally identifiable information is collected on all kindergarten and first grade students participating in school-wide readiness screening to assess readiness for kindergarten and first grade entry. Results of the screening are made available to parents or legal guardians, teachers, and school administrators. No child shall be educationally screened for readiness or evaluated without notice to the child's parent or legal guardian.

2. Educational Screening: Educational screening includes procedures for the identification of children who may have special learning needs and may be eligible for special education and related services. Each school district in the state provides educational screening. No child shall be educationally screened whose parent or legal guardian has filed written objection with the school district.

   Educational screening is implemented for all first grade students each school year.

CHILD IDENTIFICATION, LOCATION, SCREENING, AND EVALUATION, NOTICE TO PARENTS (Cont.)

Second through twelfth grade students shall be screened as needed or upon request of the parent, legal guardian, or teacher.

Students entering the public school system from another state or from within the state without previous educational screening, shall be educationally screened within six months from the date of entry.

Evaluation

Evaluation means procedures used in accordance with federal laws and regulations to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs. The term means procedures used selectively or procedures used with all children in a school, grade, or class. Written consent of the parent or legal guardian for such evaluation must be on file with the local school district prior to any child receiving an initial evaluation for special education and related services.

Collection of Personally Identifiable Information

Educational records containing personally identifiable information collected by the schools in the identification, location, screening, and evaluation of children shall be maintained in accordance with the Family Educational Rights and Privacy Act (FERPA) and the Policies and Procedures for Special Education in Oklahoma. School districts develop and implement a local policy regarding the collection, storage, disclosure, and destruction of confidential student records. Parents may obtain a copy of the local policy from the local school administrator.

CHILD IDENTIFICATION, LOCATION, SCREENING, AND EVALUATION NOTICE TO PARENTS

The Burlington Public School makes a continuing effort to locate any children in the district ages 3-21 who may be disabled and/or developmentally delayed who are not currently being served by the school. State law recognizes the following qualifying conditions: autism, deaf-blindness, hearing impairment including deafness, other health impairment, emotional disturbance, specific learning disability, speech or language impairment, traumatic brain injury, visual impairment including blindness, intellectual disability, multiple disabilities or developmental delay.

Anyone knowing a child who might be in need of services is asked to notify the local superintendent, principals, or special education teacher at 580-431-2222.
This notice is to inform parents of the child identification, location, screening, and evaluation activities to be conducted throughout the year by the local school district in coordination with the Oklahoma State Department of Education. Personally identifiable information shall be collected and maintained in a confidential manner in carrying out the following activities:

Referral

Preschool children, ages 3–5, and students enrolled in K–12 who are suspected of having disabilities which may require special education and related services may be referred for screening and evaluation through the local schools. Local school districts coordinate with the Sooner Start Early Intervention Program (which serves children birth to 36 months) in referrals for identification and evaluation of infants and toddlers who may be eligible for early intervention services beginning at three years of age. The Oklahoma Areawide Service Information System (OASIS), through a toll free number (1-800-42-OASIS), also provides state-wide information and referrals to local schools and other service providers.

Screening

Screening activities may include vision, hearing, and health. Other screening activities may include: review of records and educational history, interviews, observations, and specially developed readiness or educational screening instruments.

1. Readiness Screening: Personally identifiable information is collected on all kindergarten and first grade students participating in school-wide readiness screening to assess readiness for kindergarten and first grade entry. Results of the screening are made available to parents or legal guardians, teachers, and school administrators. No child shall be educationally screened for readiness or evaluated without notice to the child's parent or legal guardian.

2. Educational Screening: Educational screening includes procedures for the identification of children who may have special learning needs and may be eligible for special education and related services. Each school district in the state provides educational screening. No child shall be educationally screened whose parent or legal guardian has filed written objection with the school district.

   Educational screening is implemented for all first grade students each school year.

CHILD IDENTIFICATION, LOCATION, SCREENING, AND EVALUATION, NOTICE TO PARENTS (Cont.)

Second through twelfth grade students shall be screened as needed or upon request of the parent, legal guardian, or teacher.

Students entering the public school system from another state or from within the state without previous educational screening, shall be educationally screened within six months from the date of entry.

Evaluation

Evaluation means procedures used in accordance with federal laws and regulations to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs. The term means procedures used selectively or procedures used with all children in a school, grade, or class. Written consent of the parent or legal guardian for such evaluation must be on file with the local school district prior to any child receiving an initial evaluation for special education and related services.

Collection of Personally Identifiable Information

Educational records containing personally identifiable information collected by the schools in the identification, location, screening, and evaluation of children shall be maintained in accordance with the Family Educational Rights and Privacy Act (FERPA) and the Policies and Procedures for Special Education in Oklahoma. School districts develop and implement a local policy regarding the collection, storage, disclosure, and destruction of confidential student records. Parents may obtain a copy of the local policy from the local school administrator.

SCHOOL DISTRICT SCREENING PROTOCOL
SOCIAL DISTANCING AND GATHERINGS

In an effort to prevent the spread of communicable diseases, the district will be implementing the following protocol to control and restrict access to school property, activities and events:

The district encourages parents, legal guardians, and all school employees to self-screen at home. If a student or employee has a temperature of 100 degrees Fahrenheit or higher, the student or employee should remain at home until the individual has been free of fever for twenty-four (24) hours.

The district will adhere to guidelines set by the Centers for Disease Control with regard to social distancing and gatherings when feasible.

REFERENCE: 70 O.S. § 5-117
63 O.S. § 1-507

SEXUAL HARASSMENT OF STUDENTS

The policy of this school district forbids discrimination against, or harassment of any student on the basis of sex. The Burlington Board of Education will not tolerate sexual harassment by any of its employees or students. This policy applies to all students and employees including non-employee volunteers whose work is subject to the control of school personnel. Policy DA applies to sexual harassment of employees.

1. Sexual Harassment

   For the purpose of this policy, sexual harassment includes:

   A. Verbal or physical sexual advances, including subtle pressure for sexual activity; touching, pinching, patting, or brushing against; comments regarding physical or personality characteristics of a sexual nature; and sexually-oriented "kidding" "teasing," double meanings, and jokes.

   B. Demeaning comments about a girl's ability to excel in a class historically considered a "boy's" subject, privately talking to a student about sexual matters, hugging or touching a student inappropriately may constitute sexual harassment.

   C. Writing graffiti that names a student or otherwise identifies a student is potentially slanderous and constitutes sexual harassment. Graffiti of any kind will not be tolerated on school property. The superintendent is directed to cause any graffiti or unauthorized writings to be removed immediately.

   D. Any of the aforementioned conduct that effectively deprives a student of access to educational opportunities or benefits provided by the school.

2. Specific Prohibitions

   A. Administrators and Supervisors

      1. It is sexual harassment for an administrator, supervisor, support employee, or teacher to use his or her authority to solicit sexual favors or attention from students.

      2. Administrators, supervisors, support personnel, or teachers who either engage in sexual harassment of students or tolerate such conduct by other employees shall be subject to sanctions, as described below.

      3. The school district is not concerned with the "off-duty" conduct of school personnel unless the conduct has or will have a negative impact on the educational process of the school. Any romantic or sexual affiliation between school personnel and students, including students who have reached the age of majority (18), during school hours will have a negative impact on the educational process and shall constitute a violation of school policy. Such violations may result in suspension of the student and suspension or termination for the employee. Any sexual affiliation between teachers and students 18 years and under constitutes a crime under Oklahoma law.

SEXUAL HARASSMENT OF STUDENTS (Cont.)

3. Report, Investigation, and Sanctions

   A. It is the express policy of the board of education to encourage student victims of sexual harassment to come forward with such claims. This may be done through the Sexual Discrimination Grievance policy. The Office of Civil Rights relies on school administrators' judgment and common sense in meeting the requirements of the federal law.

      1. Students who feel that administrators, supervisors, support personnel, teachers, or other students are subjecting them to sexual harassment are encouraged to report these conditions, or have their parents report these conditions, to the appropriate administrator or teacher. If the student's immediate administrator or teacher is the alleged offending person, the report will be made to the next higher level of administration or supervision or to any responsible adult person.

      2. Every attempt will be made to maintain confidentiality; however, absolute confidentiality cannot be guaranteed because of due process concerns that arise in sexual harassment investigations. No reprisals or retaliation will be allowed to occur as a result of the good faith reporting of charges of sexual harassment.

   B. In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct, and the context in which the alleged conduct occurred will be investigated. The superintendent has the responsibility of investigating and resolving complaints of sexual harassment.

   C. Any employee found to have engaged in sexual harassment of students shall be subject to sanctions, including, but not limited to warning, suspension, or termination subject to applicable procedural and due process requirements.

   D. Any student found to have engaged in sexual harassment of other students shall be subject to sanctions, including, but not limited to warning, suspension or other appropriate punishment subject to applicable procedural and due process requirements.

   E. A copy of this Sexual Harassment policy will be provided to students and parents each year.

   F. Special effort will be made to apprise district administrators, teachers, and counselors of their obligation to receive student complaints of sexual harassment, document such complaints, and forward them to the grievance committee.

REFERENCE: Title VII of the Civil Rights Act of 1964
42 U.S.C. §2000e-2
29 C.F.R. §1604.1, et seq.

SEXUAL HARASSMENT OF STUDENTS

The policy of this school district forbids discrimination against, or harassment of any student on the basis of sex. The Burlington Board of Education will not tolerate sexual harassment by any of its employees or students. This policy applies to all students and employees including non-employee volunteers whose work is subject to the control of school personnel. Policy DA applies to sexual harassment of employees.

1. Sexual Harassment is defined as conduct on the basis of sex that satisfies one or more of the following:

   a. An employee of the school district conditioning the provision of an aid, benefit, or service of the school district on a student's participation in unwelcome sexual conduct. This is referred to as quid pro quo sexual harassment;

   b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a student equal access to the school district's educational program or activity; or

   c. Sexual assault, dating violence, domestic violence or stalking as defined by federal law.

   For the purpose of this policy, examples of sexual harassment include, but are not limited to:

   Verbal or physical sexual advances, including subtle pressure for sexual activity; touching, pinching, patting, or brushing against; comments regarding physical or personality characteristics of a sexual nature; and sexually-oriented "kidding" "teasing," double meanings, and jokes.

   Demeaning comments about a girl's ability to excel in a class historically considered a "boy's" subject, privately talking to a student about sexual matters, hugging or touching a student inappropriately may constitute sexual harassment.

   Writing graffiti that names a student or otherwise identifies a student is potentially slanderous and constitutes sexual harassment. Graffiti of any kind will not be tolerated on school property. The super-intendent is directed to cause any graffiti or unauthorized writings to be removed immediately. Use of e-mail, the internet, or technology may constitute sexual harassment as much as use of in-person, postal mail, handwritten or other communication.

   Any of the aforementioned conduct that effectively deprives a student of equal access to educational opportunities or benefits provided by the school.

2. Specific Prohibitions

   A. Administrators and Supervisors

      1. It is sexual harassment for an administrator, supervisor, support employee, or teacher to use his or her authority to solicit sexual favors or attention from students.

      2. Administrators, supervisors, support personnel, or teachers who either engage in sexual harassment of students or tolerate such conduct by other employees shall be subject to sanctions, as described below.

SEXUAL HARASSMENT OF STUDENTS (Cont.)

3. The "off-duty" conduct of school personnel that has or will have a negative impact on the educational process of the school or constitutes an illegal or inappropriate relationship with a student may subject the employee to disciplinary action which could include termination of employment. Any romantic or sexual affiliation between school personnel and students, including students who have reached the age of majority (18), during school hours will have a negative impact on the educational process and shall constitute a violation of school policy. Such violations may result in suspension of the student and suspension or termination for the employee. Any sexual affiliation between teachers and students under the age of 20 constitutes a crime under Oklahoma law and will most likely result in the suspension of certification by the State of Oklahoma.

3. Notice of this policy and grievance procedure, including how to file or report sexual harassment and how the district will respond shall be provided to applicants for admission and employment, students, parents or legal guardians, and unions or professional organizations holding agreements with the school district.

4. Reporting Allegations of Sexual Harassment

   A. It is the express policy of the board of education to encourage student victims of sexual harassment to come forward with such claims.

      1. Students who feel that administrators, supervisors, support personnel, teachers, or other students are subjecting them to sexual harassment are encouraged to report these conditions, or have their parents report these conditions, to the appropriate administrator or teacher. If the student's immediate administrator or teacher is the alleged offending person, the report will be made to the next higher level of administration or supervision or to any responsible adult person. The employee to whom the report was made will provide notice of the report to the Title IX coordinator. The Title IX coordinator should then provide the appropriate paperwork to the student or parent/guardian so that the student (complainant) may file a formal complaint with the Title IX coordinator by mail, e-mail or as directed by the Title IX coordinator.

      2. Every attempt will be made to maintain confidentiality; however, absolute confidentiality cannot be guaranteed because of due process concerns that arise in sexual harassment investigations. No reprisals or retaliation will be allowed to occur as a result of the good faith reporting of charges of sexual harassment.

   B. Upon notice from an employee that a student or parent/guardian has reported possible sexual harassment, the Title IX coordinator will promptly contact the student (alleged victim) to discuss the availability of supportive measures, consider the student's wishes with regard to supportive measures, and explain the process that will be involved with a formal complaint.

5. Grievance Procedure.

   A. Equitable Treatment. Both the alleged victim (complainant) and the alleged respondent (respondent) will be treated equitably by the school district.

SEXUAL HARASSMENT OF STUDENTS (Cont.)

B. Objective Evaluation of Evidence. All evidence both inculpatory and exculpatory will be evaluated objectively. Credibility determinations will not be made based upon the party's status as complainant, respondent, or witness.

C. Conflict of Interest. Any person serving as the Title IX coordinator, investigator, decision-maker, or any person designated to facilitate the process shall not have a conflict of interest against complainants and respondents generally or against the particular complainant and respondent.

D. Presumption. There will be a presumption that the respondent is not responsible for the alleged conduct until a determination is made at the conclusion of the grievance process.

E. Timeliness. The grievance process will proceed in a timely manner. Any delay in the process for good cause such as law enforcement involvement, absence of a party, witness or advisor, translation, or accommodation needs will be documented, and written notice provided to both parties explaining the reason for the delay.

F. Possible outcomes. A description or listing of possible disciplinary outcomes and remedies that may be implemented following a determination of responsibility must be provided to both parties.

G. Standard of Review. The school district will utilize (a preponderance of the evidence standard) or (a clear and convincing evidence standard) to determine responsibility. *** The standard selected by the school district will need to be the same standard that is applied to all formal complaints including those against employees.

H. Privileged Information. The school district will not require, allow or use evidence or questions that constitute or seek legally privileged information, unless the privilege is waived.

6. Written Notice. Upon receipt of a formal complaint, the school district will provide written notice to all known parties in sufficient time to give the respondent time to prepare a response before an initial interview. The written notice must include:

A. Notice of the grievance process, including any informal resolution process;

B. Notice of the allegations, including sufficient details 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 and to inspect and review evidence. The advisor may but is not required to be an attorney.

E. Notice of any provision in the student discipline code that prohibits knowingly making false statements or providing false information in the grievance process.

SEXUAL HARASSMENT OF STUDENTS (Cont.)

If in the course of an investigation, the school district obtains additional information about the respondent or complainant that was not included in the original written notice, notice of the additional allegations must be provided in writing to both parties.

7. Investigation of the Allegations. The school district will designate an investigator to conduct a thorough investigation of allegations. Contact information for the investigator will be provided to both the complainant and the respondent.

A. The burden of proof and of gathering evidence remains on the school district.

B. An equal opportunity will be provided to both parties to present witnesses and evidence during the investigation.

C. Neither the complainant or respondent will be prohibited from discussing the allegations or gathering and presenting evidence to the investigator.

D. Both parties will have the opportunity to have others present during interviews or related proceedings. This may include an advisor who may but is not required to be an attorney.

E. Written notice of the date, time, participants, purpose and location of any investigate interview, hearing, or other meeting shall be provided to the party who is invited or expected to attend.

F. Both parties and their advisors, if any, will be provided an opportunity to review all evidence that is directly related to the allegations in the formal complaint. This would include any evidence on which the school district does not intend to rely and any exculpatory or inculpatory evidence from any source. Such evidence must be provided prior to the completion of the final investigation report and in time to give the parties at least ten (10) days to prepare a written response, which the investigator must consider prior to completing the investigation report.

G. A written investigation report will be provided that summarizes the relevant evidence. This report will be provided to the parties and their advisors, if any, for their review and written response at least ten (10) days before a hearing or determination of responsibility.

8. Hearing. The Title IX coordinator will determine whether a live hearing is necessary on a case-by-case basis if both parties request or consent to such a hearing (the live hearing component is optional for K-12 schools). Regardless of whether a live hearing is held, or a written hearing is conducted, each party will have ten (10) days from the receipt of the investigation report to submit written, relevant questions that the party wants asked of another party or witness. Both parties will be provided with the answers and follow up questions. Federal law determines when questions regarding a complainant's prior sexual behavior or sexual predisposition are considered relevant in a hearing provided by a school district.

9. Determination of Responsibility. A decisionmaker, who is not the Title IX coordinator or the investigator, will apply (a preponderance of the evidence standard) or (a clear and convincing evidence standard) to determine responsibility, and will issue a written determination of responsibility that:

A. Identifies the allegations that potentially constitute sexual harassment; SEXUAL HARASSMENT OF STUDENTS (Cont.)

B. Describes the school district's procedural steps taken from the receipt of the complaint to the determination;

C. Includes findings of fact to support the determination;

D. Includes conclusions regarding applicants of the discipline code to the facts;

E. Includes a statement of, and rationale for, the result as to each allegation, including a determination of responsibility, any disciplinary sanctions, and whether remedies to restore or preserve equal access to the school's educational programs or activities will be provided to the complainant; and

F. The procedures and permissible basis for appeals.

10. Appeals. Within ten (10) days of a determination of responsibility, dismissal of a complaint or any allegations therein either party may appeal for one of the following reasons:

A. A procedural error affected the outcome.

B. New evidence that was not reasonably available at the time of the determination and could affect the outcome;

C. Conflicts of interest on the part of the Title IX coordinator, investigator or decision maker that affected the outcome.

If an appeal is made, the school district will provide written notice to both parties of the appeal. Both parties will be provided an equal opportunity to submit a written statement in support of or challenging the determination within ten (10) days of the written notice to both parties of the appeal being filed. The appeal will be heard by an appeal decision maker who is not the Title IX coordinator, the investigator or the original decisionmaker. The appeal decisionmaker cannot have a conflict of interest or bias against complainants and respondents generally or the particular complainant and respondent. The appeal decisionmaker will receive training as mandated by law. The decision of the appeal decisionmaker will be final and nonappealable. The written decision of the appeal decisionmaker will be provided within ten (10) days of the deadline for written statements supporting or challenging the initial determination. The written decision will be provided simultaneously to both parties.

11. Recordkeeping. The school district will keep records related to reports of alleged sexual harassment for a minimum of seven (7) years. Records maintained will include investigation records, disciplinary sanctions, remedies, appeals, and records of any action taken including supportive measures. Records will document in each instance that the school district's response was not indifferent and that measures were taken to restore or preserve equal access to educational programs or activities. If the school does not offer supportive measures in response to a report, the records should document why the response was not clearly unreasonable under the known circumstance.

The district will also post the training materials used to train Title IX coordinators, investigators, and decisionmakers on the district website at: www.burlingtonschools.com. These materials will also be available to the public.

12. Retaliation. The board of education prohibits retaliation by the school district or any employees of the school district against any person for the purpose of interfering with Title IX rights or because the person has participated or

SEXUAL HARASSMENT OF STUDENTS (Cont.)

refused to participate in any manner in a proceeding under Title (X regulations. Complaints of retaliation will be addressed under the district's grievance process.

Charing a person with a discipline violation or code of conduct violation based on a person's knowingly making a materially false statement in bad faith in an investigation is not retaliation.

REFERENCE: Title VII of the Civil Rights Act of 1964
42 U.S.C. §2000e-2
29 C.F.R. §1604.1, et seq.
U.S. Department of Education of Education, OCR, Title IX Regulations Addressing Sexual Harassment.

SEXUAL HARASSMENT INCIDENT REPORT FORM

Date: _____ Time: _____ Room/Location: _____

Student(s) Initiating Alleged Sexual Harassment:

_____ Grade: _____ Class: _____

_____ Grade: _____ Class: _____

Student(s) Affected:

_____ Grade: _____ Class: _____

_____ Grade: _____ Class: _____

Check all spaces below that apply. Adult stated or identified inappropriate behaviors as:

_____ Name Calling
_____ Stalking
_____ Inappropriate Gesturing
_____ Staring/Leering
_____ Writing/Graffiti
_____ Threatening
_____ Taunting/Ridiculing
_____ Inappropriate Touching
_____ Other _____

_____ Spitting
_____ Demeaning Comments
_____ Stealing
_____ Damaging Property
_____ Shoving/Pushing
_____ Hitting/Kicking
_____ Flashing a Weapon
_____ Intimidation/Extortion

Describe the incident:

_____

_____

Witnesses Present: _____

Physical evidence: Graffiti _____ Notes _____ E-mail _____ Web sites _____ Video/audio tape _____
Other _____

Staff signature _____

Parent(s) contacted: Date _____ Time _____

Administrative response taken:

_____

WRITTEN NOTICE TO KNOWN PARTIES REGARDING ALLEGATIONS OF SEXUAL HARASSMENT

On the ___ day of _____, 20___, the district received formal notification of an allegation of sexual harassment. The respondent is presumed not responsible for the conduct. Responsibility will be determined at the conclusion of the grievance process. Both parties are entitled to have an advisor and to review and inspect evidence. The district's student discipline policies prohibit making false statements or providing false information in the grievance process. Both parties will be treated equally during the investigation and process to resolve the allegations. The district's grievance procedure is located at policy FB, a copy of which is attached to this correspondence, and includes the following steps:

1. Informal resolution. If the parties' consent, informal resolution procedures may be utilized to revolve the allegation.

2. Notice and Summary of Allegations. (Sufficient details must be included here to allow the respondent to prepare a response).

3. Investigation of Allegations. The school district has designated _____ to act in the role of the investigator. Contact information is as follows: (insert contact information).

4. Interviews. Interviews may be scheduled in accordance with school district policy.

5. Evidence. Both parties will have the right to review all evidence that is directly related to the allegations in the complaint.

6. Report. A written investigation report will be provided to both parties at least ten days prior to a hearing or determination of responsibility.

7. Hearing. The Title IX coordinator will determine on a case by case basis as to whether the hearing will be a live hearing or whether it will be a written hearing.

8. Determination of Responsibility. A decisionmaker, who is not the Title IX coordinator or the investigator, will apply (a preponderance of the evidence or a clear and convincing evidence standard) to determine responsibility and will issue a written determination.

9. Appeals. An appeal may be filed by either party in accordance with district policy.

Records of this allegation will be maintained for a minimum of seven (7) years.

At this time, the respondent may prepare a written response before an initial interview. The interview is tentatively scheduled for _____, and will be held at _____. If you have any questions, please contact me at _____.

Sincerely,

_____
Title IX Coordinator

WRITTEN REPORT

On the ____ day of _____, 20___ an allegation of sexual harassment was provided to the school district. The allegations were as follows (insert allegations in summary format). I conducted an investigation into the allegations as follows (summarize investigation and include evidence).

This document is formal notice to both parties of the evidence.

_____
Sincerely,

_____
Investigator

STUDENT RESIDENCY

It is the policy of the Burlington Board of Education that the residence of any child for school purposes shall be the legal residence of the parents, guardian, or person having legal custody within the district as defined in 70 O.S. §1-113 (C). Provided that such parent, legal guardian, person, or institution having legal custody contributes in a major degree to the support of such child. Provided, further, that any child residing in the district who is entirely self-supporting shall be considered a resident of the school district if the child works and attends school in the school district. Questions concerning legal residence of children shall be determined pursuant to procedures utilized by the State Department of Education in accordance with 70 O.S. §1-113.

An adult who does not fall within the categories listed above, who holds legal residence in the district, and who has assumed permanent care and custody of the child may file an affidavit with the school district attesting that custody has been assumed. The affidavit must include the reasons for assuming custody. The residency officer shall consider the facts of each case and shall approve residency only if it is demonstrated that the custody arrangement is permanent and the adult contributes in a major degree to the support of the child.

The superintendent or designee may require the submission of evidence of residency in order to determine whether the student is eligible to attend the public schools or programs without payment of nonresident tuition. Such evidence may include, but is not necessarily limited to, the following:

1. Proof of payment of local personal income tax or ad valorem taxes;

2. Title to residential property in the district, or a valid unexpired lease agreement, or receipts for payment of rent on a district residence in which the applicant actually resides;

3. Proof of provisions of utilities;

4. A valid, unexpired motor vehicle operator's permit or motor vehicle registration;

5. Maintenance of voter registration;

6. Notarized affidavit verifying residency and that the affiant has assumed the permanent care and custody of the student. (The filing of a false affidavit shall be subject to punishment in accordance with 70 O.S. §1-113(A)(1).)

Homeless Students

In accordance with the Federal McKinney Homeless Assistance Act, homeless children shall have access to the same free and appropriate public education as provided to other children. The board shall make reasonable efforts to identify homeless children within the district, encourage their enrollment, and eliminate existing barriers to their education that may exist in district policies or practices. No child or youth shall be discriminated against in this school district because of homelessness.

Children are deemed to be homeless under the following conditions:

1. A child who is lacking a fixed regular and adequate nighttime residence and who has a primary nighttime residence that is a publicly or privately operated shelter designed to provide temporary living accommodations, a

STUDENT RESIDENCY (Cont.)

temporary residence prior to institutionalization, or a place not designed or ordinarily used as a regular sleeping accommodation for human beings.

2. A child who is placed in a transitional or emergency shelter before placement in a foster home or home for neglected children.

3. A child who is temporarily living in a trailer park or camping area due to lack of adequate living accommodations.

4. A child who is living in doubled-up accommodations due to loss of housing or other similar situation.

5. A migratory child who is staying in accommodations not fit for habitation.

6. A child who has run away from home and lives in a runaway shelter, abandoned building, the street, or other inadequate accommodations.

7. A child who is placed in a state institution because s/he has no other place to live.

8. A child who has been abandoned by his/her family and who is staying in a hospital.

9. A child whose parents or guardian will not permit him/her to live at home and who lives on the street, in a shelter, or in other transitional or inadequate accommodation.

10. School-age unwed mothers or expectant mothers who are living in homes for unwed mothers because they have no other available living accommodations.

The district administration shall attempt to remove existing barriers to school attendance by children in foster care and homeless children:

1. Enrollment requirements that may constitute a barrier to the education of a child in foster care or the homeless child or youth shall be waived. If the district is unable to determine the student's grade level due to missing or incomplete records, the district shall administer tests or utilize other reasonable means to determine the appropriate grade level for the child.

2. Fees and charges that may present a barrier to the enrollment or transfer of a child in foster care or a homeless child or youth shall be waived.

3. Customary transportation policies and regulations shall be waived.

4. Official school records policies and regulations shall be waived.

STUDENT RESIDENCY (Cont.)

5. The district shall make a reasonable effort to locate immunization records from information available or shall arrange for students to receive immunizations through health agencies and at district expense if no other recourse is available. Immunizations may, however, be waived for homeless youth only in accordance with provisions of board policy on immunizations. (See policy FFAB.)

6. Other barriers to school attendance by a child in foster care or a homeless youth shall be waived.

The district will provide to each homeless child such school services that are comparable to services offered to other students in the district and that are determined to be in the child's best interest. Such services will include:

1. Public preschool programs;

2. Special education, Title I, and limited English proficiency programs for which they are eligible;

3. Vocational education programs;

4. Gifted and talented programs;

5. Before and after school programs;

6. School meal programs; and

7. Transportation services.

Residency Officer

The school district designates Officer Brent Vanlandingham as residency officer. The residency officer may be contacted by calling the school district at 405-273-0385 or by writing to the residency officer at the following address, or by personally visiting the residency officer at 36000 Clear Pond Road, Shawnee, OK 74801.

If this school district denies admittance of a student who claims to be a resident of the district, the parent, guardian, or person having care and custody of the student may request a review of the residency officer's decision. Such request for review shall be in writing and must be received by the residency officer within three school days of the denial of admittance. The request for review shall include any additional pertinent information that may justify the admittance of the child to the school district.

Upon receipt of a written request for review, the residency officer will render a decision and notify the parent of the decision within three school days of the receipt of the request for review.

If the parent disagrees with the findings of the residency officer, the parent will notify the residency officer within three school days of the receipt of the decision. The residency officer will submit his/her findings and all documents reviewed to the board of education.

STUDENT RESIDENCY (Cont.)

The board of education will review the decision and the documents submitted by both the residency officer and the student and render a decision at the next board meeting. The board's decision may be appealed only pursuant to procedures utilized by the State Department of Education.

The Superintendent will designate a Point of Contact (POC) to coordinate activities relating to the District's provision of services to children placed in foster care, including transportation services.

The District will collaborate with Child Welfare Agencies when transportation is required for children placed in foster care to attend the school of origin outside their usual attendance area or the district when in the best interest of the student. Under the supervision of the Superintendent/designee, the District POC will invite appropriate District officials, Child Welfare Agencies, and officials from other districts or agencies to consider how such transportation is to be promptly arranged and funded in a cost effective manner.

DEFINITIONS

"Foster Care" means 24-hour care and supportive services provided to children placed away from their parents, guardians, or person exercising custodial control or supervision and for whom the foster parent has placement care and responsibility.

"School of origin" means the school in which a child is enrolled at the time of placement in foster care.

"Best Interest" means a case -by-case determination of the appropriateness of the current educational setting and the proximity of placement as required by ESEA section 1111(g)(1)(E)(i). Factors be utilized in this determination include, but are certainly not limited to, the following:

1. Safety considerations;
2. Proximity of the resource family home to the child's present school;
3. Age and grade level of the child as it relates to the other best interests factors;
4. Needs of the child, including social adjustment and well-being;
5. Child's performance, continuity of education and engagement in the school the child presently attends;
6. Child's special education programming if the child is classified;
7. Point of time in the school year;
8. Child's permanency goal and likelihood of reunification;
9. Anticipated duration of the placement;
10. Preferences of the child;
11. Preferences of the child's parent(s) or education decision maker(s)
12. The child's attachment to the school, including meaningful relationships with staff and peers;
13. Placement of the child's sibling(s);
14. Influence of the school climate on the child, including safety;
15. Availability and quality of the services in the school to meet the child's educational and socio-emotional needs;
16. History of school transfers and how they have impacted the child;
17. How the length of the commute would impact the child, based on the child's developmental stage;

STUDENT RESIDENCY (Cont.)

18. Whether the child is a student with a disability under the IDEA who is receiving special education and related services or a student with a disability under Section 504 who is receiving special education or related aids and services and, if so, the availability of those required services in a school other than the school of origin; and
19. Whether the child is an EL and is receiving language services, and, if so, the availability of those required services in a school other than the school of origin, consistent with Title VI and the EEOA.

REFERENCE: 70 O.S. §1-113, §1-114
70 O.S. §18-111

A POLICY ON THIS TOPIC IS REQUIRED BY LAW.

POWER OF ATTORNEY

1. "I certify that I am the parent or legal custodian of:

_____ _____
(Full name of minor child) (Date of birth)

_____ _____
(Full name of minor child) (Date of birth)

_____ _____
(Full name of minor child) (Date of birth)

2. "I designate _____,
(Full name of Attorney-in-fact)

_____
(Street address, city, state and zip code of Attorney-in-fact)

_____ _____
(Home phone of Attorney-in-fact) (Work phone of Attorney-in-fact)

as the attorney-in-fact of each minor child named above."

3. _____"I delegate to the attorney-in-fact all of my power and authority regarding the care, custody and property of each minor child named above, including but not limited to the right to enroll the child in school, inspect and obtain copies of education records and other records concerning the child, the right to attend school activities and other functions concerning the child, and the right to give or withhold any consent or waiver with respect to school activities, medical and dental treatment, and any other activity, function or treatment that may concern the child. This delegation shall not include the power or authority to consent to marriage or adoption of the child, the performance or inducement of an abortion on or for the child, or the termination of parental rights to the child." or

4. _____"I delegate to the attorney-in-fact the following specific powers and responsibilities (write in):

_____

This delegation shall not include the power or authority to consent to marriage or adoption of the child, the performance or inducement of an abortion on or for the child, or the termination of parental rights to the child."

POWER OF ATTORNEY (Cont.)

5. "This power of attorney is effective for a period not to exceed one year, beginning _____, 20____, and ending _____, 20____. I reserve the right to revoke this authority at any time."

By: _____
(Parent/Legal Custodian signature)

6. "I hereby accept my designation as attorney-in-fact for

_____
(Minor child(ren)) as specified in this power of attorney."

_____
(Attorney-in-fact signature)

State of _____

County of _____

ACKNOWLEDGEMENT

Before me, the undersigned, a Notary Public, in and for said County and State on this _____ day of _____ 20_____, personally appeared _____ (Name of Parent/Legal Custodian) and _____ (Name of Attorney-in-fact), to me known to be the identical persons who executed this instrument and acknowledged to me that each executed the same as his or her free and voluntary act and deed for the uses and purposes set forth in the instrument.

Witness my hand and official seal the day and year above written.

_____
(Signature of notarial officer)

(Seal, if any)

_____
(Title and Rank)

My commission expires: _____

REFERENCE: **10 O.S. § 701**

STUDENT RESIDENCY DISPUTE PROCEDURES

The superintendent of schools shall serve as the district residency officer.

If a dispute arises regarding a student's residency, or residency status as "homeless" under the McKinney-Vento Homeless Assurance Act, the parent or guardian may request a review of the ruling by the superintendent. Any question or dispute as to the residence of a student shall be determined by the superintendent pursuant to the following procedures:

1. If the school district initially denies admittance of a student who claims to be a resident of the district, the parent, guardian, or person having care and custody (hereafter parent) of the student shall be informed that a request may be made for a review of the decision of the local residency officer.

2. If, during the course of the school year, a dispute arises as to the residence of a student who is enrolled and attending school, the student shall be allowed to continue attending Burlington schools until these dispute procedures have been exhausted.

3. The parent of the student may request a review by notifying the residency officer in writing within three (3) school days from denial of admittance. Upon receipt of a request for review, the residency officer shall allow the parent to provide additional pertinent information in accordance with the district's criteria and the statutory provisions regarding residency. The information must be submitted with the request for review.

4. Within three (3) school days of the receipt of the request for review, the residency officer must render a decision and notify the parent, in writing, of the decision and the reasoning therefor.

5. In the event the parent disagrees with the decision, the parent shall notify the residency officer within three (3) school days of receipt of the residency officer's decision. The residency officer will submit to the board of education his or her findings and all documents reviewed. The board of education will review the decision and the documents submitted on behalf of the district and the student and render a decision at the next board meeting. The board's decision shall be the final administrative decision.

6. 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.

Any question as to the place of residence of any child for school purposes shall be decided pursuant to procedures utilized by the State Department of Education.

LEGAL REFERENCE: **42 U.S.C. 11432**

STUDENTS:
ENROLLMENT REQUIREMENTS

It is the policy of the Burlington Board of Education that children who are at least four (4) years of age but not more than five (5) years of age on or before September 1 and have not attended a public school kindergarten may be enrolled in either a half-day or full-day non-compulsory, early childhood program free of charge. No child shall be enrolled in Kindergarten unless the child has reached five years of age on or before the first day of September of the year the child intends to enroll. No child shall be enrolled in the first grade unless the child will have reached the age of six (6) on or before September 1 of the school year. Age may be verified by a birth certificate, parent's statement, a physician's statement, or previous educational records.

The superintendent or designee will be responsible for the receipt of all applications for admission, the conduct of registration procedures, and for certification that all admission requirements and prerequisites have been properly met by the student. Placement in a specific class or grade level will be based on administrative determination.

All children between the ages of 5 and 21 on or before September 1 who reside within this school district are entitled to attend public school regardless of nationality or citizenship provided other age and residence requirements are met. Maximum age to which students may attend school tuition-free is twenty-one except that any person between the ages of 21 and 26 may attend school if it was impossible for the person to have finished the twelfth grade before the age of 21. Such person must show an inability to attend school for definite periods of time because of a physical disability or service in the armed services.

Termination of attendance before graduation from high school or before reaching the age of eighteen may be permitted by mutual consent of the superintendent and the parent, legal custodian, or legal guardian of the student.

A student who has been suspended out-of-school from a public or private school in the State of Oklahoma or another state for a violent act or an act showing deliberate or reckless disregard for the health or safety of faculty or other students shall not be entitled to enroll in this school district until the terms of the suspension have been met or the time of suspension has expired.

This district shall not provide education services in the regular school setting to any student who has been removed from any public or private school in Oklahoma or any other state until the district determines that the student no longer poses a threat to himself or others.

The district may consider providing alternative educational services such as home-based instruction. If the student is on an individualized education plan (IEP), education services will be provided according to that plan.

REFERENCE: 70 O.S. §1-114
70 O.S. §5-132
70 O.S. §18-108, §18-111

PLACEMENT OF MULTIPLE SIBLINGS

Upon enrollment of multiple-birth siblings, the administration will meet and confer with the parents, the students, appropriate teachers and other personnel as indicated by the circumstances to determine proper placement. No later than fourteen (14) days after the first date of attendance or the first day of each school year, the parent or guardian of multiple-birth siblings may request that their children be enrolled in the same school and be placed in the same grade classroom or in separate classrooms if the children are in the same grade level, at the same school, and meet eligibility requirements.

At the end of the initial grading period, the school principal may request that the board of education determine the children's placement if the requested placement was disruptive to the classroom environment.

REFERENCE: 70 O.S. § 24-154

EDUCATION OF MIGRATORY CHILDREN

The school district shall provide migratory students with appropriate educational services that address their unique needs in a coordinated and efficient manner. "Migratory child" shall mean a child who is, or whose parents or spouse is, a migratory agricultural worker, including a migratory dairy worker, or a migratory fisher, and who, in the preceding thirty-six (36) months, in order to obtain, or accompany such parent or spouse, in order to obtain temporary or seasonal employment in agricultural or fishing work has moved from one school district to another.

Priority for services shall be provided to those migratory children who:

1. Are failing or are at risk of failing to meet the Oklahoma Academic Standards; and
2. Whose education has been interrupted during the regular school year.

Continuation of services shall be provided by the school district to:

1. A child who ceases to be a migratory child during a school term for the remainder of the school year.
2. A child who is no longer a migratory child may continue to receive services for one (1) additional school year if comparable service are not available through other programs; and
3. Secondary school students who were eligible for services in secondary school may continue to be served through credit accrual programs until graduation.

The school district shall comply with all state and federal requirements in the implementation and expenditure of federal funds designated for the education of migratory children. Migratory children who qualify for special education services shall be provided a free, appropriate education in accordance with federal law.

LEGAL REFERENCE: **ESSA, Sections 1301-1309.**

STUDENT ATTENDANCE

The Burlington Board of Education believes that in order for students to realize their fullest potential from educational efforts, they should attend all classes if possible. Realizing that some absences may be beyond a student's control, the board has adopted a policy requiring students to be in attendance a minimum of 90% each semester to receive credit for any course in which the student is enrolled. Exceptions to this requirement will be considered by the board on an individual, case by case basis.

The superintendent is directed to establish an attendance regulation, subject to board approval, which supports this policy.

REFERENCE: 70 O.S. §10-105, §10-106
Department of Education, Administrator's Handbook

MEDICAL EXEMPTION REVIEW COMMITTEE PROCESS FOR ELIGIBLE EXEMPTIONS AND DOCUMENTATION FOR DECISION

Members of the committee shall adhere to the Family Educational Rights and Privacy Act (FERPA) with regard to the review of confidential student records. The committee will review student absences and make a determination as to which absences may qualify as an absence for a severe medical condition and as a result be exempt from inclusion in the calculation of the chronic absenteeism indicator of the applicable student's school sites. In deciding, the committee will utilize the following definition of severe medical condition:

"A severe, chronic, or life-threatening physical or mental illness, infection, injury, disease, or emotional trauma."

If it is determined that a student's absence meets the definition, that absence will be documented via a notation by the building principal in the student's attendance log as being for a severe medical condition.

The district will report all absences determined to be medically exempt to the Oklahoma State Department of Education Office of Accountability.

DOCUMENTATION

On the ___ day of _____, 20___, the Medical Exemption Review Committee met at ____ o'clock to review absences to determine which absences, if any, met the "severe medical condition" exemption for purposes of the school district's chronic absenteeism indicator. The following situations were found to meet the definition:

Student . _____.

Severe Medical Condition _____.

Date of Absences . _____.

The committee agreed on this decision with a vote of _____.

_____
Committee Chairperson

STUDENT ATTENDANCE
(REGULATION)

In accordance with the policy of the board of education, the following shall govern student attendance:

1. School Activity: These are extracurricular activities, whether sponsored by the school or outside agency, which removes the student from class more than half of a class period.

2. The total number of student activity absences allowed from any one class period, without permission from the Internal Review Committee and approved by the board, shall be 10 days per semester.

3. Once a student has had 10 activity absences from any one class period, the student must be reported to the principal's office for consideration for further absences.

The Internal Review Committee shall be appointed by the board of education.

The criterion for continuing beyond the 10 day absence limit shall be as follows:

A. A student must have a letter grade of a "C" or better in the subject he/she wants to miss.

B. Before a student is given permission to be absent beyond the 10 day limit, even though having a "C" or better, the student's record must show that the grade was not adversely affected by the previous 10 days of absence and the student has turned in all required work missed on previous days out.

The policy of the board of education does not set a maximum number of absences to be allowed per student. However, unreasonable request upon the committee for exemptions will not be considered.

Teachers shall have the following responsibilities:

1. Keep a record of all absences but distinguish between student activity absences and regular absences.

2. When a student has accumulated eight student activity absences, advise the student and note it in the grade or plan book.

3. When a student has obtained 10 activity absences, the student's name is to be submitted to the principal.

4. Each teacher who anticipates requesting students to be taken out of the classroom for any extracurricular activity should file an activity calendar stating the probable dates.

Activities excluded from the 10 day rule are:

Class meetings, assemblies, field trips involving the class period only, and others such as State and National levels of school-sponsored contests.

The board of education shall review annually the activity calendar.

ATTENDANCE POLICY
(REGULATION)

The board of education believes that attendance in regularly scheduled classes is a key factor in student achievement. However, it is important for those students who are ill to stay home when sick. Students who have a fever or a measured temperature greater than or equal to 100 degrees Fahrenheit should not be at school or school activities._The board recognizes, however, that the cocurricular program of the school 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.

ABSENCES

Excused absence will be granted for the following reasons:

1. Personal or family illnesses
2. Medical appointments
3. Legal matters, including service on a grand, multicounty grand, or petit jury *
4. Extenuating circumstances deemed necessary by the principal
5. Observance of holidays required by student's religious affiliation.

It is the responsibility of the parent to notify the school if a child is to be absent for one of the above reasons. The school will contact those students' parents who do not call. If no contact is made, the parent must send a note or call the day the child returns before the student can be excused. The student may promptly make up all work missed without penalty. It is the responsibility of the student, on the day of return, to make arrangements to see that the work is made up.

The district will not require medical documentation to support personal or family illness that results in an excused absence. However, students will be required to make up any work that has been missed. Student absences due to a severe, chronic, or life-threatening physical or mental illness, injury, or trauma will be exempted from inclusion in the calculation of the chronic absenteeism indicator of the applicable school site so long as the determination of eligibility is made by the district's medical exemption review committee. The district's medical exemption review committee will be designated by the superintendent on a yearly basis and shall report student absences that are medically exempt to the Oklahoma State Department of Education (OSDE) Office of Accountability.

A student will not be considered absent from school if:

1. They are not physically present at school but are completing work in a distance learning program or virtual online program approved by the school district and are meeting the following attendance requirements:

    a. The student has completed instructional activities on no less than ninety (90%) of the time that services were provided in a virtual or distance learning format to include online logins to curriculum or programs, offline activities, completed assignments, testing, face-to-face communications or meetings with school personnel via teleconference, videoconference, email, text, or phone,

    b. The student is on pace for on-time completion of the course as required by the school district,

    c. The student has completed instructional activities within the time that services were provided in a virtual or distance learning format during the academic year; or

ATTENDANCE POLICY, REGULATION (Cont.)

2. They have a medical condition that incapacities the student and precludes them from participating in instruction in a traditional school setting and the student is able to progress in instruction via alternative education delivery methods approved by the local board of education.

School Activity

1. The student will be allowed to be absent from the classroom for a maximum of ten days per semester to participate in activities sponsored by the school.

2. The student will be allowed to make up any work missed while participating.

Absence by Arrangement

These are absences in which the parents deem it necessary that a child miss school for reasons other than those that fall within an excused absence.

1. A student may take up to _____ days of absences by arrangement per semester.

2. A student may make up all work missed without penalty. It is up to the student, on the day of return, to make arrangements to see that the work is made up.

3. In order to take an absence by arrangement, the parent, or guardian, must submit, at least two days prior to the absence, a written request for the student to be absent. If the request is not made as required, the absence will be treated as an unexcused absence.

4. Absences by arrangement will count against a student's exemption from semester tests.

Unexcused Absence

This is any absence that does not fall within one of the above categories. Work may be made up. Zero percent of the grade will be counted. Ten unexcused absences will result in that student not receiving credit in that class for the semester.

Truancy

A student is considered truant when absent from the classroom without the knowledge of either the school or the parent or if the parent does not compel the student to attend school. Work may be made up. Zero percent of the grade will be counted.

Tardies

1. A student is tardy who is not in the student's seat when the bell to begin the period sounds.

2. A student who is more than 15 minutes late is counted absent for the period.

3. Each 3 tardies will constitute an unexcused absence from that class.

Any student who exceeds the 10 day limit for unexcused absences may appeal to the board of education for reinstatement of credit. Consideration will be given as to the reason for the absences as well as to the attempts by parents to minimize the absenteeism.

ATTENDANCE POLICY, REGULATION (Cont.)

Chronic Absenteeism

Chronic absentee means a student who is absent 10 percent or more of the school days in the school year exclusive of a significant medical condition, when the total number of days the student is absent is divided by the total number of days the student is enrolled, and school was actually taught in the regular schools of the district, exclusive of Saturdays and Sundays. When a student is identified as a chronic absentee, the Superintendent or designee shall communicate with the student and his/her parents/guardians to determine the reason(s) for the excessive absences, ensure the student and parents/guardians are aware of the adverse consequences of poor attendance, and jointly develop a plan for improving the student's school attendance.

A significant medical condition means a severe, chronic, or life-threatening physical or mental illness, infection, injury, disease, or emotional trauma. Any COVID-19 related absences due to a child's medical needs will be considered a significant medical condition.

*** LEGAL REFERENCE:** **38 O.S. §37**
70 O.S. § 10-105
70 O.S. § 3-145.8

STUDENT TRANSFERS FOR CHILDREN OF ACTIVE DUTY MILITARY MEMBERS

The school district shall allow the transfer of students who are dependent children of a member of the active uniformed military services of the United States on full-time active duty status and for whom Oklahoma is the home of record and students who are the dependent children of a member of the military server on active duty orders and for whom Oklahoma is the home of record. Transfers will be approved if:

a. At least one parent of the student has a Department of Defense-issued identification card;

b. At least one parent can provide evidence that he or she will be on active duty status or orders, meaning the parent will be temporarily transferred in compliance with official orders to another location in support of combat, contingency operation, or a natural disaster requiring the use of orders for more than thirty (30) consecutive days; and

c. The student will be residing with a relative of the student who lives in the receiving school district or who will be living in the receiving school district within six (6) months of the filing of the application for transfer.

REFERENCE: 70 O.S. §8-103.1

POLICY REQUIRED BY LAW

OPEN TRANSFER POLICY
TRANSFERS AND ASSIGNMENTS

It is the policy of the Burlington Board of Education that any application for open transfer will be reviewed by the board of education and considered on a first-come, first-served basis. Applications may be obtained from the superintendent and shall be filed with the office of the superintendent during regular business hours of the school district beginning April 1st and ending no later than May 31 in the school year preceding the school year for which the transfer is desired. Written application for any transfer shall be made by the parent(s) of the student and filed with the superintendent of the district. For purposes of the Education Open Transfer Act, the term "parent" means the parent of the student or person having custody of the student or a competent student having reached the age of majority.

By May 31, the superintendent shall notify the resident school district that a student enrolled in the resident school district has filed an application for transfer.

The board of education shall vote to approve or deny the application for transfer not later than July 15. Transfer applications shall be reviewed by the board of education in executive session in order to protect the confidentiality of student records. However, the vote to approve or to deny the application for transfer shall take place in open session. The district shall not accept or deny a transfer based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language, measure of achievement, aptitude, or athletic ability. Notwithstanding the provisions of the Education Open Transfer Act, transfers of children with disabilities shall be granted as authorized in Section 13-103 of Title 70 of the Oklahoma Statutes. All transfer applications will be approved or denied subject to the following criteria:

1. Availability of Programs.

2. Staffing Availability.
   If accepting the transfer will require the addition of personnel, the transfer application will be denied.

3. Space Limitations.
   No transfer requests will be accepted by the school district.

4. Disciplinary Record.
   Discipline records of students transferring to this school will be requested as part of the student's records. It shall be within the discretion of the board of education, based upon the student's records, as to whether a transfer will be approved or denied. As a general rule, students with poor discipline or attendance records or those deemed "not in good standing" at their former school will not be approved for transfer to this district.

5. Adjudication as a Juvenile Sex Offender.

On or before September 1, the superintendent shall file a copy of a list of students granted transfer showing the resident school district and grade level of all students granted transfer with the State Board of Education and each resident school district.

On an adequate showing of emergency, the superintendent may make and order a transfer, subject to approval by the State Board of Education. An emergency shall include only:

1. The destruction or partial destruction of a school building;

OPEN TRANSFER POLICY, TRANSFERS AND ASSIGNMENTS (Cont.)

2. The inability to offer the subject a student desires to pursue, if the student becomes a legal resident of a school district after February 1 of the school year immediately prior to the school year for which the student is seeking the transfer;

3. A catastrophic medical problem of a student, which for purposes of this section shall mean an acute or chronic serious illness, disease, disorder, or injury which has a permanently detrimental effect on the body's system or renders the risk unusually hazardous;

4. The total failure of transportation facilities;

5. The concurrence of both the sending and receiving school districts;

6. The unavailability of remote or on-site Internet-based instruction by course title in the district of residence for a student identified as in need of drop-out recovery or alternative education services, provided such student was enrolled at any time in a public school in Oklahoma during the previous three school years; or

7. The unavailability of a specialized deaf education program for a student who is deaf or hearing impaired.

8. When a student has been the victim of harassment, intimidation, and bullying as defined in 70 O.S. § 24-100.3, and the receiving school district has verified that:
(i) The student has been the victim of harassment, intimidation, or bullying; and
(ii) The sending school district was notified of the incident or incidents prior to the filing of the application for transfer.

A child who has reached the age of four (4) on or before September 1 of the school year, and resides in a district that does not offer an early childhood program may be granted a transfer into the district provided the physical facilities and teaching personnel can accommodate the child. The district may also refuse to accept the nonresident child if the district determines the child is not ready for the district's early childhood education program.

A child whose family relocates from the school district may continue attendance to the end of the current school year provided the student began the school year in the school district.

Students transferring to the district between school years shall be admitted to the next higher grade upon meeting entrance requirements and showing evidence of having completed the preceding grade. Students transferring from private, non-accredited schools shall be tested and placed accordingly.

Any student residing in a school district that does not offer the grade that such child is entitled to pursue shall be entitled to be transferred to any school district inside or outside of the transportation area in which such student resides which offers the grade which he is entitled to pursue. Such transfer shall be automatically approved.

Except for a child in the custody of the Department of Human Services in foster care, no student shall be permitted an open transfer more than once in any school year.

Any brother or sister of such transferred student may apply to attend the same said school system.

OPEN TRANSFER POLICY, TRANSFERS AND ASSIGNMENTS (Cont.)

Any parent, guardian, person, or institution having care and custody of a child who pays ad valorem tax on real property in this district, but does not reside in this district; may, with approval of the board of education, enroll the child in this district and receive a credit on the nonresident tuition fee equal to the amount of the ad valorem tax paid for school district purposes provided the credit shall not exceed the total amount required for the tuition payment.

Any student transfer approved for any reason prior to January 1, 2000, shall continue to be valid and shall not be subject to the Education Open Transfer Act unless the parent having custody chooses otherwise.

Should the board of education determine that cancellation of a previously approved transfer is in the best interest of the district, the resident district and the parents/guardian of the student shall be notified of the cancellation. Such notice shall be made by July 15 prior to the school year for which the cancellation is applicable.

Beginning July 1, 2008, the transfer of a child with disabilities for three consecutive years creates an automatic and permanent transfer to this school district.

REFERENCE: **70 O.S. §1-114**
70 O.S. §1-113
70 O.S. §5-117.1
70 O.S. §8-101, et seq.
70 O.S. §24-101, et seq.
Family Education Rights and Privacy Act
Atty. Gen. Op. No. 87-134, April 1, 1988

THIS POLICY REQUIRED BY LAW.

HEALTH:
STUDENTS

The Burlington Board of Education believes that the goals of educators should include training that helps our children to grow into productive and responsible adults.

While the general health and physical maintenance of a child is the responsibility of the parent, the board believes that teachers and administrators should encourage students to become aware of the value of a healthy mind and body.

If a teacher or an administrator becomes aware of a health problem involving a student, the parents or legal guardian of the student shall be notified and a conference with the parents be scheduled. If efforts to resolve the problem through consultation with the parents are not successful, the administrator shall consider referring the matter to the Department of Human Services.

Health education shall, whenever possible, be incorporated into the subject matter of all courses of instruction. There shall also be established definite time allocations for the teaching of health education.

Any child who is determined to be afflicted with a contagious disease, as currently defined by the Oklahoma Department of Health shall be prohibited from attending school until a health officer has determined that the child is free of the contagious disease or that the disease is no longer contagious.

The school district will prohibit a child with head lice from attending school until such time as the child no longer has been identified as having head lice.

REFERENCE: 70 O.S. §5-117, §10-105, §11-103, §1210.194
63 O.S. §1-507

IMMUNIZATIONS
STUDENTS

The Burlington Board of Education shall provide an environment for students to study, interact, and learn. Such an environment shall be reasonably free of known hazards that may threaten or endanger the health of our children or educators.

The board of education shall require that no child be admitted to this school unless and until certification from a licensed physician or authorized representative of the State Department of Health is presented to the school administrators that such child has received or is in the process of receiving the immunization required by the State Department of Public Health unless an exemption has been granted from the immunizations on medical, religious, or personal grounds.

If a parent or guardian is unable to pay for the required immunizations, the school will refer the student to the State Department of Public Health for assistance.

The following immunizations are required by the State Department of Public Health prior to the enrollment of a child in public school:

5 DPT (Diphtheria - Pertussis - Tetanus) (unless the fourth dose was received after the fourth birthday)
4 Poliomyelitis (unless the third dose was received after the fourth birthday)
2 Measles, Mumps, and Rubella (MMR)
3 Hepatitis B
2 Hepatitis A
1 Varicella (Chickenpox)

REFERENCE: 70 O.S. §1210.191, et seq.
Oklahoma State Department of Health Regulations

VERIFICATION OF IMMUNIZATION RECORD

Date _____

Student Name _____ Grade _____

Parent Name _____

Address _____

Telephone _____

Previous School _____

School Address _____

Telephone _____

	1	2	3	4	5
DPT					
Poliomyelitis					
MMR					
Hepatitis B					
Hepatitis A					
Varicella					
Talked to:					

Disciplinary Status _____

Withdrawn _____ Yes _____ No Date _____

Comments _____

_____

_____

CERTIFICATE OF EXEMPTION

Name of Child	*Birth Date*	*Name of School*	*Grade*

Home Address	*Parent or Guardian's Name*	*Telephone*

TYPE OF EXEMPTION

1. **MEDICAL CONTRAINDICATION:**
I hereby certify that the immunization(s) specified below are medically contraindicated for the above-named child.

Immunization(s) _____ *Immunization(s)* _____

Specify contraindications _____ *Signature of physician* _____

2. **RELIGIOUS OBJECTION:**
I hereby certify that immunization is contrary to the teaching of the above-named child's religion.

Signature of religious leader _____

3. **PERSONAL OBJECTION:**
I hereby certify that immunization is contrary to my beliefs. As a parent or legal guardian of the above-named child I request an exemption to the immunization requirement for school, day care, or head start center attendance. I have written a brief summary of my objections in the space provided below. I understand that lost records are not grounds for exemption. I also understand that in the event of a disease outbreak in the school my child may have to be excluded for his or her protection and for the protection of the other children in school.

Summarize briefly your objections in this space: _____

_____

_____

Signature of parent or guardian _____

Please mail a completed copy of this form to:

Oklahoma State Department of Health
Immunization Program
P. O. Box 53551
Oklahoma City, Oklahoma 73152

EXEMPTIONS FROM IMMUNIZATION (REGULATION)

Exemptions from immunizations require the following:

1. Medical contraindications: A signed statement (ODH form 216A) from a licensed physician stating the physical condition of the child is such that immunizations would endanger the life or health of the child.

2. Religious objections: A signed statement (ODH form 216A) from the head of a religious organization stating immunizations are contrary to the teachings of the religion.

3. Parental objection: A signed statement (ODH form 216A) from a parent or guardian objecting to the required immunizations.

MEDICATION:
ADMINISTERING TO STUDENTS

It is the policy of the Burlington Board of Education that if a student is required to take medication during school hours and the parent or guardian cannot be at school to administer the medication or if circumstances exist that indicate it is in the best interest of the student that a nonprescribed medication be dispensed to that student, the principal, or the principal's designee, may administer the medication only as follows:

1. Prescription medication must be in a container that indicates the following:

   A. student's name,
   B. name and strength of medication,
   C. dosage and directions for administration,
   D. name of physician or dentist,
   E. date and name of pharmacy, and
   F. whether the child has asthma or other disability which may require immediate dispensation of medication.

   The medication must be delivered to the principal's office in person by the parent or guardian of the student unless the medication must be retained by the student for immediate self-administration. The medication will be accompanied by written authorization from the parent, guardian, or person having legal custody that indicates the following:

   A. purpose of the medication,
   B. time to be administered,
   C. whether the medication must be retained by student for self-administration,
   D. termination date for administering the medication, and
   E. other appropriate information requested by the principal or the principal's designee.

2. Self-administration of inhaled asthma medication by a student for treatment of asthma or an anaphylaxis medication used to treat anaphylaxis is permitted with written parental authorization. The parent or guardian of the student must also provide a written statement from the physician treating the student that the student has asthma or anaphylaxis and is capable of, and has been instructed in the proper method of, self-administration of medication. Additionally:

   A. The parent or guardian must provide the school with an emergency supply of the student's medication to be administered as authorized by state law.

   B. The school district will inform the parent or guardian of the student, in writing, and the parent or guardian shall sign a statement acknowledging, that the school district and its employees and agents shall incur no liability as a result of any injury arising from the self-administration of medication by the student.

   C. Permission for the self-administration of asthma or anaphylaxis medication is effective for the school year for which it is granted and shall be renewed each subsequent school year upon fulfillment of the above requirements.

   D. A student who is permitted to self-administer asthma medication or anaphylaxis medication shall be permitted to possess and use a prescribed inhaler or anaphylaxis medication at all times.

MEDICATION: ADMINISTERING TO STUDENTS (Cont.)

E. Definitions:

1. **Medication** means a metered dose inhaler or a dry powder inhaler to alleviate asthmatic symptoms, prescribed by a physician and having an individual label, or an anaphylaxis medication used to treat anaphylaxis, including but not limited to Epinephrine injectors, prescribed by a physician and having an individual label.

2. **Self-administration** means a student's use of medication pursuant to prescription or written direction from a physician.

3. Nonprescription medication may be administered only with the written request and permission of a parent, guardian, or person having legal custody when other alternatives, such as resting or changing activities, are inappropriate or ineffective. The medication will be administered in accordance with label directions or written instructions from the student's physician.

4. School District Prescribed Epinephrine Injectors. The school district will inform the parent or guardian of each student, in writing, that a school nurse or school employee trained by a health care professional or trained in correlation with the State Department of Health's Diabetes Management Annual School Training Program may administer, with parent or guardian permission but without a health care provider order, an Epinephrine injection to a student whom the school nurse or trained school employee in good faith believes is having an anaphylactic reaction. Only those students who have a waiver of liability executed by a parent or guardian on file with the school district may be administered an Epinephrine injection. A school employee will contact 911 as soon as possible if it is believed that a student is having an anaphylactic reaction.

The administrator, or administrator's designee, will:

A. Inform appropriate school personnel of the medication being administered
B. Keep an accurate record of the administration of the medication
C. Keep all medication in a locked cabinet except medication retained by a student per physician's order
D. Return unused prescription medication to the parent or guardian only

The parent, guardian, or person having legal custody of the student is responsible for informing the designated official of any change in the student's health or change in medication.

This policy statement will be provided to a parent or guardian upon receipt of a request for long-term administration of medication.

REFERENCE: 10 O.S. §170.1
59 O.S. §353.1
70 O.S. §1-116, et seq.

MEDICATION:
ADMINISTERING TO STUDENTS

AUTHORIZATION

Name _____ Grade _____

Teacher _____ School _____

Time to be administered _____a.m. _____ p.m.

Date from _____to _____

TO PARENT/GUARDIAN/INDIVIDUAL ASSUMING PERMANENT CARE AND CUSTODY: Is the medication that you wish administered to your child prescription medicine? _____. If so, please provide the name of the medical doctor who prescribed the medication. _____

Is the child's disability or illness such that the medication must be self-administered by the child (asthma, etc.)? _____. If so, the student's medical doctor should include a statement to that effect in the child's prescription. The parent or guardian must provide a written statement from the physician treating the student that the student has asthma and is capable of, and has been instructed in the proper method of, self-administration of medication.

Prescription medication must be furnished by the parent or guardian with the original label prepared and attached by a pharmacist. The label must reflect the name, strength, and dosage of the medication and whether or not the medication may be self-administered by a minor. Non-prescription medication must be in the original container that must reflect the name and strength of the medication.

This form must be signed by the parent/guardian of the child named herein. The signature of the prescribing physician may be required at the discretion of the medication administrator.

_____ _____

Signature of Parent/Guardian/Individual Assuming Permanent Care and Custody — Date

_____ _____

Physician's Signature (required for self-administration of medication) — Date

PARENTAL AUTHORIZATION TO ADMINISTER MEDICINE

TO: _____
(Principal)

_____
(School)

I am the parent with legal custody, the legal guardian, or individual assuming permanent care and custody of _____ _____, a student attending this school. This student requires medication at intervals during the school day.

I hereby give my consent and authorize and request the school principal, or _____ (an employee of the school district designated by the principal, and me) to:

_____ Administer _____, a non-prescription medication that I am hereby supplying you, in accordance with the written instructions of the child's physician that is attached hereto.

_____ Administer _____, a filled prescription medication that I am hereby supplying you, in accordance with the directions for the administration of the medicine listed on the label of the vial.

_____ Administer _____, a filled prescription medication that I am hereby supplying you, in accordance with the written instructions of the physician prescribing the medicine, which is attached hereto.

_____ Permit the student to retain the medication on the student's person since the medication must be administered at unpredictable intervals throughout the day. A physician's statement that the student is capable of, and has been instructed in the proper method of, self-administration of medication is attached.

I understand that under state law, the board of education, the school district, or the employees of the district shall not be liable to the student or the student's parent or guardian for civil damages for any personal injuries to the student which result from acts or omissions of school employees in administering the medicine I have hereby authorized or from the self-administration of medication by the student.

Dated this _____ day of _____, _____.

_____
(Parent with Legal Custody, Guardian, or Individual Assuming Permanent Care and Custody)

_____
(Address)

WITNESS:
_____

LOG OF THE ADMINISTRATION OF MEDICINE
FOR THE _____ SCHOOL
SCHOOL YEAR _____ - _____

DATE MEDICINE ADMINISTERED	NAME OF STUDENT GIVEN MEDICINE	NAME & TITLE OF PERSON WHO ADMINISTERED MEDICINE	NAME OF MEDICINE	DOSAGE & TIME GIVEN

CLINIC CARD

The undersigned, _____, is a parent with custody, the legal guardian, or individual assuming permanent care and custody of _____ _____, who attends _____ School.

If this child is injured or becomes ill at school, I hereby authorize the school nurse, the school principal, or _____ _____ to administer non-prescription medicine to the child in the event I cannot be contacted to give my consent to administer the same.

Dated this _____ day of _____, _____.

_____
Parent with Legal Custody, Guardian, or Individual Assuming Permanent Care and Custody

_____
Address

WITNESS:

_____

REPORTING SUSPECTED CHILD ABUSE AND/OR NEGLECT

In accordance with Oklahoma law, any person is required to immediately report suspected cases of physical abuse or neglect involving students under the age of eighteen (18) to the statewide toll free hotline of the Department of Human Services. The statewide DHS hotline number is 1-800-522-3511. Any person having reason to believe that a student age eighteen (18) or older is a victim of abuse or neglect shall immediately report the matter to local law enforcement. The board of education fully supports that requirement and has established this policy to facilitate such reporting.

Every teacher, support person, or other employee of this school district shall report any suspected physical, mental, or sexual abuse or neglect of any school student to the Department of Human Services by telephone. The employee shall also inform the building principal who will advise the superintendent that the report was made using Form FFG-E.

"Child Abuse and Neglect" shall include, but is not limited to:

1. Child abuse as defined in Section 843.5 of Title 21 of the Oklahoma Statutes;
2. Sexual abuse or sexual exploitation as defined in Section 1-1-105 of Title 10A of the Oklahoma Statutes;
3. Contributing to the delinquency of a minor as defined in Section 856 of Title 21 of the Oklahoma Statutes;
4. Trafficking in children, as defined in Section 866 of Title 21 of the Oklahoma Statutes;
5. Incest as described in Section 885 of Title 21 of the Oklahoma Statutes;
6. Forcible sodomy, as described in Section 888 of Title 21 of the Oklahoma Statutes;
7. Maliciously, forcibly or fraudulently taking or enticing a child away, as described in Section 891 of Title 21 of the Oklahoma Statutes;
8. Soliciting or aiding a minor child to perform or showing, exhibiting, loaning or distributing obscene material or child pornography, as described in Section 1021 of Title 21 of the Oklahoma Statutes;
9. Procuring or causing the participation of any minor child in any child pornography or knowingly possessing, procuring or manufacturing child pornography, as described in Section 1021.2 of Title 21 of the Oklahoma Statutes;
10. Permitting or consenting the participation of a minor child in any child pornography, as described in Section 1021.3 of Title 21 of the Oklahoma Statutes;
11. Facilitating, encouraging, offering or soliciting sexual conduct with a minor, as described in Section 1040.13a of Title 21 of the Oklahoma Statutes;
12. Offering or offering to secure a minor child for the purposes of prostitution or any other lewd or indecent act, as described in Section 1087 of Title 21 of the Oklahoma Statutes;
13. Causing, inducing, persuading or encouraging a minor child to engage or continue to engage in prostitution, as described in Section 1088 of Title 21 of the Oklahoma Statutes;

REPORTING SUSPECTED CHILD ABUSE (Cont.)

14. Rape or rape by instrumentation, as described in Sections 1111.1 and 1114 of Title 21 of the Oklahoma Statutes; and

15. Making any oral, written or electronically or computer-generated lewd or indecent proposals to a minor child under the age of sixteen (16) as described in Section 1123 of Title 21 of the Oklahoma Statutes.

The reporting obligations under this section are individual, and no employer, supervisor or administrator of a person required to provide information pursuant to this section shall discharge, or in any manner discriminate or retaliate against, any such person who in good faith provides such child abuse reports or information, testifies, or is about to testify in any proceeding involving child abuse or neglect; provided, that such person did not perpetrate or inflict such abuse or neglect. Any such employer, supervisor, or administrator who discharges, discriminates, or retaliates against such person shall be liable for damages, costs, and attorney fees. Any person who knowingly and willfully fails to promptly report any incident of child abuse may be reported to local law enforcement for criminal investigation and, upon conviction thereof, shall be guilty of a misdemeanor. Any person who knowingly and willfully makes a false report, or makes a report that the person knows lacks factual foundation may be reported by the Department of Human Services to local law enforcement for criminal investigation and, upon conviction thereof, shall be guilty of a misdemeanor.

Any person participating in good faith and exercising due care in the making of a report or any person who, in good faith and exercising due care, allows access to a child by persons authorized to investigate a report concerning the child shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such participant shall have the same immunity from any liability with respect to participation in any judicial proceeding resulting from such report.

The school district shall post, in a clearly visible location in a public area of the school that is readily accessible to all students, a sign in English and Spanish that contains the toll-free number operated by the Department of Human Services.

REFERENCE: 10A O.S. § 1-2-101
10A O.S. § 1-2-104
63 O.S. §1-120 (G)
70 O.S. §1210.162
Atty. Gen. Op. No. 78-202 (Dec. 28, 1978)

SUSPECTED CHILD ABUSE REPORT FORM

CHILD'S NAME: _____ DATE OF BIRTH: _____

ADDRESS: _____ SCHOOL: _____

PARENT(S)/LEGAL GUARDIAN: _____

ADDRESS: _____

I hereby acknowledge that I have a statutory duty to report any suspected abuse to DHS. I further understand that merely filing this report does not absolve me of my statutory duty to report this directly to DHS.

A copy of this suspected child abuse or neglect report may be filed with the Department of Human Services, the supervising administrator and the Superintendent of Schools. The supervising administrator will also need to contact the DHS.

Describe the nature and extent of the suspected child abuse or neglect: _____

_____

_____

Describe any evidence of previous suspected child abuse or neglect: _____

_____

Names of persons present during the interview with the child: _____

_____

Name of investigating social worker with the Department of Human Services (if known): _____

Signature of Person Filing Report: _____

Signature of Supervising Administrator: _____

STUDENT RECORDS

It is the policy of the Burlington Board of Education that the principal of each school will be the legal custodian of all student records for that school.

Students and parents will have access to their school records. The school will notify parents and adult students annually of the following:

1. The type of records kept;
2. The procedure for inspecting and copying these records;
3. The right for interpretation;
4. The right to challenge data thought to be erroneous, the procedures for correcting or expunging erroneous data or inserting a rebuttal statement;
5. The right to lodge a complaint with the U.S. Department of Education if mandates are not adequately implemented.

The educational records or school records include all materials directly related to a student that a school maintains. Records and notes maintained by a teacher, administrator, school physician, or school psychologist for his or her own use, and which are not available to others are exempted from this definition.

The school will require a prior written consent before information other than directory information may be divulged to third parties. An exception to this rule exists for school district employees who have legitimate interests in viewing the records, as well as officials in other schools in which the student seeks to enroll. A school district in which a student is enrolled or is in the process of enrolling in may request the student's education records from any district in which the student was formerly enrolled to ascertain safety issues with incoming students and ensure full disclosure. The records, including the student's disciplinary records, will be forwarded to the requesting district within three (3) business days. Disciplinary records shall include but not be limited to all information that relates to a student assaulting, carrying weapons, possessing illegal drugs, including alcohol, and any incident that poses a potential dangerous threat to students or school personnel.

When schools transfer records to new educational institutions, the schools must notify parents of the transfer, and of their right to review and contest the material. An exemption exists for material under court order. Parents must be notified of such order prior to release.

The district will release individual student records from the current or previous school year to a school district where the student was previously enrolled if the release of such records is for the purposes of evaluating educational programs and school effectiveness.

The district may disclose personally identifiable information to third parties, without prior written consent, in order to conduct studies, audits, and evaluations of the educational programs of the school district. In such case, the district will take reasonable steps to ensure that all authorized representatives of the third party are FERPA compliant with the information provided for the purposes of the study, audit, or evaluation of the educational program.

The district may disclose, without the consent or knowledge of the eligible student or parent, personally identifiable information in the educational records of a student to the Attorney General of the United States or his or her designee in response to an ex parte order in connection with the investigation or prosecution of terrorism crimes. The district is not required to record such disclosure of information and is protected from liability for disclosing such information in good faith.

STUDENT RECORDS (Cont.)

The superintendent is directed to establish procedures to ensure compliance with the Family Educational and Privacy Act and other applicable acts and regulations.

REFERENCE: 34 CFR 99.1
18 USC §§2331 and 2332(g)(5)(B)
20 USC 1232
P. L. 107-110, No Child Left Behind Act of 2001
51 O.S. §24A.16
70 O.S. §6-115
70 O.S. §24.101.4
70 O.S. §24-114

FORM A: REQUEST TO INSPECT RECORDS
(Applicable only to parents of students under 18)

I, _____, the parent or legal guardian of
(Name)
_____, a student at _____, _____ Public Schools,
(Name) (School)

1. Request to inspect the records of the above student at the above school on _____ in the
(date) (time)
principal's office or such other reasonable time and place as the principal may indicate.

OR

2. If I and the above-mentioned student no longer live in the school district, I request that the records be sent to me at the following address:

   Name _____
   Street Address _____
   City, State, Zip _____

   Enclosed is $_____ for reproduction and mailing.

_____
Signature

The portion below this line may be completed but is not required by law.

INSPECTION REPORT

Date _____

The above student's education record was inspected on this date.

Remarks (if any): _____
_____

_____
Signature of Parent or Guardian

_____
Signature of Principal

FORM J: PERMISSION OF STUDENT EIGHTEEN OR OVER FOR THIRD PARTY ACCESS TO STUDENT'S EDUCATION RECORD

I, _____, a student at _____, _____
(Name) (School)
Public Schools, being 18 years of age or older (date of birth _____ _____ _____), request the following
(Month) (Day) (Year)
part of my record:

_____

_____

_____

be made available to _____ for the purpose of:
(Name)

_____

_____

Date: _____ _____
Signature of Student 18 or over

_____ Please send a copy to the above student at the following address:

Name _____
Address _____
City, State, Zip _____

Enclosed is $_____ for reproduction and mailing.

FORM L: TRANSFER OF RECORDS UNDER JUDICIAL ORDER OR LAWFULLY ISSUED SUBPOENA

I, _____, the parent or legal guardian of
(Name)
_____, a student at _____, _____ Public Schools,
(Name) (School)

OR

I, _____, a student, 18 years of age or over
(Name)
(date of birth _____ _____ _____,) at _____, _____Public Schools,
(Month) (Day) (Year) (School)
have been notified prior to compliance that a judicial order or lawful subpoena has been issued demanding the records of the above student in whole or in part.

Date: _____ Signed:_____

REQUEST FOR RECORDS DENIED
INCOMPLETE FORMS

_____

_____

_____ (Name and Address)

Dear Sir or Madam:

We will be unable to comply with your request for the records of _____(student) until you complete the enclosed forms and return them to us. If you have substantially similar forms, we will accept them, provided the parental or eligible student notification signature is attached. Such signature is necessary in order to comply with the Family Educational Rights and Privacy Act of 1974.

Sincerely,

_____

REQUEST FOR RECORDS INFORMATION DENIED

_____

_____

_____ (Name and address)

Dear Sir or Madam:

We are unable to honor your request for information from student files unless you inform us in writing of:

1. Your authority to act as representative of (a) the Comptroller General of the United States, (b) the Secretary of H.E.W., (c) an administrative head of an education agency, or (d) state educational authorities.

2. The federally supported education program or state law pursuant to which you request the information.

3. The specific authorization by federal statute to receive personally identifiable information, if you seek such information.

We are sorry for the delay but feel restrained by the Family Educational Rights and Privacy Act of 1974.

Sincerely,

_____

REVIEW OF STUDENT RECORDS
NOTIFICATION TO PARENT

_____

_____

_____ (Name and address)

Dear Parent:

In the course of your child's education, the school district will keep records as deemed necessary to provide programs to meet your child's needs and interests. You have the right to inspect and review any and all records, files, and data related to your child; they will be available for such review at any time during the regular school day. If you have any concern regarding the accuracy or appropriateness of any information or record maintained by the school, please do not hesitate to inform the principal of that concern.

Very truly yours,

_____
Principal

_____ (School)

_____ (Address)

_____ (Telephone)

FORM B: REQUEST TO INSPECT RECORDS

I, _____, a student, 18 years of age or older (date of birth _____ _____ _____),
(Name) (Month) (Day) (Year)
at _____, _____Public Schools, request to inspect my records
(School)
at the above school on _____ _____ in the principal's office or such other reasonable time and place as the
(Date) (Time)
principal may indicate.

OR

If I no longer live in the school district, I request that the records be sent to me at the following address:

Name _____
Street Address _____
City, State, Zip _____

Enclosed is $_____ for reproduction and mailing.

_____
Signature

The portion below this line may be completed but is not required by law.

INSPECTION REPORT

Date _____

The above student's education record was inspected on this date.

Remarks (if any): _____
_____

_____
Signature of Student 18 or over

_____
Signature of Principal

FORM C: AUTHORITY TO TRANSFER EDUCATION RECORDS

Date: _____

I, _____, the parent or legal guardian of
(Name)
_____, authorize the transfer of all of the above
(Name)
student's education records

From: _____ _____Public Schools
(School) _____, Oklahoma

TO: _____ _____
(School Official) (School District)

_____
(State) (Zip Code)

the school at which the above student seeks or intends to enroll or is enrolled, or the following parts of the education record, if applicable:

_____ Scholastic Record
_____ Census Data
_____ Attendance Record
_____ Test Record
_____ Activity Record
_____ Health Record
_____ Behavioral Record
_____ Personal Recommendations

Others (list) _____

I have been given the opportunity to inspect and challenge the above record.

_____
Signature of Parent or Guardian

_____
Principal

_____
Date

FORM D: AUTHORITY TO TRANSFER EDUCATION RECORDS

Date: _____

I, _____, a student 18 years of age or over
(Name)
(date of birth _____ _____ _____, authorize the transfer of all my education records
(Month) (Day) (Year)

From: _____ _____Public Schools
(School) _____, Oklahoma

TO: _____ _____
(School Official) (School District

_____
(State) (Zip Code)

in which I am enrolled or seek or intend to enroll; or the following parts of the education record, if applicable:

_____ Scholastic Record
_____ Census Data
_____ Attendance Record
_____ Test Record
_____ Activity Record
_____ Health Record
_____ Behavioral Record
_____ Personal Recommendations

Others (list) _____

I have been given the opportunity to inspect and challenge the above record.

_____
Signature of Student 18 or over

_____
Principal

_____
Date

FORM E: EDUCATION RECORD CHALLENGE

Date: _____

I, _____, the parent or legal guardian of
(Name)
_____, a student at _____, _____Public Schools,
(Name) (School)
on _____ inspected the education record of the above student and challenge the following items:
(Date)

1. _____ _____ Inaccurate
_____ Misleading
_____ Otherwise violates the privacy or other right of the student

2. _____ _____ Inaccurate
_____ Misleading
(Continue on back if necessary) _____ Otherwise violates the privacy or other right of the student

Date: _____ _____
Signature of Parent

Received by Principal _____ _____
(Date) Signature of Principal

Action taken (records purged before hearing, hearing granted)

_____

_____

_____

_____

Date: _____ _____
Signature of Principal

FORM F: EDUCATION RECORD CHALLENGE

Date: _____

I, _____, a student 18 year of age or over (date of birth _____ _____ _____),
(Name) (Month) (Day) (Year)
inspected my record on _____ and challenge the following items:
(Date)

1. _____ _____ Inaccurate
_____ Misleading
_____ Otherwise violates the privacy or other right of the student

2. _____ _____ Inaccurate
_____ Misleading
(Continue on back if necessary) _____ Otherwise violates the privacy or other right of the student

Date: _____ _____
Signature of Student 18 or over

Received by Principal _____ _____
(Date) Signature of Principal

Action taken (records purged before hearing, hearing granted)

_____

_____

_____

_____

Date: _____ _____
Signature of Principal

FORM G: NOTICE OF HEARING TO CONTEST RECORD CONTENT

You are hereby notified that a hearing to contest the content of the record of _____
(Student)
will be held at _____ on _____ at _____.
(Place) (Date) (Time)
The hearing officer will be _____.

You have the following rights:

A. To present testimony within a reasonable time limitation,

B. To introduce written evidence,

C. To question adverse evidence, and

D. To appeal the hearing officer's decision to the board of education.

FORM H: SUMMARY OF HEARING TO CONTEST RECORD CONTENT

1. Date of request by parent or eligible student for contest hearing. _____

2. Date of hearing set (within reasonable time after request. _____

3. Date notice of hearing (Form G) sent to parent or eligible student. _____

4. Hearing officer (superintendent or his designee): _____

   A. Parent or eligible student given reasonable time to present testimony. _____

   B. Parent or eligible student allowed to introduce written evidence. _____

   C. Parent or eligible student allowed to question adverse witnesses. _____

   D. Action taken by hearing officer:
   Record purged _____
   Record changed _____
   to read:

   _____

   _____

   Reasons: _____

   _____

   _____

   E. Parent or eligible student notified in writing of conclusions and actions taken. (A copy of this completed form may serve as written notice.) File copy of written notice of decision kept for documentation.

   _____

   F. Parent or eligible student, if aggrieved by hearing officer decision, notified of right to appeal to board of education. _____

5. Appeal Contest:

   A. Parent or eligible student informed of appeal hearing date. _____

   B. Parent or eligible student given time to present arguments. _____

   C. Board of education: affirmed _____ reversed _____

FORM I: PERMISSION OF PARENT OR LEGAL GUARDIAN FOR THIRD PARTY ACCESS TO STUDENT'S EDUCATION RECORD

I, _____ , the parent or legal guardians of
(Name)
_____, a student at _____, _____
(Name) (School)
Public Schools, request that the following part of the above student's records

_____

_____

be made available to _____ for the purpose of
(Name)

_____

_____

Date: _____ _____
Signature of Parent

_____ Please send me a copy of the records released at the following address:

Name _____
Address _____
City, State, Zip _____

_____ Please send a copy to the above student at the following address:

Name_____
Address _____
City, State, Zip _____

Enclosed is $_____ for reproduction and mailing.

COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974 (REGULATION)

In accordance with the policy of the board of education, the following regulation shall govern the release of student records to students and members of the student's family, legal custodian, or legal guardian.

DEFINITIONS

For the purpose of this regulation, the school district has used the following definitions of terms:

Student

Any person who attends or has attended a program of instruction sponsored by the board of education of this school district.

Eligible Student

A student or former student who has reached age 18 or is attending a post-secondary school, and who is no longer a dependent of the parent for federal tax purposes.

Parent

Either natural parent of a student unless his or her rights under the Family Education Rights and Privacy Act (FERPA) have been removed by a court order; an adopted parent; a guardian; or an individual acting as a parent or guardian in the absence of the student's parent or guardian.

Education Records

Any item of information or record (in handwriting, print, computer media, video or audio tape, film, microfilm, microfiche, or other medium) maintained by the school district, an employee of the district, or an agent of the district which is directly related to an identifiable student except:

1. A personal record, including informal notes, kept by a school staff member, which meets the following tests:

   A. It was made as a personal memory aid;

   B. It is in the sole possession of the individual who made it; or

   C. Information contained in it has never been revealed or made available to any other person except the maker's temporary substitute;

2. An employment record which is used only in relation to a student's employment by the school district (employment for this purpose does not include activities for which a student receives a grade or credit in a course); or

3. Alumni records that relate to the student after the student no longer attends classes provided by the school district and the records do not relate to the person as a student.

COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974, REGULATION (Cont.)

Personal Identifier

Any data or information that makes the subject of a record known. This includes the student's name, the student's parents or other family member's name, the student's address, the student's social security number, a student number, a list of personal characteristics, or any other information that would make the student's identity known.

ANNUAL NOTIFICATION

Within the first three weeks of each school year, the school district will publish a notice to parents and eligible students of their rights under the FERPA and this policy. The district will also send home with each student a bulletin listing these rights and the bulletin will be included with a packet of material provided parents or an eligible student when the student enrolls during the school year.

The notice will include the following:

1. The right of a student's parent or eligible student to inspect and review the student's education records;

2. The intent of the school district is to limit the disclosure of information contained in a student's education records except: (1) by the prior written consent of the student's parent or the eligible student, (2) as directory information, or, (3) under certain limited circumstances, as permitted by the FERPA;

3. The right of a student's parent or an eligible student to seek to correct parts of the student's education records which he or she believes to be inaccurate, misleading, or in violation of student rights (this right includes the right to a hearing to present evidence that the record should be changed if the district decides not to alter it according to the parent's or eligible student's request and the right to insert in the student's permanent records an explanatory statement giving reasons for disagreeing with the decision);

4. The right of any person to file a complaint with the Department of Education if the school district violates the FERPA; and

5. The procedure that a student's parent or an eligible student should follow to obtain copies of this policy and the locations where copies may be obtained.

The district will arrange to provide translations of this notice to non-English speaking parents in their native language.

STATEMENT OF RIGHTS

Parents and eligible students have the following rights under the Family Education Rights and Privacy Act and this policy:

1. The right to inspect and review the student's education record;

COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974, REGULATION (Cont.)

2. The right to exercise a limited control over other people's access to the student's education record;
3. The right to seek to correct the student's education record, in a hearing, if necessary;
4. The right to report violations of the FERPA to the Department of Education; and
5. The right to be informed about FERPA rights.

All rights and protections given parents under the FERPA and this policy transfer to the student when the student reaches 18 or enrolls in a post-secondary school.

LOCATIONS OF EDUCATION RECORDS

TYPES	LOCATION	CUSTODIAN
Cumulative School Records	Principal's Office	Principal
Cumulative School Records (Former Students)	Principal's Office	Principal
Health Records	Principal's Office	Principal
School Transportation Records	Superintendent's Office	Superintendent
Speech Therapy Records	Special Education Classroom	Superintendent
Psychological Records	Special Education Classroom	Superintendent

PROCEDURE TO INSPECT EDUCATION RECORDS

The parent of a student or an eligible student may inspect 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. See the schedule of fees for copies below.

Since a student's records may be maintained in several locations, the school principals will offer to collect copies of records or the records themselves from locations other than a student's school, so they may be inspected at one site. However, if a parent or eligible student wishes to inspect records where they are maintained, school principals will make every effort to accommodate the wishes.

COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974, REGULATION (Cont.)

The parent or eligible student should submit to the student's school principal a written request that identifies, as precisely as possible, the record or records he or she wishes to inspect.

The principal (or other record custodian) will contact the parent of the student or the eligible student to discuss how access will be best arranged (copies, at the exact location, or records brought to a single site).

The principal (or other record custodian) will make the needed arrangements as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected. This procedure must be completed in 45 days or less from the receipt of the request for access.

If for any valid reason, such as working hours, distance between record location sites, or health, a parent or eligible student cannot personally inspect and review a student's education record, the school district will arrange for the parent or eligible student to obtain copies of the record. See below for information regarding fees for copies of records.

When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the records of the other students.

FEES FOR COPIES OF RECORDS

The school district will not deny parents or eligible students any rights to copies of records because of the following published fees. Where the fee represents an unusual hardship, it may be waived in part, or in whole, by the record custodian. However, the district reserves the right to charge for copies, such as transcripts, it forwards to potential employers or to colleges and universities for employment or admission purposes. The school district may deny copies of records to third parties (not parents or students) in the following situations:

1. The student has an unpaid financial obligation to the school.

2. There is an unresolved disciplinary action against the student that warrants the denial of copies.

The FERPA requires the school district to provide copies of records:

1. When the refusal to provide copies effectively denies access to the records by a parent or eligible student;

2. At the request of the parent or eligible students when the school district has provided the records to third parties by the prior consent of the parent or eligible student; or

3. At the request of the parent or eligible student when the school district has forwarded the records to another school where the student seeks or intends to enroll.

The fee for copies provided under the FERPA may not include the costs for search and retrieval. The fee will be from no cost to ten cents per page. (Actual copying cost, less hardship factor.)

COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974, REGULATION (Cont.)

The fee for all other copies, such as copies of records forwarded to third parties with prior consent or those provided to parents as a convenience, will be from ten cents to thirty-five cents per page (actual search, retrieval, and copying cost) plus postage, if incurred.

DIRECTORY INFORMATION

The school district proposes to designate the following personally identifiable information contained in a student's education record as "directory information":

1. The student's name;
2. The student's class designation (i.e., first grade, tenth grade, etc.);
3. The student's extracurricular participation;
4. The student's achievement awards or honors;
5. The student's weight and height if a member of an athletic team;
6. The student's photograph.

Within the first three weeks of each school year, the school district will publish the above list, or a revised list, of items of directory information it proposes to designate as directory information. For students enrolling after the notice is published, the list will be given to the student's parent or the eligible student at the time and place of enrollment.

After the parent or eligible student has been notified, he or she will have two weeks to advise the school district in writing (a letter to the school superintendent's office) of any or all of the items they refuse to permit the district to designate as directory information about the student.

At the end of the two-week period, each student's record will be appropriately marked by the record custodian to indicate the items the district will designate as directory information about the student. This designation will remain in effect until it is modified by the written direction of the student's parent or the eligible student.

The school district has created a limited directory information policy and will not fulfill directory information requests for commercial purposes or for marketing purposes.

USE OF STUDENT EDUCATION RECORDS

To carry out their responsibilities, school officials will have access to student education records for legitimate educational purposes. The school district will use the following criteria to determine who are school officials. An official is:

1. A person duly elected to the school board;

COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974, REGULATION (Cont.)

2. A person certified by the state and appointed by the school board to an administrative or supervisory position;

3. A person certified by the state and under contract to the school board as an instructor;

4. A person employed by the school board as a temporary substitute for administrative, supervisory, or instructional personnel for the period of his or her performance as a substitute; or

5. A person employed by, or under contract to, the school board to perform a special task such as a secretary, a clerk, the school board attorney or auditor, for the period of his or her performance as an employee or contractor.

School officials who meet the criteria listed above will have access to a student's records if they have a legitimate educational interest in doing so. A "legitimate educational interest" is the person's need to know in order to:

1. Perform an administrative task required in the school employee's position description approved by the school board;

2. Perform a supervisory or instructional task directly related to the student's education; or

3. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid.

The school district will only release information from, or permit access to, a student's education record with a parent's or eligible student's prior written consent except that the school superintendent, or a person designated in writing by the superintendent, may permit disclosure:

1. When a student seeks or intends to enroll in another school district or a post-secondary school (the district will not further notify the parent or eligible student prior to such a transfer of records; the parent or eligible student has a right to obtain copies of records transferred under this provision);

2. When certain federal and state officials need information in order to audit or enforce legal conditions related to federally supported education programs in the district;

3. The parties who provide or may provide financial aid to a student to:

   A. Establish the student's eligibility for the aid,

   B. Determine the amount of financial aid,

   C. Establish the conditions for the receipt of the financial aid, or

   D. Enforce the agreement between the provider and the receiver of financial aid;

COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974, REGULATION (Cont.)

4. When the school district has entered into a written agreement or contract for an organization to conduct studies on the school district's behalf to develop tests, administer student aid, or improve instruction;

5. To accrediting organizations to carry out their accrediting functions;

6. To comply with a judicial order or lawfully issued subpoena (the district will make a reasonable effort to notify the student's parent or the eligible student before making a disclosure under this provision);

7. If the disclosure is an item of directory information, and the student's parent or eligible student has not refused to allow the district to designate that item as directory information for the student; or

8. In response to an ex parte order of the Attorney General of the United States or his/her designee in connection with the investigation or prosecution of terrorism crimes.

The school district will permit any of its officials to make the needed disclosure from student education records in a health or safety emergency if:

1. He or she deems it is warranted by the seriousness of the threat to the health or safety of the student or other persons;

2. The information is necessary and needed to meet the emergency;

3. The persons to whom the information is to be disclosed are qualified and in a position to deal with the emergency; or

4. Time is an important and limiting factor in dealing with the emergency.

The school district officials may release information from a student's education record if the student's parent or the eligible student gives prior written consent for disclosure. The written consent must include at least:

1. A specification of the records to be released;

2. The reasons for the disclosure;

3. The person, organization, or the class or organizations to whom the disclosure is to be made;

4. The parent's or eligible student's signature; and

5. The date of the consent and, if appropriate, a date when the consent is to be terminated.

The student's parent or the eligible student may obtain a copy of any records disclosed under this provision.

COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974, REGULATION (Cont.)

The school district will not release information contained in a student's education records, except directory information, to any third parties except its own officials, unless those parties agree that the information will not be redisclosed without the parent's or eligible student's prior written consent.

RECORDS OF REQUESTS FOR ACCESS AND DISCLOSURES MADE FROM EDUCATION RECORDS

The school district will maintain an accurate record of all requests for it to disclose information from, or to permit access to, a student's education records and of information it discloses and access it permits with some exceptions listed below. This record will be kept with, but will not be a part of, the student's cumulative school records. It will be available only to the record custodian, the eligible student, the parent of the student, or to federal, state, and local officials for the purpose of auditing or enforcing federally supported educational programs.

The record will include at least:

1. The name of the person or agency that made the request;
2. The interest the person or agency had in the information;
3. The date the person or agency made the request; and
4. Whether the request was granted and, if it was, the date access was permitted or the disclosure was made.

The district will maintain this record as long as it maintains the student's education record.

The record will not include:

1. Requests for access or access granted to the parent of the student or to an eligible student;
2. Request for access granted to officials of the school district who have a legitimate educational interest in the student;
3. Requests for, or disclosures of, information contained in the student's education record if the request is accompanied by the prior written consent of a parent of the student or the eligible student or if the disclosure is authorized by such prior consent;
4. Requests for, or disclosure of, directory information designated for that student; or for
5. Requests for, or disclosure of, information contained in the student's education record if the request is in response to an ex parte order of the Attorney General of the United States or his/her designee in connection with the investigation or prosecution of terrorism crimes.

COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974, REGULATION (Cont.)

PROCEDURES TO SEEK TO CORRECT EDUCATION RECORDS

The parent of a student or an eligible student has a right to seek to change any part of the student's record believed to be inaccurate, misleading, or in violation of student rights. (NOTE: under the FERPA, the district may decline to consider a request to change the grade a teacher assigns for a course.)

For the purpose of outlining the procedure to seek to correct education records, the term "incorrect" will be used to describe a record that is inaccurate, misleading, or in violation of student rights. The term "correct" will be used to describe a record that is 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 student or the eligible student who is asking the school district to correct a record.

To establish an orderly process to review and correct an education record for a requester, the district may make a decision to comply with the request for change at several levels in the procedure.

First Level Decision

When a parent of a student or an eligible student finds an item in the student's education record that he or she believes is inaccurate, misleading, or in violation of student rights, 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 record custodian cannot change the record to the requester's satisfaction, or if the record does not appear to be obviously incorrect, the record custodian will:

1. Provide the requester a copy of the questioned record at no cost;
2. Ask the requester to initiate a written request for the change; and
3. 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 district to make. It should at least identify the item the requester believes is incorrect and state whether he or she believes the item:

1. Is inaccurate and why;
2. Is misleading and why; and/or
3. Violates student rights and why.

COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974, REGULATION (Cont.)

The request will be dated and signed by the requester.

Within two weeks after the record custodian receives a written request, he or she will: study the request, discuss it with other school officials (the person who made the record or those who may have a professional concern about the district'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 the change has been made. 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 record custodian decides the record is correct, he or she will make a written summary of any discussions with other officials and of the findings in the matter. The record custodian will transmit this summary and a copy of the written request to the school superintendent.

Third Level Decision

The school superintendent will review the material provided by the record custodian and, if necessary, discuss the matter with other officials such as the school attorney, or the school board (in executive session). The superintendent 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 takes longer, the superintendent will notify the requester, in writing, of the reasons for the delay and a date when the decision will be made.

If the superintendent 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 at the second level.

If the superintendent decides the record is correct, he or she will prepare a letter to the requester, which will include:

1. The school district'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 district will grant such a hearing;

3. Instructions for the requester to contact the superintendent, or an official he or she designates, to discuss acceptable hearing officers, convenient times, and a satisfactory site for the hearing (the district 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 request may be represented or assisted in the hearing by other parties, including an attorney at the requester's expense.

COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974, REGULATION (Cont.)

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 will, within a week, notify the requester when and where the district 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 a week after the hearing, the hearing officer will submit to the school superintendent 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 school superintendent will prepare the district's decision within two weeks of the hearing. The decision will be based on the summary of the evidence presented at the hearing and the hearing officer's recommendation. However, the district's decision will be based solely on the evidence presented at the hearing. Therefore, the superintendent may overrule the hearing officer if the superintendent believes the hearing officer's recommendation is not consistent with the evidence presented. As a result of the district's decision, the superintendent will take one of the following actions:

1. If the decision is that the district will change the record, the superintendent 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 district will not change the record, the superintendent will prepare a written notice to the requester that will include:

   A. The school district'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 district's decision; and

   C. Advice to the requester that he or she may place in the student's education record an explanatory statement which gives the reasons he or she disagrees with the school district's decision and/or the reasons he or she believes the record is incorrect.

PERMANENT STUDENT RECORDS

It is the policy of the Burlington Board of Education that the school district will compile and maintain temporary and permanent records of students enrolled in the school district. The Superintendent will regulate access and monitor disclosure or communication of any information contained in each student's records in accordance with state and federal law.

The school district will maintain all documents and information in student records in either electronic or paper format The copies may be stored in either a single- or multi-file format. Records will be stored, backed up, and secured in accordance with standards and protocol established by the Oklahoma State Board of Education.

The transcript of a student shall be maintained by the school district for not less than eighty (80) years following the graduation, transfer, or date the student is withdrawn from the school district. "Transcript" will include the following:

1. The permanent academic record of a student which shall include the name, address, telephone listing;
2. The date and place of birth of the student;
3. An inventory of courses taken;
4. All grades received; and
5. Grade-point averages or class rank.

All non-transcript information in a student's record shall be disposed of by the school district at a time selected by the administration that is between five (5) years and seven (7) years after the student has graduated, transferred, or withdrawn from the school district. The school district shall comply with the notification of destruction of records requirements set forth by the State Board of Education.

REFERENCE: 70 O.S. §24-114

TRANSFER AND RELEASE OF CONFIDENTIAL INFORMATION

It is the policy of the Burlington Board of Education to adhere strictly to Oklahoma and Federal law concerning the transfer and release of confidential information including student records.

For the purposes of this policy, "confidential information" means any information regarding a child receiving services supported in whole or in part by state or federal funds, a family member of such child, or other persons residing in the home of such child, and which is required by state or federal law or regulation to be maintained in a confidential manner.

The school district 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 Career and Technology 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 as defined by Title 10, Section 7001-1.3 of the Oklahoma Statutes, to children and family,

(10) Persons and agencies subject to the rules promulgated by the agencies listed in (1) through (8),

(11) Statutorily-constituted juvenile bureaus, and

(12) Other school districts upon their request and in compliance with state law.

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 child or other person authorized by state or federal law to execute such consent, if the subject of the confidential information is a child 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. A copy of the school district's informed consent form may be found at FLE-E.

TRANSFER AND RELEASE OF CONFIDENTIAL INFORMATION (Cont.)

The school district will follow the rules promulgated by the State Department of Education for authorizing access to and the transfer or release of confidential information for the purpose of gathering statistical information or conducting studies or research otherwise authorized by law.

The school district shall charge $.10 per page for all copies made pursuant to this policy plus the actual cost of mailing the copies.

REFERENCE: 10 O.S. §620.1, et seq.
10 O.S. §7001-1.3
70 O.S. §24-101.4

THIS POLICY REQUIRED BY LAW.

INFORMATION COORDINATOR

The school district has designated a representative to coordinate requests for information from the Oklahoma State Bureau of Investigations when the release of such information has been authorized by a parent, legal guardian of the student, or by court order. Information regarding past and present students in the district may be released to law enforcement officers subject to court order or by parental consent.

Such information includes but is not limited to:

1. Student's name, address, telephone listing, and date and place of birth;
2. Parent or lawful custodian's name, address, and telephone listing;
3. Major field of study and grade level classification (example: elementary, 7th grade, sophomore);
4. Student's participation in officially recognized activities and sports;
5. Weight and height of members of athletic teams;
6. Dates of attendance, dates of enrollment, withdrawal, re-entry;
7. Diplomas, certificates, awards, and honors received;
8. Most recent previous educational agency or institution attended by the student;

REFERENCE: 70 O.S. §10-103.2
34 CFR 99.1
20 USC 1232

THIS POLICY REQUIRED BY LAW.

STUDENT ACTIVITIES
SCHOLASTIC ELIGIBILITY

It is the policy of the Burlington Board of Education that only those students who are fully eligible scholastically will be permitted to represent the school in any capacity. Teachers will submit eligibility lists to the office each Friday. If a student is failing in more than one core subject, the student may not participate in any school activity during the following week. The board declares its intent to rigorously adhere to the eligibility rules of the Oklahoma Secondary School Activities Association. The superintendent is directed to establish a regulation governing eligibility. Such regulation, when approved by the board, shall be incorporated into this policy and become a part thereof.

NOTE: ***In compliance with the Family Education Rights and Privacy Act, under no circumstances should student eligibility or ineligibility lists be publicly posted in any manner.***

STUDENT ACTIVITIES
ELIGIBILITY
(REGULATION)

In accordance with the policy of the board of education, the following regulation shall govern student activity eligibility requirements.

Oklahoma Secondary School Activities Association eligibility rules[1] state that a student is eligible:

1. If the student will not be nineteen years of age before September 1st for athletic competition or if the student will not be 21 years of age before September 1 for non-athletic events. [2]

2. If the student has on file, in the principal's or authorized director's office, a physical examination and parent's consent certificate for the present school year. [3]

3. If the student has attended classes 90% of the time for the current semester. Exceptions may be made by the principal due to illness, injury, death in the immediate family, or other valid reason. [4]

4. If the student is passing all subjects in which enrolled and passed any five subjects to be counted for graduation the preceding semester. [5]

5. If the student has not been disqualified from a contest because of flagrant or unsportsmanlike conduct or whose conduct or character is not under school discipline. (Principal may reinstate student following a conference and after a written report of details and action taken has been filed with the OSSAA.) [6]

6. If the student has not participated in a contest under an assumed name. [7]

7. If the student does not belong to a gang, fraternity, sorority or secret society in violation of the State Law of Oklahoma or the regulations of the local board of education. [8]

8. If the student has not participated in a contest where he/she has used his/her knowledge or skill for financial gain. [9]

9. If the student has not attended school eight semesters in grades 9 through 12. [10]

10. If the student has not participated in interscholastic sports activities during more than four academic years, or have had three seasons of opportunity in a sport after attending two semesters in the 9th grade. [11]

11. If the student's parent(s) or guardian(s) are bona fide residents of this high school district. [12]

12. If the student has not participated in organized practice or a game of football or basketball before the season opens, or after the season closes. [13]

    NOTE: There are some exceptions to the above rules. There are also additional requirements. Consult your coach or principal for additional information.

STUDENT ACTIVITIES, ELIGIBILITY, REGULATION (Cont.)

To be eligible to participate in activities involving other schools, a student must be passing in at least three regular classes. The student must be attending classes at least 90% of the time. This applies to all students in any school-sponsored activity (basketball, FFA, FHA, music, etc.).

Any student who reaches his or her nineteenth birthday before September 1 will not be eligible in athletic contests. Any student dismissed from school or regular class will not be eligible to represent the school in any activity between schools.

Any person absent during the day of an activity must have the absence accounted for prior to being eligible. If the absence is considered as unexcused by the administration, the student must attend at least one day of school and satisfy the requirements for same before again becoming eligible.

Any student who is under discipline or whose conduct or character is such as to reflect discredit upon the school is not eligible. Fans, school personnel, and students must conduct themselves in true sportsmanship manner. Any student participating in a contest will not be permitted to play the next game if the student was ejected from the game. A second offense will automatically disqualify that student for that sport for the rest of the season.

---

[1] There are 21 "Rules" in the OSSAA Administrators' Handbook. Not all deal with student eligibility. Information for the listing comes from the first 15 Rules. Please note the following:
Rule 6 relates to the ineligibility of students who have completed all requirements for high school graduation or who have already graduated.
Rule 9 relates to schools maintaining certification of eligibility forms until requested by the OSSAA.
Rule 10 relates to selection and contracting of game officials.
Rule 11 relates to competitions between members of OSSAA and nonmembers.
Rule 12 relates to local school enforcement of the OSSAA constitution and rules.
Rule 13 relates to tournaments, meets, and contests.

[2] This information is found in Rule 1.

[3] This information is found in Rule 1, Section 2.

[4] This information is found in Rule 2.

[5] This information is found in Rule 3.

[6] This information is found in Rule 4.

[7] This information is found in Rule 4, Section 2.

[8] This information is found in Rule 4, Section 3.

[9] This information is found in Rule 5.

[10] This information is found in Rule 7.

[11] This information is found in Rule 7, Section 1a.

[12] This information is found in Rule 8.

[13] Information for this item came from Rule 15, Sections 1 and 2.

EXTRACURRICULAR ACTIVITIES

The Burlington Board of Education believes that extracurricular activities are those activities that primarily involve students in other than classroom situations.

The board believes that participation in such activities should be available only to those students who are performing acceptable work in all other school-related areas.

Therefore, the superintendent is directed to establish a regulation, subject to approval of the board, governing participation in extracurricular activities.

EXTRACURRICULAR ACTIVITIES
EMERGENCY MEDICAL SERVICES

The Burlington Board of Education and (insert name of local emergency medical services provider that serves the area the school district is located within) have developed and prepared a plan for the provision of emergency medical services at athletic events or activities held at school district facilities. The plan shall be reviewed and updated annually as appropriate. The plan is on file with the school district and with the emergency medical provider.

STUDENT CLUBS AND ORGANIZATIONS SPONSORS

The Burlington Board of Education believes that certain extracurricular and social activities can enhance the learning environment of our schools. The board of education shall annually notify parents or guardians of students about clubs and organizations sponsored by or under the direct control and supervision of the school district. The annual notification shall be placed in the student handbook and by posting information on the school district's Internet website. The annual notification shall include, but is not limited to, the following information about each club or organization:

1. Name;
2. Mission or purpose; and
3. Name of the faculty advisor, if known.

Parents or guardians of students will notify the school administration that they are withholding permission for their child(ren) to join or participate in one or more clubs or organizations. Parents or guardians shall be responsible for preventing their child from participating in a club or organization in which permission is withheld. Parents or guardians are also responsible for retrieving their child(ren) from attendance at a club or organization in which participation is withheld.

If clubs or organizations are created or formed after the annual notification is distributed, the school district shall send additional notification to the parents or guardians containing the above-listed information regarding the additional clubs or organizations by way of a message added to the school district's website.

LEGAL REFERENCE: 70 O.S. § 24-105

A POLICY ON THIS ISSUE IS REQUIRED BY LAW

STUDENT CONDUCT
DRESS CODE

The Burlington Board of Education believes that the majority of the students in the public schools recognize their own individuality and have no need to express themselves in extreme dress or grooming styles. Generally, dress and grooming standards as determined by the students and their parents will not be questioned. The only requirements the board of education insists upon are that students' dress and grooming shall not lead school officials to reasonably believe that such dress or grooming will disrupt, interfere with, or detract from school activities, or create a health or other hazard to the student's safety or to the safety of others. Additionally, any clothing that interferes with the education function entrusted to the board of education is prohibited.

REFERENCE: 70 O.S. §6-114 (C)

STUDENT CONDUCT
DRESS CODE
(REGULATION)

In accordance with the policy of the board of education, the following regulation shall establish a dress and grooming code for the public school system.

Generally, students should regard neatness and cleanliness in grooming and clothing as important. Dress or grooming which is in any way disruptive to the operation of the school will not be permitted.

Revealing or sexually provocative clothing, or clothing of extreme style may not be worn.

Principals, in conjunction with sponsors, coaches, or other persons in charge of extracurricular activities, may regulate dress and grooming of students who participate in a particular activity if the principal reasonably believes that the student's dress or grooming creates a hazard, or may prevent, interfere with, or adversely affect the purpose, direction, or effort required for the activity to achieve its goals.

If a student's dress or grooming is objectionable under the above provisions, the principal shall request the student to make appropriate corrections. If the student declines, the principal shall notify the student's parents or legal guardian and request that person to make the necessary correction. If both the student and parent or legal guardian refuse, the principal shall take appropriate disciplinary action.

Students who violate provisions of the dress code and who refuse to correct the violation may be disciplined by removal or exclusion from extracurricular activities. In extreme cases, students may be suspended until the violation is corrected.

The following are specifically prohibited:

1. Shorts, cutoffs, or tank tops except in gym.
2. Shirts or blouses that do not overlap their skirts or trousers. Shirts should cover the chest.
3. Writing or pictures on shirts or patches or other clothing items that suggest obscenity or vulgarity or that promotes any type of behavior that is illegal for minors to engage in.
4. Indoor wearing of hats or caps. (Exceptions may be made for students with religious beliefs requiring a head covering or for medical reasons.)

HAZING

It is the policy of this school district that no student or employee of the district shall participate in or be members of any secret fraternity or secret organization that is in any degree related to the school or to a school activity. No student organization or any person associated with any organization sanctioned or authorized by the board of education shall engage or participate in hazing.

For the purposes of this policy, hazing is defined as an activity that recklessly or intentionally endangers the mental health or physical health or safety of a student for the purpose of initiation or admission into or affiliation with any organization sanctioned or authorized by the board of education.

"Endanger the physical health" shall include, but is not 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, drug, or controlled dangerous substance; or other forced physical activity which could adversely affect the physical health or safety of the individual.

"Endanger the mental health" shall include any activity, except those activities 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 result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual.

Any hazing activity upon which the initiation or admission into or affiliation with an organization sanctioned or authorized by the board of education is conditioned, directly or indirectly, shall be presumed to be a forced activity, even if the student willingly participates in such activity.

This policy is not intended to deprive school district authorities from taking necessary and appropriate disciplinary action toward any student or employee. Students or employees who violate this policy will be subject to disciplinary action that may include expulsion for students and employment termination for employees.

A copy of this policy will be furnished to each student and teacher in this school district.

REFERENCE: 21 O.S. §1190

THIS POLICY REQUIRED BY LAW.

BULLYING

It is the policy of this school district that bullying of students by other students, personnel, or the public will not be tolerated. Students are expected to be civil, polite, and fully engaged in the learning process. Students who act inappropriately are not fully engaged in the learning process. This policy is in effect while the students are on school grounds, in school vehicles, at designated bus stops, at school-sponsored activities, or at school-sanctioned events, and while away from school grounds if the misconduct directly affects the good order, efficient management, and welfare of the school district. Bullying of students 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 harassment, intimidation, or bullying at school. The school district is not required to provide educational services in the regular school setting to any student who has been removed from a public school or private school in Oklahoma or another state by administrative or judicial process for an act of using electronic communication with the intent to terrify, intimidate or harass, or threaten to inflict injury or physical harm to faculty or students.

As used in the School Safety and Bullying Prevention Act, "bullying" 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. Such behavior is specifically prohibited.

In administering discipline, consideration will be given to alternative methods of punishment to ensure that the most effective discipline is administered in each case. In all disciplinary action, teachers and administrators will be mindful of the fact that they are dealing with individual personalities. The faculty may consider consultation with parents to determine the most effective disciplinary measure.

In considering alternatives of corrective actions, the faculty/administration of the school district will consider those listed below. However, the school is not limited to these alternative methods, nor does this list reflect an order or sequence of events to follow in disciplinary actions. The board of education will rely upon the judgment and discretion of the administrator to determine the appropriate remedial or corrective action in each instance.

1. Conference with student
2. Conference with parents
3. In-school suspension
4. Detention
5. Referral to counselor
6. Behavioral contract
7. Changing student's seat assignment or class assignment
8. Requiring a student to make financial restitution for damaged property
9. Requiring a student to clean or straighten items or facilities damaged by the student's behavior
10. Restriction of privileges
11. Involvement of local authorities
12. Referring student to appropriate social agency or to a delinquency prevention and diversion program administrated by the office of Juvenile Affairs
13. Suspension
14. Performing Campus-site services for the school district
15. Other appropriate disciplinary action as required and as indicated by the circumstances which may include, but is not limited to, removal from eligibility to participate or attend extracurricular activities as well as removal from the privilege of attending or participating in the graduation ceremony, school dances, prom, prom activities, and/or class trips.

HARASSMENT (Cont.)

Harassment set forth above may include, but is not limited to, the following:

1. Verbal, physical, or written harassment or abuse;
2. Repeated remarks of a demeaning nature;
3. Implied or explicit threats concerning one's grades, achievements, etc.;
4. Demeaning jokes, stories, or activities directed at the student;
5. Unwelcome physical contact.

The superintendent shall develop procedures providing for:

1. Prompt investigation of allegations of harassment;
2. The expeditious correction of the conditions causing such harassment;
3. Establishment of adequate measures to provide confidentiality in the complaint process;
4. Initiation of appropriate corrective actions;
5. Identification and enactment of methods to prevent reoccurrence of the harassment; and
6. A process where the provisions of this policy are disseminated in writing annually to all staff and students.

A copy of this policy will be furnished to each student and teacher in this school district.

REFERENCE: 21 O.S. §850.0
70 O.S. §24-100.2

THIS POLICY REQUIRED BY LAW.

REPORTING STUDENTS UNDER THE INFLUENCE OF OR POSSESSING ALCOHOLIC BEVERAGES OR CONTROLLED DANGEROUS SUBSTANCES

It is the policy of the Burlington Board of Education that any administrator, teacher, or counselor who has reasonable suspicion that a student may be under the influence of, or has in his or her possession, alcoholic beverages - including the legally nonintoxicating beverage commonly referred to as 3.2 beer (low-point beer) - or a controlled dangerous substance as defined by law shall immediately notify the principal of such suspicions. The principal shall immediately notify the superintendent of schools and a parent or legal guardian of said student's possession of a controlled or counterfeit substance or suspected abuse thereof.

Any search, seizure, or subsequent disciplinary action shall be subject to applicable school policies, regulations, state laws, or student handbook rules.

Every administrator, teacher, or counselor employed by the board of education who has reason to believe that a student is under the influence of, or has possession of, alcoholic beverages (including 3.2 beer) or a controlled dangerous substance and who reports such information to appropriate school officials shall not be subject to civil liability unless such referral was made in bad faith or with malicious purpose.

This policy shall be distributed to each classroom teacher. Receipt shall be acknowledged in a form to be determined by the superintendent.

REFERENCE: **70 O.S. §24-138**
63 O.S. §2-101, et seq.
70 O.S. §24-102
37 O.S. §163.2

NOTE: **A copy of this policy must be filed with the State Superintendent of Public Instruction in accordance with 70 O.S. §24-138. While the cited statute requires only that school districts develop a written policy requiring only *teachers* to report students under the influence of certain substances, the State Department of Education has interpreted the civil liability exemption statute (70 O.S. §24-132) as requiring school administrators, teachers, or counselors to make such reports. Therefore, a school district's policy may be written to require reporting by administrators, teachers, and counselors.**

THIS POLICY REQUIRED BY LAW.

WEAPONS-FREE SCHOOLS

It is the policy of this school district to comply fully with the Gun-Free Schools Act.

1. Any student in this school district who uses or possesses a firearm at school, at any school-sponsored event, or in or upon any school property including school transportation or school-sponsored transportation may be removed from school for one full calendar year or longer.

   The superintendent or designee may modify the provisions of this policy on a case-by-case basis. However, any substantial modification must be reported to the board of education at its next meeting.

   Firearms are defined in Title 18 of the United States Code, Section 921, as (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device including any explosive, incendiary or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or any device similar to the above.

   Such firearm or weapon will be confiscated and released only to a law enforcement authority.

2. Oklahoma Statutes, Title 21, Section 1280.1 prohibits any person to have in such person's possession on any public or private school property or while in any school bus or vehicle used by any school for transportation of students or teachers any firearm or weapon as defined in Title 21, Section 1272, below:

   > "...any pistol, revolver, shotgun or rifle whether loaded or unloaded, or any dagger, bowie knife, dirk knife, switchblade knife, sword cane, knife having a blade which opens automatically by hand pressure applied to a button, spring, or other device in the handle of the knife, blackjack, loaded cane, billy, hand chain, metal knuckles, or any other offensive weapon, whether such weapon is concealed or unconcealed."

Students with disabilities are subject to this policy and will be disciplined in accordance with district policy and the Individuals with Disabilities Act and Section 504 of the Rehabilitation Act.

An exception to this policy may be made for students participating in an authorized extracurricular activity or team involving the use of firearms or archery equipment. In addition, exceptions will be made for a gun, knife, bayonet or other weapon in the possession of a member of a veterans group, the national guard, active military, the Reserve Officers' Training Corp (ROTC) or Junior ROTC, in order to participate in a ceremony, assembly or educational program approved by the principal or chief administrator of a school district where the ceremony, assembly or educational program is being held; provided, however, that the gun or other weapon that uses projectiles is not loaded and is inoperable at all times while on school property.

A handgun may be carried in a motor vehicle pursuant to a valid handgun license authorized by the Oklahoma Self-Defense Act onto property set aside by a public or private elementary or secondary school for the use or parking of any vehicle; provided, however, said handgun shall be stored and hidden from view in a locked motor vehicle when the motor vehicle is left unattended on school property

WEAPONS-FREE SCHOOLS (Cont.)

Any student who violates this policy will be subject to discipline which may include suspension for the remainder of the semester and the entire succeeding semester or up to one full calendar year or longer (for firearms) or for any term less than one calendar year (for weapons other than firearms) as determined by the superintendent or the superintendent's designee. Disciplinary action will be determined on a case-by-case basis.

Students found to be in violation of this policy shall be referred to the appropriate criminal or juvenile justice system. Any firearms found on the premises shall be reported to law enforcement and will immediately be turned over to local law enforcement as per state law requirements.

REFERENCE: 18 U.S.C. § 921
21 O.S. § 1271.1, § 1280.1, and § 1289.24
70 O.S. § 24-132.1

NOTE : The district is required to include, in each application to the State Department of Education for assistance under the Elementary and Secondary Education Act of 1965, a description of the circumstances surrounding any expulsions imposed under this policy, including the name of the school; the number of students expelled from the school, and the type of weapons concerned.

THIS POLICY REQUIRED BY LAW.

SEARCH OF STUDENTS
(REGULATION)

In accordance with the policy of the board of education, searches of students shall be conducted under the following circumstances:

The superintendent, principal, teacher, or security personnel of this school (authorized personnel) may detain and search any student or students on the premises of the public schools, or while attending, or while in transit to, any event or function sponsored or authorized by the school only under the following conditions:

1. When any authorized person has reasonable suspicion that the student may have on the student's person or property alcohol, dangerous weapons, unauthorized electronic paging devices, controlled dangerous substances as defined by law, stolen property if the property in question is reasonably suspected to have been taken from a student, a school employee, or the school during school activities, or any other items which have been or may reasonably be disruptive of school operations or in violation of student discipline rules.

2. School lockers and school desks are the property of the school, not the student. Students have no expectation of privacy concerning lockers, desks, or other school property. The users of lockers, desks, and other storage areas or compartments have no reasonable expectation of privacy from school employees as to the contents of those areas. Lockers, desks, and other storage areas or compartments may be subjected to searches at any time with or without reasonable suspicion. Students are not to use any school area or property to contain any item that should not be at school. Students shall not exchange lockers or desks or use any lockers or desks other than those assigned to them by the principal.

3. Authorized personnel may search a student, within the limits of state and federal law (or this policy), whenever the student consents to such a search. However, consent obtained through threats or coercion is not considered to be freely and voluntarily given.

4. Authorized personnel conducting a search shall have authority to detain the student or students and to preserve any contraband seized.

5. Any searches of students as outlined herein will be conducted by an authorized person who is the same sex as the person being searched and shall be witnessed by at least one other authorized person who is of the same sex as the person being searched.

6. Strip searches are forbidden. No clothing except cold weather outer garments will be removed before or during a search.

7. Items that may be seized during a lawful search - in addition to those mentioned in paragraph 1 above - shall include, but not be limited to, any item, object, instrument, or material commonly recognized as unlawful or prohibited. For example: prescription or nonprescription medicines, switchblade knives, brass knuckles, billy clubs, and pornographic literature are commonly recognizable as unlawful or prohibited items. Such items, or any other items which may pose a threat to a student, the student body, or other school personnel, shall be seized, identified as to ownership if possible, and held for release to proper authority.

SEARCH OF STUDENTS, REGULATION (Cont.)

8. Any student found to be in possession of dangerous weapons, controlled dangerous substances, or other unlawful or prohibited items may be suspended by the superintendent for a period not to exceed the current school semester and the succeeding semester. Such suspension may be in addition to any civil or criminal liability.

REFERENCE: 70 O.S. §24-102
70 O.S. §24-101.3

WIRELESS TELECOMMUNICATION DEVICES

It is the policy of the Board of Education that a student may possess a wireless telecommunications device while on school premises, or while in transit under the authority of the school, or while attending any function sponsored or authorized by the school upon prior written consent of both the student's parent or guardian, and the superintendent or the superintendent's designee.

Upon reasonable suspicion, the superintendent, principal, teacher, or security personnel shall have the authority to detain and search, or authorize the search of, any student or property in the possession of the student for unauthorized wireless telecommunication devices.

Students found to be using any electronic communications device for any illegal purpose, violation of privacy, or to in any way send or receive personal messages, data, or information that would contribute to or constitute cheating on tests or examinations shall be subject to discipline and the device shall be confiscated and not returned until a parent conference has been held. Students violating this rule will be disallowed from carrying any personal communication device following the incident unless a bona fide health emergency exists.

Students found to be in possession of or using a wireless telecommunications device in violation of the rules shall be subject to disciplinary action under the student discipline policy, including, but not limited to confiscation of the device pending parent/guardian conference, detention, or suspension. Punishment for violation will be determined by the administration on a case-by-case basis. Where appropriate, police authorities may be contacted.

Guidelines for use of wireless communication, mobile communication, and electronic devices:

1. Students using school owned devices must abide by the policies for use of the device.
2. Students bringing their own devices to school are responsible for the security of the device. The school will not be held responsible for loss, damage, theft, repair, modification, or replacement of the device, including loss of data.
3. ***If student A brings device to school, but student B uses it inappropriately…punishment is to student B, not student A.***
4. The devices may be used in the classroom at the discretion of the classroom teacher.
5. With permission of a teacher, students may charge their device in the classroom.
6. Students will comply with the instructors request to shut down, turn off or turn in any device. ***School employees cannot legally "keep" wireless telecommunication devices. That would be larceny.***
7. Staff will not provide technical support and peripheral equipment for student owned devices.
8. Devices will not be used during state testing. Use of the devices for various subjects testing will be at the discretion of the teacher.
9. Devices will not be used for illegal, destructive, harmful, or inappropriate activities, computer hacking, cyber-bullying, harassment, profanity, accessing offensive or obscene materials, violation of any federal or state laws, political lobbying or financial gain.
10. Devices will not be used to record, transmit or post photos, videos, or sound recordings without the specific permission of a teacher.
11. ***State and federal laws provide students with protection from unreasonable searches of their personal belongings. The district cannot legally mandate the ability to search personal belongings of students.***
12. Violation of these guidelines may result in temporary confiscation of the device and/or disciplinary action. ***This language seems not to fit within a wireless communication device policy unless…there have been reported issues with cell phones being thrown at sporting events.***

WIRELESS TELECOMMUNICATION DEVICES (Cont.)

REFERENCE: 70 O.S. §24-101.1, et seq.
70 O.S. §24-102

THIS POLICY REQUIRED BY LAW.

STUDENT DISCIPLINE

The Burlington Board of Education believes that the school's primary goal is to educate, not to discipline. However, education includes establishing norms of social behavior and assisting students in understanding and attaining those norms. Occasionally, corrective actions are necessary for the benefit of the individual and the school. The teacher in a public school has the same rights as a parent or guardian to control and discipline a child while the child is in attendance, in transit to or from the school, or participating in any authorized school function. Further, it is the policy of the district that students may be disciplined for any misconduct related to the programs or activities of the district. No teacher or administrator will administer formal discipline to his or her own child on behalf of the school except in cases of disruption in the classroom or common areas. Disciplinary matters concerning children of school employees will be handled by the appropriate principal or the superintendent or the superintendent's designee. The superintendent's child will be disciplined by someone other than the superintendent.

Each student shall be treated in a fair and equitable manner. Disciplinary action will be based on a careful assessment of the circumstances surrounding each infraction. The following are some examples of these circumstances:

The seriousness of the offense;
The effect of the offense on other students;
Whether the offense is physically or mentally injurious to other people;
Whether the incident is isolated or habitual behavior;
The manifestation of a disability;
Any other circumstances which may be appropriately considered.

Standards of behavior for all members of society are generally a matter of common sense. The following examples of behavior are not acceptable in society generally, and in a school environment particularly. The involvement of a student in the kind of behavior listed below will generally require remedial or corrective action. These examples are not intended to be exhaustive and the exclusion or omission of unacceptable behavior is not an endorsement or acceptance of such behavior. When, in the judgment of a teacher or administrator, a student is involved or has been involved in unacceptable behavior, appropriate remedial or corrective action will be taken.

1. Unexcused lateness to school
2. Unexcused lateness to class
3. Cutting class
4. Leaving school without permission
5. Refusing detention/late room
6. Smoking
7. Truancy
8. Possessing or using alcoholic beverages or other mood-altering chemicals
9. Stealing
10. Forgery, fraud, or embezzlement
11. Assault, physical and/or verbal
12. Fighting
13. Possession of weapons or other items with the potential to cause harm
14. Distributing obscene literature
15. Destroying/defacing school property

STUDENT DISCIPLINE (Cont.)

16. Racial discrimination including racial slurs or other demeaning remarks concerning another person's race, ancestry, or country of origin and directed toward another student, an employee, or a visitor
17. Sexual Harassment
18. Gang related activity or action
19. Cheating

In administering discipline, consideration will be given to alternative methods of punishment to insure that the most effective discipline is administered in each case. In all disciplinary action, teachers and administrators will be mindful of the fact that they are dealing with individual personalities. The faculty may consider consultation with parents to determine the most effective disciplinary measure.

In considering alternatives of corrective actions, the faculty/administration of the school district will consider those listed below. However, the school is not limited to these alternative methods, nor does this list reflect an order or sequence of events to follow in disciplinary actions. The board of education will rely upon the judgment and discretion of the administrator to determine the appropriate remedial or corrective action in each instance.

1. Conference with student
2. Conference with parents
3. In-school suspension
4. Detention
5. Referral to counselor
6. Behavioral contract
7. Changing student's seat assignment or class assignment
8. Requiring a student to make financial restitution for damaged property
9. Requiring a student to clean or straighten items or facilities damaged by the student's behavior
10. Restriction of privileges
11. Involvement of local authorities
12. Referring student to appropriate social agency
13. Suspension
14. Other appropriate disciplinary action as required and as indicated by the circumstances which may include, but is not limited to, removal from eligibility to participate or attend extracurricular activities as well as removal from the privilege of attending or participating in the graduation ceremony, school dances, prom, prom activities, and/or class trips.

Parents, guardians, and students enrolled in this school district shall be notified at the beginning of each school year that this policy is in effect. A copy of this policy will be made available upon request to parents or guardians at any time during the school year.

Parents, guardians, and students residing in this school district are also advised by means of this policy statement and by the student handbook that students in this district shall have no reasonable expectation of privacy rights towards school officials, in school lockers, desks, or other school property. School personnel shall have access to school lockers, desks, and other school property at any time and no reason shall be necessary for such search. Student property may be searched with reasonable suspicion.

Teachers, parents, guardians, and students are invited and encouraged to participate in the formulation of disciplinary policies, rules, and regulations by suggesting to administrators appropriate means of discipline for specific infractions.

STUDENT DISCIPLINE (Cont.)

REFERENCE: 10 O.S. §7115
70 O.S. §6-114
70 O.S. §24-101.3

THIS POLICY REQUIRED BY LAW.

CORPORAL PUNISHMENT

Corporal punishment is a disciplinary action authorized to be used by administrators in Burlington Public Schools as long as it is administered in accordance with the guidelines established by the building principal and pursuant to state and federal law. All corporal punishment will be handled through the office of the principal. However, under no circumstances shall any child in DHS custody be administered corporal punishment. School district personnel are prohibited from using corporal punishment on students identified with the most significant cognitive disabilities according to criteria established by the State Department of Education unless the punishment is addressed in the student's individualized education program (IEP).

At the beginning of the school year, parents and legal guardians will be provided the opportunity to request the nonadministration of corporal punishment to their children. If a request for the nonadministration of corporal punishment has not been signed, the administration shall notify a parent or legal guardian that corporal punishment is being planned. At that time, the parent or legal guardian may request that corporal punishment not be administered. Corporal punishment will not be administered to any student whose parent or guardian has requested that the child not be given corporal punishment if such request is in writing and on file with the principal. If a parent or legal guardian has requested that corporal punishment not be administered to the student, alternative discipline will be considered and may include suspension from school.

Corporal punishment shall not be administered to a student with a disability, as defined by the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act and/or any regulations promulgated in connection with any of said acts.

Corporal punishment will be administered only in the presence of another certified staff member. Corporal punishment will not be administered in the presence of any other students.

Only ordinary or reasonable force is to be used. In determining what is ordinary or reasonable force, the person responsible for administering punishment shall consider the nature and severity of the misconduct, attitude and past behavior of the student, availability of less severe but equally effective means of punishment, severity of punishment and the age and physical condition of the student.

Guidelines for Administering Corporal Punishment

1. All corporal punishment will be administered through the office and witnessed by certified personnel, preferably one being an administrator when possible.
2. Documentation must be signed by both the certified personnel who administers the punishment and the certified witness.
3. Documentation must include the reason for the punishment, the date administered, and the time and place administered.
4. The certified personnel administering corporal punishment must return the documentation to the principal on the same day as the punishment.
5. Corporal punishment will not exceed three swats per day.

REFERENCE: 10 O.S. §7115
70 O.S. §6-113.1
70 O.S. §6-114
70 O.S. §13-116

SUSPENSION OF STUDENTS

The Burlington Board of Education holds the position that a student may be suspended out of school when the student is found to be guilty of any of the following acts:

a. violation of a school policy or regulation
b. profanity or abusive language
c. an intoxicating beverage, low-point beer, or missing or stolen property if the property is reasonably suspected to been taken from a student, a school employee, or the school
d. to have been in possession of a dangerous weapon (except where permitted by law) or a controlled dangerous substance
e. to be in possession of, sale, use and/or under the influence of a narcotic or dangerous drug
f. to dress or have the appearance, attitude or behavior that materially and substantially interferes with the education process
g. vandalism, thievery, defacing or destruction of any school property
h. fighting, assault, attempted assault, acts which could reasonably cause bodily injury
i. when other methods of discipline have failed to control behavior problems.

The district shall implement the following considerations in making decisions in suspension situations:

1. Before a pupil is suspended out of school for the above-named reasons, the school principal shall consider alternative in-school placement options that are not to be considered suspension, such as placement in an alternative school setting, reassignment to another classroom, or in-school detention.

2. A student suspended for more than five (5) days shall be given an educational plan.

3. The parent or guardian of a student suspended out of school for the above-named reasons shall provide a supervised, structured environment for the student and bear responsibility for student's educational progress.

4. The school administration shall provide an education plan designed for the eventual reintegration of the student into school.

    a. The plan need provide only for the core units (English, math, science, social studies, and art for students in grades kindergarten through eight and all courses required for high school graduation in grades nine through twelve).
    b. The plan shall set out the procedure for education.
    c. The plan shall address academic credit for work satisfactorily completed.

5. Suspended students on an individualized education plan shall be provided the education and related services in accordance with the student's IEP.

Suspension for possession of firearms.

Any student found in possession of a firearm while on any public school property or while in any school bus or other vehicle used by a public school for transportation of students or teachers shall be suspended out of school for a period of not less than one (1) year, except for instances where such possession is allowed pursuant to the provisions set forth in 21 O.S. 2001, Section 1280.1. The superintendent may modify the term of the suspension on a case-by-case basis. The student may request a review of the suspension with the administration.

SUSPENSION OF STUDENTS (Cont.)

Due process

The superintendent and/or principal shall have the authority to suspend a student. Before suspending a student, the student shall be given oral or written notice of the charge and, if the student denies it, an explanation of the evidence and an opportunity to present his or her side of the story. Students whose presence imposes a continuing danger may be removed from the school immediately. Written notice and a hearing shall follow as soon as possible.

Student Appeal

A student suspended by the district shall have the right to appeal as listed in the regulation.

No school board member, administrator, or teacher may be held civilly liable for any action taken in good faith, which is authorized by law under the provisions of this policy.

The superintendent is directed to establish regulations, subject to board approval, which support this policy. Such regulations shall include provisions for appeal of suspension to a suspension appeals committee and/or the board of education. The superintendent may delegate authority for suspensions of students to building principals.

REFERENCE: 10 O.S. §7005-1.2
10 O.S. §7303-5.3
10 O.S. §7307-1.2
37 O.S. §163.2
70 O.S. §24-101.3, §24-102, §24-103, et seq.

THIS POLICY REQUIRED BY LAW.

SUSPENSION OF STUDENTS (REGULATION)

In accordance with the policy of the board of education, the following regulation shall govern the suspension of students from school.

The authority to suspend a student from a school in the school district is delegated to the respective building principals.

1. Any student may be suspended for:

   - Violations of policy or regulations
   - Possession of an intoxicating beverage, low-point beer (37 O.S. §163.2) (See policy FNCE)
   - Possession of 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
   - Possession of a dangerous weapon or a controlled dangerous substance while or within two thousand (2,000) feet of public school property, or at a school event (Uniform Controlled Dangerous Substances Act) (See policies FNCE and FNCGA)
   - Possession of a firearm may result in out-of-school suspension of not less than one year (See policy FNCGA)
   - Any act which disrupts the academic atmosphere of the school, endangers or threatens fellow students, teachers, or officials, or damages property
   - Students in grades six through twelve 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 a school shall be suspended for the remainder of the current semester and the next consecutive semester. The term of the suspension may be modified by the school district superintendent on a case-by-case basis.

2. A full suspension shall not extend beyond the present semester and the succeeding semester except for violations of the Gun-Free Schools Act which provides suspensions for up to one calendar year or longer. (See policy FNCGA.)

3. Except under circumstances that require the immediate removal of a student or students, the parent(s) or legal guardian(s) shall be informed before a student is released from school.

4. Any student who has been adjudicated as a delinquent and has been removed from a public or private school in this state or any other state for such act, will not be enrolled in a regular class room setting in the district but may be provided an alternative education solution until such time as that student no longer poses a threat to self, other students, or faculty.

5. Students suspended out-of-school who are on an individualized education plan pursuant to IDEA, P.L. No. 101-476, shall be provided the education and related services in accordance with the student's IEP.

6. A student who has been suspended for a violent offense that is directed towards a classroom teacher shall not be allowed to return to that teacher's classroom without the approval of that teacher.

SUSPENSION OF STUDENTS, REGULATION (Cont.)

Procedural Steps to Suspension

Before a student is suspended from school, the principal of that school shall consider and apply, if appropriate, alternative in-school placement options that are not to be considered suspensions. Such placements can include an alternative school setting, reassignment to another classroom, or in-school detention. If such alternate placement is rejected, written justification must be placed in the student's permanent record.

1. Probation. A student may be placed on probation with or without additional disciplinary action. If probation is elected by the principal as a suitable alternative to suspension, both the student and the parent(s) shall be notified of the probation and the reasons therefor.

2. In-school placement. In-school placement is an alternative to out-of-school suspension. In-school placement will be imposed by the student's principal, and the student will be placed in a supervised, structured environment. This placement will not be considered suspension and may include an alternative school setting, reassignment to another classroom, or in-school detention. Both the student and the parent(s) shall be notified of the placement, the reasons therefor, and the right to appeal the placement to the suspension appeals committee.

3. Out-of-school suspension.

    A. Both the student and the parent(s) shall be notified of the suspension, the grounds therefor, and the right to appeal the suspension to the board of education. A student suspended out-of-school will be placed in a supervised, structured environment in either a home-based school work assignment setting or another appropriate setting.

    B. If a student is suspended out-of-school for five (5) days or less, the district may provide an education plan. If a student is suspended for more than five (5) days and is found guilty of acts as described above, the school administration shall provide the student with an education plan designed for the eventual reintegration of the student into school which provides for the core units in which the student is enrolled. The minimum core units shall consist of English, mathematics, science, social studies, and art. The plan shall set out the procedure for education and shall address academic credit for work satisfactorily completed. A copy of the plan shall be provided to the student's parents or guardian, and the parents or guardian shall be responsible for the provision of a supervised, structured environment in which the parent or guardian shall place the student and bear responsibility for monitoring the student's educational progress until the student is readmitted to school.

Appellate Procedures

Suspension Appeals Committee

A suspension appeals committee is hereby established which will consist of 2 administrators or teachers or a combination thereof. The members of the committee shall be appointed by the superintendent and may include the superintendent. However, any member of the committee who initiated a suspension in a case shall be excused from the committee during any appeal of that particular case.

SUSPENSION OF STUDENTS, REGULATION (Cont.)

Appellate Procedures

1. Any student who has been suspended for ten (10) days or less under the steps listed above, or the student's parent(s), may appeal the suspension to the suspension appeals committee. The following procedures shall govern the appellate process:

   A. The student, or the student's parent(s), shall notify the superintendent within ten (10) days following the suspension or the notice of the intent to suspend of their intent to appeal the suspension.

   B. Upon receiving notice of a student's intent to appeal, the superintendent shall advise the suspension appeals committee. The suspension appeals committee shall hear the appeal within ten (10) days from the date the notice of intent is filed with the superintendent. The superintendent, at his/her discretion, may permit the suspended student to attend classes pending the outcome of the appeal.

   C. During the hearing of the appeal before the suspension appeals committee, the student or the student's parent(s) shall have the right to provide evidence as to why the suspension, or the duration thereof, is inappropriate. The student shall not have the right to be represented by legal counsel, unless the school district is represented by legal counsel.

   D. The suspension appeals committee shall determine the guilt or innocence of the student, and the reasonableness of the term of the suspension. The suspension appeals committee may uphold, overrule, or modify the suspension. The student and the student's parent(s) shall be notified within five (5) days of the decision.

   E. Decisions of the suspension appeals committee may not be appealed to the board of education. The decision of the suspension appeals committee shall be final.

2. Any student who has been suspended for greater than ten (10) days under the steps listed above, or the student's parent(s), may request a review of the suspension with the administration. If the administration does not withdraw the suspension, the student shall have the right to appeal the decision to the board of education. The following procedures shall govern the appellate process:

   A. The student, or the student's parent(s), shall notify the superintendent within ten (10) days following the suspension or the notice of the intent to suspend of their intent to appeal the suspension.

   B. Upon receiving notice of a student's intent to appeal, the superintendent shall advise the board of education. The board of education may conduct the hearing or may appoint a hearing officer to conduct the hearing. The board of education or hearing officer shall hear the appeal within ten (10) days from the date the notice of intent is filed with the superintendent. The superintendent, at his/her discretion, may permit the suspended student to attend classes pending the outcome of the appeal.

   C. During the hearing of the appeal before the board of education or hearing officer, the student or the student's parent(s) shall have the right to provide evidence as to why the suspension, or the duration thereof, is inappropriate. The student shall not have the right to be represented by legal counsel, unless the school district is represented by legal counsel.

SUSPENSION OF STUDENTS, REGULATION (Cont.)

D. The board of education or hearing officer shall determine the guilt or innocence of the student, and the reasonableness of the term of the suspension. The board of education or hearing officer may uphold, overrule, or modify the suspension. The student and the student's parent(s) shall be notified within five (5) days of the decision. The decision of the board of education or hearing officer shall be final.

NOTE: **70 O.S. §24-101.3 (E) states that a student who has been suspended from a public or private school in the state of Oklahoma or another state for a violent act or an act showing deliberate or reckless disregard for the health or safety of faculty or other students shall not be entitled to enroll in a public school of this state, and no public school shall be required to enroll such student, until the terms of the suspension have been met or the time of suspension has expired.**

THIS POLICY REQUIRED BY LAW.

STUDENTS:
FEES, FINES, AND CHARGES

It is the goal of the Burlington Board of Education to provide a free, appropriate, public education to all the children of this district. However, there are certain areas in which the payment of fees, fines, or charges may be required. The superintendent is directed to establish a regulation designating such areas and setting forth methods of payment.

OPEN RECORDS ACT
(REGULATION)

In accordance with the policy of the board of education to recognize and facilitate the public's right of access to and review of the district's public records, the following regulations shall apply:

Public access to district records shall be provided in accordance with applicable federal and state laws and regulations. The district shall implement the following procedures to provide prompt and reasonable access to its records in a manner that protects the integrity and organization of its records and prevents excessive disruptions of its essential functions.

1. Records specifically exempted by law from public inspection and copying are also exempted from this policy, including but not limited to:

   A. Records which relate to internal personnel investigations including examination and selection material for employment, hiring, appointment, promotion, demotion, discipline, or resignation.

   B. Records where disclosure would constitute a clearly unwarranted invasion of personal privacy such as employee evaluations, payroll deductions, employment applications submitted by persons not hired by the public body, and transcripts from institutions of higher education maintained in the personnel files of certified public employees (may disclose degree obtained and curriculum on the transcripts of certified public employees).

   C. Records of what transpired during meetings of the district's board of education lawfully closed to the public, such as executive sessions authorized under the Oklahoma Open Meeting Act. The following information may be kept confidential:

      1. Investigative evidence of a plan or scheme to commit an act of terrorism;

      2. Assessments of the vulnerability of government facilities or public improvements to an act of terrorism and work papers directly related to preparing the assessment of vulnerability;

      3. Plans for deterrence or prevention of or protection from an act of terrorism;

      4. Plans for response or remediation after an act of terrorism;

      5. Information technology of a public body or public official but only if the information specifically identifies:

         a. Design or functional schematics that demonstrate the relationship or connections between devices or systems;

         b. System configuration information;

         c. Security monitoring and response equipment placement and configuration;

         d. Specific location or placement of systems, components, or devices;

OPEN RECORDS ACT, REGULATION (Cont.)

e. System identification numbers, names, or connecting circuits;

f. Business continuity and disaster planning, or response plans; or

g. Investigation information directly related to security penetrations or denial of services; or

6. Investigation evidence of an act of terrorism that has already been committed.

The term "terrorism" means any act encompassed by the definitions set forth in Section 1268.1 of Title 21 of the Oklahoma Statutes.

D. The home address or social security number of any employee or former employee.

2. Requests for the inspection and copying of district records will be accommodated by district personnel designated to release district records for inspection and copying as soon as it is determined the requested records are not exempt from inspection and copying. Such determination may require the consideration of the superintendent and/or the district's attorney. Records shall only be available during the regular business hours of the district's administration building.

3. The superintendent shall charge a fee to recover the reasonable direct costs of copying district records. The superintendent shall also charge a fee for the direct costs of searching for district records sought for solely commercial purposes or for searches which cause excessive disruption to the district's essential functions. Search fees shall not be charged for records sought in the public interest, including, but not limited to releases to the news media, scholars, authors, and taxpayers seeking to determine whether officials of the district are honestly, faithfully, and competently performing their duties as public servants. Fees for copies shall be paid in advance before the copies are made. A deposit may be required for search fees. The fee schedule for searching for and copying of district records shall be as follows:

Copies: 8 1/2" x 11" - $.25 per copy
8 1/2" x 14" - $.25 per copy

Search fee: $25.00 per hour

The referenced fees shall be posted at the principal office of the school district and with the county clerk.

4. The following records shall be kept confidential by the district:

A. Individual student records;

B. Teacher lesson plans, tests, and other teaching material; and

C. Personal communications concerning individual students;

OPEN RECORDS ACT, REGULATION (Cont.)

D. Personnel records which relate to internal personnel investigations including examination and selection material for employment, hiring, appointment, promotion, demotion, discipline, or resignation; or

E. Personnel records whose disclosure would constitute a clearly unwarranted invasion of personal privacy such as employee evaluations, payroll deductions, or employment applications submitted by persons not hired by the public body.

5. An employee of the district shall have a right of access to the employee's own personnel file.

REFERENCE: 51 O.S. §24A.5
51 O.S. §24A.27

OPEN RECORDS ACT

It is the policy of the Burlington Board of Education to recognize and facilitate the public's right of access to and review of public records. The district is not required to release information contained in its education records except in conformity with the provisions of the Open Records Act, Title 51, Oklahoma Statutes, Section 24 A.l. and only to the extent that said act does not violate federal law. (See GBA-R.)

The superintendent's secretary shall be the district's custodian of public records and shall be responsible for the preservation and care of those public records. At least one person shall be available at all times to release records during the regular business hours of the school district. Additionally, the superintendent may establish reasonable rules of procedure by which public records may be inspected.

The superintendent shall charge a fee to recover the reasonable direct costs of copying district records. The superintendent shall also charge a fee for the direct costs of searching for district records sought for solely commercial purposes or for searches that cause excessive disruption to the district's essential functions. In no case shall a search fee be charged for records sought in the public interest including, but not limited to, releases to the news media, scholars, authors, and taxpayers seeking to determine whether officials of the district are honestly, faithfully, and competently performing their duties as public servants. Fees for copies shall be paid in advance before the copies are made. A deposit may be required for search fees. The fee schedule for searching for and copying of district records shall be as follows:

Copies:		Research:
8 1/2" X 11" or		$25.00 per hour
8 1/2" x 14"	$.25 per copy	
11" x 17" ledger	$.50 per copy	
Certified copy	$1.00 per page	

All confidential student records as defined by state and federal law shall remain confidential and accessible only to authorized personnel. The district may make requested records available on the Internet to comply with the obligation of providing prompt, reasonable access to records.

REFERENCE: 51 O.S. §24 A.l, et seq.

NOTE: If regular business hours are not maintained, the school district is required by law to post and maintain a written notice at the main office of the school district and with the county clerk, which notice shall include the following: (1) the hours records are available for inspecting, copying, and reproduction; (2) the name, address, and telephone number of the individual in charge of the records; and (3) detailed procedures for obtaining access to the records at least two days of the week, excluding Sunday.

DISTRIBUTION OF INFORMATION AND MATERIALS ON SCHOOL PREMISES

It is the policy of the Burlington Board of Education that in order to prevent undue interruption of school time, personnel, and resources, the distribution or posting of non-school-related materials is prohibited in district schools and on district property at all times.

Requests by individuals or groups for schools to use or distribute pamphlets, booklets, flyers, brochures, and other similar materials to students for classroom use or to take home must be submitted in writing to the superintendent's office. The materials and the proposed method of distribution shall be subject to review based on legitimate educational concerns. Such concerns shall include whether the material:

1. May be defamatory;

2. Is poorly written, inadequately researched, biased, or prejudiced;

3. Contains information that is not factual;

4. Is not free of racial, ethnic, or sexual bias; or

5. Contains advertising that violates public school laws, rules, and/or policy, is deemed inappropriate for students, or that the public might reasonably perceive to bear the sanction or approval of the district.

The superintendent or designee will determine whether acceptance of the material will contribute in a meaningful way to the educational program of the school. The educational program of the school is understood to include instruction, extracurricular activities, athletics, assemblies, and other similar activities carried out by the school.

The administration shall determine distribution procedures. Such procedures may include:

1. Distribution to each student before or after class if materials are not directly related to the instructional goals;

2. Notification to students or parents of the availability of the materials in a specified location if this procedure is deemed less disruptive to the educational process; or

3. Solicitation of school-related groups such as parent organizations to distribute materials.

Announcements of events sponsored by non-school groups must meet the same criteria and, if approved, may be posted in a central area within the school.

Commercial materials will not be distributed through the schools unless they are of benefit to the overall educational program of the school and are approved by the superintendent. These materials include, but are not limited to, equipment, supplies, printed matter, logos, slogans, trademarks, symbols, individuals and programs which are recognizable as representing a commercial firm, product, or service.

Any plans by an organization that would involve students in any manner must have the prior approval of the superintendent.

The practice of distributing pamphlets, booklets, flyers, brochures, and other similar materials shall be periodically reviewed to ensure that the mere volume of requests has not become an interruption to the educational process.

SCHOOL VISITORS
(GRIEVANCE/APPEALS PROCESS)

Any person who has been removed from this institution or from a school activity or event whether held on or off the premises shall be given written notice of the procedures for requesting a hearing and filing a grievance or appeal with the board of education by their receipt of a copy of this policy.

Filing a Grievance or Appeal

Within five (5) working days of being directed to leave premises, the individual ("complainant") may request a hearing before the board of education regarding their removal from school premises. The request shall be submitted in writing to the superintendent. Such request shall be mailed certified mail, return receipt requested. If the complainant fails to request a hearing within five (5) working days of being directed to leave the premises, the right to a hearing shall be deemed to be waived.

Upon receipt of the complainant's request for a hearing, the administration shall prepare a written summary of the reason(s) why the individual was directed to leave school premises. The written summary may include the date, time, place, witness statements, and reasoning behind the administrator's decision to direct the individual to leave school premises. The written summary prepared by the administration shall be mailed to the complainant no later than ten (10) days prior to the date set for hearing before the board of education.

Hearing

The hearing shall be conducted by the board of education as follows:

1. The administration shall present each of the board members with a copy of the written summary provided to the complainant;

2. The complainant shall present each of the board members with a copy of a written response to the administration's paperwork;

3. Members of the board of education shall be afforded the opportunity to ask questions related to the summary and response;

4. The board of education shall vote to accept, amend, or reject the recommendation of the administration with regard to the directive to complainant[1].

The decision of the board of education shall be final and unappealable.

THIS POLICY REQUIRED BY LAW.

[1] Agenda language will need to reflect the individual's name.

SCHOOL VISITORS

It is the policy of the Burlington Board of Education that all visitors to any school facility obtain a visitor's pass at the building principal's office. Parents are requested not to send or allow siblings to visit students in the classroom.

Staff members are not normally expected to have personal visitors during the school day.

Agents or other persons shall not visit teachers during school hours for the purpose of selling books or other articles without written consent from the superintendent.

The superintendent or principal of any school shall have the authority to order any person[1] out of the school building and off the school property when it appears that the presence of such person is a threat to the peaceful conduct of school business, school activities, and/or school classes. This authority shall extend to the removal of any individual attending an official school activity or field trip where students are present, including an activity or field trip not on school property, when the superintendent or principal determines that a threat to the peaceful conduct of students exists. Any person who refuses to leave the school building or grounds after being ordered to do so by the superintendent or principal, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than $500.00 or by imprisonment in the county jail for not more than 90 days, or by both such fine and imprisonment.

Any person who is requested to leave the premises shall be unable to return to the premises without the written permission of the administration for a period of six months. A grievance or an appeal may be filed by the individual as per district policy GJ-P.

REFERENCE: 70 O.S. §24-131
21 O.S. §§ 1375, 1376

THIS POLICY REQUIRED BY LAW.

[1] Does not include students, officers, or employees of the district.

STUDENT RECRUITMENT
ACCESS TO STUDENTS AND DIRECTORY INFORMATION

The Burlington Public School District may disclose any of the items listed as directory information without prior written consent, unless notified in writing to the contrary. The parent, legal guardian of the student, or the student age 18 or over may also provide written notification to the school administration requesting directory information not be released to military service recruiters. (See policy FLD for listing of directory information items.)

Subject to the provisions of state and federal laws, this district shall provide the same directory information and on-campus recruiting opportunities to representatives of the armed forces of the United States of America and state armed services as are offered to nonmilitary recruiters, recruiters for commercial concerns, and recruiters representing institutions of higher education.

The school administrator may make the determination of when the recruitment meetings are to take place and reserves the right to deny such meeting where the holding of such meeting will materially and substantially interfere with the proper and orderly operation of the school. Organizations wishing to recruit at the high school must make arrangements with the principal or designee who will determine the schedule for the recruitment meeting. Scheduled visits by recruiters will be made known to the student body. On-campus follow-up meetings with individual students will be permitted only upon the request of the student(s) and with the approval of the building principal or designee.

Any person or organization denied the rights accorded under this policy shall have the right to request a review of the decision by the board of education by filing a written request with the superintendent of schools.

This district will notify parents of the types of student directory information released. The notice will include:

1. An explanation of the parent's right to request that information not be disclosed without prior written consent;

2. Notice that the school routinely discloses names, addresses, and telephone numbers to military recruiters upon request, subject to a parent's request not to disclose such information without written consent; and

3. Notification on how the parent may opt out of the public, nonconsensual disclosure of directory information and the method and timeline within which to do so.

The notice will be provided to parents on an annual basis.

REFERENCE: 10 U.S.C. §503 as amended by The National Defense Authorization Act for Fiscal Year 2002 (P.L. 107-107)
20 U.S.C. §7908

NOTE: Cited provisions of federal law apply to all LEAs receiving ESEA funds. A district's failure to comply with ESEA regulations may result in loss of funds.

A POLICY ON THIS TOPIC IS REQUIRED BY FEDERAL LAW

REQUEST FOR USE OF SCHOOL PROPERTY

Request for use of _____
(School Property)

Date of use _____

Starting time _____ Ending time _____

Request made by _____
(Sponsoring Group or Organization)

Purpose of use _____

Admission charge: Yes _____ No _____

The following stipulations apply to non-school-related individuals, groups, and organizations.

The undersigned user of school property hereby agrees to:

1. Observe the rules and regulations for the use of school property as established in Section GK of the adopted board policy.
2. Assume full responsibility for loss or damage to school district property resulting from such use.
3. Assume full responsibility for personal injury sustained by any person as a result of such use and waive all school district liability.
4. Pay the usual and customary fee for such use.
5. Sign a hold-harmless agreement with the District.
6. Signing this statement acknowledges that the person below has provided the school district with proof of insurance coverage.

_____
Signature

Request approved _____ Fee _____

USE OF SCHOOL PROPERTY
(REGULATIONS)

Obtain from the district office the necessary application forms.

Application must be submitted at least one week in advance.

Return the forms to the district office.

If a rental charge is required, it shall be paid in the district business office. All checks shall be made payable to: BurlingtonPublic Schools.

School property shall not be available on occasions or during hours that have been scheduled in advance by the various school principals for school exercises or functions in connection with regular schoolwork.

Persons or organizations using school property that include a stage and stage equipment shall not be permitted to remove or displace furniture or apparatus. Pianos shall not be moved on or off the stage, except under the direction of the district personnel in charge.

Access to rooms or facilities, including playing fields, other than approved by application, shall not be permitted.

No intoxicants or narcotics shall be used in or about school buildings, premises, and transportation equipment, including playing fields; nor shall profane language, quarreling, fighting, or gambling be permitted.

Smoking in school buildings is prohibited. Violations of this rule by any organization during occupancy shall be sufficient cause for denying further use of school premises to the organization. The school district's policy regarding tobacco use will be provided, which policy discloses the school's rules regarding tobacco products on school premises.

Juvenile organizations must have adequate adult sponsorship and supervision.

The person or group receiving the permit shall be responsible in case of loss or damage.

No preparation shall be used on the floors at any time by groups using a building for dancing.

A school employee must be on the school grounds at all times when facilities are being used by outside groups. When custodians are normally not on duty, any group using school facilities must reimburse the school for all employment costs incurred by the district for such employment of school personnel, in addition to any rental fee as prescribed. The custodian is paid at his/her time and one-half rate.

All functions must close by midnight unless special arrangements have been made with the school principal.

Any person applying for the use of school property on behalf of any society, group, or organization shall be a member of such applicant group and must present written authorization from such applicant group to make such application.

It is the responsibility of the organization to provide proof of liability insurance before using any facility or transportation equipment. A copy of the organization's liability insurance shall be maintained on file in the district administration office.

USE OF SCHOOL PROPERTY, REGULATIONS (Cont.)

The school district reserves the right to reschedule any or all school property for another purpose or group should a priority need arise.

During School Hours

School buildings, property, or equipment may be used only by student groups for student group meetings or activities that are related to the curriculum during normal school hours. Such use shall be arranged according to the official school schedule.

The use of school buildings, property, or equipment by students during normal school hours shall be free of charge. However, consent of the superintendent must be obtained. The building custodian and a member of the faculty must be present at the school.

During Non-School Hours

School buildings, property, or equipment may be made available to student or non-student groups for non-curriculum use of a general public interest during non-school hours. A schedule of fees, rates, and charges is outlined below.

These regulations shall be made available to applicants and the observance of these regulations is a condition of the use of the facilities.

Schedule of Fees, Rates, and Charges for Non-Student-Led Groups

Gyms - $10.00 for practice (minimum rental of 3 hours).

Custodial service will be made available at the actual cost incurred by the school district for the employee's services.

Cafeterias - $10.00 per hour (minimum rental of 3 hours). If the kitchen is used, at least one cafeteria employee regularly assigned to that kitchen must be used for an additional rate of the actual cost incurred by the school district for the employee's services. Custodial service will be available the actual cost incurred by the school district for the employee's services.

Classrooms - $10.00 per hour per room (minimum rental of 3 hours).

Other buildings, property, or equipment may be available for use as described above at the discretion of the board of education.

USE OF ATHLETIC FACILITIES (REGULATION)

The following regulations shall apply to the use of all athletic facilities of the school district:

1. School facilities may be used only if not being used by any school group. Student activities will take priority over all other activities. Priority for use of the buildings is as follows:

   A. School-scheduled events.

   B. School children sponsored by in-district groups.

   C. Civic and fraternal organizations.

   D. In-district groups not involving students that do not fall in the above categories.

   E. No group outside the school district will be permitted use of the building.

   A student activity must be an organized, scheduled, sponsored activity. Students who do not have a sponsor will not be permitted to enter the gym while in use by another group. A fee may be charged by the school to cover the cost of utilities.

2. Groups using the school facilities must be responsible for damages incurred as a result of the use of the facilities. Only groups composed of graduates, patrons, or students living in the district may be eligible to use school facilities.

3. Floors must be swept after every practice and/or game. The wearing of street shoes on the gym floor will not be permitted.

4. An adult sponsor must be in constant supervision.

5. Groups must furnish their own basketballs. Groups are not permitted to borrow equipment from any student locker.

6. A deposit of $50.00 will be made by each group using the gym. The deposit will be refunded at the end of the season if no damages have occurred. Any damage in excess of the deposit must be fully reimbursed to the school.

7. Children permitted to come with parents must be kept under strict supervision. Under no circumstances should the children be allowed in the dressing rooms or on the playing courts.

8. Officials must be registered, responsible people who are sanctioned by the Oklahoma Secondary School Activities Association.

9. The key is to be checked out from the principal on the day of the event, to be returned by the following day. The sponsor assumes the responsibility that no duplicate keys are made. This is a community trust.

USE OF ATHLETIC FACILITIES, REGULATION (Cont.)

10. No intoxicants of any kind shall be brought into or near the facilities being used. No soft drinks shall be brought inside the gym. No smoking is allowed inside the gym.

11. Sponsors of a group using the facilities must ensure that all doors or gates are locked and all lights are turned off when they leave the school facilities.

12. Community groups must furnish their own concession facilities. This includes supplies, machines, and concession area. The regular concession stand is stocked with school group supplies that would have to be moved if the concession stand was to be used by community groups. Machines are property of a school group or a school group is responsible for rented machines; therefore, parts and repairs are charged to the school group.

13. Advertising and commercial announcements are not to be made in the schools. Advertisements may not be posted on the school premises.

14. The group must appoint one person to be responsible for ensuring that these rules are not violated. That person should sign these regulations and return them to the principal of the school involved.

15. If these regulations are not followed, the group forfeits its privilege to use the facilities. The principal is to determine if the group is abiding by the regulations. The principal can immediately terminate the use of the gym.

16. These rules shall be read by the sponsor to each member of the group. The rules are as follows:

Use of Football Field by Community Groups

1. Games are to be scheduled around the high school "A" and "B" teams and the junior high games. Most of these games will be played on Mondays, Thursday, and Fridays.

2. The field is not to be used by any organization when the field is in such condition that traffic on the field would damage the turf.

3. Lights are to be paid for at the current rate per hour. The number of hours is to be kept by the community group.

4. All items used by community groups are to be returned in the same condition as issued except for normal wear.

5. The coach of each group is to have a set of all the rules.

Use of Baseball Diamond by Community Groups

1. The community groups are to schedule their games around school games for the use of the high school diamonds.

2. The boys/girls who are eligible to participate must be from the Burlington School District.

USE OF ATHLETIC FACILITIES, REGULATION (Cont.)

3. Base paths, base stakes, home plate, pitchers mound, foul lines, and grass are not to be altered.
4. Lights are to be paid for at the current rate.
5. The groups are to maintain the diamond and the dugouts.
6. The groups are to furnish their own marking materials.
7. All items used by community groups are to be returned in the same condition as issued except for normal wear.
8. The coach of each group is to have a set of all the rules.

The board of education respectfully requests that each group strive to keep our buildings in a neat and orderly condition in which we can have justifiable pride.

I AGREE TO THE PRECEDING REGULATIONS.

_____

NAME OF COMMUNITY GROUP RESPONSIBLE PERSON DATE

USE OF SCHOOL PROPERTY

The Burlington Board of Education believes that the first priority in the use of its school property is the education of children in the district. However, local citizens are encouraged to use the property for other reasonable general public use including religious, political, literary, community, cultural, scientific, mechanical, agricultural, or parental involvement purposes. The school district shall allow use of school buildings and facilities to youth groups listed in Title 36 of the United States Code as a patriotic society in accordance with the rules and requirements set forth in the school district's regulation on use of school facilities.

The school district will make school property available for public recreation before or after normal school hours, on weekends, or during school vacations. In making the determination as to whether property is available, the superintendent shall review current recommended guidelines regarding social distancing and gatherings to determine whether the district space that is requested will be able to be utilized. If a group is allowed to use school property, it will be the responsibility of the person who fills out the application for use to ensure that all appropriate steps are taken with regard to social distancing and that the CDC guidelines are followed with regard to sanitation and cleaning. Specific property that will be open includes: (list property that will be open). The school district will not provide supervision during these hours and any use should be carefully monitored by parents or legal guardians.

The school district will provide emergency shelter for patrons during weather emergencies. Animals will be permitted in the school district's tornado shelter.

If the school renders emergency care, aid, shelter, or other assistance during a national disaster or catastrophic event, the school district shall not be liable for damages resulting from the rendering of the emergency are, aid, shelter or other assistance unless the damage was caused by the gross negligence or willful or wanton misconduct of the individual or entity rendering the emergency care, aid, shelter or assistance.

The board shall exercise its authority to fix and collect rentals, rates, and charges for the occupancy or use of school property in such amounts and in such manner as may be determined.

The superintendent is directed to establish rules and regulations in support of this policy. The rules and regulations will require evidence of appropriate liability insurance coverage. The school district will not permit the use of school property or equipment by any person or organization that does not furnish evidence of sufficient insurance coverage.

If the district has provided classroom space or other school facilities for a federally sponsored Head Start program and is planning to make a material change in the arrangement, the superintendent will give notice to the director of the Head Start program at least seven (7) days prior to a school board hearing on the matter.

REFERENCE: **20 USC §7905**
70 O.S. §§5-129.3 and 5-130
11 O.S. §33-103

NOTE: **Senate Concurrent Resolution 60 of 1994 recommends that school districts make school transportation equipment available to community-based organizations in transporting elderly persons.**