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1.0 GENERAL

1.01 ASBESTOS HAZARD

(*See also* Safety and Hazards in Workplace; Hazardous Materials)

All school facilities within the Jenks Public School District have been inspected for the presence of asbestos-containing materials. That action is in compliance with the Asbestos Hazard Emergency Response Act of 1986. All custodial and maintenance personnel are instructed to consult with the District Management Plan prior to the renovation and/or repair of any facility. The plan is available for review during normal business hours in the Construction Services office.

Revised June 2022

1.02 ATTENDANCE AREAS

(*See also* Open Transfer Policy; Intra-District Transfers)

Elementary Students (PK-4)

Students who reside east of the Arkansas River and south of 81st Street and north of 101st Street or in Riverchase, The Lakes, and Riverpark Apartments located north of 81st Street between Riverside Drive and Lewis will attend East Elementary located at 91st Street and South Harvard.

Students who reside west of the Arkansas River and north of 81st Street from the outer District boundary to the Arkansas River or north of 91st Street from the outer District boundary to Union Avenue or students who reside east of the Arkansas River and north of 81st Street from the Arkansas River to the outer District boundary with the exception of Riverchase, The Lakes, and Riverpark Apartments will attend Northwest Elementary located on the east side of Elwood between 71st Street and 81st Street.

Students who reside east of the Arkansas River and south of 101st Street will attend Southeast Elementary located at 101st Street and Yale.

Students who reside west of the Arkansas River and south of 81st Street from Union to the Arkansas River or south of 91st Street from the outer District boundary to the Arkansas River will attend West Elementary located at 91st Street and North Adams.

Intermediate Students (5-6)

Students who reside east of the Arkansas River and south of 81st Street or in Riverchase, The Lakes, or Riverpark Apartments will attend East Intermediate located on 91st Street between Harvard and Yale.

Students who reside west of the Arkansas River or students who reside east of the Arkansas River and north of 81st Street from the Arkansas River to the outer District boundary with the exception of Riverchase, The Lakes, and Riverpark Apartments will attend West Intermediate located off of 91st Street on North Adams.

Revised by the Board of Education January 2000
Revised June 2004
Revised June 2013
Revised May 2017

1.03 BOARD OF EDUCATION MEETINGS

(*See also* Parent/Guardian Concerns)

Regular meetings of the Board are usually scheduled on the second Monday of each month at 5:00 p.m. in the Education Service Center. When special School Board meetings are deemed to be appropriate by the School Board, there will be an effort made by Board members and administrators to conduct those meetings on the fourth Monday of the month, insofar as possible.

A quorum consisting of a majority of the board membership present in person at the meeting site shall be necessary to conduct business at a meeting of the Board of Education. In the event a quorum is not present, the meeting shall be cancelled.

Any person wishing to attend Board meetings in the capacity of an observer is entitled to do so and is welcomed by the Board of Education. Appropriate decorum should be exhibited by all spectators at all times. Clothing, signs, or any other items that communicate support for or opposition to any School Board issue will not be permitted.

The Open Meeting Law permits the public to view rather than participate in the meetings. The Board of Education or Superintendent may invite members of the public to speak at the regular Board meetings.

The Board may adjourn to executive session (excluding the public) for the purposes as described in the Oklahoma Open Meeting Act. Any vote or action thereon will be taken in a public meeting. The Board will hear and discuss any student disciplinary matters in executive session if requested by the student or his/her Parent's, attorney, or legal guardian in accordance with state statute.

The Board may allow time for public input or statements to the Board. Guidelines for comments of citizens are listed as follows:

No person who has publicly announced or filed as a candidate for public office may use the citizens' comments portion of the School Board meeting as a forum for campaigning.

School Board policies, state law, and federal law have established separate and distinct procedures and forums for the resolution of employee grievances, employee complaints, employee suspension, and terminations, and complaints against individual employees, pupil suspensions and appeals, and litigation. To avoid circumvention of those separate proceedings and ensure fairness to all parties concerned, no person will be allowed to speak regarding the following:

1. An issue in a pending lawsuit, complaint, or investigation filed with an outside agency, wherein the District, employee(s), or the School Board is party;
2. A pending grievance; a pending employee complaint filed with the District or an outside agency;
3. Complaint against individual employee(s);
4. Employee disciplinary action, suspension, demotion, non-reemployment, or termination; or a pending pupil suspension or appeal which may reach the Board of Education.

The Board reserves the right to permit only one (1) person to present the views of an organization or group. The Board reserves the right to limit the time and decorum of any citizen.

Hearing of the Public
Organizations, groups, or individuals may request to speak to the Board during the hearing of the public segment scheduled for all regular Board meetings and must be listed on the printed agenda. The request to speak to the Board must be submitted in writing, outlining the specific topic to be discussed.

A request to speak must be received by the Clerk of the Board by 4:00 p.m. on the Wednesday prior to the regular Board meeting date.

Topics for discussion must be specific in nature, as required by law for public meetings. The Board attorney may review items for discussion. The Board liaison will contact citizens by phone if the topic must be worded more specifically.

Five (5) minutes are allowed for each citizen to comment. If the Board asks questions of the speaker, the speaker's response time will not be included in the time limit. After the citizen(s) has presented his/her views, the floor will be closed to the public and opened for the Board only to ask questions, have discussion, or make comments.

Public Comments
The Board may allow public comments under a segment of the agenda. Such comments will be restricted to the specific agenda items that appear on the Board agenda for that meeting. The total time allowed for the public comments agenda item will be thirty (30) minutes, with a maximum time of five (5) minutes being allowed for each citizen to comment.

Citizens will be required to register fifteen (15) minutes prior to the starting time of the regular Board meeting with the Clerk of the Board, indicating the speaker and specific agenda item that will be discussed. Citizen comments will be considered on a first come, first serve basis.

Revised by the Board of Education June 2019
Revised by the Board of Education October 2021

1.03.1 BOARD OF EDUCATION NOTIFICATION OF MEETINGS

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

Notice to County Clerk
Prior to December 15 each year, the Board of Education shall provide the county clerk a listing of the time, date, and place of all regular meetings for the coming calendar year.

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

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

Emergency meetings may be held without the required public notice if it is reasonably believed that delay would increase the likelihood of personal injury, property damage or immediate

financial loss to the District. The person calling an emergency meeting shall give as much advance notice as is possible in person or by telephone.

Meeting Notices and Postings
A paper copy of the agenda will be publicly available at the Education Service Center. At least twenty-four (24) hours prior to a regular or special meeting, a meeting agenda shall also be posted on the District's website and emailed to those who have previously requested electronic meeting notifications. The agenda shall include the time, date, and place of the meeting and the business to be undertaken at the meeting. The calculation of the 24-hour period shall exclude Saturdays, Sundays, and holidays.

Electronic meeting notices will be provided free of charge to all individuals and organizations who have signed up in advance for this notice. Requests to receive electronic notices can be made by contacting the Clerk of the Board or Deputy Clerk of the Board.

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

Internet Website
A schedule and information about regularly scheduled meetings of the District's Board of Education will be available on the District's website. The information shall include the time, date, place, and agenda of each board meeting. When reasonably possible the District shall also provide information about the time, date, place, and agenda of any special or emergency meeting of the District's board of education.

Videoconference
In any instance in which the board, in accordance with the Open Meetings Act, will conduct a meeting by videoconference, its meeting notice and agenda shall indicate that the meeting will include videoconferencing locations and shall state the location, address, and telephone number of each available videoconference site. The notice and agenda shall also state the identity of each member of the Board of Education who shall participate in the board's meeting by videoconference and the specific site from which each member of the board shall be physically present and participating in the meeting. Executive sessions by videoconference are prohibited.

References: 25 Okla. Stat. §311; 74 Okla. Stat. §3106.2

Approved by the Board of Education February 2018
Revised by the Board of Education October 2021

1.03.2 BOARD OF EDUCATION MEMBER REQUIREMENTS

(*See also* Conflict of Business Interest; Employment of Family Members)

All School Board members must comply with statutory requirements for School Board membership. Within two (2) weeks after being elected to the Jenks School Board, new School

Board members will be provided with continuing education requirements by the School Board Clerk. All School Board members must agree in writing to complete required professional development as required by state law.

The School District Campaign Finance and Financial Disclosure Act require a candidate for School Board to file a Financial Disclosure Statement at the same time a Statement of Organization for a Campaign Committee is filed. In addition, all elected school district board members are required to file a statement with the Clerk of the Board annually. Forms must be filed no later than May 15 of each calendar year for the preceding calendar year. Records will be retained for four years, be made available as an open record, and provided to the Oklahoma Ethics Commission upon request.

The Clerk of the Board will notify the State Department of Education of any changes in School Board membership as a result of newly elected, re-elected, or appointed School Board members taking office, including the submission of the name and full mailing address of the member, the member's office number, and the beginning and ending date of the member's term of office.

Board members will abide by the following code of ethics. As a member of the Board of Education, I will:

- 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;
- Strive to improve boardsmanship by studying educational issues and participating in Board training opportunities;
- 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;
- Formulate legislative goals, policies and strategic plans for the District, delegating to administrators the administrative functions of the school(s);
- Recognize that I, as an individual Board member, have no legal authority outside the meeting of the Board and I will take no private action that will compromise the Board or administration;
- Refrain from local Board action that would substantially interfere with or injure the program or education elsewhere;
- Make every effort to be prepared, punctual and in attendance at every Board meeting;
- Respect the confidentiality of privileged information and refrain from disclosing information that may be injurious to individuals or the school(s);
- Encourage the free expression of opinion by all Board members and staff, seeking systematic communications between Board members and throughout the District.
- Be committed to promoting a cooperative atmosphere in order for the Board to serve the students effectively;
- Recognize and reward excellence in student achievement, teacher performance, and administrative leadership;
- Refrain from using my Board position for personal or partisan gain.

Revised by the Board of Education June 2003
Revised May 2008

Revised January 2014
Revised June 2015
Revised April 2016
Revised January 2019

1.03.3 BOARD OF EDUCATION SELF-EVALUATION

The Jenks Public School Board President will schedule a school Board evaluation process, when determined to be appropriate, through School Board Clerk. The Board evaluation process may be facilitated by the Oklahoma State School Boards Association (OSSBA) or other institution, as approved by the Board President.

Approved by the Board of Education July 2005
Revised May 2011

1.04 BOND POST ISSUANCE COMPLIANCE

Jenks Public Schools will operate within the tax-exempt bond compliance guidelines retained in the District's finance office. The District's tax-exempt bond compliance document provides guidance for the use of tax-exempt bond financing, tax law compliance requirements, record keeping requirements, and tax compliance training.

Approved by the Board of Education June 2013

1.05 BUILDING SECURITY ALARM SYSTEM

(*See also* Facility Rental and Usage)

The Jenks Board of Education hereby declares its concern for the security and safety of District property, buildings, and equipment. The Board also desires that employees have access to facilities for approved work-related and educational purposes. An alarm and monitoring system may be activated at each building by school employees after work hours, weekends, and holidays and will be deactivated only by the approval and permission of the building supervisor or principal.

The building supervisor or principal will authorize access to the building through a designated entry-exit door. The building supervisor or administrator will authorize issuance of a door access tag. The electronic system may monitor use of this door tag.

It shall be a violation of District policy for faculty, and staff to enter school buildings after work hours, weekends, and holidays without approval and permission.

It shall be a violation of District policy for faculty and staff to enter or exit the building except through the designated entry-exit door.
Employees who violate this policy may receive a verbal warning from the building supervisor or administrator as a first level of action.

Employees who continue to violate this policy may be subject to disciplinary action.

Revised by the Board of Education May 2007

1.06 BUSINESS FELONY AFFIDAVIT

Every person or business having a contract for services with the Jenks Public School District, where such services are to be performed on the school premises during normal hours, is required to sign a statement declaring that no employee working on school premises under the authority of such person or business has been convicted of a felony within the past ten (10) years in this state, the United States, or any other state, and no employee of this business has been convicted of any sex offense subject to the Sex Offenders Registration Act in this state, the United States or any other state.

The Business Felony Affidavit may be obtained from the Business Office of the District and shall be a part of the policy.

Every person or business in violation of this policy is subject to the provision of OS Title 70, Section 6-101.48.

The felony prohibition shall not apply to volunteers, persons performing community service hours under court order, or persons performing services under a supervised work release program.

1.06.1 OKLAHOMA SEX OFFENDERS REGISTRATION ACT

The provisions of the Oklahoma Sex Offenders Registration Act ("Act") apply to any person who, after November 1, 1989, has been convicted, whether upon a verdict or plea of guilty or upon a plea of nolo contendere, or received a suspended sentence for a crime or an attempt to commit one (1) of the crimes listed below.

The provisions of the Act apply to anyone who enters Oklahoma after November 1, 1989, and who has been convicted or received a suspended sentence for a crime or attempted crime, which, if attempted in this state, would be a crime or an attempt to commit a crime provided for in any of said laws. In addition, the provisions of the Act apply to anyone who enters Oklahoma after September 1, 1993, and who has received a deferred judgment for a crime or attempted crime, which if committed or attempted in this state would be a crime or an attempt to commit one (1) of the crimes listed below:

1. Abuse or neglect of a child if that crime involves either sexual abuse or sexual exploitation.
   - "Sexual Abuse" includes, but is not limited to, rape, incest, and lewd or indecent acts or proposals, by a person responsible for the child's health or welfare.

   - "Sexual Exploitation" includes, but is not limited to, allowing, permitting, or encouraging a child to engage in prostitution by a person responsible for the child's health or welfare or allowing, permitting, encouraging, or engaging in lewd, obscene, or pornographic photographing, filming, or depicting of a child in those acts by a person responsible for the child's health or welfare.

2. Kidnapping—without lawful authority, seizing and confining another, or to lure, entice, or lead astray, by false representation or promises, or other deceitful means or to cause another to be sent out of state against his/her will.
3. Trafficking in children
4. Incest
5. Forcible sodomy
6. Child stealing
7. Indecent exhibitions – procuring, counseling, or assisting any person to expose such person, or to make any other exhibition of such person to public view or to the view of any number of persons for the purpose of sexual stimulation of the viewer.
8. Obscene or indecent writings—writing, composing, stereotyping, printing, photographing, designing, copying, drawing, engraving, painting, molding, cutting or otherwise preparing, publishing, selling, distributing, keeping for sale, or exhibiting any obscene or indecent writing, paper, book, picture, photograph, motion picture, figure of any description, or any type of obscene material.
9. Making, prearranging, cutting, selling, giving, loaning, distributing, keeping for sale, or exhibiting any disc, record, metal, plastic, or wax, wire or tape recording, or any type of obscene material or any other kind of sound recording of any obscene or indecent language, poetry, or songs, or speaking any words by means of a telephone to any person which are offensive to decency or are calculated to excite vicious or lewd thoughts or acts, or speaking any other communicable words which are offensive to decency or are adapted to excite vicious or lewd thoughts or acts.
10. Solicitation of minors – willfully soliciting or aiding a child to perform or show, exhibit, loan or distribute to a minor child any obscene or indecent writing, paper, book, picture, photograph, motion picture, figure, or form of any description or any type of obscene material for the purpose of inducing any minor to participate in any act described in numbers seven (7), eight (8), or nine (9).
11. Procuring or causing participation of a minor, under the age of eighteen (18), in any film, motion picture, videotape, photograph, negative, slide, drawing, painting, play, performance, or any type of obscene material wherein the minor child is engaged in or portrayed, depicted, or represented as engaging in any act of sexual intercourse.
12. Any parent, guardian, or individual having custody of a minor who allows the minor to participate in any act specified in number eleven (11).
13. Facilitating, encouraging, offering, or soliciting sexual conduct with a minor.
14. Showing acts of sexual intercourse or unnatural copulation.
15. Procuring a child under eighteen (18) years of age for prostitution, lewdness, or other indecent act.
16. Inducing, keeping, detaining, or restraining a child, under eighteen (18) years of age for prostitution.
17. Rape by instrumentation.
18. Rape in first or second degree.
19. Lewd or indecent proposals or acts to a child under sixteen.

It is unlawful for any person registered pursuant to the Sex Offenders Registration Act to work with or provide services to children or to work on Jenks Public Schools premises, or for any person or business who offers or provides services to children or contracts for work to be performed on

Jenks Public Schools premises to knowingly and willfully allow any employee to work with children or to work on Jenks Public Schools premises who is registered pursuant to the Sex Offenders Registration Act. Upon conviction for any violation, the violator shall be guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars ($1,000.00). In addition, the violator may be liable for civil damages.

The Superintendent or designee will maintain regulations that apply to sex offenders on any District property or at any school activities.

Revised by the Board of Education February 2007

1.07 CHARTER SCHOOL PROPOSALS

Under the Oklahoma Charter Schools Act, 70 O.S.3-132, charter schools must be sponsored by certain authorized school districts or other authorized entities. In order to attain charter school status, persons or entities desiring to organize a charter school must file a written proposal with a sponsor. A proposal that the Jenks School District act as the sponsor of a charter school shall utilize the proposal requirements provided by the District. Requests for sponsorship which do not provide all of the information required by the District's proposal requirements will be grounds for rejection of the proposal.

In order to comply with all statutory time periods and other statutory requirements, and to allow for the completion of a charter school contract with successful applicants, all proposals must be submitted by February 1 for any applicant seeking to establish a charter school for the following school year.

All proposals that the Jenks School District act as a charter school sponsor will be referred by the Board of Education to a committee designated by the Board. The committee will review each proposal and make a report and recommendation to the Board.

The Board will either accept or reject sponsorship of a proposed charter school within ninety (90) days of receipt of the proposal. If the Board rejects the proposal, the Board will notify the applicant in writing of the reasons for the rejection. The applicant may, but is not required to, submit in a timely manner a revised proposal for reconsideration within thirty (30) days after the rejection. The Board will accept or reject any revised proposal within thirty (30) days of its receipt. If the proposal is accepted, the parties must enter into and execute a charter school contract within ten (10) business days of the date of the Board acceptance. Failure to enter into and execute a charter school contract within ten (10) business days after Board acceptance will result in the automatic rescission of the Board acceptance of the proposal. In the event that the Board rejects a proposal, or rescinds an acceptance of the proposal, the applicant may seek approval from the State Board of Education for sponsorship, as provided by the Oklahoma Charter Schools Act.

If the proposal is accepted and a charter school contract is fully executed, the Board shall notify the State Board of Education. The notice shall include a copy of the charter of the charter school.

Proposal guidelines for the Jenks School District to act as a charter school sponsor may be obtained in the Superintendent's office.

Approved by the Board of Education December 1999
Revised May 2012
Revised May 2017

1.08 COMPARABILITY OF SERVICES

In order to ensure equal distribution of state and local funds between Title I schools and non-Title I schools, the procedure Jenks Public Schools has established and implemented is to:

1. Utilize a local education district-wide salary schedule;
2. Ensure that the student/teacher ratio at each Title I school is equal to or less than student/teacher ratios in non-Title I schools; and
3. Distribute funds on a per child basis for the purchase of curriculum materials and instructional supplies.

Approved by the Board of Education May 2011
Revised by the Board April 2016

1.09 CONFLICT OF BUSINESS INTEREST

(*See also* Board Member Requirements)

It is the policy of the Jenks Board of Education to not enter into, or cause, or allow to be entered into any contract for the sale of goods or services to the District with any District employee, individually or through any business enterprise, in which a District employee holds a financial interest, if such employee is responsible for managing or supervising the business or financial affairs of the District, whether directly or indirectly, including the determination of vendors for individual departments within the District.

Approved by the Board of Education April 1991
Revised May 2012

1.10 CONTRIBUTIONS/GIFTS

(*See also* Membership in Organizations, and Purchasing Policy: Acceptance of Gratuities)

It is not required that employees of the Jenks Schools contribute financially to any organization or activity, national, state, or local.

Any organized and/or required sharing of gifts by students during the school day is discouraged. The trading of gifts by club members and other "non-school-hour activities" members is also discouraged.

Additionally, students bringing gifts for teachers and/or administrators is discouraged, as well. Some Jenks students do not have the financial wherewithal to participate in trading gifts, yet peer pressure places them in the position of participating in such activities. The School Board recommends the following alternative activities: group or individual contributions to a favorite charity, adopt a family (through Jenks Community Education, the Jenks Foundation, a school

community service project, or other recognized community agency), and school beautification projects.

Revised by the Board of Education July 1994

1.11 COPYRIGHT AND PATENTS

(*See also* Use of Technology and Equipment; Internet Policy; Trademark)

It is the intent of Jenks Public Schools to adhere to the provisions of the copyright law (Title 17 of the U.S. Code) as they affect the District and its employees. While the law identifies some "fair use" provisions, it also defines specific restrictions on the reproduction of copyrighted materials. A copyright is a property right; willful infringement of a copyright can result in criminal prosecution. It is the position of Jenks Public Schools that copyrighted materials, whether they are print or non-print, will not be duplicated unless such reproduction meets "fair use" standards or unless written permission from the copyright holder has been received. Illegal copies of copyrighted materials may not be made or used on District equipment.

Congress has identified four (4) criteria to be balanced in considering questions of "fair use:" the purpose and nature of the use, including whether such use is of a commercial nature or is for non-profit educational purposes; the nature of the copyrighted work; the amount and importance of the portion used in relation to the copyrighted work as a whole; and the effect of the use upon the potential market for or value of the copyrighted work.

In an effort to discourage violation of the copyright law and to prevent such illegal activities, the Jenks Public Schools Copyright Policy will be printed in employee and student handbooks of the District. Employees who willfully disregard the District's copyright position are in violation of Board policy; they do so at their own risk and assume all liability responsibility. The legal and/or insurance protection of the District will not be extended to anyone who violates the fair use standards of this policy.

Copyright protection applies to original works of authorship fixed in any tangible medium of expression, from which they can be perceived, reproduced, or otherwise communicated. Examples of copyrighted works include books, pictures, drawings, sound recordings, motion pictures, television shows, sheet music, and scripts. In general, the copyright protections that apply to printed materials also apply to visual and digital formats. Standardized tests are copyrighted and confidential and cannot be copied or given to parents/guardians. Parents/guardians may receive and review test scores.

Copyright law also addresses the use of videos in educational settings. For a video to meet copyright law, the use must meet all three (3) of the following criteria: The video must be legally made or acquired, and the use of the video must take place in a classroom or other place of instruction and be directed by students or teachers of the institution in the course of face-to-face teaching activities. Works that are in the public domain are no longer under copyright protection or do not meet the requirements for copyright protection.

Any student or employee who creates or participates in the creation of a work in whole or part at the District or under District sponsorship or with the use of District course materials, facilities,

funds, employees, or any other resources agrees to indemnify and hold harmless the District against any loss, damage, liability, or expense that it may incur as a result of the preparation, production, or distribution of such work, including but not limited to, any material in such work that infringes or violates any copyright, right of privacy, or any other right of any person, or is libelous, obscene, or contrary to law.

District Copyright Policy
Jenks Public Schools recognizes the importance of protecting its intellectual property rights in original works from unauthorized reproduction, distribution and public display or performance. It is the policy of the Board of Education to implement a copyright, ownership, and licensing policy as follows:

Institutional works are the exclusive property of Jenks Schools and may not be copied, distributed, publicly performed, or displayed or used in the preparation of derivative works without the prior written consent of Jenks Public Schools. Institutional works are original works of authorship created for school purposes in the course of and as part of the author's employment with the school or specifically commissioned by the District to be created by the author for the District's benefit.

Institutional works may include, but are not limited to, curriculum guides, curriculum materials, video or audiovisual productions, and works that depict interscholastic athletic, music, or other activity events, games, meets, matches, and performances.

Institutional works shall have the following notice attached to each authorized copy:

Copyright © 20__ Jenks Public Schools

All rights reserved. This material or parts hereof may not be reproduced or transmitted in any form without prior written permission from an authorized representative of the Jenks Public Schools.

The District may retain ownership of the institutional works as defined herein, but it may convey that ownership and shall have the exclusive right to retain or convey its copyright.

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

The Superintendent or designee shall serve as the Copyright and Patent Officer for the District. The Officer will receive and act upon all requests for permission to copy institutional works or permission for performance or display rights. The Officer may approve any request for permission

to reproduce, perform or display any institutional works for non-commercial or educational purposes. Any request for profit must be approved by the Board of Education.

Revised by the Board of Education January 2004
Revised January 2019
Revised October 2021

1.12 DISTRICT WEBSITE

(*See also* Network and Internet Policy)

Purpose Statement

The Jenks Public School District website exists to provide all users with relevant, timely information pertaining to the policies, procedures, events, and activities within the Jenks Public School system. This policy is to ensure school-level compliance with policies and guidelines concerning the use of the official Jenks Public School website.

The Jenks Public School website is an important communication and information tool for the District. The website, and all webpages therein, must be monitored and updated on a regular basis to maintain a high standard of presentation and content. The Director of Communications, who serves as the website's District Administrator, is responsible for the style, content, and presentation of the District's website. Individual sites, departments, and employees may have their own webpages, but all must adhere to the policy and the guidelines set forth by the District Administrator.

User Guidelines

All users should remember that electronic media and services provided by the District are district property and their purpose is to facilitate and support district business. All users have the responsibility to use these resources in a professional, ethical, and lawful manner.

Acceptable Use and Material

The publication of information on any page of the District website must be in support of education and consistent with the goals and strategic objectives of the District. The posting of any material in violation of federal or state law or regulation is prohibited. This includes, but is not limited to copyrighted material, threatening or obscene material, or material protected by trade secret. Additionally, users are not to use pages within the District website for the dissemination or promotion of religious or political beliefs. Access to the District webpage is a privilege afforded to faculty and other employees of the District, and any inappropriate use as defined by the terms of this agreement may result in a cancellation of those privileges and/or disciplinary action.

With access to computers and people all over the world also comes the availability of material that may not be considered to be of educational value in the context of the school setting. Information posted or linked to any page within the District website must be non-commercial in nature, and in direct support of educational objectives. All information presented as a part of the District website must be directly related to projects and activities supported by Jenks Public Schools administration, department, site, class, and/or school sponsored clubs. Information that shall not be posted for any reason includes but is not limited to the following material:

1. Obscene, meaning (1) material which, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors and, (2) when an average person, applying contemporary community standards, would find that the written material, taken as a whole, appeals to an obsessive interest in sex by minors.

2. Libelous, meaning a false and unprivileged statement about a specific individual which tends to harm the individual's reputation.

3. Vulgar, lewd, or indecent material which, taken as a whole, an average person would deem improper for access by or distribution to minors because of sexual connotations or profane language.

4. Display or promotion of unlawful products or services, meaning material which advertises or advocates the use of products or services prohibited by law from being sold or provided to minors.

5. Group defamation or hate literature, meaning material which disparages a group or a member of a group on the basis of race, religion, gender, age, national origin, veteran status or disability. This includes racial and religious epithets, slurs, insults and abuse.

6. Disruptive to school operations, meaning material which, on the basis of past experience or based upon specific instances of actual or threatened disruptions relating to the information or material in question, is likely to cause a disruption of the proper and orderly operation of school activities or school discipline.

Creative License
All users will adhere to the approved webpage style guidelines and templates established by the Director of Communications. Consistency across the website requires a limitation in creative options (i.e. font size, color, etc.) and any break from the current style must have pre-approval from Director of Communications. Users will follow the guidelines and parameters established in the Website Training Manual. A copy of this manual may be obtained from the Communications Office.

Span of Control
The Director of Communications shall identify Campus Administrators to oversee site web pages as well as the department, employee, and various other web pages pertaining to a particular site. Campus Administrators may identify Department Heads to oversee the web pages of a particular department and the web pages of the staff members within that department. Employees needing special access to certain areas of the website will be assigned by the District Administrator. Users with a question or concern should follow this chain of command in addressing an issue.

Approved by the Board of Education May 2008

1.13 DOCUMENT RETENTION

The District will maintain all documents and records in a manner consistent with current legal requirements and administrative best practices. School employees are required to treat confidential information appropriately and to take reasonable precautions to ensure that private information is not unnecessarily disclosed to those who do not need such access. Health records will always be stored separately from other student and employee files.

Paper records will be stored in secure locations based on the sensitivity of the information. Electronic records will be properly secured and will be archived with adequate safeguards implemented to ensure technological advancements do not cause the records to become inaccessible. The Chief Information Officer will regularly evaluate the District's overall document retention program to determine whether the District's retention practices are current. The Chief Information Officer is responsible for making recommendations regarding the program as needed to the Superintendent.

No document will be destroyed if it pertains to a pending claim, even if the document was otherwise scheduled for destruction.

Student Records
All student education records will be maintained in compliance with the District's policy regarding FERPA. In addition to those standards, school personnel will comply with the following document retention standards:

Student Transcripts
The Printing/Warehouse Director is responsible for maintaining student transcripts for 80 years from the student's last day of enrollment in the District. The transcript shall contain the following information:

- Name
- Address
- Telephone listing
- Date/place of birth
- Inventory of courses taken, with grades
- GPA and/or class rank

Medical
The Student Programs Director is responsible for maintaining medical records for students. Medical records include items such as immunization verifications, allergy or diabetes plans, and child abuse reports. These records will be maintained five (5) years from the student's last date of enrollment.

Special Education
The Student Programs Director is responsible for maintaining special education records. All special education records will be retained for five (5) years from the student's last date of special education services. Sixty days prior to destroying any special education record, the District will

notify parents and eligible students of their right to retrieve the records rather than having the records destroyed.

Other
All other student records will be retained for five (5) years from the student's last day of attendance in the District. The Printing/Warehouse Director is responsible for overseeing maintenance and destruction of these records. Thirty days prior to destroying these records, the District will notify parents and eligible students of their right to retrieve the records rather than having the records destroyed. This notification will occur by notice to the parent/student's last known email or physical address.

Board Records and District Financial Records
The Clerk of the Board is responsible for permanently maintaining all board agendas and minutes. The Executive Administrator for School Operations is responsible for maintaining the deeds and titles to all district owned real property.

The Chief Financial Officer is also responsible for maintaining records related to the District's banking transactions and all federal and state program expenditures. The duration of records retained under this section will be determined by the schedule maintained in the Business and Financial Services office.

Employee Records
The Chief Human Resources Officer is responsible for retaining employee records. These records include wage and hour information, routine personnel records, and drug/alcohol testing records. The duration of records retained under this section will be determined by the schedule maintained in the Human Resources office.

Electronic Records
All District emails will be retained as long as is practical given the District's technology constraints.

Approved by the Board of Education February 2018

1.14 DONATED ITEMS

(*See also* Grant Proposals/Receipt of Grants or Donations)

Substantive items, cash, or premiums/coupons received all or in part by a staff member or parent/guardian group shall become the property of Jenks Public Schools. These contributions must be accepted by the Board of Education.

Revised by the Board of Education June 1997
Revised May 2012
Revised February 2013

1.15 ELECTRONIC RECORDS, CONTRACTING, AND SIGNATURES

Under certain conditions, electronic records and signatures satisfy the requirements of a written signature when transacting business. The District desires to promote effective and efficient use of

electronic records to conduct business. The authenticity and reliability of electronic records and signatures relating to governmental transactions are dependent on the accompanying processes, supplemental records and the overall context in which records are created, transferred, signed, and stored. This policy does not mandate the use of an electronic signature or otherwise limit the right of a party to conduct a transaction on paper, nor does it apply to any situation where a written signature is required by law.

Guidelines

Electronic Records

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

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

Electronic Signature

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

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

Authorized District Officers

The following positions are considered Authorized Officers/Employees:

Board of Education President
Board of Education Vice President

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

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

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

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

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

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

Approved by the Board of Education May 2020

1.16 EMPLOYEE ETHICS

The Board of Education expects employees to adhere at all times to recognized standards of professional ethical behavior. All District employees are role models and must exemplify ethical behavior and establish an example of acceptable behavior for students. Employees shall conduct themselves professionally when communicating and interacting with students, parents, and other

staff members. Verbal and electronic communication shall be professional and respectful. Employees must not engage in conduct which detracts from a positive learning environment.

Inappropriate exploitation of employee/student relationships will not be tolerated. Additionally, an employee may not interact with a student for personal gain. Exploitation of a student may result from an improper personal relationship encouraged by the teacher/administrator. Employees should be aware private communication, gestures, and physical conduct, even though innocent and properly motivated, may be misinterpreted by students and parents/guardians. Therefore, employees must avoid any conduct that might be characterized as evidencing an improper and unprofessional personal involvement with a student.

In their capacity as role models, employees are expected to establish an example of acceptable behavior standards for students. Employees are expected to encourage respect for the law and the institutions of our democratic society. Employees are expected to refrain from comments or statements (written, oral, or electronic), even in jest, reflecting adversely on any person or group with reference to race, religion, gender, age, national origin, veteran status or disability. Use of ethnic slurs constitutes unprofessional conduct.

Employees of Jenks Public Schools are expected to recognize the District is funded through tax dollars and other public funds. As such, employees are not to utilize the property, time, or resources of the District for private purposes.

Revised by the Board of Education June 2009
Revised May 2011
Revised June 2018

1.17 ENERGY MANAGEMENT CONSERVATION

(*See also* Facility Rental and Usage)

It is the policy of Jenks Public Schools to ensure that every effort is made to conserve energy and natural resources while exercising sound financial management.

The implementation of this policy is the joint responsibility of the Board members, administrators, teachers, students, and support personnel and its success is based on cooperation at all levels.

The District will maintain accurate records of energy consumption and cost of energy and will provide information to the local media on the goals and progress of the energy conservation program. The principal will be accountable for energy management on his/her campus with energy audits being conducted and conservation program outlines being updated. Judicious use of the various energy systems of each campus will be the joint responsibility of the principal and maintenance and custodial staff to ensure that an efficient energy posture is maintained on a daily basis.

Specific areas of emphasis include:

1. Every student and employee will be expected to contribute to energy efficiency in our District. Every person will be expected to be an "energy saver" as well as an "energy consumer."
2. Effective immediately, all unnecessary lighting in unoccupied areas will be turned off. All lights will be turned off when students and teachers leave school.
3. Administrative guidelines will be adopted that will establish guidelines in implementing the energy program.

The Board of Education bears responsibility for the best use of tax dollars, and public education can provide leadership in developing a realistic energy ethic and awareness of energy needs and costs. The District will develop short and long-range strategies in the areas of facilities management, energy awareness, and conservation.

Approved by the Board of Education June 1998
Revised April 2016
Revised June 2019

1.18 ETHNIC AND RACE RELATIONS

(*See also* Harassment; Non-Discrimination Statement)

It is the policy of Jenks Public Schools to respect the rights and dignity of all persons. The District further believes all children deserve the opportunity to learn in an environment that creates sensitivity and awareness of diverse cultures. Staff will encourage intercultural knowledge and understanding. The District will provide continuous intercultural training for staff and students.

Definitions

Race shall be used throughout this policy to refer to discrimination prohibited by various federal guidelines on the basis of race, color, and national origin.

Harassment interferes with or limits the ability of the student to participate in or benefit from the services, activities, or privileges provided by the District.

Racial harassment occurs when: (a) incidents involving harassment consist of different treatment of students on the basis of race, color, or national origin, by District staff, acting within the scope of their official duties; and/or (b) a racially hostile environment exists.

A racially hostile environment exists if racial harassment is knowingly created, encouraged, accepted, tolerated or left uncorrected by the District. A racially hostile environment may include, but is not limited to, harassing conduct (e.g., physical, verbal, nonverbal, psychological, graphic, written, or other demonstrative actions) that is pervasive or persistent.

Accordingly, the District expressly prohibits the discrimination or different treatment of its students, staff, and/or patrons on the basis of race by staff or employees acting within the scope of their official duties. Individuals may not be excluded from participation in, be denied benefits of, or otherwise be subjected to discrimination on the grounds of race, color, or national origin. The

existence of a racially hostile environment that is knowingly created, encouraged, accepted, tolerated, or left uncorrected by staff is a violation of this policy. In addition, the District prohibits student-to-student conduct that is discriminatory, is racially harassing, or creates a racially hostile environment.

It is a violation of District policy for staff, students, or patrons to initiate any action as a reprisal against staff or students for reporting racial discrimination or a racially hostile environment. Any allegation of racial harassment or of a racially hostile environment which is made with intentional effort to abuse this policy is a violation of District policy.

Employees, students, and patrons who believe that they have been discriminated against are encouraged to contact the appropriate District official, as outlined in the procedures below, with complaints. District staff shall promptly investigate all allegations of racial discrimination or racially hostile environment and shall take prompt and appropriate action. Failure to take appropriate action is a violation of this policy.

Staff to Staff
Employees who have a complaint alleging racial discrimination or a racially hostile environment should report the matter to the principal or department supervisor within ten (10) days of when the complainant knew or should have known about the violation. The principal or department supervisor will initiate an investigation of the complaint. Within five (5) working days of receipt of the report, the principal or supervisor will schedule a meeting with the complainant to report the findings and decision. The principal or department supervisor shall submit his/her decision in writing within five (5) working days of the meeting.

If the complainant feels that a satisfactory resolution has not been achieved with the principal or department supervisor, a Grievance Form must be completed and returned to the Human Resources Office within five (5) working days of receipt of the written decision of the site principal or department supervisor. A committee of two (2) administrators and a Human Resources administrator will schedule a hearing within ten (10) working days of the receipt of the grievance. This committee shall submit its decision in writing within five (5) working days after the hearing. A report will be made to the Superintendent regarding allegations, investigative procedures, and reconciliation of complaints.

If the complainant feels that a satisfactory resolution has not been achieved at the central office level, the complainant may file a written appeal to the Superintendent within five (5) working days of receipt of the written decision given at central office level. The Superintendent or designee will hold a hearing within ten (10) working days to determine the outcome of the complaint. The written decision of the Superintendent or designee shall be rendered within five (5) working days of the hearing.

If the complainant feels that a satisfactory resolution has not been achieved with the Superintendent or designee, the complainant has five (5) working days after receipt of the written decision to appeal to the Board of Education. The Board will hear the complaint at the next regular meeting or within thirty (30) calendar days. The decision of the Board will be final and non-appealable.

Should the allegation be against the principal or department supervisor, the employee should bring the matter to the attention of the principal's supervisor or the immediate department supervisor. Should the complaint be against an administrator of the District, the complaint should be filed with the next level of authority.

Staff to Student
Students or parents/guardians representing their child who have a complaint alleging racial discrimination or a racially hostile environment by employees should report the matter to the site principal or counselor. The site principal will contact a Human Resources administrator. A committee composed of the principal, another administrator, and a Human Resources administrator will investigate the complaint and make a written report to the Superintendent. A report will be made to the Superintendent regarding allegations, investigative procedures, and reconciliation of complaints.

If the complainant feels a satisfactory resolution has not been achieved at this level, the complainant may file a written appeal to the Superintendent within five (5) working days of receipt of the written decision given at this level. The Superintendent or designee will schedule a hearing within ten (10) working days to determine the outcome of the complaint. The decision of the Superintendent or designee shall be rendered within five (5) working days of the hearing. The decision of the Superintendent or designee will be final and non-appealable.

Should the allegation be against the site principal, the student should bring the matter to the attention of the principal's supervisor.

Student to Student
Students or parents/guardians representing their child who have a complaint alleging racial discrimination or a racially hostile environment by other students should report the matter to the appropriate building principal, assistant principal, site principal, or counselor. The site principal or his/her designee will investigate the complaint and inform the student and parent/guardian of the decision and findings.

If the complainant feels a satisfactory resolution has not been achieved at this level, the complainant may appeal to a Human Resources administrator within five (5) working days of being advised of the decision given at this level. A committee of two (2) administrators and a Human Resources administrator will schedule a hearing within ten (10) working days. This committee shall submit its decision in writing within five (5) working days after the hearing. A report will be made to the Superintendent of Schools regarding allegations, investigative procedures, and reconciliation of complaints.

If the complainant feels a satisfactory resolution has not been achieved at this level, the complainant may file a written appeal to the Superintendent within five (5) working days of receipt of the decision given at this level. The Superintendent or designee will schedule a hearing within ten (10) working days to determine the outcome of the complaint. The decision of the Superintendent or designee shall be rendered within five (5) working days of the hearing. The decision of the Superintendent or designee will be final and non-appealable.

1.19 FACILITY RENTAL AND USAGE
(*See also* Energy Management Conservation Policy; Asbestos Hazard; Promotion of Trips)

The primary purpose of all school buildings, grounds, and property is for the education and advancement of our students. However, the Board of Education may permit limited use of certain facilities by responsible organizations or groups not identified with the school if certain conditions are met. The final determination of facility usage is made by the Board of Education.

School activities take precedence over any and all non-school activities. The use of any school facility may be peremptorily denied.

Jenks facilities will not be rented on a regular basis to groups who provide direct competition to Jenks Public School organizations. However, rental opportunities may be approved on a temporary, as needed basis.

Request for use must be made via the Jenks Public Schools website. The form must be submitted at least twenty (20) days prior to the event, and the request must be approved by the required Jenks school personnel before the facility is to be used. Forms submitted less than twenty (20) days before the event may be denied. A copy of the facility use approval must be presented to the school representative before access is granted to facilities each day of the event.

The purpose must be for general interest to the public and community and shall not embrace in whole or in part, spoken or implied, any action of a controversial, polemical or subversive nature. Only under exceptional circumstances will any school facility be used for non-school purposes when school is in session. School facilities will be approved for use for the specific function, activity or event for which the building is intended to be used.

Organizational meetings held for the purpose of discussing private or commercial non-school sponsored travel activities will not be permitted at a District facility during the school day and will only be permitted at District facilities during non-school hours. Rental charges and custodial personnel costs will be charged according to the schedule listed in this policy book.

The use of any school facility for non-school use for a series of meetings, gatherings, or activities that deviate from policy must be approved by the Board of Education. In the case of long-term rentals, the following conditions shall apply: after six (6) months of continuous rental, the cost shall double; after one (1) year of continuous rental, the cost shall double again; and additional cost increases for long-term rentals may be considered by the Board of Education.

The District's policies regarding the prohibition of the use, possession, dispensing, and distribution of illegal drugs, alcoholic beverages and dangerous weapons shall apply to all groups and individuals using District facilities and grounds. The user will assume full responsibility for the actions and conduct of participants and spectators at the event. No smoking or tobacco products will be permitted. Decorum in conduct and behavior shall be observed at all times. Anyone found in possession of alcoholic beverages or a controlled substance of any kind will be expelled from the facility. Jenks Campus Police will be notified.

Group 1:
Jenks Public Schools PTAs, PTAGs, student groups, athletics, site events, community education, Jenks Public Schools Foundation (JPSF), JPS athletic summer camps, booster clubs with activity accounts, Special Olympics and locally sponsored scouting groups, will be exempt from rental charges. PTAs, PTAGs, community education, JPSF, and booster clubs will be charged for custodial services if a custodian is not scheduled to be on duty in the facility.

Group 2:
Religious groups, political groups, non-profit groups, and organizational meetings held for private or commercial purposes will be charged a rental fee and custodial, event worker and security fees.

Proof of liability insurance in the amount of $125,000 per person and total coverage of $1,000,000 per event will be required for all booster clubs, PTAs, PTAGs and outside groups (Group 2) requesting use of any Jenks Public Schools facility. The insurance policy must carry an endorsement showing Jenks Public Schools as the additional co-insured.

All payments for building use will be sent through the central office and will be deposited to the general fund account. Rental, custodial, event worker and security charges, pursuant to the hours on the facility use form, must be paid one week in advance of the event. Charges for additional rental, custodial, event worker and security charges, plus damage charges, equipment rental and other add-ons, (if applicable) will be billed after the event. Failure to pay charges one week in advance will result in cancellation of the scheduled event. The user will pay all fees assessed within (60) sixty days of receiving a bill. An additional fee of $25.00 per month will be assessed for all payments past due more than (60) sixty days.

A school representative, or event worker, will be assigned to attend events as determined by the facility review committee. The school representative will monitor the event at the designated facility, ensure all doors are open, utilities are on, and the facility is ready for use. The user will be billed thirty dollars ($30) per hour for each employee required. Custodial fees will be charged at a rate of thirty dollars ($30) per hour. Security fees will be charged at a rate of thirty-five ($35) per hour.

All fees will be assessed on a four (4) hour minimum. Any additional expenses which exceed the four (4) hour minimum will be billed to the organization at the actual cost to the District. Building usage beyond an eight (8) hour maximum may be subject to an increased rental fee.

Damages to the facility or equipment which may occur during the event or activity will be the responsibility of the group using the facility, as determined by the school representative. The determination of damage and the assessment of fees to cover the repair of damaged equipment or facilities will be the sole responsibility of Jenks Public Schools.

If the event is canceled or rescheduled, the Business Office must be notified at least 24 hours prior to the event. If the group fails to notify the District, they will be responsible for actual costs incurred by JPS, the minimum four-hour personnel charge and may be responsible for the lease amount in full.

The administration will periodically study facility charges based upon utility costs, personnel costs, and other economic factors; and recommend an appropriate fee schedule to the Board of Education for approval.

The use of school facilities for non-school activities will follow the schedule as listed below:

Audio/Visual Equipment and Sound Equipment
The practice of loaning equipment is discouraged and will be permitted only when and where the loan serves the best interest of the school.

District owned audio/visual and/or sound equipment can only be used by an authorized District representative. A fee of thirty dollars ($30) per hour will be added to the facility use charges.

Auditorium in High School Building #6
The High School Auditorium is a meeting room, and the user must provide all media equipment. Light switches and auditorium equipment are to be operated by a Jenks Public Schools representative. No equipment will be removed from the auditorium. No food, drinks, or confections shall be permitted in the auditorium.

The schedule for this facility is recorded on the calendar of the high school principal's office and in the finance office. The facility use charges are seventy-five dollars ($75) per hour (4-hour minimum), plus thirty dollars ($30) per hour for custodial/school representative services.

Cafeterias
When scheduling these facilities, the Child Nutrition Department should be contacted prior to submitting a facility use request.

Rental for use of the facility is seventy-five dollars ($75) per hour (4-hour minimum) plus service charges of thirty dollars ($30) per hour for an event worker, thirty dollars ($30) per hour for custodial services and thirty-five dollars ($35) per hour for security services. Rental and services will be billed at a 4-hour minimum. In the event a cafeteria worker is scheduled, there will be an additional thirty dollar ($30) per hour charge.

A child nutrition employee must be on duty anytime a "banquet" or meal is planned in any cafeteria by any group or the serving counters are used for serving food not prepared in the school kitchen. Cafeteria labor charges are thirty dollars ($30) per hour (4-hour minimum). The sponsoring group is responsible for leaving the facility in a clean and neat condition unless arrangements have been made with the custodial department for extra cleaning services. The child nutrition employee on duty is not responsible for clean-up.

Only under exceptional circumstances and under the direct supervision of the cafeteria manager or someone designated by the manager will the use of the kitchen or kitchen equipment (including ice machines) be permitted. These will be considered on a case-by-case basis and charges will be determined, as needed. Starting rental fees for kitchens are one hundred dollars ($100) per hour plus cafeteria labor charges of thirty dollars ($30) per hour/per person, with a 4-hour minimum.

All non-profit Jenks Public Schools student groups, PTAs, PTAGs, and booster clubs with activity accounts:

1. Will be exempt from rental charge but will be charged for a child nutrition employee if the kitchen will be used or food served in the cafeteria and charged for custodian services if a custodian is not on duty in the facility when the event is being held.
2. If "refreshments" (i.e., cookies, drinks) only are planned, a child nutrition employee will not need to be employed. The sponsoring group is responsible for leaving the facility in a clean and neat condition unless arrangements have been made with the custodial department for extra cleaning services.
3. If a cafeteria is to be used on a Saturday or Sunday, a custodian must be on duty.

Custodial

Responsibilities include opening and closing the facility, removing trash, cleaning the bathrooms, and cleaning the floors. If the kitchen is needed or a banquet is held on a Saturday or Sunday, a child nutrition employee must be on duty in addition to the custodian. The sponsoring group is responsible for leaving the facility in a clean and neat condition unless arrangements have been made with the custodial department for extra cleaning services. The sponsoring group will be responsible for service charges of thirty dollars ($30) per hour for a cafeteria worker, thirty dollars ($30) per hour for custodial services and thirty-five dollars ($35) per hour for security services.

Classrooms

All classroom use within a building must have previous approval by the principal of that building prior to submitting a facility use request. Costs for the use of a classroom is thirty dollars ($30) per hour ~~use~~ rental charge. If rental is after normal working hours for the site, costs for an event worker and custodian will be assessed at $30 per hour each and security charges will be assessed at $35 per hour. Classroom use is strongly discouraged due to confidentiality issues, and classrooms will be used only when it is in the best interest of the District.

Grounds and Fences

School fences, walls, scoreboards, etc., may be used by non-profit Jenks student and Jenks parent/guardian groups (such as PTAG and booster clubs) for the purpose of fundraising by displaying advertising, based on the following conditions:

1. The organization seeking to make use of the referenced school facilities must have approval, in writing, of the athletic director and/or site principal and the administrator in charge of building and grounds.
2. If approval is granted to a club or organization, then the club or organization is required to deposit all funds raised by such activity with the treasurer of the Jenks School District, to be deposited into an appropriate school activity account.
3. Only those groups, organizations and booster clubs which exist for the benefit of students of the Jenks School District may seek permission to conduct fundraising activities under this policy.

Facilities Fee Schedule

- All facility rentals will be billed for a four (4) hour minimum, unless otherwise stated.
- In addition to rental charges, all facility rentals will be billed 4 hours minimum, for each of the following service charges, unless otherwise noted:
  - Thirty dollars ($30) per hour for an event worker
  - Thirty dollars ($30) per hour for custodial services
  - Thirty-five dollars ($35) per hour for security services
- Night hours begin at 7PM.
- No Soccer or Futsal in indoor facilities.

School Gyms:

East Elementary Gym	$ 85 per hour
Northwest Gym North	$ 85 per hour
Northwest Gym South	$ 85 per hour
Southeast Elementary Gym	$ 85 per hour
West Elementary Gym	$ 85 per hour
East Intermediate Gym	$110 per hour
West Intermediate Gym	$ 85 per hour
Middle School Gym	$110 per hour
Middle School Wrestling	$ 45 per hour
HS PEG Gym North	$ 85 per hour
HS PEG Gym South	$ 85 per hour
Trojan Activity Center	$110 per hour

School Fields:

Middle School Track (Night)	$300 per hour
Middle School Track (Day)	$225 per hour
East Intermediate Football	$ 60 per hour

Athletic Facilities:

Baseball Building and Turf	$225 per hour
Baseball Field (Night)	$110 per hour
Baseball Field (Day)	$ 85 per hour
Softball Indoor	$135 per hour
Softball Field (Night)	$ 95 per hour
Softball Field (Day)	$ 60 per hour
HS Soccer Field	$225 per hour/per field
HS Soccer Building	$ 25 per hour
HS Track Area (Night)	$300 per hour
HS Track Area (Day)	$225 per hour
Frank Herald Fieldhouse	$110 per hour
Rock Gym	$ 85 per hour
Allan Trimble Stadium (Night)	$300 per hour
Allan Trimble Stadium (Day)	$225 per hour
Sharp Fitness Center, Hall of Fame	$110 per hour

Other Facilities

Math and Science Center:

Presentation Hall - 3rd Floor	$110 per hour
Commons Lobby - 3rd Floor	$ 75 per hour

Auditorium in High School Building #6:
The High School Auditorium is a meeting room, and the user must provide all media equipment. Light switches and auditorium equipment are to be operated by a Jenks Public Schools representative. No equipment will be removed from the auditorium. No food, drinks, or confections shall be permitted in the auditorium.

Auditorium, High School Bldg #6	$75 per hour

Performing Arts Center (PAC):
All inquiries regarding the scheduling of the Performing Arts Center (PAC), must be made to the Director of Performing Arts. The Director of Performing Arts will maintain the schedule and make all arrangements for PAC activities and events.

The Jenks Performing Arts Center maintains a one-year running calendar of activities and will schedule event dates within that one-year period. Events are scheduled with the following priority:

1. Jenks Schools performing arts groups.
2. Jenks Schools organization meetings and assemblies.
3. Non-School rentals.

General Guidelines for use:

- The users will assume full responsibility for the actions of their personnel.
- The users and their participants will be responsible for personal belongings and valuables.
- The users will be responsible for returning the dressing rooms to their normal state after every performance.
- The users will make arrangements to have all equipment, props, and sets cleared from the stage immediately following the last performance.
- All equipment will be operated by persons trained by the director.
- Unless other arrangements are approved by the Director of Performing Arts, the director will choose all technical staff from the high school stagecraft class.
- The use of photographic or sound recording equipment is prohibited during a performance.
- Only personnel associated with the production will be allowed backstage during a performance.
- There will be no beverages or food in the Don Decker Hall or on the stage at any time.

Organization Types:

- Educational, Non-Profit Organizations
- Non-Profit Organizations - (Oklahoma based and incorporated with State of Oklahoma).

- Commercial and other Organizations (includes all other Non-Profit Organizations)

Rate Schedule:

- Rental rates include, at no additional cost when requested in original contract: Make-up room, two dressing rooms, lectern with microphone, two (2) additional microphones with stands, four (4) tables, twenty-five (25) chairs, projection screen and general stage wash from house lighting plot.
- The PAC Director may levy additional costs based on the performance needs of lessee.
- Additional custodial fees may be incurred if PAC policies are not adhered to.

Rental Fees:

Performance Rates (up to 8 hours):

• Educational, Non-Profit Organizations	$500
• Non-Profit Organizations	$800
• Commercial and other Organizations	$1000

Rehearsal/Load in Rates (up to 4 hours):

• Educational, Non-Profit Organizations	$200
• Non-Profit Organizations	$300
• Commercial and other Organizations	$400

Additional Hourly Rates:

• Educational, Non-Profit Organizations	$60/hr
• Non-Profit Organizations	$100/hr
• Commercial and other Organizations	$150/hr

Additional Room Rental Rates (Per Day):

• Drama Room, Green Room, Scene Shop	$50/day
• Lecture Room, Class Room	$70/day

Labor Charges (per person, per hour, 4 hour minimum):

• Stagehands/Technical Staff (PAC Director assigned, includes:	
○ Light/Sound Board Ops, Stage Mgr, Fly Rail, Deck Crew)	$15
○ Custodial Fee (required)	$30
○ Security (required)	$35
○ House Staff Fee (House Manager, Box Office, Ushers)	$15
○ Supervisory Fee (required)	$35

Additional Equipment Rental Rates (Per Day):

• Piano - Grand	$120
• Piano - Upright	$50
• Additional Microphones/day	$10
• Follow Spot	$100
• Additional Chairs (25)	$50
• Video/VCR/DVD	$50

If items are displayed for sale, the District will receive five (5) to ten (10) percent of the gross sales based on agreement between the group and the District.

For other rental fee schedules, please contact the appropriate department.

Revised by the Board of Education September 2000
Revised May 2006
Revised May 2007
Revised May 2012
Revised June 2013
Revised June 2015
Revised May 2017
Revised June 2018
Revised May 2021

1.19.1 PATRIOTIC ACCESS TO STUDENTS IN SCHOOLS ACT (PASS ACT) IMPLEMENTATION

Pursuant to Enrolled House Bill Number 1715 creating the "Patriotic Access to Students in Schools Act (PASS Act)" enacted during the 2017 regular session of the Oklahoma State Legislature, beginning with the 2017-2018 school year, the school District is required to permit use of school facilities by any youth group listed as a patriotic society in Title 36 of the United States Code ("Patriotic Youth Society") which can be found at:

http://uscode.house.gov/download/annualhistoricalarchives/pdf/1996/1996usc36.pdf.

Under the PASS Act, the District is required to permit, during non-instructional time, a Patriotic Youth Society the use of any school building or property to provide services allowing students to participate in activities provided by the Patriotic Youth Society.

Additionally, the PASS Act requires the principal of each public school to allow representatives of a Patriotic Youth Society the opportunity to speak with and recruit students to participate in their organization during school hours to inform students of how the Patriotic Youth Society may further the students' educational interests and civic involvement to better their school, communities, and themselves. No student shall be required to attend such presentation, and any presentation scheduled during school hours shall occur only during non-instructional periods.

The Patriotic Youth Society shall provide oral or written notice to the principal of a school site regarding its intent to speak to students during non-instructional periods during school hours, and the principal shall provide oral or written approval of the specific day and time and place for the Patriotic Youth Society to address students.

Reference: Okla. Stat. Tit. 70, § 5-130
Okla. Stat. Tit. 70, §1210.229-7

Approved by the Board of Education January 2019

1.20 FOOD

Expenditures for food purchases may be authorized for Board of Education meetings, professional development opportunities, and District employees under the following guidelines:

- "Food expenditures" include food, non-alcoholic beverages, and appropriate gratuities. Expenditures must be approved prior to the function by the supervising administrator.
- Expenditures through either Jenks Public Schools cafeterias or private entities are authorized.
- Purchases may be charged to the provider or reimbursed to a Jenks Public Schools employee who has paid for the function with personal funds.

Revised by the Board of Education June 2001
Revised July 2014
Revised June 2019

1.21 GRANT PROPOSALS/RECEIPT OF GRANTS OR DONATIONS

(*See also* Donated Items)

The District recognizes the importance of securing new funding in the form of grant monies or donations for programs. However, district-wide coordination and alignment are paramount. Any individual staff member or (group) must begin the process of applying for grant funds or soliciting donations by first securing approval from the site principal or designee. The process for securing approval for the application of any grant or donation which affects a significant number of classrooms or multiple school sites must include approvals from the Teaching and Learning Department, Human Resources Department, and Finance Department. Applications for grant approval shall be submitted through the Associate Superintendent for Educational Services. Any requests for technology, hardware, software, or subscriptions must be approved by the Executive Director of Technology. Approval must be secured before a grant proposal or donation request is submitted to the funding organization or posted to online donation sites.

When an individual staff member (or group) receives grant funding, all materials, supplies, or equipment purchased using that funding becomes the property of the District and must remain in the District for use by students and staff members. Staff members may not remove grant-funded materials, supplies, or equipment in the event their employment with the District ends.

Approved by the Board of Education November 2005
Revised May 2011
Revised February 2013
Revised July 2014
Revised June 2019

1.22 HARASSMENT, BULLYING, AND INTIMIDATION – EMPLOYEES

(*See also* Hazing, Non-Discrimination, Safe School Committees, Sexual Harassment, and Student Bullying)

Bullying, harassment, intimidation, and threatening behavior constitute unethical and/or unacceptable employee conduct that will not be tolerated at any level. All District employees are strictly prohibited from engaging in any form of bullying, harassment, intimidation, or threatening behavior of any other employee or student. Any District employee engaging in bullying, harassment, intimidation, or threatening behavior is subject to disciplinary action including, but not limited to, employee suspension, demotion, forfeiture of pay or benefits, and termination. Such penalties shall be imposed based on the facts taken as a whole and the totality of the circumstances such as the nature, extent, context, and gravity of such activities or incidents.

Bullying means any pattern of harassment, intimidation, threatening behavior, physical acts, verbal or electronic communication directed toward a student, adult or group 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, the education of any student, or the workplace. A reasonable person should know that these expressions, communications or acts will harm another student or employee, damage property, place another student or employee in fear of harm to their person or property, or demean the student or employee. Threatening behavior includes any pattern of behavior or isolated action, whether or not it is directed at another person, that a reasonable person would believe indicates potential for future harm to students, District employees, or District property.

The District prohibits bullying, harassment, intimidation, and threatening behavior on District grounds, in District vehicles, at school sponsored activities or at school-sanctioned events. Bullying, harassment, intimidation, and threatening behavior by electronic communication is prohibited whether or not such communication originated at school or with school equipment, if the communication is specifically directed at a District student or employee and concerns bullying at school or in the workplace. When specific allegations of harassment of a sexual, racial, or religious nature, or due to a disability are filed, the Office of Human Resources will conduct a thorough investigation. A supervisor or designee will investigate other allegations of bullying or harassment and, when appropriate, provide education or information about available support services, and/or discipline related to such behavior.

Individuals bring different levels of sensitivity to interaction. What may seem harmless, trivial, or "all in good fun" to one person may be extremely offensive to the person to whom the comments or actions are directed. In determining what a "reasonable person" should recognize as bullying, District staff will consider the point of view of the intended target. District staff may also consider the discipline history and physical characteristics of the alleged bully.

The District is committed to providing appropriate and relevant training to District employees regarding identification of behavior constituting student or employee bullying, harassment, intimidation, and threatening behavior and the prevention and management of such conduct. Also

included in such education programs will be the District's prohibition of such conduct, the reasons why the conduct is destructive, unacceptable and a pathway that may lead to disciplinary action.

It is an important duty of District employees to report acts or behavior that the employee witnesses that appears to constitute bullying, harassment, intimidation, or threatening behavior. All District employees shall encourage students who tell them about such acts to complete a District report form. For young students, District employees given that information will need to provide direct assistance to the student. District employees who hear of incidents that may, in the employee's judgment, constitute bullying, harassment, intimidation, or threatening behavior, will report all relevant information to the supervisor or designee.

Revised by the Board of Education June 2009
Revised June 2012
Revised December 2013
Revised April 2016

1.22.1 INTERFERENCE WITH THE PEACEFUL CONDUCT OF SCHOOL DISTRICT ACTIVITIES

School District Power to Maintain Order:
The Superintendent or designee shall have the authority and power to direct any person to leave school district property or any school activity who:

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

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

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

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

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

Approved by the Board of Education May 2020
Revised June 2022

1.22.2 PROTECTION FROM WORKPLACE HARASSMENT AND VIOLENCE

Workplace harassment and violence are unacceptable and should not be tolerated. Pursuant to Okla. Stat. Tit. 12 §1398, the Board of Education may authorize the initiation of an action in a District Court of Oklahoma seeking injunctive and other available relief to address workplace harassment and/or violence. Seeking an injunction pursuant to §1398 shall not limit any other action or recourse the Superintendent and school district may have under law and school district policy.

Approved by the Board of Education May 2020

1.23 HAZARDOUS MATERIALS

(*See also* Asbestos Hazard; Safety and Hazards in the Workplace)

The Jenks Board of Education hereby declares its concern for the safety of the District's employees and pledges to initiate whatever programs may reasonably be required to ensure this safety.

It is the intent of the Jenks Public Schools to comply with all applicable regulations concerning employee safety and workers right-to-know.

The Board of Education hereby confers to the Superintendent of Schools the responsibility for compliance with all applicable health and safety regulations within the District; the Board also confers to the Superintendent the power to establish such procedures as shall be necessary to accomplish this compliance including, but not limited to, the issues outlined below, and these procedures shall be on file and be a permanent part of this policy and changed as needed.

The District will maintain and make available to its employees such accident and safety reports as required.

The District will report any health and safety information as required to the appropriate governing agency upon request.

The District will work with the local fire authority to identify hazards and placard as required, will maintain proper labeling and storage of containers of hazardous substances, and will provide all necessary personal protective equipment for employee safety.

The District will conduct such training as needed to familiarize each employee with the hazards of that employee's position. Such training will be conducted at least annually and as needed for specific situations.

1.24 INCLUSION

(*See also* Non-Discrimination Statement)

Inclusion is supporting students with and without disabilities in the educational and social life of their school. The amount of time to be spent in general education classes and/or with accommodations/modifications provided will be determined by the Individualized Education Program (I.E.P.) or 504 Plan for an individual student.

Jenks Public Schools supports responsible inclusion which includes the following:

1. Placing students with disabilities in regular education settings in the least restrictive environment in accordance with individual needs;
2. Placing students with disabilities in regular education in numbers that approach natural proportions;
3. Providing educational opportunities for students with disabilities equal to those of their peers;
4. Teaching students with and without disabilities how to appreciate similarities among individuals;
5. Providing supplementary aids and services (including assistive technology, if appropriate) in the regular educational environment;
6. Sharing resources, skills, and time;
7. Sharing the educational responsibilities for students with disabilities;
8. Providing a positive climate in which positive attitudes prevail;
9. Realizing that the student with disabilities belongs within the school environment and should receive appropriate support services within school and community settings; and
10. Supporting a District commitment to provide staff development in the areas of inclusion and collaboration.

Responsible inclusion is not:

1. Requiring arbitrarily all students with disabilities be served full-time in the regular classroom;
2. Serving the students with disabilities in school environment without a well-planned support system in place;

3. Presenting content area instruction to students with disabilities without allowing for accommodations and/or modifications when necessary; and
4. Evaluating individual student progress without allowing for accommodations and/or modifications of procedures when necessary.

Revised by the Board of Education June 2002
Revised June 2013

1.25 INSTRUCTIONAL MATERIALS SELECTION AND REVIEW

(*See also* Religion)

The Board of Education of Jenks Public Schools is legally responsible for all matters relating to the operation of the District including the selection and purchase of all print and non-print materials. The Board and the professional staff adhere to the philosophy and objectives of the District and the principles stated in the American Library Association's Library Bill of Rights as the basis for their materials selection policies. Instructional and resource materials should be provided for the interest, information, and enlightenment of all the students the school serves. Various points of view on current and historical issues should be included in District collections without regard to the origin, background, or views of those contributing to their creation.

Materials are to be selected to meet the curriculum objectives. Materials are also to be selected to meet District core values as approved by the Board of Education. The District core values are compassion, courage, inclusiveness, integrity, perseverance, respect, responsibility, self-discipline, teamwork, and sportsmanship.

The professional staff of the school seeks to meet the following objectives in materials selection:

1. To provide materials that implement and support the approved curriculum scope and sequence and classroom activities;
2. To provide materials that offer enrichment for the students, taking into consideration individual needs, interests, abilities, backgrounds, vocabulary, and maturity levels of the students served;
3. To provide materials that attract students to performing, reading, viewing, writing, and listening as sources of information, pleasure, and recreation;
4. To provide resource materials for the professional staff.

Definitions:
Instructional materials are items that by design serve as a major tool for assisting in the instruction of a subject, course, or activity. These items may be available in bound, unbound, kit or package form and may consist of textbooks, consumables, learning laboratories, digital resources, and other instructional tools.

Media materials are those print and non-print materials housed and/or cataloged in building media centers. This includes books, periodicals, and audiovisual materials.

A patron is a student, the parent/guardian or the guardian of a student directly involved with these materials.

Requirements for Review, Development, and Adoption

Administration, in collaboration with the staff, shall be responsible for providing a systemic process which will assure a cohesive, coherent foundation of learning for students. Administration, in collaboration with the staff, is responsible for the review, selection, and implementation of instructional materials. Instructional materials selection shall include consideration of desired student standards and objectives.

Administration, in collaboration with the staff, shall be responsible for the development of a District scope and sequence for each curriculum core area. A textbook selection committee shall be appointed with representatives from each site. The textbook selection committee will be composed of teachers, administrators, and patrons as outlined in the Oklahoma Textbook Law (OS Title 70, Section 16-162). Patrons may review textbooks at the sites.

The selection procedure for other instructional materials will vary with the grade level, the grade span and the scope of the material. Such materials may be previewed and selected by individual teachers, library media specialists, department or grade-level chairpersons, administrators, or jointly to meet curriculum objectives. In all cases, the procedure for recommendation and purchase of such materials shall be approved by the building principal.

The materials for the school library media centers shall be selected by the library media specialist and approved by the building principal. Selection will be a cooperative, continuing process in which the library media specialist, administrators, teachers, and students participate. The basic factors influencing selection shall be the District curriculum as well as the interests, abilities, and backgrounds of the students using the library media center and the quality and accuracy of available materials.

Criteria

1. Textbooks and other instructional materials will be selected to meet the objectives of the scope and sequence. Underlying materials selection for both classrooms and library media centers is the idea that a wide range of materials enhancing the curriculum should be provided on varied levels of difficulty, with a diversity of appeal, and with presentations of different points of view.
2. Library media materials will be of high artistic/literary quality and superior form. Selection of these materials will consider stimulating presentation including imagination, vision, creativity, and style appropriate to the idea. Selection of materials will be made by consulting standard review sources and recommendation lists.
3. All non-print audiovisual materials, including digital and streamed content, must be previewed by professional staff prior to purchase.
4. Gift materials may be accepted with the understanding that these materials must meet the same selection criteria as materials purchased with District funds and that the school will use the gift materials in accordance with the decisions of the appropriate personnel. Gift materials, once accepted, become the property of Jenks Public Schools.

Review of Instructional Materials
In order to promote transparency in the education process, the District's instructional materials will be available for parent review. Instructional materials include items such as teacher manuals, audiovisual resources, and other supplementary materials regardless of format.

In order to review these materials, a parent should submit a written request to the Office of Teaching and Learning. The request must specify the class/subject, teacher, student's name, and the types of items being requested for review. Within ten (10) days, the Executive Director of Teaching and Learning will arrange for a mutually convenient time for the review or will notify the parent that a review cannot be permitted. If the parent's request to review the material is declined, the Executive Director of Teaching and Learning will provide the parent with an explanation of why the material is not available. All reviews will be conducted between the hours of 8:00 a.m. and 5:00 p.m. in the Education Service Center. Instructional materials may not be removed from the Education Service Center by the parent.

In the event the requested review is denied or after fifteen (15) days with no response from the Executive Director of Teaching and Learning, the parent may request this information through the Board of Education in accordance with the District's policy regarding parent rights.

Appeal Procedure
The Superintendent or designee will establish a Materials Review Committee. The committee will be provided information and training concerning the materials review process, the District's selection policy, First Amendment Rights, and the American Library Association Library Bill of Rights. The committee will be comprised of seven (7) members from the categories below:

- One (1) teacher and one (1) alternate from the elementary level;
- One (1) teacher and one (1) alternate from the secondary level;
- An administrator who will act as committee chair and one (1) alternate;
- Two (2) representatives and one (1) alternate from the community;
- Two (2) library media specialists and one (1) alternate.

Since there may be differing opinions concerning the usefulness and merits of selected materials, the following Board approved procedure will be followed:

A Jenks Public Schools patron may express to the principal, library media specialist, or teacher his/her concern regarding the usefulness and/or merits of materials.

If the patron wants a review of the materials by the committee, he/she must file a written request to the principal by using the form entitled "Request for Reevaluation of Materials." Forms may be obtained from the principal's office.

Within ten (10) days of receipt, the principal will transmit the completed "Request for Reevaluation" to the chair of the Materials Review Committee, who will notify the committee regarding the need to meet and the title of the material in question, so that reading/viewing/listening of said material will be done prior to the actual meeting.

The chair will call the meeting in a timely fashion. The material in question shall remain available for public access during the entire appeals process.

In order to give materials as objective an evaluation as possible, the content of the patron's concerns will not be shared at this point in the process.

The committee's decision/recommendation concerning the challenged material should be one of the following: leave the material as it is making no restriction; recommend appropriate grade levels for placement of the material; remove the material.

The committee chairperson shall send a report conveying its decision to the patron, administrators, and library media specialists.

If the patron or Jenks employee directly involved wishes to appeal the decision of the Materials Review Committee, he/she may file a written request to the Superintendent or designee. The appeal request must identify the review being appealed and the basis for the appeal. This request must be received within ten (10) days of receipt of the Materials Review Committee report.

The Superintendent or designee will review the request and the Materials Review Committee report.

Within ten (10) days of receipt of the request, the Superintendent or designee will notify the patron or employee of his/her decision in writing.

If the patron or Jenks employee directly involved requests further review by the Board of Education, the Superintendent or designee will forward all materials to the Clerk of the Board. The request for Board of Education review must be received within ten (10) days or the Superintendent level decision stands.

The Board of Education shall hold a hearing to review the written report of the Review Committee, the Superintendent or designee's written decision and the written request of appeal.

The Board of Education shall make a final decision concerning the material being reviewed at a special hearing or at the next regularly scheduled meeting. Following the decision, the Superintendent shall inform all persons involved, in writing.

Once the material has been adopted and reevaluated, it cannot be subject to further review for the same objection without special approval of the Board of Education. Documentation of the proceedings will include committee findings in their entirety. Documentation will be available for public review.

Revised by the Board of Education May 2006
Revised May 2012
Revised July 2014
Revised June 2015
Revised April 2016
Revised June 2019
Revised June 2022

1.26 INVESTMENTS

Investments
The District investment policy is adopted in accordance with the provisions of applicable law by the Board of Education of the Jenks School District (the "District"). This policy sets forth the investment policy for the management of the public funds of the District. The policy is designed to ensure prudent management of public funds, the availability of funds when needed, and reasonable investment returns.

Investment Authority
The District Treasurer is required by the Board of Education to invest District monies in the custody of the Treasurer in those investments permitted by law. The Treasurer shall, to the extent practicable, use competitive bids when purchasing direct obligations of the United States Government or other obligations of the United States Government, its agencies, or instrumentalities.

The District Treasurer shall limit investments to:

1. Direct obligations of the United States Government to the payment or which the full faith and credit of the Government of the United States is pledged; provided the District Treasurer, after completion of an investment education program in compliance with applicable law, may invest funds in the investment account in other obligations of the United States Government, its agencies or instrumentalities;
2. Obligations to the payment of which the full faith and credit of this state is pledged;
3. Certificates of deposits of banks when such certificates of deposits are secured by acceptable collateral as in the deposit of other public monies;
4. Savings accounts or savings certificates of savings and loan associations to the extent that such accounts or certificates are fully insured by the Federal Savings and Loan Insurance Corporation;
5. Repurchase agreements that have underlying collateral consisting of those items specified in paragraphs 1 and 2 above including obligations of the United States, its agencies and instrumentalities, and where the collateral has been de-posited with a trustee or custodian bank in an irrevocable trust or escrow account established for such purposes;
6. County, municipal or 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 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 District is a beneficiary thereof. All collateral pledged to secure public funds shall be valued at no more than market value;
7. Money market mutual funds regulated by the Securities and Exchange Commission and which investments consist of obligations of the United States, its agencies and instrumentalities, and investments in those items and those restrictions specified in paragraphs 1 through 6 above;
8. Warrants, bonds or judgments of the District;

9. Qualified pooled investment programs through an inter-local cooperative agreement formed pursuant to applicable law and to which the Board of Education has voted to be a member, the investments of which consist of those items specified in paragraphs 1 through 8 above, as well as obligations of the United States agencies and instrumentalities; or
10. Any other investment that is authorized by law.

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

1. Liquidity — Available funds will be invested to the fullest extent practicable in interest-bearing investments or accounts, with the investment portfolio remaining sufficiently liquid to meet reasonably anticipated operation requirements.
2. Diversification — The investment portfolio will be diversified to avoid one class of investment having a disproportionate impact on the portfolio. Provided this restriction will not apply to securities of the United States Treasury backed by the full faith and credit of the United States Government.
3. Safety of Principal — Although investments are made to produce income for the District, investments will be made in a manner that preserves principal and liquidity.
4. Yield — The portfolio will be designed to attain maximum yield within each class of investment instrument, consistent with the safety of the funds invested and taking into account investment risk and liquidity needs.
5. Maturity — Investments may have maturities extending to sixty (60) months, provided sufficient liquidity is available to meet major outlays and except that general fund investments may not exceed twenty-four (24) months.
6. Quality of the Instrument and Capability of Investment Management — The Superintendent of Schools shall be responsible for seeing that the Treasurer and any Assistant Treasurer are qualified and capable of managing the investment portfolio and satisfactorily complete any investment education programs required by state law or by the Board of Education.

Safekeeping and Custody
The Treasurer will maintain a list of the financial institutions and pooled investment programs governed by an inter local cooperative agreement formed pursuant to OS Title 70, Section 5-117b which are authorized to provide investment services, and will maintain a separate list of financial institutions with collateral pledged in the name of the District.

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

2. Securities will be in book entry form, and physical delivery of securities will be avoided.
3. Telephone transactions may be conducted but such transactions must be supported by written confirmation, which may be made by way of a facsimile on letterhead with authorized signatures of the safekeeping institution.

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

Reporting and Review of Investments
The Treasurer will prepare an investment report to be submitted to the Board of Education on at least a monthly basis. The report will include:

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

The Board of Education shall review the Treasurer's investment performance on a regular basis that is no less frequent than monthly.

Depositing of Interest
Unless otherwise directed by the Board of Education through policy or by special directive, by the Oklahoma Constitution, or by the federal government, income earned from the investment of non-activity funds shall be deposited into the operational and/or building funds of the District. Income earned from the investment of activity funds shall remain in the activity funds.

Revised by the Board of Education November 2005
Revised May 2012
Revised March 2014
Revised March 2015

1.27 MEDICAL MARIJUANA/CANNABIDIOL (CBD) PRODUCTS

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

in connection with the District where the District reasonably deems the possession of marijuana to be illegal.

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

Definitions
The following definitions shall apply:

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

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

Nondiscrimination
There will be no discrimination in the District because of an individual's status as a medical marijuana license holder.

Hemp and Hemp Cannabidiol (Hemp CBD)

1. Regulation: Hemp CBD is regulated differently than marijuana under both state and federal law. Possession and administration of Hemp CBD shall be treated differently based on the concentration of THC in the Hemp CBD. In no instance will this section be construed to apply to a substance that (1) is not made from hemp or (2) contains more than 0.3% THC.
    a. Hemp CBD Containing 0.0% THC
        (1) Employees and Other Non-Student Individuals: Employees and individuals who are not Jenks students may possess and self-administer Hemp CBD containing 0.0% THC on school property. However, employees or non-student individuals must be able to certify, upon request, the Hemp CBD contains 0.0% THC at the time of possession and/or self-administration via a reliable product label.

Employees and non-student individuals are not permitted to self-administer Hemp CBD in the presence of students.

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

b. Hemp CBD Containing 0.3% THC

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

(a) The employee or non-student individual is a medical marijuana license holder; or

(b) The employee or non-student individual has a written certification from a physician licensed in Oklahoma that the employee or non-student has been diagnosed by a licensed physician as having one of the following:

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

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

(2) Students: Jenks students may not possess and/or self-administer Hemp CBD containing THC in an amount no greater than 0.3%. However, the parent, legal guardian, or caregiver as defined in statute, may administer Hemp CBD containing THC in an amount no greater than 0.3% on District premises in accordance with this policy if the student meets one of the following exceptions:

(a) The student is a medical marijuana license holder; or

(b) The parent, legal guardian, or caregiver has a written certification from a physician licensed in Oklahoma that the student has been diagnosed by a licensed physician as having one of the following:

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

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

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

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

Overlap with Other District Policies

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

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

In addition, pursuant to United States Department of Transportation regulation and guidance, District employees using Commercial Drivers Licenses (CDL) may not possess or use marijuana, regardless of whether they possess a medical marijuana license.

Prescription Medications
This policy does not apply to any federal Food and Drug Administration approved cannabidiol medication. Such medication may not be possessed or self-administered by students. These medications must be stored in the nurse's office and may be administered by the school nurse in accordance with the District's policy on administering medications.

Approved by the Board of Education January 2019
Revised May 2020

1.28 MEMORIALS

Site principals who receive requests for memorializing a room, a building, or an area on their campus will, upon concurrence with the request, provide appropriate details to the Superintendent for consideration and possible recommendation to and action by the School Board.

Approved by the Board of Education January 1997

1.29 NETWORK AND INTERNET ACCEPTABLE USE

(*See also* copyright Policy Statement; Use of Technology and Equipment)

Purpose Statement
The Independent School District No. 05 of Tulsa County, Oklahoma (the "District") provides its students and employees with access to the District's computer network system, including Internet access, in an effort to expand the informational and communication resources in furtherance of the District's goal of promoting student learning and educational excellence. The expanded use of these resources will enhance students' research capabilities, increase faculty and staff productivity and result in better communication between the District, patrons, and other affiliates.

The Internet provides access to vast storehouses of information and instant communication with millions of people all over the world. Material is available that may not be considered to be of educational value by the District or which is inappropriate for distribution to children. The District

will take available precautions, such as firewalls and content filters, to restrict access to inappropriate material. Under no circumstances are the users to attempt to bypass the firewalls, and/or content filters.

The value of the information and interaction available on the Internet outweighs the possibility that students may procure material which is not consistent with the District educational goals. Internet access is coordinated through a complex association of government agencies, regional, and state networks. The efficient operation of the network relies upon the proper conduct of the end user and the user's adherence to generally accepted guidelines. The guidelines provided in this policy are designed to promote the efficient, ethical, and legal utilization of network resources. If a District user violates any of these provisions, the user's account will be terminated, and future access could be denied.

Acceptable Use
The use of the District system, whether by students, faculty, or staff, must be in support of education and consistent with the goals and strategic objectives of the District. The transmission of any material in violation of federal or state law or regulation is prohibited. This includes, but is not limited to copyrighted material, threatening or obscene material, or material protected by trade secret. Use of the District system for commercial activities is not acceptable.

Parent/Guardian Consent for Students
In order for a student to gain access to the District system, the student's parent/guardian must be provided a copy of the Network and Internet Acceptable Use Policy and sign the Student Internet/Computer Release Agreement requesting that his/her child be given Internet access under the terms and conditions described in this policy. Parents/guardians may withdraw their consent at any time. There is, however, a wide range of information available through the Internet, which is not appropriate for access by minors, has no educational value, or does not meet with the particular values of the families of the student. The District system contains devices and restrictions on use intended to prevent access to inappropriate material or information. It is impossible for the District to guarantee that students will not be exposed to inappropriate material through their use of the Internet. Therefore, the District believes that parents/guardians bear primary responsibility for communicating acceptable behavior and family values to their children. The District encourages parents/guardians to discuss with their children what material is and is not acceptable to access through the District system.

Privilege of Use
The District Network and Internet access is a privilege afforded to students, faculty, and other employees of the District. Use of these resources is a privilege. Inappropriate use as defined by the terms of this agreement may result in a cancellation of those privileges and/or disciplinary actions.

Inappropriate or Excessive Use
Each system user will comply with all District policies governing Network and Internet access and to abide by generally accepted rules of network etiquette. These general rules include, but are not limited to, the following:

1. Appropriate Language: Do not use abusive language in messages to others. Be polite. Do not use obscene or profane language, vulgarities, and rude or disrespectful language. Do not engage in personal attacks or activities intended to distress or annoy another user.
2. Student Safety Usage: Do not reveal personal contact information. This information includes telephone numbers and addresses. Do not use the Internet to arrange meetings with persons met online. Users will promptly disclose to the teacher, District system administrator, or to any other member of the faculty or staff messages considered to be inappropriate. The user will also recognize threatening behavior as cyber bullying. The user will not become a victim or perpetrator of cyberbullying. The user will report any threats made against them to a teacher or administrator. Users found to be perpetrating cyberbullying will be disciplined appropriately. Teachers will implement age-appropriate activities and/or dialogue which will address appropriate online behavior.
3. Electronic Mail: Electronic mail (email) is not a private communication. The District and system administrators have access to email, email accounts, and network activity. Accessing personal, home email accounts, social media, or any other personal electronic account, should not interfere with the performance of an employee's duties.
4. Network Resources: System users should not use the network in a way that will disrupt the use of the network for other users.
5. Non-Educational Media: System users are prohibited from transferring non-educational media through the District network. This includes, but is not limited to: software, games, video, and music (MP3 files). The downloading or use of software products that are used for data capturing is strictly prohibited.
6. Personal Equipment: System users are not allowed to use personal equipment (including laptop computers) to access the District's network without prior permission from the Information Technology Department. However, guest network access will be available to students enrolled in online courses or other visitors attending professional meetings. Individuals who use personal equipment to access the network agree to waive any right to privacy which may exist in any file, data, email, or other information that may be contained on the hardware.
7. Servers: There are many servers available for customers throughout Jenks Public Schools. When server use is appropriate, customers will be advised as to how to access the server and will be given appropriate credentials. **It is a violation of law to access or attempt to access servers without authorization. Violators will be criminally prosecuted.**

Limitation of Liability

The District makes no warranties of any kind, whether expressed or implied, for the services provided. The District will not be responsible for damages which users may suffer through use of the District system, or the Internet, including, but not limited to, loss of information or files or interruption of service. The District is not responsible for the accuracy or quality of information obtained through use of the District system or the Internet. The District is not responsible for financial obligations which may be incurred through use of the District system.

Security

Security on any computer system is a high priority, especially when the system involves multiple users. Users are responsible for their individual accounts and should take precautions to prevent others from accessing those accounts. Under no conditions should a user provide his/her personal

password to another person. If a potential security problem has been identified on the District system or the Internet, the District Administrator must be notified immediately. Any attempt to log on to the Internet as a system administrator will result in cancellation of user privileges. Any user identified as a security risk or having a history of problems with the District system or any other computer system may be denied further access.

Vandalism
Vandalism of District hardware, software or the system itself will result in cancellation of privileges. Vandalism is defined as any malicious attempt to harm or destroy the property or data of the District. This includes, but is not limited to, the uploading or creation of computer viruses or actions that disrupt all or a portion of the District's computer system. All system users shall avoid the accidental spread of computer viruses by strict adherence to District policies governing the downloading of software. No system user may use the system to "hack" or attempt to gain unauthorized access to any other computer system, network or site or any unauthorized portion of the District's system.

Inappropriate Material
Access to information shall not be restricted or denied solely because of the political, religious, or philosophical content of the material. However, system users must realize that rights go hand-in-hand with responsibilities and agree not to use the District system to access information or to distribute information or material which is:

1. Obscene to minors, meaning material which, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors and when an average person, applying contemporary community standards would find that the written material, taken as a whole, appeals to an obsessive interest in sex by minors.
2. Libelous, meaning a false and unprivileged statement about a specific individual which tends to harm the individual's reputation.
3. Vulgar, lewd, or indecent material which, taken as a whole, an average person would deem improper for access by or distribution to minors because of sexual connotations or profane language.
4. Display or promotion of unlawful products or services, meaning material which advertises or advocates the use of products or services prohibited by law from being sold or provided to minors.
5. Group defamation or hate literature, meaning material which disparages a group or a member of a group on the basis of race, religion, gender, age, national origin, veteran status or disability. This includes racial and religious epithets, slurs, insults and abuse.
6. Disruptive to school operations, meaning material which, on the basis of past experience or based upon specific instances of actual or threatened disruptions relating to the information or material in question, is likely to cause a material and substantial disruption of the proper and orderly operation of school activities or school discipline.

Application and Enforceability
The terms and conditions set forth in this policy shall be deemed to be incorporated in their entirety by the terms and conditions contained in this policy. The system user acknowledges that any

violation of this policy may result in access privileges being revoked, disciplinary action being taken, or criminal prosecution.

Home Page and Web Sites
Jenks Public Schools' Internet/Intranet home pages and Web sites are an important communication and information tool for the District. They must be monitored and updated on a regular basis to maintain a high standard of presentation and content. The Director of Communications, who serves as the District Webmaster, is responsible for the style, content, and presentation of the District's Internet/Intranet home pages and Web sites. All additions or deletions from the District home page and Web sites must be submitted to the Director of Communications for approval and posting. Individual sites and departments may have their own home pages. All home pages must adhere to this policy and the guidelines set forth by the Webmaster.

Revised by the Board of Education May 2008
Revised May 2012
Revised January 2013
Revised June 2019

1.29.1 PERSONAL WIRELESS DEVICES AND ELECTRONIC ACCOUNTS

(*See also* Electronic Wireless Devices/Cell Phones**)**

The District requires that all individuals devote their full attention to education while at school or during education activities. Accordingly, the District expects both employees and students to limit their use of personal wireless devices (including, but not limited to, hand-held mobile telephones) and personal electronic accounts at school or when engaged in district-related activities. Wireless devices include, but are not limited to, cell phones, laptops, cameras, GPS systems, any type of device capable of intercepting or recording a conversation, any type of device capable of providing visual surveillance or images, recorders, Google Glass, etc. Electronic accounts include, but are not limited to, accounts that allow digital communication such as email and social media accounts.

Google Glass and similar technology is prohibited on campus by all individuals at all times. Regardless of the type of technology used, no individual may make any type of surreptitious recording of others on district property. Additionally, no person may use any type of technology to remotely monitor, listen to, or view actions occurring at school or school activities. Personal wireless devices not otherwise prohibited shall be turned off and out-of-sight in locations such as restrooms, locker rooms, changing rooms, etc. ("private areas"). The use of any audio/visual recording and camera features are strictly prohibited in private areas. Students who observe a violation of this provision shall immediately report this conduct to a teacher, coach, or the building principal. Employees who observe a violation of this provision shall immediately report this conduct to a supervisor, the building principal, or other administrator.

Students
It is the District's policy that students who possess a personal wireless device at school must keep that device turned off and out of sight during class time. No student will be permitted to access his/her personal wireless device during class time except with teacher permission. Beyond authorized classroom use, elementary and intermediate students may only use their electronic devices before or after school hours. Students in grades seven and eight may use their electronic

devices before or after school hours and during lunch, and students in grades nine through twelve may use electronic devices before or after school hours, during passing periods, and during lunch.

Employees

Personal wireless devices may only be used during work time if the use of the device furthers the employee's performance of his/her professional responsibilities. No employee may use work time to engage in any personal electronic or digital communication, Internet activity, gaming, etc.

Employees will make reasonable efforts to use district resources rather than personal wireless devices or personal electronic accounts for electronic or digital communications with other employees, parents, and students and for tasks related to their employment. By using personal wireless devices or personal electronic accounts to communicate with other employees, parents, and students or to perform tasks related to their employment, employees acknowledge that they are creating records that may be subject to Oklahoma's laws related to Open Records (51 Okla. Stat. § 24A.1 *et seq.*). Employees consent to retain and provide access to such communications or records to school district administration upon request. This consent survives any changes in the employment relationship.

Except for authorized transportation employees, no individual may use any personal wireless device while operating a district vehicle or while conducting school business in a personal vehicle.

Authorized Transportation employees are permitted to utilize cell phones for business reasons to make or receive voice calls while operating a school bus or van, provided: the employee is using "hands free" technology to make the calls; or the employee has safely pulled the vehicle to the side of the road or is otherwise stopped and not impeding the flow of traffic;

Transportation employees are not permitted to text or otherwise use a personal wireless device while operating a district vehicle except as necessary to communicate with law enforcement officials, emergency services, or to and from the District's transportation department.

Personal wireless devices may not be used to photograph or record conversations or events outside private areas without first obtaining consent to record from all parties. In the case of students, permission from the building principal must be obtained. Administrative approval for recordings of students will take into consideration whether prior approval has been granted from parents/guardians and whether the recording would identify a specific category of students such as special education students.

Personal wireless devices may only be shared with students for emergency use.

No employee may use a personal wireless device to engage in conduct which is illegal or which could be construed as inappropriate conduct with a student or students. In the event an employee receives an inappropriate electronic or digital communication from a student or parent, the communication must be promptly reported to the employee's supervisor.

The District fully acknowledges that personal wireless communications devices are the personal property of the employee. Unless an administrator has reasonable suspicion that an employee's

personal equipment contains prohibited content, an administrator may not inspect an employee's personal equipment without the employee's express consent.

Possessing, taking, disseminating, transferring, or sharing obscene, pornographic, lewd, or otherwise illegal images, photographs, or communications, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, and other modes of electronic or digital communication) may constitute a crime under state and/or federal law. Any person possessing, taking, disseminating, transferring, or sharing obscene, pornographic, lewd or otherwise illegal images, photographs, or communications will be reported to law enforcement and/or other appropriate state or federal agencies, which may result in arrest, criminal prosecution, and inclusion on sexual offender registries.

Approved by the Board of Education May 2020

1.30 NON-DISCRIMINATION STATEMENT

(*See also* Harassment/Bullying; Ethnic and Race Relations Policy; Sexual Harassment)

Jenks Public Schools prohibits discrimination in its education programs and activities, admission programs of students, recruitment, selection and/or employment on the basis of race, color, religion, sex, sexual orientation, gender expression, gender identity, genetic information, pregnancy, age, national origin, veteran status, or disability. The District provides equal access to designated youth groups, including the Boy Scouts of America. Jenks Public Schools complies with federal and state regulations for implementing Title IX of the Education Amendment of 1972, Title VI, The Age Discrimination Act, Section 504, and Title II of the Americans with Disabilities Act (ADA).

The District has adopted grievance procedures for filing, processing, and resolving alleged discrimination complaints concerning discrimination based upon race, color, religion, sex, sexual orientation, gender expression, gender identity, genetic information, pregnancy, age, national origin, veteran status, or disability. Any person who believes he or she has been discriminated against based upon one (1) of these protected categories is encouraged to file a discrimination complaint.

The Compliance Coordinator responsible for Section 504 complaints is the office of Director of Student Programs, Education Service Center, 205 East B Street, Jenks, OK 74037, 299-4415, ext. 2400, elana.grissom@jenksps.org.

The Compliance Coordinator responsible for Title IX, Drug Free Workplace, Age Discrimination Act, Title VI, ADA, or discrimination complaints is the Chief Human Resource Officer, Education Service Center, 205 East B Street, Jenks, OK 74037, 918-299-4415, extension 2777, dana.ezell@jenksps.org.

Revised by the Board of Education June 2004
Revised May 2012
Revised August 2014
Revised June 2015
Revised August 2020

1.30.1 PROHIBITION ON RACE AND SEX DISCRIMINATION IN CURRICULUM AND INSTRUCTION

Race and Sex Discrimination Prohibited

Jenks Public Schools does not engage in and prohibits discrimination on the basis of race or sex in the form of bias, stereotyping, scapegoating, classification, or the categorical assignment of traits, morals, values, or characteristics based solely on race or sex. The District does not and shall not engage in race or sex-based discriminatory acts through utilizing these methods, which can result in treating individuals differently on the basis of race or sex or can result in the creation of a hostile environment.

As an accredited State of Oklahoma public school, the District is required to teach students history, social studies, English language arts, biology, and other subject matter areas consistent with the Oklahoma Academic Standards as adopted and approved by the State Board of Education and Oklahoma Legislature. In the performance of this obligation, no teacher, administrator, or other employee of the District shall require, or make part of a course, the following concepts or principles. (the "Prohibited Concepts"):

Prohibited Concepts

No teacher, administrator or other school employee shall require or make part of any course offered in the District the following discriminatory principles:

1. One race or sex is inherently superior to another race or sex,
2. An individual, by virtue of his or her race or sex, is inherently racist, sexist or oppressive, whether consciously or unconsciously,
3. An individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex,
4. Members of one race or sex cannot and should not attempt to treat others without respect due to race or sex,
5. An individual's moral character is necessarily determined by his or her race or sex,
6. An individual, by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex,
7. An individual should feel discomfort, guilt, anguish or any other form of psychological distress on account of his or her race or sex, or
8. Meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race to oppress members of another race.

Importantly, none of the Prohibited Concepts shall prevent the teaching of principles that align to the Oklahoma Academic Standards.

Further Prohibitions to Ensure Compliance

Additionally, the District does not and shall not:

- Provide or contract to provide, or sponsor any course that includes, incorporates, or is based on the Prohibited Concepts.
- Use any public funds, property, or any other assets or resources to engage in race or sex-based discrimination, including the Prohibited Concepts.

● Adopt programs or utilize textbooks, instructional material, curriculum, classroom assignments, orientation, interventions, or counseling that include, incorporate or are based on the Prohibited Concepts.
● Execute contracts or agreements with internal or external entities, persons, companies, or businesses to provide services, training, professional development, or any other assistance that includes, incorporates or is based on the Prohibited Concepts.
● Receive or apply to receive monies that require, as a condition of receipt, the adoption of courses, policies, curriculum, or any other instructional material that includes, incorporates or is based on the discriminatory practices identified in the Prohibited Concepts.
● Adopt diversity, equity, or inclusion plans that incorporate the Prohibited Concepts. Diversity officers are prohibited from providing any service or performing duties that include, incorporate, or are based on discriminatory practices identified in the Prohibited Concepts.
● Mandate diversity training that includes, incorporates or is based on the discriminatory practices identified in the Prohibited Concepts. This includes providing such training to employees, contractors, staff members, parents, students, or any other individual or group.
● Adopt policies, including grading or admissions policies, or provide any other benefit or service that applies to students or any school employee differently on the basis of race or sex, unless specifically permitted by Title IX of the Education Amendments of 1972. Except as permitted by Title IX in specific circumstances, this prohibition includes segregated classes, programs, training sessions, extracurricular activities, or affinity groups.

Parents Rights
Parent and legal guardians of students shall have the right to inspect curriculum, instructional materials, classroom assignments and lesson plans to ensure compliance with this policy. This right of inspection is subject to any applicable limitations contained in existing law, including Oklahoma's Open Records Act (OKLA. STAT. tit. 51§§24A. 1-24A.32).

Reporting, Complaint, and Investigation Procedure
The Prohibition of Race and Sex Discrimination in Curriculum Jenks Public Schools Complaint Process and Complaint form will be available in each school's main office or by email upon request. Any parent, student, teacher, District employee, or member of the public may file a complaint alleging a violation of this policy, which addresses the provisions of OKLA. STAT. tit. 70 O.S. §24-157 and regulations regarding it adopted by the State Department of Education. To be accepted for investigation, the Complaint must:

● be submitted in writing;
● be dated;
● contain the handwritten or electronic signature of the complainant;
● identify the date(s) the alleged discriminatory act occurred; and
● explain the alleged violation(s) / discriminatory conduct and how Section 24-157 or an administrative regulation thereto has been violated.

While not mandatory, a complainant is encouraged to also identify witnesses to the alleged violation(s)/ discriminatory conduct so that such witness(es) can be interviewed by the District.

The District has designated the following individual to receive reports of alleged violation(s)/discriminatory conduct (referred to as the Section 24-157 Coordinator):

Cathryn McCarthy
Lead Section 24-157 Coordinator
Executive Director of Teaching and Learning
Jenks Public Schools
205 E B Street
Jenks, OK 74037
(918) 299-4415, extension 2292

Within ten (10) days of receiving the complaint, the Executive Director of Teaching and Learning will notify the complainant that the complaint has been received, whether it is legally sufficient (i.e., contains the mandatory information set forth above) and whether it will be investigated. All investigations to determine whether a violation has occurred shall be completed within 90 days of receipt of the complaint. The complainant shall be notified in writing of a final determination, including the findings of whether a violation has occurred. Within 30 days of resolution of each complaint, the Executive Director of Teaching and Learning shall report to the State Department of Education.

Options for Filing Complaint
In lieu of filing a complaint with the District, a complainant may file a complaint directly with the State Department of Education. A complainant may not file a complaint simultaneously with the District and State Department of Education. Additionally, a complainant who believes that the District has incorrectly refused to investigate a Complaint or has evidence that the District has reached an incorrect determination may file a Complaint with the State Department of Education upon conclusion of the District-based complaint process.

Anti-Retaliation
No individual shall be retaliated against for (1) filing a Complaint alleging a violation/discriminatory conduct prohibited by Section 24-157 or any regulation related to it with the District or the State Department of Education, or (2) the purpose of interfering with any right or privilege secured by federal civil rights laws and regulations. Any school employee who retaliates against a complainant shall be subject to disciplinary action by the District, in accordance with District employee disciplinary policies, and the State Department of Education and State Board of Education.

Whistleblower Protection
Any teacher who files a complaint alleging a violation / discriminatory conduct prohibited by Section 24-157 or any regulation related to it with the District or the State Board of Education, or otherwise discloses information the teacher reasonably believes evidences a violation of Section 24-157 or any regulation related thereto shall be entitled to the Whistleblower Protections in applicable laws, including those at OKLA. STAT. tit. 70, § 6- 101.6b.

False Reporting
Any teacher who willfully, knowingly and without probable cause makes a false complaint alleging a violation / discriminatory conduct prohibited by Section 24-157 or any regulation related thereto with the District or the State Board of Education shall be subject to disciplinary action in accord with the District's employee conduct policies and by the State Department of Education and State Board of Education.

Complaints by School Staff
Any school employee who is discriminated against by the District in the form of race or sex-based harassment, bias, stereotyping, scapegoating, classification, or the categorical assignment of traits, morals, values, or characteristics based solely on race or sex in violation Section 24-157, may file an employment discrimination complaint with the Oklahoma Attorney General's Office of Civil Rights Enforcement.

References: OKLA. STAT. tit. 70, § 24-157 (effective July 1, 2021) OKLA. ADMIN. CODE § 210: 10-1-23 (emergency rule) OKLA. STAT. tit. 70, § 24A.16(A).

Approved by the Board of Education September 2021

1.31 OKLAHOMA OPEN RECORDS ACT

(*See also* Public Information Policy; Notification of Rights under FERPA; Restricted School Safety Information; Social Media)

The Board of Education adopts this policy in connection with the Oklahoma Open Records Act (the "Act").

The District, as a tax supported institution, recognizes that the public has a right to be fully informed concerning its operations. The District strongly believes that informed citizens are vital to the successful functioning of the democratic government process which the District desires to exemplify to its students.

In order to achieve these goals, the Board of Education hereby states that all records of the District, except those records designated as confidential in this policy, or, otherwise, as required by federal or state law, shall be open to any person for inspection, copying, and/or mechanical reproduction during regular business hours. All persons requesting the right to inspect non-confidential records of the District shall be accorded access to those records.

The Board of Education hereby designates the Chief Information Officer or if such person is not available during regular business hours, the Superintendent or designee as the person authorized to release non-confidential public records for inspection, copying, or mechanical reproduction.

The person(s) requesting the information to be reviewed/copied shall identify himself/herself through some form of identification card or badge. He/she will complete an Open Records Request form which includes his/her signature for the document(s) to be copied. Open Records Request forms may be obtained from the Chief Information Officer in the Education Service Center or accessed via the school website at www.jenksps.org. The complete form is to be submitted to the Chief Information Officer and will be placed in the document file as a record of the transaction and document(s) copied.

The District shall charge reasonable fees for records reproduction and any compensable search for records as permitted by the Act. The fees are as follows:

Paper Production:	$	.25 per copy
Electronic Production:		
Data Collection Document Conversion	$	100 per hour
(PDF or TIFF)	$	.25 per page
Video, DVD, CD	$	10 per copy

When a request for public records would cause excessive disruption of the District's essential functions or is solely for commercial purpose the District will charge a reasonable fee in the amount of $25 per hour for paper records and $100 per hour for electronic records to recover the direct cost of document search. The District will also charge a reasonable fee in the amount of $25 per hour for time spent reviewing and, if necessary, redacting records prior to production. In the event the nature of the records requested requires outside assistance for compilation, review, or production, the individual requesting the information will be assessed the actual cost charged to the District.

The District does not consider publication in a newspaper or broadcast by news media as resale or use of data for trade or commercial purpose. However, the District shall charge the news media and others the direct cost of copying electronic data.

A search fee shall not be charged when the release of documents is in the public interest including, but not limited to, release to the news media, scholars, authors, and taxpayers seeking to determine whether those entrusted with the affairs of the government are honestly, faithfully, and competently performing their duties as public servants.

Costs associated with reproduction of public records shall be paid by, or on behalf of the requestor, at the time documents requested are to be picked up. In the event of a large records request or a request that involves an outside cost to the District, the District may request a deposit to be set by the records custodian, to be made at the time of the request.

If inspection of documents designated as confidential is denied, the person requesting access to such documents shall have a right to appeal the denial to the Superintendent.

As permitted by the Act, the District hereby designates the following records as confidential and not open for public inspection:

1. Records which can be kept confidential under federal or state law.
2. Personnel records which relate to internal personnel investigations including examination and selection material for employment, hiring, appointment, promotion, demotion, discipline, or resignation.
3. Personnel records where disclosure would constitute a clearly unwarranted invasion of personal privacy such as employee evaluations, payroll deductions, and employment applications submitted by persons not hired, and transcripts from institutions of higher

education maintained in the personnel files of certified public school employees; provided however, that nothing in this subsection shall be construed to exempt from disclosure the degree obtained and the curriculum on the transcripts of certified public school employees.

4. The home address or telephone number of any person employed or formerly employed by the public body, where the disclosure would constitute a clearly unwarranted invasion of personal privacy.
5. If disclosure would give an unfair advantage to competitors or bidders, bid specifications for competitive bidding prior to publication; contents of sealed bids prior to bid opening; computer programs or software (but not the data thereon); and appraisals relating to the sale or acquisition of real estate prior to the award of a contract.
6. Personal communications received from a person exercising rights secured by the Oklahoma or United States Constitution, except for the fact that a communication has been received and that it is or is not a complaint. Any response to such personal communications shall be confidential only to the extent necessary to protect the identity of the person exercising the right.
7. Individual student records, except for: (a) statistical information not identified with a particular student if such information is maintained in a composite form and (b) directory information as defined in the Act, if, pursuant to the Family Educational Rights and Privacy Act that information (i) has been designated by the District as directory information and (ii) parents have been notified of and have not exercised their non-release rights.
8. Teacher lesson plans, tests and other teaching materials. Personal communications concerning individual students. Prior to taking action, including make a recommendation or issuing a report, personal notes and personally created materials of District personnel, excluding departmental budget requests, prepared as an aid to memory or research leading to the adoption of a school policy or District project.

Revised by the Board of Education October 2006
Revised November 2007
Revised June 2013

1.32 PARENTS/GUARDIANS CONCERNS

(*See also* Board Meetings)

The Board of Education recognizes that situations of concern to parents/guardians or the public may arise in the operation of the District. The purpose of this procedure is to secure at the lowest possible level a resolution for concerns. Such concerns are best resolved through communication with the appropriate staff members and officers of the District, such as the faculty, the principals, the directors, Assistant Superintendent, the Superintendent, and the School Board.

The following steps are procedures recommended by the Board to be followed by the persons with questions or concerns regarding the operation of the District:

1. Matters concerning individual students and their teachers or coaches should first be addressed with the teacher or coach.
2. Unsettled matters from one (1) above, or matters concerning individual sites, should be addressed with the principal or athletic director.

3. Unsettled matters from two (2) above, or problems and questions concerning the District, should be directed to the appropriate District level administrator.
4. Unsettled matters from three (3) above should be placed in writing to the Superintendent. The Superintendent will schedule a meeting with the parent/guardian.
5. If the above procedures do not resolve the matter satisfactorily, the complainant may pursue the matter formally with the School Board.

Questions and comments submitted to the School Board Clerk in letter form will be brought to the attention of the entire Board.

Approved by the Board of Education December 1996

1.33 PARENTS/GUARDIANS RIGHT TO KNOW

According to federal law, schools that receive federal funds shall provide to each parent/guardian the information about their student's level of achievement in each of the state academic assessments.

Further, parents/guardians have a right to request information regarding the professional qualifications of the student's classroom teachers as follows: if the teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction; if the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria has been waived and if the teacher is teaching in the field of discipline of the certification of the teacher. In addition, if the student is provided access to paraprofessionals, the parent has the right to request their qualifications.

The parent has the right of timely notice that the student has been assigned, or has been taught for four (4) or more consecutive weeks by a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

Requests for professional qualifications of teacher or paraprofessional should be directed to the site principal.

Approved by the Board of Education June 2003
Approved June 2018

1.34 DISTRICT PARENTS' BILL OF RIGHTS

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

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

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

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

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

1. The District will promote parent participation at the site level with the goal of improving parent and teacher cooperation in areas such as homework, attendance and discipline. This will be accomplished through activities such as:
   a. Parent teacher conferences;
   b. Back to school/meet the teacher/parent engagement events
   c. District's Learning Management System with class information available to parents
   d. School newsletters
   e. Access to academic performance data via the online parent portal.

2. The District will inform parents about their children's course of study by disseminating this information:
   a. During annual Back-to-School Registration
   b. In student handbooks
   c. On the District's Website.
   d. Parents may review learning materials affecting their minor children's course of study, including supplemental materials, by making a request through the Office of Teaching and Learning.

3. Parents who object to a learning material or activity may withdraw their minor child from the class or program in which the material is used. In order to withdraw a student, the parent must submit a written request, signed and dated by a parent, to the building principal. Parents who choose to withdraw their minor child from a required class are responsible for making alternate arrangements for the child to earn credit for the class.

4. The District offers a healthy living curriculum that includes sex education in grades seven, eight, nine, and ten. Parents who object to their minor child participating in the District's sex education program must submit a written notice, signed and dated by a parent, to the principal in order for their child to be excused from participation. Students who are not participating in the District's sex education program will be permitted to study in the school

media center or other designated location during sex education instruction.

5. If a teacher is going to provide instruction or presentations regarding sexuality in a course apart from healthy living curriculum, the teacher will send written notice to parents at least five (5) days in advance of the presentation. Parents who object to their minor child's participation in such instruction may send a written request to the building principal to have the student excused from the presentation. Any such student will be permitted to study in the school media center or other designated location during the presentation.

6. Parents may learn about the nature and purpose of clubs and activities which are part of the school curriculum by reviewing student handbooks and the District's website.

7. Parents have numerous rights and decision-making responsibilities concerning their minor children. To assist parents in meeting these responsibilities and to fulfill its obligations under the Oklahoma 2014 Parents' Bill of Rights, the District has compiled the following information for parents:

    a. The District provides sex education via the healthy living curriculum to students in grades seven, eight, nine, and ten. Parents may opt their student out of the District's sponsored sex education program by following the procedures established in item 4 above.

    b. Parents who are not residents of the District may enroll their minor children in the District's schools in accordance with the 3.50 Transfers policy. A copy of that policy is available on the District's website.

    c. The District utilizes a number of resources to educate students. Parents who object to an assignment based on sex, morality or religion may opt their minor child out of the assignment by following the procedures established in item 3 above.

    d. Students are generally required to receive a predetermined set of immunizations prior to enrolling in school and to receive additional boosters throughout enrollment in the District. This requirement may be waived if the parent submits an exemption certificate from the minor child's physician stating that the child should be excused from the immunization for health reasons or if the parent submits an exemption certificate objecting to the immunization of the child.

    e. Students are required to meet certain obligations in order to be promoted to a subsequent grade, particularly with regard to learning to read. Parents can learn about these requirements – including efforts the District will take in order to help students become successful readers – by reviewing the District's policies on Reading Sufficiency Act testing, and student promotion. Copies of these policies are available on the District's website.

    f. Students are required to meet certain obligations in order to graduate from high school. Parents can learn about these requirements each year during course enrollment. This

information is also available in the course planning guide and on the Oklahoma State Department of Education's website (www.ok.gov/sde/).

g. The District provides AIDS education for students in grades seven, nine, and ten. Parents may opt their minor student out of this education by submitting a written request, signed and dated by a parent, to the building principal. Students who are not participating in the District's AIDS education program will be permitted to study in the school media center or other designated location during the scheduled instruction.

h. Parents have the right to review student test results related to their minor student. Parents may review the results of classroom exams by accessing the online parent portal or contacting their child's teacher. Parents may review the results of state-wide testing by contacting their child's building principal.

i. Qualifying students have the right to participate in the District's gifted and talented program in accordance with the District's policy regarding the program. A copy of the policy is available on the District's website.

j. Parents have the right to review teachers' manuals, audiovisual resources, or other supplementary instructional material if the materials are being used in connection with a research or experimentation program or project. In order to review these materials, the parent should contact the Office of Teaching and Learning.

k. Parents have the right to receive a school report card. Information regarding these report cards will be provided through school publications. Copies of individual student report cards can be viewed via the online parent portal or by contacting the school site.

l. Students are required to attend school regularly, and the District is required to notify parents of any student absence unless the parent has already contacted the school to report the absence. The District will send a written notice to parents if their minor student appears to be in danger of exceeding the maximum allowable number of absences and will notify the District attorney and the parent if a child may be considered truant. Parents may contact the child's principal for additional information regarding student absences.

m. Parents have the right to review the District's courses of study and textbooks. Arrangements for this review can be made through the Office of Teaching and Learning.

n. Students may be excused from school for religious purposes provided the parent follows the site procedure for reporting an absence.

o. Parents have the right to review all district policies, including parental involvement policies. Copies of these policies are available on the District's website.

p. Parents have the right to participate in parent-teacher organizations. Information

regarding these groups will be made available during activities such as enrollment, schedule pickups, and back to school night. Parents who wish to have additional information regarding these groups can obtain more detail through the principal's office.

q. Parents may opt out of selected district level data collection related to state longitudinal student data system reporting. Parents may not opt out of necessary and essential record collecting. Parents may file an opt out request through the superintendent's office.

r. The District will not procure, solicit to perform, arrange for the performance of, perform surgical procedures or perform a physical examination upon a minor student or prescribe any prescription drugs to a minor student without first obtaining a written consent for the proposed assessment or treatment. The written consent will be effective for the school year for which it was granted and must be renewed each subsequent school year. If the assessment or treatment for which the written consent is provided is performed through telemedicine at a school site, and if the written consent is provided by the Parent and is currently effective, the health professional shall not be required to verify that the parent is at the school site.

s. The District will not procure, solicit to perform, arrange of the performance of or perform an assessment for mental health therapy on a minor student without first obtaining consent of a parent or legal guardian of the minor. The written consent will be effective for the school year for which it was granted and must be renewed each subsequent school year. If the assessment or treatment for which the written consent is provided is performed through telemedicine at a school site, and if the written consent is provided by the Parent and is currently effective, the health professional shall not be required to verify that the parent is at the school site. However, a student shall not be seen without consent.

t. A student shall not be vaccinated at school or on school grounds or receive a vaccine as part of the mobile vaccination effort without prior written authorization, including the signature of the parent or legal guardian of the student for the vaccine or group of vaccines to be administered during a single visit.

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

Okla. Stat. Tit. 25 § 2001

Approved by the Board of Education June 2015
Revised June 2019

Revised May 2020
Revised June 2022

1.35 PARKING

(*See also* Parking Permit)

Jenks Public Schools is not responsible for any loss or damage while automobiles are parked on school property. This includes loss or damage due to paint, accident, overspray, vandalism, theft, etc. Parking lots are the property of Jenks Public Schools.

Any vehicles parked on school property are subject to search for reasonable cause for visitors and Jenks Public School personnel and reasonable suspicion for students. Vehicles parked in prohibited areas will be ticketed and/or towed.

Revised by the Board of Education June 1998
Revised May 2011
Revised May 2012

1.36 PROFESSIONAL SERVICES

It is the policy of the Jenks Public School Board of Education to conduct a periodic review of auditor services, attorney services, architectural services, bond consultant services, and negotiator services. Periodic shall be interpreted to mean no less often than every five (5) years and more regularly, if the Board deems it appropriate. Review of services shall include any or all of the following: discussion of services, evaluation of services, review of potential alternative services, competitive bids for services, etc.

Approved by the Board of Education July 1994

1.36.1 CONSTRUCTION MANAGER SELECTION

The Board of Education authorizes the Superintendent or designee to select a construction manager for each project for which the District determines the employment of a construction manager is permitted and desirable. The selection process shall include multiple criteria, including but not limited to, the following:

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

Upon selection of a construction manager, the District shall negotiate a contract with the highest qualified construction manager, provided that a fee can be negotiated that is fair and reasonable to both parties. In the event a reasonable fee cannot be negotiated with the selected construction

manager, the District may negotiate with other construction managers in order of their qualifications.

Approved by the Board of Education May 2020

1.37 PROMOTION OF NON-SCHOOL-SPONSORED TRIPS AND TRAVEL

(*See also* Facility Rental and Usage; Distribution of Fliers/Posters)

The Jenks Board of Education believes the advertising and promotion by Jenks Public Schools employees, of private or commercial non-school-sponsored travel activities for District personnel, students, or parents/guardians of students creates the possibility for conflicts of interest and favoritism, and disrupts the impartial administration of school business. Therefore, the Board has determined it is in the best interest of the District to adopt the following regulations:

1. Groups or individuals who take responsibilities for planning and carrying out non-school sponsored trips consisting of groups of students and/or teachers must make parents/guardians aware such trips are not school-sponsored and that the schools assume no responsibility for the trip in any way whatsoever.
2. District facilities, the school name, the District, and District employees shall not be involved, directly or indirectly, in any way to promote or advertise private or commercial non-school-sponsored travel activities for District personnel, students, or parents/guardians of students during the school day (except as provided below).
3. District employees are prohibited from distributing, during the school day or at a school facility, printed materials to District personnel, students, or parents/guardians of students promoting or advertising such travel activities (except as provided below). All printed materials must specifically identify the travel activity as non-school-sponsored. The advertising or promotion of such travel activities for District personnel, students, or parents/guardians of students through classroom discussion is prohibited. No school time, instructional or otherwise, will be consumed by the distribution of written and/or oral communications regarding non-sponsored trips.
4. Organizational meetings held for the purpose of discussing private or commercial non-school-sponsored travel activities for District personnel, students, or parents/guardians of students shall not be conducted at a District facility during the school day, and will only be permitted at District facilities during non-school hours in accordance with the District's policies and procedures regarding the use of school facilities. Non-school-sponsored trips will not be taken during school hours. During such meetings, the organizer of the trip shall indicate that the travel opportunity is not sponsored by the District.
5. Upon authorization from the building principal, District employees may promote or advertise private or commercial non-school-sponsored tours and travel activities at a District facility by posting printed notices on a general information bulletin board. Such notices must contain the name, address, and telephone number of the sponsoring District employee and a notation that the trip is not school-sponsored. The building principal shall designate the location where the notices may be placed and the length of time that notices may be displayed. Notices, forms, and information concerning such trips will not be circulated through the school's communication system.

Approved by the Board of Education October 1997
Revised by the Board May 2021

1.38 PUBLIC INFORMATION

(*See also* Oklahoma Open Records Act)

The District shall strive to maintain effective two-way communication channels with the public. Such channels shall enable the Board and staff to interpret the schools' needs to the community in a concise, factual manner.

The administration shall establish and maintain a communication process within the school system and between it and the community. Such a public information program shall provide for news releases at appropriate times, arrange for news media coverage of District programs and events, provide for regular direct communications between individual schools and the citizens they serve, and assist staff in improving their skill and understanding in communicating with the public.

Normally, the Superintendent, or designee, will be the District liaison with the public news media. All contacts and releases concerning District policies and regulations, matters of District-wide interest or potentially controversial topics will be handled or cleared by the Superintendent or designee. When it becomes apparent that District operations may be disrupted by crises or emergencies, the Superintendent and the Director of Communications will coordinate the release of information to the staff, students, parents/guardians, and community.

Principals will be the primary contacts for their school sites. They will make available information regarding the school, its programs and operation, except as prohibited by Board policies, administrative regulations and federal or state laws. If principals have questions about releasing information, they will contact the Director of Communications. Principals will inform the Superintendent or Director of Communications about media contacts, existing or potential problems or public concern, and any criticisms or commendations.

In order to solicit media coverage of a classroom or school project, teachers should contact their building administrator and/or the Director of Communications. Certain procedural safeguards will need to be met prior to the actual media contact, including the signing of releases by parents/guardians, review of legal documents regarding students, review of content of material released, and approval from the building administrator or Director of Communications. Following the completion of the safeguards, the Director of Communications shall direct that the media may be contacted.

Any District photograph which might invade an individual's right of privacy will not be released. Parent/guardian permission must be obtained prior to the use of a child's image, voice or words within the media. As part of enrollment procedure, permission to utilize children/students in media will be obtained and sent to the site.

During regular school hours, and prior to going to a location on district property all media representatives must notify the Director of Communications of their intention to visit that location.

Once at the site, all media representatives must report to the building administrator for identification and authorization before going to any part of the building or grounds or contacting any individual.

1.39 PURCHASING

This policy shall govern the purchase of all goods, equipment, tangible property and services for the District.

The Director of Purchasing or designee may periodically audit any or all purchases requiring quotes or bids.

The Purchasing Director will report any bidding irregularities or interference with this policy by employees or Board members to the CFO for submission to the Superintendent who will forward to the Board of Education.

All non-salary related debts and/or financial obligations against the District shall be incurred as authorized and processed in accordance with this policy and corresponding purchasing procedures.

General
The Board of Education authorizes the Superintendent, Associate Superintendent or Chief Financial Officer or Director of Purchasing or designees to establish purchasing and procurement procedures and practices consistent with this policy, federal and state law and generally accepted governmental purchasing practices.

A. Purchase Orders and Requisitions:
   All purchases shall be made with the use of a purchase order. Approval of all purchase orders is contingent upon the availability of funding, submission and approval of a requisition form, and approval by the Board of Education. The Board of Education authorizes the Superintendent, Chief Financial Officer and the Encumbrance Clerk or designee to issue purchase orders and emergency purchase orders for less than $50,000 without prior Board of Education approval.

   Requisitions and orders cannot be split to avoid bidding and quotation and/or Board approval requirements.

   All appropriated fund purchase orders shall be subject to Board of Education approval and that if said purchase order is not approved by the Board of Education; the purchase order shall become null and void.

B. Emergency Purchases:
   The Superintendent, Chief Financial Officer, or Director of Financial Services may authorize the issuance and emergency payment of emergency purchase orders over $50,000 and waive the bidding and quotation requirements in the event of emergency situations like a disaster or act of God and other instances where it is necessary to avoid the interruption of critical school business and operations and The Board of Education is not able to meet.

C. Blanket Purchase Orders:
The Board of Education authorizes the Superintendent, Associate Superintendent, Chief Financial Officer and Director of Financial Services (or designee) to establish blanket purchase orders of less than $50,000 prior to Board approval. All annual blanket purchase orders of $50,000 or more must be approved by the Board of Education prior to issuance. If the blanket purchase order is not Approved by the Board of Education the order shall become null and void.

D. Federal Uniform Guidance Requirements:
According to the Federal Uniform Guidelines for non-Federal entities under 2 CFR § 200.317-200.326, the District, as a non-federal entity, elects to continue to comply with the procurement Standards under previous OMB guidance, as amended or as allowed by federal and state law. As a non-federal entity, the District will follow this purchasing and procurement policy and the written procedures and requirements of the District's Federal Uniform Guidance Procurement Plan as amended and approved.

Contracts

A. General:
No employee of the District shall enter into any financial contract or agreement (verbal or written), on behalf of the District, without the prior official permission of the Board of Education. The Board of Education may, upon approval of any encumbrance, purchase order and all adjoining contract documents, authorize an administrator of the District to sign said contract documents on behalf of the Board of Education.

The Board is the only legal entity that may enter into a valid contract committing District revenue. A school site or activity is not a legal entity with the authority of entering into a contract. Each contract must be approved by the Board and be signed by the President of the Board or duly authorized administrator. Contracts signed or authorized by anyone else could result in personal liability for that person and may not be recognized by the District as valid in the event of a dispute.

The Board authorizes district administrators or account guardian to sign contracts up to $2,500 that have been reviewed by the Chief Financial Officer or Director of Purchasing or Director of Financial Services and found to have no objectionable terms or conditions. Objectionable terms and conditions found during a review may be negotiated with a vendor and the contract presented for review again.

If extenuating circumstances do not permit the Board of Education to meet and consider a contract, the Board authorizes the Superintendent or CFO to sign contracts up to $15,000 with the terms and conditions approved by the Chief Financial Officer or Director of Purchasing or Director of Financial Services.

B. Student Activity Fund Contracts:
After the Board of Education has approved the vendor contract and after a written purchase order for the goods or services defined in the contract has been approved and issued by the Superintendent, Chief Financial Officer, Encumbrance Clerk or designee, employees who have

been duly authorized and designated by the Board of Education as student activity fund custodians may sign contracts and agreements on behalf of the District.

C. Independent Contractors:
The Board of Education may, upon approval of any encumbrance, purchase order, and all accompanying contract documents, procure the services of an individual who is deemed to be an independent contractor as defined by the IRS regulations and Oklahoma State Department of Education guidelines. As with any other supplier, an independent contractor will be required by the District to complete a supplier registration form and IRS form W-9 to ensure that IRS form 1099 reporting, ordering, and remittance information is correct. The District reserves the right to issue a 1099 to any supplier regardless of the total amount of the goods and/or services provided by the supplier. The independent contractor may be required to provide proof of workers compensation and liability insurance and must agree to the terms and conditions of the District's official purchase order.

Bidding and Quotation Requirements

A. General
The solicitation for bids, proposals and quotations shall be conducted in accordance with the provisions of this policy and district purchasing procedures as approved by the Superintendent or Chief Financial Officer.

Unless otherwise exempted herein, the following informal and formal bidding and quotation limits shall be followed for the purchase of all goods and services procured with all funds:

Specific Bidding and Quotation Requirements:

- $0 to $9,999.99 - No quotations required but recommended if $1,000 or more.
- $10,000 to $49,999.99 - Three written bids or quotations for all items on the requisition.
- $50,000 and up - Three formal sealed bids or sealed proposals for all items on the requisition.

Child Nutrition bidding thresholds will match the lowest of the thresholds as allowed by the USDA, Oklahoma State Department of Education Child Nutrition Procurement Guidelines, and the Uniform Guidance Procurement Plan.

The Board of Education authorizes the Director of Purchasing or designee to use electronic sealed bids provided there are adequate procedures and controls. Bids and quotes shall be awarded to the lowest qualified and responsible bidder who submits a qualified bid.

Guidelines for certifying a bidder as responsible and a bid as responsive will be provided in purchasing procedures as developed by the Chief Financial Officer or Director of Purchasing. The District reserves the right to reject any or all bids, quotes and proposals, and to waive any bid informalities, technicalities, or irregularities. Sealed bids shall be awarded to the lowest responsive and responsible bidder, as determined by the District.

Where it serves the District's best interest, the District may award a written quote, a sealed bid or a proposal on a "best value" basis in the sole opinion of the District, taking into consideration the total cost of ownership including purchase price, quality, ability to deliver, maintenance and service, durability and longevity.

Where the Request for Proposal and Requests for Quotes sourcing method is used, factors other than price may be used in determining award.

Items Exempt from Bidding

A. General

Because of the unique nature of some goods and services, the items listed below shall be exempt from bidding. However, every effort must be made to create a fair and competitive environment where all vendors who have requested to quote on these items are given an opportunity to have their proposals considered.

The method for creating a competitive environment must be in accordance with district quality standards and purchasing procedures. All purchases over $50,000 must still be approved by the Board of Education prior to issuance of a purchase order.

The following goods and services are exempt from bidding requirements.

- Professional services (e.g., audit services, insurance, medical services, demographic studies, employment services, drug and alcohol testing and professional consultation services).

The Board of Education shall annually approve the attorneys and/or law firms to be utilized by the District for normal day-to-day legal services. Such normal day-to-day legal services are exempt from bidding. However, any required legal services that the Superintendent determines (a) are not normal day-to-day legal services, and (b) are likely to result in total legal fees exceeding $ 5,000.00, shall require a separate engagement letter, which shall be Approved by the Board of Education and which shall set out the scope of the services provided.

- Travel services (airfare, accommodations, etc.)
- Goods purchased for student activity fund raisers and goods purchased by and/or provided to staff and/or students from activity funds.
- Goods purchased for resale.
- Textbooks, student workbooks, library/media books, maps and globes, and educational and training videos.
- Postage.
- Software upgrades and specialized source software (excluding off-the-shelf software).
- Training classes and associated equipment rentals.
- Standardized office supplies have a negotiated discount if established account numbers are utilized and do not require bidding unless a large amount of a single item is needed.
- Catering events.
- Items available for purchase on an existing state contract, or through the cooperative bidding of another municipality/District/government agency, when this is determined to be the best method of purchase.

- When it is in the best interest of the extended day students to receive fresh snacks and drinks in a timely manner, snacks and drinks may be procured from suppliers at a competitive price without regard to the bidding/quotation limits stated herein, provided that such purchases do not exceed $50,000 in one month.
- Used furnishings, equipment and uniforms.
- Public safety and occupancy needs of up to $25,000 that must be addressed in order to avoid interruption of school or to avoid additional damages or loss such as refrigeration, heat and air-conditioning, utilities, newly discovered security or safety hazards.

B. Standardization Programs:
If a district-wide standardization program has been developed, schools and departments may make supplemental purchases of the item, defined in the standardization program, without using one of the source selection methods.

The initial purchase of standardized items such as furniture and equipment shall be procured utilizing one of the required bidding/quotation methods defined in this policy.

The Director of Purchasing shall be included on all standardization determinations.

A copy of all standardization programs shall be on file in the office of the Director of Purchasing.

C. Single (Sole) Source Selections:
Single source procurements shall be exempt from bidding provided that said procurements meet the following criteria:

The goods or services are unique to one manufacturer/supplier /distributor and no other similar (equal in function, performance, and fit) or like goods or services are available from another supplier.

Sole source procurements may also be permitted where compatibility of equipment, accessories or replacement parts is of paramount consideration or where service work on the original equipment must be performed.

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

A Sole Source Affidavit will be completed for all sole source items over $10,000 and submitted to the Board of Education as a consent agenda item.

Food Procurement

A. Child Nutrition Purchases:
Child Nutrition purchases shall be made in accordance with USDA, Oklahoma State Department of Education Child Nutrition Procurement Guidelines, this policy, and the

Uniform Guidance Procurement Plan, if Child Nutrition guidelines are incorporated into the plan.

USDA Bidding Guidelines:
The Child Nutrition Department shall follow the more restrictive bid thresholds of either the USDA or Oklahoma State Department of Education Child Nutrition Procurement Guidelines and award in like manner. Sealed bids and proposals shall be awarded by the Board of Education.

Sealed bid and proposal solicitations for Child Nutrition purchases shall be advertised and opened publicly.

The Child Nutrition Procurement Plan shall be reviewed annually and updated.

The Board of Education authorizes the Superintendent, Chief Financial Officer, or designee to issue purchase orders for fresh and perishable foods and related consumable goods of up to $50,000 each, prior to Board approval.

Lease/Purchase Contracts
The Board is the only legal entity that may enter into a valid lease/purchase contract committing District revenue. Each lease/purchase contract must be approved by the Board and the District's attorney and be signed by the President of the Board. Contracts signed or authorized outside of the policy provisions by anyone else could result in personal liability for that person and may not be recognized by the District as valid in the event of a dispute.

The lease/purchase contract must be limited to equipment and land only.

No more than 20 percent of a site's current year discretionary site budget allocation may be committed for subsequent year payments.

Lease/purchase contracts may not be structured to impact more than ten consecutive fiscal years without Board of Education approval of term duration.
The lease/purchase contract must state the purchase price and shall not require the payment of more than the purchase price plus 10 percent simple interest per year.
Whenever possible, the interest rate charged shall be competitively established to assure the District obtains a favorable rate.

The lease/purchase contract on a purchase order must state in the following language that the District has a "positive right for nonrenewal" or "mutual ratification provision." This means that the District has the option at the end of the fiscal year to not renew the contract for any reason whatsoever. A "funding out", "governmental appropriations", or "non-appropriation" clause is not an acceptable substitute for the District's annual cancellation right. However, the District should enter into all agreements with the good faith intent to renew.

School Activity Funds may not be used for lease/purchase arrangements.

Other

A. Vendor Registration:
In order to do business with the District, vendors must be willing to supply requested information to be included in the Jenks Master Vendor List and agree to the terms and conditions of the District's official purchase order or contract.

B. Construction Contracts:
Contracts for the purpose of making any public improvement, constructing or making repairs to any public building as defined by the Competitive Bidding Act of 1974 shall be made in accordance with the provisions of the Act and Board of Education policy.

C. Motivational Items:
The Board of Education will allow the purchase of inexpensive student items to be given to students as a motivational tool for use in classroom instruction.

D. Reimbursement of Purchased Goods or Services:
In situations where the vendor will not accept a district purchase order and an alternate vendor is not available, when it is extremely impractical or an emergency, employees may request to be reimbursed for the personal purchase of said goods and services. If approved for reimbursement and the goods have been received and a purchase order has been issued, employees may be reimbursed for the cost of the goods plus any associated tax.

All requests for reimbursement must be supported with the original itemized receipt. The district assumes no liability for the purchase of goods or services purchased by an employee or for reimbursing the employee. No personal reimbursements will be made from bond funds.

Prohibited Purchasing Practices

A. Acceptance of Gratuities:
District employees are expressly forbidden from accepting gratuities from any vendor or supplier unless designated for district-wide use. Gratuities as specified under this policy include cash or assets easily convertible to cash, travel, lodging, tickets, appliances, automobiles or their use, or any other form of special treatment which might influence the employees' selection of a vendor or supplier.

Promotional and advertising novelties with a total value of $100 or less per year, per employee, per vendor are not considered gratuities under this policy.

With the Superintendent's approval or prior Board approval, employees may accept vendor-provided events, travel, lodging and registration, for the purpose of attending professional development conferences, workshops, presentations, training, or fostering needed business relationships.

Employees or members of the Board of Education are not permitted to make purchases for personal use through any fund of the District, including the school activity funds.

B. Violations of Purchasing Policy:
District employees violating this policy, exceeding their purchasing authority or incurring an expense without a pre-approved purchase order may be held personally and financially liable and subject to disciplinary action including, but not limited to, suspension, demotion, termination and legal action.

C. E-Rate Procurement Policy:
The Schools and Libraries (E-rate) Program provides discounts to assist eligible schools and libraries to obtain affordable internet access and telecommunications services, contingent upon the applicant's compliance with the FCC's competitive bidding requirements.

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

1. Make a request for competitive bids for all eligible goods and/or services for which Universal Service Fund support will be requested and comply with all applicable state and local procurement processes included in its documented policies and procedures.
2. Wait at least four weeks after posting date of the FCC Form 470 on the USAC Schools and Libraries website before making commitments with the selected service providers.
3. Consider all bids submitted and select the most cost-efficient service offering, with price being the 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.
5. Ensure no employee shall accept any gratuities items valuing $20.00 or more from any supplier provider, or prospective provider of goods or services under the Schools and Libraries Division E-Rate program or associated Oklahoma Universal Service Fund (OUSF) programs. Furthermore, the annual maximum receipt of items of value for the school district shall not exceed $50.00 or the maximum amount permitted under applicable E-Rate and OUSF program regulations as amended.

Approved by the Board of Education, November 2009
Revised June 2010
Revised October 2010
Revised July 2015
Revised January 2019
Revised June 2019

1.39.1 PURCHASING CARD

The Board of Education approves the use of commercial purchasing cards for the acquisition of goods and services needed to conduct official school business. Further, the Board authorized the administration to establish procedures for a commercial purchasing card program to enhance agency effectiveness or economy of operation.

Approved by the Board of Education February 2002
Revised July 2015

1.40 REAL PROPERTY ACQUISITION

Jenks Public Schools acquires real property when it is in the best interest of the District. Prior to the purchase of real property, the Board of Education and the Administration will consider using the process as follows:

- Conduct a feasibility study and determine and/or conduct appropriateness of a phase 1 or phase 2 environmental study. The size and location of the property will secure appraisal of real property.
- Secure and/or counsel with legal attorney at Board discretion.
- Initiate an offer on the property based on information received in the appraisal.
- Negotiate purchase price.
- Depending on the circumstances and length of negotiations, the Board may consider condemnation.
- Negotiations should continue during the condemnation proceedings.
- Secure a current property survey before the sale is finalized.

Approved by the Board of Education July 1995
Revised May 2011

1.41 REQUESTS TO CONDUCT RESEARCH IN THE DISTRICT

The District recognizes the importance of valid and meaningful research. However, the first responsibility of the District is the education of the students currently enrolled. Therefore, any cooperation in research endeavors by individuals or institutions from outside the District must occur in the context of this primary obligation and in conformity with all applicable legal constraints. Individuals requesting permission to conduct research should contact the Office of Teaching and Learning.

Revised by the Board of Education April 2016

1.42 RELIGION

This policy is meant to be sensitive to individual beliefs and respectful of established law, as guaranteed by the First Amendment to the Constitution of the United States:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

The proper role of religion in the public schools is in its educational value and not in religious observance or celebration. According to the Supreme Court, the Establishment Clause forbids state action or practices that aid or prefer one (1) religion over another or that aid all religions and thus endorse or show preference for religion over non-religion, while the Free Exercise Clause requires any state action or practices which interfere with an individual's constitutionally protected religious freedom to be strictly scrutinized.

Absence from School for Religions Holidays
A pupil's absence from school on a religious holiday shall be recognized as an excused absence, without penalty, on scholastic records. In general, no student should suffer a penalty because of his/her involvement in religious activities related to his/her particular religious belief.

Parents/Guardians' Right to Excuse Students for Religious Reasons
Students will be excused from lessons/activities which their parents/guardians find objectionable for religious reasons. Alternative lessons/activities will be substituted.

Privacy
Individuals shall not be required to disclose their personal religious preferences or beliefs nor those of their family members.

Programs and Holidays
School programs, performances and celebrations will serve an educational purpose. The inclusion of religious music, symbols, art, or writings may be permitted if the religious content has an independent educational purpose which contributes to the stated objectives of the approved curriculum.

The Supreme Court has made clear that public schools may not sponsor religious celebrations but may teach about religion. Secular and religious holidays provide opportunities for educating students about history and cultures, as well as traditions of particular religious groups within a pluralistic society.

Teachers must exercise special caution and sensitivity whenever discussion about religious holidays occurs. Presentation of materials dealing with religious holidays must be accurate, informative, and descriptive. Focus should be on the origins, history, and generally agreed-upon meanings of the holidays. Teachers will need to be aware, to the extent possible, of the diversity of religious beliefs in their classrooms, and they will need to be particularly sensitive to the rights of religious minorities as well as those who hold no religious belief. Respect for religious diversity in the classroom requires that teachers be fair and balanced in their treatment of religious holidays.

Teachers need to be aware, to the extent possible, of the major religious holidays of all the represented religions in their classrooms, so as to avoid, as much as possible, creating an undue burden on students who choose not to attend school on those days. Furthermore, teachers should be alert to the distinction between teaching about religious holidays and other cultural events, which is permissible, and celebrating religious holidays, which is not.

Religion in Curriculum and Instruction
The history of religion, comparative religion, and the Bible (or other scripture) as literature (either as a separate course or within some other existing course) are all permissible public-school subjects. It is both permissible and desirable to teach objectively and accurately about the role of religion in the history of the United States and other countries. Such teaching should:

1. Foster knowledge about religion, not indoctrination into religion;
2. Be academic, not devotional or testimonial;

3. Promote awareness of religion, not sponsor its practice;
4. Inform students about the diversity of religious views rather than impose one (1) particular view; and
5. Promote understanding and respect rather than divisiveness.

As part of the curriculum, religious literature, music, drama, and the arts may be included, provided each is intrinsic to the learning experience in the various fields of study and is presented objectively. Also, as part of the curriculum, students may be asked to read selections from writings for literary and historical qualities, but not for devotional purposes. The focus shall be on the study of what all people believe and must not be on teaching a student what to believe.

Religious Expression
As a general rule, students may express their religious viewpoint in the form of reports, both oral and written, class discussions, homework, and artwork. Teachers may not reject or correct such submissions simply because they include a religious symbol or address religious themes. Likewise, teachers may not require students to modify, include or excise religious views in their assignments. These assignments should be judged by ordinary academic standards of substance, relevance, appearance, and grammar.

Students have the right to pray individually or in groups or to discuss their religious views with their peers so long as they are not disruptive. Students enjoy the right to read their Bibles or other scriptures, say grace before meals, pray before tests, and discuss religion with other student listeners as long as the listeners are not coerced or harassed.

Students have the right to distribute religious literature to their schoolmates, subject to reasonable time, place, and manner or other constitutionally acceptable restrictions imposed on the distribution of all non-school literature.

Religious messages on student T-shirts, and the like, may not be singled out for suppression.

Religious Music
Religious music may be sung or played as part of the academic study of music. School concerts that present a variety of selections may include religious music. Concerts should avoid programs dominated by religious music.

At all levels, the study of religious music as part of a musical appreciation course, as a musical experience, or as part of a study of various lands and cultures can be included. In all public-school programs and study, care must be taken to avoid presentation of music as a celebration of a particular religion or religious holiday. Teachers must be especially sensitive to the feelings of students who might wish not to participate for religious reasons.

Religious Symbols
The use of religious symbols, provided they are used only as examples of cultural or religious heritage, is permissible as a teaching aid or resource. Religious symbols may be displayed only on a brief basis as part of the academic program. Students may choose to incorporate religious symbols into their work, but teachers should not assign or suggest such creations.

Some symbols considered secular in nature have significant religious overtones or foundations. Teachers must be alert to the distinction between teaching about religious holidays and other cultural events, which is permissible, and celebrating religious holidays, which is not. Seasonal symbols may be used as a teaching aid and displayed briefly as part of a broad cultural study.

Approved by the Board of Education June 1996
Revised June 2013

1.43 RESTRICTED SCHOOL SAFETY INFORMATION

The District is an orderly and purposeful place where students and staff are free to learn, teach, and work without the threat of physical and psychological harm. The Board of Education promotes educationally and psychologically healthy environments for all children, staff, and visitors. The Jenks District recognizes there are comprehensive, broad factors directly related to a safe school environment such as school facilities, district emergency plans, school safety training programs, parent/guardian safety information, and community emergency responders.

The Board of Education recognizes safety assessments and emergency plans must remain confidential in order to protect district students, staff, and guests from terrorist activities or others wishing to do harm or circumvent the law.

For the above-mentioned reasons, the Board of Education, operating under the authority of state and federal law, has mandated the following documents be exempt from public record disclosure requirements.

1. School safety and security measures, plans, and systems, including emergency preparedness and response plans.

2. A record or part of a record, the public disclosure of which would have a reasonable likelihood of threatening public safety by exposing a vulnerability to terrorist attack. A like record described under this subdivision includes:
   a. a record assembled, prepared, or maintained to prevent, mitigate, or respond to an act of terrorism;
   b. vulnerability assessments;
   c. risk planning documents;
   d. needs assessments;
   e. threat assessments;
   f. school safety meeting minutes or other records;
   g. intelligence assessments;
   h. domestic preparedness strategies;
   i. the location of water, gas, and HVA/C intakes;
   j. the emergency contact information of emergency responders and volunteers;
   k. business continuity and disaster planning documents;
   l. infrastructure records that would disclose the configuration of critical systems such as communication, electrical, ventilation, water, and wastewater systems; and
   m. detailed drawings or specifications of structural elements, floor plans, and operating, utility, or security systems, whether in paper or electronic form.

3. Records received by and/or from the Oklahoma Office of Homeland Security or United States Department of Homeland Security.

The District's Emergency Response and Safety Officer, working with the District's Chief Information Officer, is responsible for determining whether the public disclosure of a record, or part of a record, has a reasonable likelihood of threatening student, staff, or guest safety by exposing a vulnerability to terrorist attack.

1.44 SAFETY DRILLS

The Board of Education has appointed the Incident Management Team (IMT) for the purpose of developing and maintaining the District's emergency plans. A crisis plan will be developed by the above-mentioned committee, local emergency responders and the site Safe School Committees to provide guidance for those responsible for the safety of students and property.

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

- Security (4 drills per year at different times of day; 1 drill within the first 15 days of the start of each semester and 1 other drill per semester)
- Fire (1 drill within the first 15 days of the start of each semester)
- Tornado (1 drill in September and 1 drill in March)
- Additional drills selected from those listed above or developed as a result of a District or site risk assessment or upon the recommendation of the Safe School Committee (2 drills per year)

The Superintendent or designee will maintain communication with other community agencies in order to share information on preparedness and planned procedures. It is the responsibility of the Superintendent to ensure that the schools work in cooperation with these other agencies during such emergencies. Building principals are responsible for documenting each of the safety drills which are conducted and filing a copy of the documentation at the school site, with the District's administrative office, and with the Institute for School Security Resources.

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

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

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

Approved by the Board of Education August 2013
Revised by the Board of Education May 2017

1.44.1 SAFETY/EMERGENCY MEDICAL SERVICES AT DISTRICT ATHLETIC EVENTS AND ACTIVITIES

As required by *Riley's Act*, the athletic director or designee shall coordinate with the emergency medical services provider that serves the area in which the District is located and develop a plan for the provision of emergency medical services at athletic events or activities held at district facilities.

This plan shall be reviewed and updated annually, as appropriate, and placed on file with both the District and the emergency medical services provider.

Reference: OKLA. STAT. tit. 70, § 27-104

Approved by the Board of Education October 2021

1.45 SANCTIONING FOR STUDENT ACHIEVEMENT PROGRAMS, PTA, PTAG, AND BOOSTER CLUBS

The Board of Education believes student achievement programs and parent/guardian-teacher associations and organizations can advance the educational goals of the Board of Education and confer a benefit to the students of the District.

It is the purpose of this policy to establish guidelines for the sanctioning of student achievement programs and parent/guardian-teacher associations and organizations that raise money and collect revenues for the benefit of students. Only those student achievement programs and parent/guardian-teacher associations and organizations sanctioned in accordance with this policy will be exempt from the statutory controls over school activity funds found in OS Title 70, Section 5-129.

Sanctioning Procedure for Student Achievement Programs and Parent/Guardian-Teacher Associations and Organizations:

1. The District may sanction student achievement programs and parent/guardian-teacher associations and organizations that, according to the Board's determination, advance the educational objectives of the District, are beneficial to students and meet the requirements of this policy.
2. In determining whether a student achievement program or a parent/guardian-teacher association or organization should be sanctioned by the District, the Board of Education may consider:

a) if the program, association, or organization promotes activities that are an extension, expansion, or application of the District curriculum;
b) if the program, association, or organization assists student government or activities in carrying out special projects or responsibilities;
c) if the program, association, or organization assists student clubs, organizations, and other student groups in raising funds to promote activities approved by the Board of Education; and supplemental information provided by the student achievement program or by a parent/guardian-teacher association or organization in support of its application.

3. A written statement by a student achievement program or by a parent/guardian-teacher association or organization to the Board of Education requesting sanctioning shall include the following: a statement of its purpose, goals, organizational structure, and membership requirements; a detailed statement of how the District and its students will benefit if the organization is sanctioned; a statement of non-discrimination consistent with all Oklahoma and federal laws; and a financial audit which has been performed on such program, association, or organizations by an independent accounting firm. The program, association, or organization must be managed or operated by adults, rather than students.
4. The written statement shall be submitted to the Superintendent for preliminary review. After the program, association, or organization's written statement has been reviewed by the Superintendent, the Superintendent shall make a recommendation to the Board of Education. The Board of Education shall review the written statement and shall sanction or decline to sanction the applicant. The decision of the Board of Education is final and non-appealable.
5. The Board may sanction any student-achievement program, parent/guardian-teacher association, or organization that is organized under Section 501 (c) (3) of the Internal Revenue Code to maintain bank, financial, and tax-exempt status separate from the school activity fund if that program, association, or organization satisfies and accepts the requirements outlined in this policy and on the application for sanctioning form.
6. All funds raised by the program, association, or organization will be used to achieve the stated purposes and goals of the program, association, or organization. No administrative fees or stipends to officers, school employees, or others will be permitted.
7. Any plan, project, or movement by a sanctioned student achievement program or parent/guardian-teacher association or organization instituted to expand, modernize, renovate, or render maintenance to school-controlled and/or owned properties will be presented to the Board in official session for its consideration, comment, evaluation, approval, and sponsorship. This must be done before any public announcement is made.
8. The Application Form is a part of this policy. Request for sanctioning will be accepted only on the application form provided by the District. Application form is available in the Finance Office.
9. Completed applications for sanctioning will be submitted to the District before April 30, and notification of sanctioning status will be given by June 15.
10. Any group eligible for sanctioning that does not present an application for sanctioning is automatically in the School Activity Fund and may not maintain an account outside that Fund.

11. Any student achievement program, parent/guardian-teacher association, or organization that is organized for the benefit of the students that is not within the School Activity Fund or has not been sanctioned will not be allowed to use school facilities or students for fund-raising activities nor be allowed to contribute to the support of any District activity.

The Board of Education has the discretion to sanction or decline to sanction any group or organization, and the decision of the Board of Education is final and non-appealable.

The Board of Education may, at any time, request the records maintained by the group or organization.

The Board of Education may, at any time it believes it is in the best interest of the District to do so, withdraw sanctioning, and the decision of the Board of Education is final and non-appealable.

Revised by the Board of Education March 1997
Revised May 2010
Revised May 2017

1.46 SCHOOL ACTIVITY FUND

The Board of Education is committed to the support of patron participation to benefit the educational goals and student involvement within the District. The Board further supports the philosophy that all funds raised by parent/guardian organizations be expended in a timely manner for the benefits of students who are currently in attendance at a respective site or participating in an activity.

All receipts shall be deposited in the school activity fund within one (1) business day without holding substantial amounts of money (one hundred dollars [$100.00] or more) in the local building. All disbursements shall be made by checks prepared by the school activity fund custodian in the same manner prescribed by the Oklahoma Statutes and Oklahoma State Department of Education for other disbursements from that fund. Procedures are outlined in the Activity Fund Handbook.

Revised by the Board of Education June 2019

1.47 SCHOOL MAIL SERVICES

School mail services are to be used for school business. Employees may not use school mail for personal business, association business, or to receive personal items.

Revised by the Board of Education October 1997

1.48 SCHOOL VOLUNTEERS

The Board of Education recognizes that volunteers can make valuable contributions to students and the District educational program, and therefore, endorses the use of volunteers to provide services. The Administration is charged with the responsibility of developing procedures for the implementation of a volunteer program subject to appropriate rules and safeguards.

Volunteers may be involved in virtually every facet of the operation of the District, and they will be required to participate in a volunteer orientation program and/or other task-specific training. They will be required to complete a criminal record affidavit and may be required to undergo a felony record background search. Volunteers will be afforded the same protections from liability as district employees unless they act on their own volition outside the scope of their approved assignment. Such action may result in the termination of the volunteer's services. All information to which the volunteer has access to in the classroom, office, or while on school-sponsored field trips is confidential. District Administration reserves the right to deny the services of any volunteer.

Revised by the Board of Education June 2009
Revised October 2013

1.49 SERVICE ANIMALS

The purpose of this policy is to establish procedures for the use of service animals in the District, including school buildings, school vehicles and other school property. The District acknowledges its responsibility to permit students and/or adults with disabilities to be accompanied by a service animal in its facilities and programs and intends to comply with all state and federal laws, rules and regulations regarding the use of service animals by District employees, students, and visitors with disabilities.

The District does **not** allow the following types of animals in its facilities and programs unless specifically authorized by the District's board of education or at the invitation of a building or district administrator for a specific event or activity:

- "Emotional support animal" meaning an animal selected to reside with an individual with a disability that does not work or perform tasks for the benefit of an individual with a disability and does not accompany at all times an individual with a disability; and

- "Therapy animal" meaning a personal pet who is certified to make therapeutic visits with a trained volunteer to places including, but not limited to, nursing facilities, schools and hospitals to bring therapeutic benefit, comfort and cheer to others.

Definitions

- "Service animal" is defined by the Americans with Disabilities Act (ADA) as any service dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability. Service animal is limited to the animals defined under the ADA and does not include any other species of animal, wild or domestic, trained or untrained. Service animal does not include an animal used or relied upon for crime deterrence, emotional support, well-being, comfort, or companionship.

- "Employee" is defined as a person who is employed by the District on a part or full-time basis, with or without compensation, and elected or appointed members of the District's board of education.

- "Student" means a child who is currently enrolled at the District and includes the parents and guardians of a child who is (a) under the age of 18, or (b) otherwise unable to manage their own affairs.

- "Visitor" means an individual other than an employee or student who is present in areas of district property that have been made available by the District to the general public and/or specified members of the public, including, but not limited to family members of students/employees and individuals attending a public event held on school district property.

Procedures/Requirements for Employees and Students
The use of service animals by employees and students with disabilities is subject to the following procedures and requirements:

1. The employee or student will submit a notification of the intent to use a service animal to the Director of Student Programs. The notification will identify whether the service animal is required because of the person's disability, and, if so, identify and describe the manner in which the service animal will meet the individual's particular need(s).

2. Notifications for the use of service animals on District property by an employee or student will, whenever possible, be made at least one week prior to the proposed use of the service animal.

3. As part of the District's consideration of the use of a service animal, the District may require certification of proper vaccinations verified by a veterinarian.

4. The District's review of use of a service animal may include consideration of a student's IEP or Section 504 records. The District may also request a meeting with the employee or student.

5. The use of a service animal on District property may be subject to a plan that introduces the service animal to the school environment, any appropriate training for staff and students regarding interaction with the service animal, and other activities or conditions deemed necessary by the District. The District's approval of the use of a service animal on District property is subject to periodic review, revision, or revocation by District administration.

6. It is the responsibility of the employee or student who uses a service animal pursuant to this policy to serve as the handler or arrange for a third-party handler to provide proper handling of the service animal. Any cost incurred to handle the service animal will be the responsibility of the employee or student who uses the service animal.

7. Service animals will be allowed in District vehicles when:
   a. The inclusion of the service animal is documented as required on District transportation forms; and

b. The service animal is under the control of the handler at all times, including entering and exiting the vehicle.

Procedures/Requirements for Visitors

The use of service animals by visitors with disabilities is subject to the following procedures and requirements:

1. When a visitor seeks to bring a service animal onto school property, staff may ask the visitor to provide the following information in order to confirm that the animal qualifies as a service animal under this policy:
    a. Whether the visitor's animal is a service animal required because of a disability.
    b. The work or task the visitor's animal has been trained to perform.

    Staff shall not question visitors regarding their use of a service animal except as set forth above. Staff shall not inquire as to the nature of the visitor's disability, request documentation regarding a visitor's service animal, or request that the service animal demonstrate the work/task it has been trained to perform.

2. Except as provided in this policy, visitors with disabilities shall be permitted to be accompanied by their service animals in all areas of school facilities where similarly situated non-disabled visitors are permitted to be present.

3. Visitors shall not be allowed to bring a service animal into an area of school property where the presence of the service animal would pose a risk to the health or safety of others.

4. When a visitor requires accommodations to be made to district policies, practices or procedure to allow a service animal to accompany the visitor on school property, the visitor must, whenever possible, provide prior written notice to the Director of Student Programs no later than one (1) week before the service animal will be present on district property.

Control and Supervision of Service Animals

1. The owner/handler of a service animal must be in full control of the animal at all times.

2. Service animals must always be on a leash or other form of restraint mechanism unless impracticable or unfeasible due to the disability of the employee, student, or visitor.

3. The responsibility for the care and supervision of the service animal rests solely on the employee, student, or visitor. The District is not responsible for providing any staff member to walk the service animal or provide any other care or assistance to the animal. Issues related to the care and supervision of service animals will be addressed on a case-by-case basis in the discretion of the building administrator.

4. Pursuant to federal law, the District retains discretion to exclude or remove a service animal from District property and/or transportation if:

a. The service animal is out of control and/or the service animal's handler does not effectively control the service animal's behavior;
b. The service animal is not housebroken;
c. The service animal poses a direct threat to the health or safety of others that cannot be eliminated by reasonable modifications; or,
d. Permitting the service animal would fundamentally alter the nature of the service, program, or activity.

The employee, student, or visitor accompanied by a service animal will be responsible for any damage to District or personal property and any injuries to individuals caused by the service animal. Individuals who use a service animal on District property will hold the District harmless and indemnify the District from any such damages.

Any person dissatisfied with a decision concerning a service animal can file a grievance, using the District's grievance procedures.

Requirements for Service Animals

1. Vaccination: Service animals must be immunized against diseases common to that type of animal. [Okla. Admin. Code 310:599-3-9.1] All vaccinations must be current. Dogs must wear a rabies vaccination tag.

2. Licensing: All service dogs must be licensed as may be required by state and/or local law.

3. It is recommended, but not required, that service animals have proper identification.

4. Owner ID and Other Tags: Dogs may be required to wear a current dog license and rabies-vaccination tag, unless the dog is permanently and uniquely identified with a microchip implant or tattoo.

5. Collar: A service dog used by a person who is deaf or hard-of-hearing must wear an orange identifying collar. [Okla. Stat. Tit. 7, § 19.1(C)]

6. Cleanup Rule: The handler of the service animal, whether it be the employee, student or a third party, must clean up after the animal defecates or urinates, as well as follow any municipal ordinance applicable thereto.

7. Grooming: All service animals must be treated for, and kept free of, fleas and ticks. All service animals must be kept clean and groomed to avoid shedding and dander.

Reference: 28 C.F.R. Part 36; Okla. Stat. Tit. 4, § 801 (2019)

Approved by the Board of Education January 2019
Revised May 2020

1.50 SEXUAL HARASSMENT

(*See also* Non-Discrimination Statement; Harassment/Bullying)

It is the policy of Jenks Public Schools that sexual harassment of faculty, staff, and students is prohibited in the workplace in the recruitment, appointment, and advancement of employees; sexual harassment of students by other students or adults is prohibited in and out of the classroom and in the evaluation of student's academic performance.

It is also the policy of the District that accusations of sexual harassment which are made without good cause shall not be condoned. It should be remembered that accusations of sexual harassment are indeed grievous and can have serious and far-reaching effects upon the careers and lives of individuals. This policy is in keeping with the spirit and intent of various federal guidelines which address the issue of fair employment practices, ethical standards and enforcement procedures.

General Prohibitions

Unwelcome conduct of a sexual nature may include, but is not limited to, verbal or physical sexual advances, including subtle pressure for sexual activities; touching, pinching, patting, or brushing against, comments regarding physical or personality characteristics of a sexual nature, and sexually oriented kidding, teasing, double entendres, jokes; any written message; and/or electronically communicated message.

Verbal or physical conduct of a sexual nature may constitute sexual harassment when the allegedly harassed employee or student has indicated, by his or her conduct, it is unwelcome.

An employee or student having initially welcomed such conduct by active participation must give specific notice to the alleged harasser such conduct is no longer welcome in order for any such subsequent conduct to be deemed unwelcome.

For the purposes of this policy, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment if: Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic standing. Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions or academic/co-curricular decisions affecting such individuals.

Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic/co-curricular performance or creating an intimidating, hostile, or offensive working/academic environment.

Specific Prohibitions

It shall be a violation of District policy for administrators, faculty, staff and/or students to engage in sexual harassment as defined above**.**

It is sexual harassment for an employee or student to subject another such employee or student to any unwelcome conduct of a sexual nature.

It is a violation of District policy for anyone to seek gain, advancement, improved academic standing or consideration in return for sexual favors.

It is sexual harassment for any administrator or supervisor to use his or her authority to solicit sexual favors or attention from subordinates when the subordinate's failure to submit will result in adverse treatment, or when the subordinate's acquiescence will result in preferential treatment.

Any allegation of sexual harassment which is made without good cause is a violation of District policy.

It is a violation of District policy for administrators, faculty, staff, and/or students to initiate any action as a reprisal against an administrator or a faculty or a staff member or student for reporting sexual harassment.

Whenever there is a demonstrated instance of sexual harassment, or reprisal for reporting same, prompt and corrective action shall be taken. Failure to take appropriate action is against District policy.

Procedure
Employees who have a complaint alleging sexual harassment should report their complaint to the Administrator of Human Resources or designee, who will initiate an investigation. A report will be made to the Superintendent regarding accusations, investigative procedures, and reconciliation of complaints. Additionally, there will be a direct response to the complainant.

Students who have a complaint alleging sexual harassment should report their complaint to their respective building principal or counselor. The site principal will initiate an investigation of the complaint under the supervision of the Administrator of Human Resources or designee. A report will be made to the Superintendent regarding accusations, investigative procedures, and reconciliation of complaints.

Revised by the Board of Education May 2007

1.51 SOCIAL MEDIA
(*See also* Copyright)

The Jenks School District ("District") encourages the appropriate use of social media as a method for communicating ideas and information, and as part of the educational mission of the District. The forms of electronic and digital communications change rapidly. This policy addresses common existing forms of electronic and digital communication (such as email, texting, blogging, social media posting, etc.) but is intended to cover any form of electronic or digital communication which utilizes a computer, phone or other digital or electronic device.

Official Use of Social Media
The Superintendent or designee has overall responsibility for creating the District's official online presence. Unless specifically authorized by the Superintendent or designee, no District employee may create an official District presence on any form of social media, now in existence, or created

in the future, or represent themselves as a spokesperson or authorized representative of the District.

The District may utilize social media to present information and content to the public and receive feedback from the public. Content and information released on social media is equivalent to content and information released to the media and the public in any other format, including press release, letter to the media, open letter to the public, etc. Care must be taken that content and information released to the public over social media is accurate, does not violate applicable laws (including, but not limited to, copyright, trademark and defamation law) or District policy.

In general, the District invites discussion of important ideas and issues through social media. However, the District reserves the right to remove posts or comments that are obscene, defamatory, offensive, contain threats of violence, abusive, spam or advertising, or unrelated to the content or information. The District also reserves the right to remove posts or comments that violate applicable laws including, but not limited to, copyright and trademark laws.

Professional Conduct

The District is committed to maintaining an environment in which all persons can interact together in an atmosphere free of all forms of harassment, exploitation or intimidation. Therefore, when communicating via social networks, employees are expected to act with honesty, integrity, and respect for the rights, privileges, privacy, and properties of others. By doing so, employees will be abiding by applicable laws, District policy and the core values of the District.

The District prohibits abusive or offensive online behavior of employees at work or when engaged in work-related activities; likewise, District resources are not to be used in abusive or offensive ways. Also, the District discourages out-of-school online abusive or offensive behavior because of its potential to interfere with and disrupt working and student relationships.

Employees of the District are responsible for the material they publish online, as well as the messages sent via computers and wireless telecommunication devices. Any conduct that negatively reflects upon the District or consists of inappropriate behavior on the part of an employee may expose that employee to disciplinary action up to and including termination. Inappropriate behavior includes, but is not limited to, any activity that harms students, compromises an employee's objectivity, undermines an employee's authority or ability to maintain control of students, places the District in a false light, causes a likelihood of confusion as to whether the employee is speaking personally or as a District employee, or is illegal.

Expectations of Staff

District employees are role models and must exemplify ethical behavior in their relationships with students, clients, and other staff members. All staff are expected to serve as positive ambassadors for the District and appropriate role models for students. Online activity, including personal online activity, is public and is therefore a reflection on the District as an organization. Employees must exercise good judgment and common sense, maintain professionalism, and address inappropriate behavior or activity discovered on these networks. Inappropriate behavior or activity should be immediately communicated to a direct supervisor.

1. The line between professional and personal relationships can become blurred; therefore, District employees must exercise discretion and maintain professionalism when communicating with students via computers or electronic devices. Employees must limit this type of communication with students to matters concerning a student's education or extra-curricular activities for which the staff member has assigned responsibility. Excessive messaging or other social media communication to an individual student must be avoided.

2. Photos of and videos featuring students must not be posted on social media without the informed consent of a parent/guardian via the District Media Release Form.

3. Student photos may be submitted to the Director of Communications or designee for possible inclusion on official District social media accounts.

4. Externally communicating any confidential information or information related to the District not intended for public dissemination is always forbidden and may be grounds for termination and legal action. Public information will be released through the Superintendent or designee.

5. Copyright and fair use laws must be respected at all times. Trademarks such as logos, slogans, and digital content such as art, music, or photographs, may require permission from the copyright owner. It is the responsibility of the employee to obtain written permission for any such trademarked content.

6. District employees are discouraged from sharing content or comments containing the following when it is directed at a colleague, parent, student, or citizen of the State of Oklahoma:
    1. Obscene sexual content or links to obscene sexual content;
    2. Abusive and bullying language or tone;
    3. Conduct or encouragement of illegal activity; and
    4. Disclosure of information which an agency and its employees are required to keep confidential by law, regulation or internal policy.

Content or comments of the type listed above are especially concerning when directed at or exchanged with a student and, as a result, may result in disciplinary action up to and including termination of employment and, in some instances, referral to law enforcement or licensing bodies.

1. The district is not interested in limiting an employee's ability to participate in personal social networks with a personal email address outside of the workplace. However, what is published on these sites should never be attributed to the district. Employees should make it clear that they are speaking for themselves. Furthermore, even if employees do not mention the district, that information is readily ascertainable and could reflect poorly upon the employee and the district. Employees are encouraged to use

common sense when making online comments, even if they intend for those to be purely personal in nature.

2. Employees are cautioned to be aware of their association with the district online social networks. If an employee identifies themselves as a district employee, the employee should ensure their profile, photographs, and related content are consistent with how the employee wishes to present themselves with colleagues, students, parents/guardians, and others.

Personal Use of Social Networking Sites

Employees are personally responsible for all comments/information and hosted content published online. Employees should always be mindful that social media posts like tweets and status updates will be visible and public for an extended time.

1. By posting comments, having online conversations, etc. on social media sites, employees should remember that they are broadcasting to the world; accordingly, they should be aware that even with the strictest privacy settings, what one "says" online should be within the bounds of professional discretion. Comments expressed via social networking pages under the guise of a "private conversation" may still be shared by others in a more public domain.

2. Comments related to the district, its employees, and district events, should always meet the highest standards of professional discretion. Employees should always assume that every one of their postings is in the public domain.

3. Before posting personal photographs, employees should first consider how the posted images reflect on an employee's professionalism.

4. All district employees who choose to utilize Facebook, TikTok, Twitter, Instagram or any other social media platform to provide classroom or extracurricular activity information to students and parents must create a "teacher" page, and posts must be exclusively about classroom or school activities.

Staff-Student Relationships

Employees are prohibited from establishing personal relationships with students that are unprofessional and thereby inappropriate. Examples of unprofessional relationships include, but are not limited to: employees fraternizing or communicating with students as if employees and students were peers, e.g. writing personal letters or emails; "texting" students; calling students on a cell phone or allowing students to make personal calls to them unrelated to homework or class work; sending personal or inappropriate pictures to students; discussing or revealing to students personal matters about their private lives or inviting students to do the same (other than professional counseling by an assigned school counselor); and engaging in sexualized dialogue, whether in person, by phone, via the Internet or in writing.

Employees who post information on Facebook, Twitter or other similar platforms that include inappropriate personal information such as, but not limited to, provocative photographs, sexually

explicit messages, use of alcohol, drugs or anything students are prohibited from doing must understand that if students, parents or other employees obtain access to such information, the employee's actions will be investigated by district officials; if warranted, an employee will be disciplined up to and including termination, depending on the severity of the offense, and may have their case forwarded to the Oklahoma State Department of Education for review and possible sanctions.

Accountability
This guidance and emphasis on personal judgment is provided because violation of district policies and procedures may result in disciplinary action up to and including termination of employment. All employees who have reason to believe that their on-line conduct has generated public or media attention are expected to immediately report their activity and the attention generated to their supervisor.

Approved by the Board of Education June 2018
Revised January 2019
Revised May 2020
Revised October 2021

1.52 STREAMING/BROADCASTING RIGHTS

Notwithstanding any policy of a school athletic association, in all of the District's regular season high school athletic competitions, the visiting team shall have the same rights to radio broadcast, video stream, and provide telegraphic play-by-play accounts as the District (home team), as long as the visiting team has either of the following:

1. A valid agreement to broadcast, video stream and/or provide telegraphic play-by-play accounts between a media organization and the school's board of education; or

2. The visiting team has a curricular program for students that typically provides streaming for the team's home games.

A school athletic association is any private organization or association which charges the school or school district a membership fee, retains a portion of revenue generated by the interscholastic activities or contests of the member schools, and provides the coordination, supervision, and regulation of the interscholastic activities and contests of the member schools.

Reference: Okla Stat. Tit. 70, § 27-105; Okla. Stat. Tit. 70, § 27-102

Approved by the Board of Education October 2021

1.53 SUPERINTENDENT OF SCHOOLS

The administration of the District in all its aspects shall be delegated to the Superintendent, who shall carry out the administrative functions in accordance with the policies adopted by the Board. The execution of all decisions made by the Board concerning the internal operation of the school system shall be delegated to the Superintendent.

The Superintendent is the chief executive officer of the Board of Education and has responsibility for the administration of the schools under the direction of the Board. The Superintendent has the authority to waive Board policy when deemed necessary. The Board will be notified of any deviation from board policy and the rationale for the deviation within seven (7) days. Under the authority of the Superintendent, personnel may begin duties prior to official Board approval of a contract if deemed necessary to maintain smooth operation of the District. The Superintendent may immediately accept written resignations on behalf of the Board. Such actions shall be presented to the Board for final approval at the next scheduled meeting.

Approved by the Board of Education May 2007

1.53.1 SUPERINTENDENT'S RESIDENCE

It is the policy of Jenks Public Schools that the Superintendent shall reside within the boundaries of the Jenks Schools District while employed as the Jenks Superintendent.

Revised by the Board of Education October 2006

1.54 SURPLUS OR DISPOSITION OF FIXED ASSETS

(*See also* Acquisition of Real Property)

Fixed assets will include but not be limited to real property, transportation equipment, furniture, instructional equipment, business equipment, maintenance equipment and books.

Disposition of Real Property

Real property shall be conveyed pursuant to a public sale, public bid, or private sale. Prior to the sale of any real property, the Board of Education shall have the real property appraised. The appraisal shall be confidential until the real property is sold. When the real property is sold, the Board of Education shall make the appraisal available for public inspection. Prior to the conveyance of any real property by private sale, the Board of Education shall have offered the real property for sale by public sale or public bid. Any conveyance of real property by private sale to a non-profit organization, association, or corporation to be used for public purposes, unless for exchange, shall contain a reversionary clause which returns the real property to the Board of Education upon the cessation of the use without profit or for public purposes by the purchaser or the assigns of the purchaser. (See OS, Title 70, Section 5-117)

Furniture, Books, and Equipment

Furniture, books, and equipment will be declared surplus because of obsolescence or physical condition by a site principal, building principal or supervisor of a department. Books, furniture and all equipment other than transportation or maintenance equipment will be delivered to the warehouse. The director of the warehouse will determine the best method of disposing of the asset-sold, exchanged, traded-in, donated to non-profit organization or other government entity, or recycled. Sales may be in the form of public auction, garage sales, sealed bids, or direct sales.

Revised by the Board of Education June 1998

1.54.1 FIXED ASSETS

The general purpose of this policy is to provide guidance for the safeguarding, stewardship, efficiency and effectiveness of use, and accountability of District resources invested in fixed assets.

General Responsibility for Fixed Assets
District personnel, at all levels, are responsible to the Board of Education for the safeguarding, stewardship, efficiency and effectiveness of use, and accountability for fixed assets under their jurisdiction and/or control.
This responsibility includes the proper care, maintenance, control, reporting, and reasonable safeguards to prevent loss, damage or theft of such equipment and other fixed assets.

Acquisition of Fixed Assets
The purchase or acquisition of all fixed assets shall be in accordance with all applicable federal, state, local, and District statutes, regulations, and policies.

Unless otherwise determined by the Board of Education, building principals, program directors, and grant administrators shall be deemed to be responsible for assuring that fixed assets under their control have been acquired in accordance with applicable statute, regulation, and policy.

Utilization of Fixed Assets
The use of fixed assets shall be in accordance with all applicable federal, state, local, and District statute, regulation, and policy. All district personnel shall share the responsibility for assuring that district fixed assets are used efficiently and effectively in accordance with district policy to achieve the goals and objectives of the District.

Definitions
Fixed assets are assets of a long-term nature or important to run the District and intended to be held or used by the District. Fixed assets generally include land, buildings, transportation and motor equipment, technology, software, furniture, business and maintenance equipment, other equipment, construction in progress and leased property under capital leases. Consumable items are not assets.

Fixed assets are tracked for the purposes of financial accounting, preventative maintenance, theft deterrence, replacement valuation, and ease of location. All items over $2,500 with a useful life of more than one year are considered Fixed Assets. Other items such as computer components and furniture may be tracked to allow the District to know the location and quantity of items in the District. Assets must have a depreciable value, current location and Jenks asset tag.

Asset Classes
There are 21 classes of fixed assets:

Code	Description	Min. $ value
20	Land Improvements (Buildings, etc.)	$ 2,500
40	Outdoor Equipment	$ 2,500

50	Construction *(In Progress)*	$ 2,500
100	Athletic Equipment	$ 2,500
150	Audiovisual Equipment	$ 1,000
180	Communications Equipment	$ 1,000
200	Books & Multimedia Equipment	$ 1,000
230	Computer Software	$ 2,500
250	Business Machines (Copiers, Fax, etc.)	$ 2,500
270	Computer Equipment (Network, Mainframe, etc.)	$ 2,500
271	Personal Computers (PCU, Monitors, Printers)	$ 1,000
300	Machinery & Tools	$ 1,000
400	Appliances/Food Service Equipment	$ 2,500
450	Musical Instruments	$ 1,000
470	Law Enforcement Equipment	$ 1,000
500	Lab/Science/Engineering	$ 1,000
600	Furniture & Accessories	$ 1,000
700	Stage & Auditorium	$ 2,500
750	Grounds/Agricultural Equipment	$ 2,500
800	Licensed Vehicles	$ 2,500
900	Utilities/Sewer/Water/Electrical	$ 2,500

Valuation of Assets
All new Fixed Assets are initially recorded at cost. The cost of subsequent additions to buildings, plant and equipment consists of all appropriate costs of acquisitions and installation including materials, labor and transport costs, in line with accounting standards (GAAP) will be entered manually as the projects are completed.

Donated Assets
Donated assets are recorded at the best estimate of net current value. Donated assets are depreciated over their expected lives in accordance with the rates established for the appropriate asset class.

Any location receiving a donation that has an estimated fair market value of $2,500 or more, must send a list of the donated items to the warehouse Fixed Assets person showing the items donated, the estimated fair market value of the item, the name of the donor, any restriction on the donation (i.e. to be used only at a specific school) and the date the donation was received. (This is in addition to any other required reporting for donated items.)

Disposal of Fixed Assets
Disposal of Fixed Assets must be done in accordance with the Surplus or Disposition of Fixed Assets Policy of the Jenks Board of Education.

The person responsible for an asset may make an initial determination that an asset is no longer useful at the location. The responsible person must then prepare a Fixed Asset Form and submit the disposal area for the asset including the asset number, the serial number, the description of the asset, the acquisition cost (if obtainable), the reason for disposing of the asset, and the date the asset was relinquished.

All Fixed Asset inventory items disposed of must be reported to the Board of Education in a timely manner.

Inventory of Fixed Assets
Periodically the Fixed Asset administrator will prepare a listing of all fixed assets for each location in the District. The listing will include the description, serial number, acquisition cost, location, responsible person, etc. The listing will be distributed to the responsible person at each location.

Room counts of furniture, such as desks, tables, chairs and cabinets will be conducted by certified staff at the beginning of and end of each school year. Classified staff will be responsible for a once per year room count. Any large or continued discrepancies in counts will be the responsibility of the administrator over that area.

The administrator responsible for the area where assets have been last documented will assure all assets are properly accounted for and in accordance with the Surplus or Disposition of Fixed Assets Policy of the Jenks Board of Education.

Inventories of each site will be conducted on a regular rotation.

Personal Property
Personal property belonging to an employee is not normally covered by the District insurance policies. Personal property must be clearly labeled "Personal Property of (name of owner)" so the items are not counted at an audit or inventory as district property.

Approved by the Board of Education March 2012

1.55 TITLE IX

Policy and Purpose
Jenks Public Schools will address all incidents of sex discrimination and sexual harassment reported to the District's Title IX Coordinator in compliance with Title IX of the Education Amendments of 1972, as amended. The Title IX Coordinator, Chief HR Officer Dana Ezell, is located in the Jenks Public Schools Educator Service Center, 211 East A Street, Jenks, Oklahoma, 74037, in Human Resources, phone number (918)299-4415, or email dana.ezell@jenksps.org.

This policy informs all students and all District employees of policies and procedures regarding sex discrimination and sexual harassment to which all students, instructional staff, and non-instructional personnel are expected to adhere. In addition, comprehensive information is provided regarding the reporting of sex discrimination and sexual harassment and avenues to seek immediate assistance.

The District seeks to create a positive educational environment on and off campus through our academic programs, services, activities, policies, and procedures aimed at providing protection against sex discrimination and harassment. To that end, the District condemns discrimination in its education programs and activities based on sex or gender, sexual orientation, gender identity or expression, sexual harassment, sexual violence, dating violence, and stalking. Notice of sex discrimination or a sexual harassment incident to the District's Title IX Coordinator charges the District with actual knowledge and triggers its response obligations.

Scope of the Policy

The District must respond when sex discrimination and harassment occur in the school's education programs or activities. Education programs and activities include locations, events, or circumstances in which the District exercises substantial control over both the respondent and the context in which the discrimination or harassment occurred. Title IX applies to all of the District's education programs or activities, whether such programs or activities occur on-campus or off-campus, including online instruction.

Any person may report sex discrimination, including sexual harassment, whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment. Reports may be made in person, by mail, by telephone, or by e-mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time, including during non-business hours, by using the telephone number or e-mail address, or by mail to the office address, listed for the Title IX Coordinator.

Individuals are responsible for immediately reporting any knowledge or information concerning sexual harassment to the District's Title IX Coordinator. The District encourages victims of sexual harassment to talk with a counselor. Different employees within the scope of the District's resources have different abilities to maintain a victim's confidentiality.

1. Employees hired as Licensed Professional Counselors are required to maintain near complete confidentiality; talking to them is sometimes called a "privileged communication." Disclosures to these employees will not trigger an investigation into an incident against the complainant's wishes.
2. District Employees are required to report all the details of an incident (including the identities of both the complainant and respondent) to the Title IX Coordinator. A report to district employees (called "responsible employees") constitutes a report to the District and places the District on notice to take appropriate steps to address the situation.

This policy also applies to retaliation by the District or any person against any other person for the purpose of interfering with Title IX rights, or because the person has participated or refused to participate in any manner in a proceeding under Title IX that is prohibited.

Assistance Following an Incident of Sexual Harassment

Immediate Assistance:
Persons who have complaints of sexual harassment may file their complaints with the Title IX Coordinator, Chief HR Officer Dana Ezell, located in the Education Service Center, 211 East A Street, Jenks, Oklahoma, 74037, in Human Resources, phone number (918)299-4415, or email dana.ezell@jenksps.org.

Victims of sexual violence should get to a place of safety and call Police. Obtain necessary medical treatment; time is a critical factor for evidence collection and preservation. An assault should be reported directly to a law enforcement officer, and District officials will assist in facilitating this process. Filing a police report will not obligate the complainant to prosecute, nor will it subject the reporting party to scrutiny or judgmental opinions from officers. Filing a police report will ensure that a victim of sexual violence receives the necessary medical treatment and tests, at no expense to the complainant to the extent provided for by Oklahoma law, and provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later.

Complainant or Witness: Call JPS Police (918)607-0142 or 911 for immediate assistance.

Ongoing Assistance:
In order to ensure the safety and well-being of the complainant, The District may take interim measures such as changing academic schedules, work schedules, extracurricular activity modifications, addressing transportation issues, withdraw from/retake a class without penalty, academic support (e.g., tutoring), leaves of absence, counseling, campus escort services, distance learning arrangements, or similar measures. In addition, while an investigation is pending, the District may initiate a "no contact order" between the parties that carries a sanction of short- or long-term suspension if violated.

The District offers internal counseling options. District officials and representatives are available to facilitate access to support services. Several service organizations in Oklahoma have provided telephone numbers and made available other services for students, staff and campus community members. District will assist any interested person, needing assistance, in contacting these agencies.

Support Services:
Oklahoma Safeline: 1-800-522-7233 (SAFE)
Oklahoma Safeline: Oklahoma City Metro Area - 405-522-7233 (SAFE)
National Domestic Violence Hotline: 1-800-799-7233 (SAFE)
Rape, Abuse & Incest National Network Hotline: 1-800-656-4673 (HOPE)
Communication Services for the Deaf (TTY): 1-800-252-1017 (TTY)
Communication Services for the Deaf (Voice): 1-866-845-7445 (Voice)
Oklahoma Coalition Against Domestic Violence/Sexual Assault: 405-524-0700

Title IX Coordinator and Staff
The Title IX Coordinator has primary responsibility for overseeing the process of coordinating the District's compliance efforts, receiving complaints, investigations, hearing, sanctions, appeals, and

education and training associated with this policy. To file a complaint or submit questions concerning actions governed by this policy contact the Title IX Coordinator.

The Deputy Title IX Officers have the secondary responsibility and assist with the duties of the Title IX Coordinator. Deputy Title IX Officers include Director of Personnel Mark Rubey, (918)299-4415, mark.rubey@jenksps.org, and Executive Director of Student Services Amy Hudson, (918) 299-4415, amy.hudson@jenksps.org.

Title IX Investigators may include but not be limited to district administration. The primary responsibility of the investigator relates to formal complaints. The investigator is to collect statements and any evidence directly related to any allegations of a Title IX policy violation as directed by the Title IX Coordinator. Investigators will receive appropriate Title IX training.

Title IX Hearing Officer (decision-maker) may include a district administrator, legal counsel or specially designated officer. The primary responsibility of the hearing officer is to ensure both parties receive due process in the event allegations of a Title IX policy violation are directed to a hearing by the Title IX Coordinator. Hearing Officers will receive appropriate Title IX training.

Definitions

The District defines sex discrimination and sexual harassment broadly to include any of three types of misconduct on the basis of sex (or gender), all of which jeopardize the equal access to education that Title IX is designed to protect:

1. Any instance of quid pro quo harassment by a school's employee;
2. Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; and
3. Any instance of sexual assault, dating violence, domestic violence, or stalking as defined by Federal law.

Offenses prohibited under the District's policy include, but are not limited to: sex discrimination (including sexual orientation discrimination and gender identity or gender expression discrimination), sexual harassment, sexual violence to include nonconsensual sexual contact, nonconsensual sexual intercourse, sexual coercion, domestic/dating violence, stalking, and sexual exploitation.

A. Sex Discrimination: includes sexual harassment and is defined as conduct directed at a specific individual or a group of identifiable individuals that subjects the individual or group to treatment that adversely affects their education or employment, or school-related benefits, on account of sex or gender (including sexual orientation, gender identity, and gender expression discrimination). It may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

B. Sexual Harassment: is unwelcome and discriminatory speech or conduct undertaken because of an individual's gender or is sexual in nature and is so severe, pervasive, or persistent, objectively, and subjectively offensive that it has the systematic effect of unreasonably interfering with or depriving someone of educational, institutional, or

employment access, benefits, activities, or opportunities. Students, vendors, and visitors who are subject to or who witness unwelcome conduct of a sexual nature are encouraged to report the incident(s) to the Title IX Coordinator or any district employee. District employees who witness or learn of such conduct are required to report it to the Title IX Coordinator.

1. Hostile Environment: Sexual harassment includes conduct that is sufficiently severe, pervasive, or persistent, objectively, and subjectively offensive that it alters the conditions of education or employment or institutional benefits of a reasonable person with the same characteristics of the victim of the harassing conduct. Whether conduct is harassing is based upon examining a totality of circumstances, including but not limited to the following:

    - The frequency of the conduct;
    - The nature and severity of the conduct;
    - Whether the conduct was physically threatening;
    - Whether the conduct was deliberate, repeated humiliation based upon sex;
    - The effect of the conduct on the alleged victim's mental or emotional state from the perspective of a reasonable person;
    - Whether the conduct was directed at more than one person;
    - Whether the conduct arose in the context of other discriminatory conduct;
    - Continued or repeated verbal abuse of a sexual nature, such as gratuitous suggestive comments and sexually explicit jokes; and
    - Whether the speech or conduct deserves constitutional protections.

2. Quid Pro Quo Sexual Harassment exists when individuals in positions of authority over the complainant engage in the following behaviors:

    - Make unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature; and
    - Indicate, explicitly or implicitly, that failure to submit to or the rejection of such conduct will result in adverse educational or employment action or where participation in an educational program or district activity or benefit is conditioned upon the complainant's submission to such activity.

    Examples of Harassment:
    - A teacher insists that a student have sex or engage in sexual acts with him/her in exchange for a good grade. This is harassment regardless of whether the student agrees to the request.
    - A student repeatedly sends sexually oriented jokes around in an email list he or she created, even when asked to stop, causing one recipient to avoid the sender on campus or in connection with classes or school sponsored events in which both are involved.
    - The teacher's assistant probes for explicit details of a student's sexual history, and demands that the student respond, though the student is clearly uncomfortable and hesitant.

- An administrator asks a student for nude or semi-nude pictures to be sent via Snapchat or other social media.
- The coach provides explicit details of his sexual past or describes his sexual relationship with his spouse or girlfriend.
- An ex-girlfriend widely spreads false stories about her sex life with her former boyfriend to his clear discomfort and embarrassment.

C. Sexual Violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (*e.g.*, due to the student's age, school status, or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual violence can be carried out by school employees, other students, or third parties.

1. Nonconsensual Sexual Contact is any intentional touching, however slight, whether clothed or unclothed, of the victim's intimate body parts (primarily genital area, groin, inner thigh, buttock or breast) with any object or body part, without consent and/or by force. It also includes the touching of any part of a victim's body using the perpetrator's genitalia and/or forcing the victim to touch the intimate areas of the perpetrator or any contact in a sexual manner even if not involving contact of or by breasts, buttocks, groin, genitals, mouth or other orifice. This definition includes sexual battery and sexual misconduct.

2. Nonconsensual Sexual Intercourse is defined as any sexual intercourse or penetration of the anal, oral, vaginal, genital opening of the victim, including sexual intercourse or penetration by any part of a person's body or by the use of an object, however slight, by one person to another without consent or against the victim's will. This definition includes rape and sexual assault, sexual misconduct, and sexual violence.

    a) Rape: Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator. Sexual penetration means the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.

3. Sexual Coercion is the act of using pressure (including physical pressure, verbal pressure or emotional pressure), alcohol, medications, drugs, or force to have sexual contact against someone's will or with someone who has already refused. This includes rape, sexual assault, sexual exploitation and sexual misconduct.

4. Dating Violence is violence between individuals:

- The party is or has been in a social relationship of a romantic or intimate nature with the victim;
- The existence of such a relationship shall be determined based on a consideration of the following factors:
    - Length of the relationship
    - Type of relationship
    - Frequency of interaction between the persons involved in the relationship

D. Advisor: a person who has agreed to assist a complainant or respondent during the Title IX process. The advisor may be a person of the student's choosing, including but not limited to a district faculty or staff member, a friend or an attorney.

E. Complainant: an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

F. Respondent: an individual who has been reported to be the perpetrator of conduct that could constitute sex discrimination or sexual harassment.

G. Formal complaint: a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school investigate the allegation(s) of sexual harassment and stating the date, time, place, name(s) of person(s) involved (e.g., the accused, witnesses) and sufficient details to make a determination regarding basic elements of the formal complaint process.

H. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the school with which the formal complaint is filed.

I. Supportive measures: individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment.

Consent

Consent is the act of willingly agreeing to engage in sexual contact or conduct. Individuals who consent to sex must be able to understand what they are doing. Under this policy, "No" always means "No," and the absence of "No" may not mean "Yes."~~.~~

A. Consent is informed, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding the conditions of sexual activity.

B. Consent to one form of sexual activity cannot imply consent to other forms of sexual activity.

C. Previous relationships or consent does not imply consent to future sexual acts.

D. Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion. Coercion is unreasonable pressure for sexual activity.

E. In order to give effective consent, one must be of legal age and have the capacity to consent. Incapacity may result from mental disability, intellectual disability, unconsciousness/sleep, age, or use of alcohol, drugs, medication, and/or other substances. Consent given by someone who one should know to be, or based on the circumstances, reasonably should have known to be, mentally or physically incapacitated, is not consent. Incapacitation is a state where someone cannot make rational, reasonable decisions because he or she lacks capacity to give knowing consent. Note: indications of consent are irrelevant if the initiator knows or should reasonably have known of the incapacity of the other person.

   Examples of when a person should know that another is incapacitated include, but are not limited to the following:

   - The amount of alcohol, medication or drugs consumed,
   - Imbalance or stumbling,
   - Slurred speech,
   - Lack of consciousness or inability to control bodily functions or movements, or vomiting, or
   - Mental disability or incapacity.

F. Use of alcohol, medications, or other drugs will not excuse behavior that violates this policy.

Reporting

A. Mandatory Reporting

   All district employees are responsible for taking all appropriate action to prevent sex discrimination or sexual harassment, to correct it when it occurs, and must promptly report it to the Title IX Coordinator. Failure to do so may result in disciplinary action up to and including termination. All district employees are considered responsible employees with a duty to report any incident to the Title IX Coordinator. The only exception to the mandatory duty to report is a licensed counselor for whom the report is considered a privileged exchange.

B. Confidential Reporting

   Resources are available through staff and counselors. The Trojan Tipline is available for any person who wishes to report an incident and remain anonymous. All forms of sexual harassment should be reported, no matter the severity. In addition, the District should be made aware of possible threats to the campus community in order to issue timely warnings.

C. Reporting to the Police

The District strongly encourages anyone to report sexual violence and any other criminal offenses to the police. This does not commit a person to prosecution, but will allow the gathering of information and evidence. The information and evidence gathered preserve future options regarding criminal prosecution, district disciplinary actions and/or civil actions against the respondent.

- If the incident happened on campus, it can be reported to the Jenks Public Schools Police Department at (918)607-0142. If the incident happened anywhere else, it can be reported to the local law enforcement with jurisdiction in the location where it occurred. Please know that the information you report can be helpful in supporting other reports and/or preventing further incidents.

- Reporting for Faculty and Staff (Non-Student) Instances: Faculty and staff shall report any instances of sexual harassment by another faculty or staff member to the Title IX Coordinator. As stated above, The District also strongly encourages reporting any instances to the police.

- Employee Obligation to Report (Student Instances): In compliance with Title IX, employees who become aware of a student instance of sexual harassment shall immediately report such instance to the Title IX Coordinator, including the name(s) of the persons involved.

D. Student Reporting

Students shall report any instances of sex discrimination or sexual harassment to any district employee and/or the Title IX Coordinator. Only victims or their parents or guardians can file a formal complaint of sexual harassment. A complaint should be filed as soon as possible. If either the complainant or the respondent is a student, the incident will be addressed through the Title IX process. The report can be made in person, by phone, mail, or email using the contact information listed for the Title IX Coordinator or by any other means that result in the Coordinator receiving the report. The report can be made any time, even during non-business hours.

After receiving a report or notice of an incident, the Title IX Coordinator will promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. A complainant's wishes with respect to whether the District investigates will be respected unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances.

The District will promptly take necessary steps to protect the complainant and ensure safety as necessary, including taking interim steps before the final outcome of any investigation once a report or knowledge of sexual harassment has occurred. In some instances, the District may

implement an emergency removal of a student when a safety and risk analysis indicate that an imminent threat exists to the physical health or safety of a party. A party subject to an emergency removal shall have an opportunity to challenge the decision immediately following the removal. An employee may be placed on administrative leave or suspended during the pendency of the grievance process. Periodic updates on the status of the investigation will be provided to the complainant. If the school determines that sexual violence occurred, the District will continue to take steps to protect the complainant and ensure safety at school or related activities. The District will provide the complainant with available resources, such as victim advocacy, academic support, counseling, disability services, health and mental health services, and assistance in reporting a crime to local law enforcement.

Written Notice of Complaint
Upon receipt of a formal complaint, the Title IX Coordinator will provide written notice to all known parties in sufficient time to give the respondent time to prepare a response before an initial interview. Written notice includes:

a. Notice of the grievance process, including any informal resolution process;
b. Notice of the allegations, including sufficient detail (i.e., names of known parties, the conduct alleged to be sexual harassment, and the date and location of the conduct, if known) to allow the respondent to prepare a response;
c. A statement that the respondent is presumed not responsible for the conduct and that responsibility will be determined at the conclusion of the grievance process;
d. Notice of the parties' right to have an advisor (who may be, but is not required to be, an attorney) and to inspect and review evidence; and
e. Notice that knowingly making false statements or providing false information in the grievance process is a violation of the code of conduct of students or a violation of performance and conduct standards for employees.

Investigation
An investigator will be designated to investigate the allegations contained in the complaint or which are developed in the course of the investigation. The burden of gathering evidence and burden of proof must remain on the District—not on the parties.

An investigation will be conducted by a district Title IX official. This investigation will include:

- Meeting personally with the complainant (unless extraordinary circumstances prevent a personal meeting),
- Meeting personally with the respondent (unless extraordinary circumstances prevent a personal meeting),
- Presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made,
- Collecting any physical evidence,
- Meeting personally with any witnesses (unless extraordinary circumstances prevent a personal meeting with one or more witnesses),
- Reviewing any documentary evidence, and
- Preparing a report of the investigation.

The investigation of complaints will be adequate, reliable and impartial. The investigation process can take up to 60 days. When investigating a complaint and throughout the grievance process, the District must do the following:

1. Ensure that the burden of proof and of gathering evidence rests on District rather than the parties;
2. Provide an equal opportunity for the parties to present witnesses and evidence;
3. Not restrict either party's ability to discuss the allegations or gather and present evidence;
4. Provide the parties with the same opportunities to have others present during interviews or related proceedings, including an advisor;
5. Provide, to a party who is invited or expected to attend, written notice of the date, time, participants, purpose, and location of any investigative interview, hearing or other meeting with enough time to allow the party to prepare and participate;
6. Provide both parties and their advisors an equal opportunity to review all evidence directly related to the allegations in the formal complaint (both exculpatory and inculpatory) at least 10 days prior to the completion of the final investigation;
7. Ensure that if The District obtains additional information from or about the respondent or complainant, during the course of the investigation, that was not included in the original notice to the parties—both parties will be provided written notice of additional allegations and a reasonable opportunity to respond in writing to the new information or documents;
8. Prepare a written report that fairly summarizes the relevant evidence and provide the report to both parties and their advisors for review and written response at least 10 days before a hearing or determination of responsibility; and
9. Ensure that parties will have 10 calendar days to respond to the investigator's report; any response will be considered in connection with any hearing that is conducted.

The Title IX Coordinator will determine if a Title IX hearing is necessary. In making this determination, the Coordinator will consider whether both parties request or consent to a hearing and will agree to participate in a hearing. If it is determined that the District will proceed with a hearing, the complainant and the respondent will be notified in writing of the hearing.

Mandatory or Permissive Dismissal

Mandatory dismissal must occur when it is determined in the course of the investigation that allegations in a formal complaint: (1) did not occur in the District's program or activity; (2) did not constitute sexual harassment as defined, or (3) did not occur against a person within the United States. Both parties must receive written notice of a mandatory dismissal and reasons.

Permissive dismissal may occur at any time during the investigation or hearing when: (1) a complainant notifies the Title IX Coordinator in writing that they would like to withdraw; (2) the respondent is no longer enrolled or employed by the District; or (3) specific circumstances prevent the District from gathering evidence sufficient to reach a determination. Both parties must receive written notice of a permissive dismissal and reasons.

The District may still address allegations of misconduct under the Student Code of Conduct or employee disciplinary procedures.

District Action

A. Informal resolution is available in some circumstances. Informal resolutions are unavailable unless a formal complaint of sexual harassment is filed. Informal resolution may include conflict resolution or a restorative agreement between the parties with a trained Title IX Officer presiding over the informal resolution conference. Participation in informal resolution is never mandatory, and will only take place with the full consent of both parties involved. Informal resolution may only be used:

1. When a formal complaint of sexual harassment is filed;
2. Prior to a Notice of Hearing being issued;
3. When a Title IX Officer determines this is a suitable option for resolving the concern, and both the complainant and respondent agree to use the process;
4. When the complaint does not involve sexual violence as defined in the Title IX Policy; and
5. When both parties acknowledge receipt of written notice of their rights under this policy and both parties provide written, voluntary consent.

Informal resolution is not available when the complaint alleges a district employee sexually harassed a student.

Because the outcomes of voluntary resolution conversations are mutually developed and agreed upon by parties involved, an appeal of the process and its result is not permitted. However, either the Complainant or the Respondent may withdraw from informal resolution at any time prior to the entry of a voluntary resolution agreement and proceed with the Title IX hearing. If the parties are unable to agree on a voluntary resolution, the matter will be referred by the Title IX Coordinator to a Title IX Hearing. No offers to resolve the conflict that were made or discussed during the informal voluntary resolution process may be introduced during the Title IX Hearing.

B. Title IX Hearing

The District has determined that, unless extraordinary circumstances are present, the hearing process will be conducted through written exchanges but a live hearing will not be conducted.

The Title IX Hearing Officer's responsibilities include but are not limited to the following, regardless of whether a hearing is conducted through written exchanges or a live hearing:

- Read and understand the Title IX Policy and Procedures, which include the hearing process;
- Read and understand all of the information of the Title IX case provided by the Coordinator prior to the hearing as part of a hearing packet;
- Read and understand the procedures of the Title IX hearing (live or non-live) provided by the Coordinator prior to the hearing as part of a hearing packet;
- Have a clear understanding of the incident(s) in question before making a decision;
- Decide the outcome and sanctions if needed based on the information presented, hearing notes, and the District Title IX Policy;

- Maintain copies of all notes made. The hearing officer will inform the parties of the decision at the live hearing and send a letter as described in this policy;
- Ensure that parties have had ample time and opportunity to ask questions and obtain responses before the hearing officer renders a decision (live or non-live); and
- Ensure that the determination (decision) includes a statement of and rationale as to each allegation, a determination of responsibility, any disciplinary sanctions, and whether remedies to restore equal access to the District's educational programs or activities will be provided to the complainant.

Complainant's Rights:

- Be given a written explanation of the allegations and the hearing process;
- Have access to evidentiary material in advance of the hearing;
- Be present during the entire live hearing or fully aware of the process used in a non-live hearing;
- Be accompanied by an advisor during the hearing. The advisor is limited to advising the student and may not present the case, or make statements during the proceedings. Students should provide the District with the name and contact information for the student's advisor as soon as practical but at least three (3) calendar days prior to the hearing;
- Be given a timely live or non-live hearing;
- Be assured of exclusion of evidence of the victim's past sexual history from discussion during the hearing. The past sexual history of the victim with persons other than the respondent shall be presumed irrelevant;
- Be permitted to clarify that evidence of a prior consensual dating or sexual relationship between the parties by itself does not imply consent (remember students cannot consent to sexual harassment) or preclude a finding of sexual harassment;
- Be provided written notification of the outcome of the hearing including any sanctions, remedies/accommodations for the complainant, additional remedies for the school community;
- Be provided written notification of any external counseling services that may be available;
- Be provided written notification of options for changing academic, extracurricular, transportation, school-site, or work-site situations, if reasonable;
- Be provided written notification of an avenue for appeal.

Respondent's Rights:

- Be given written notice of the allegations and the hearing process;
- Be given access to evidentiary material in advance of the hearing;
- Be present during the entire hearing;
- Have no violation presumed until found responsible;
- Be given a timely hearing;
- Be accompanied by an advisor during the hearing. The advisor is limited to advising the student and may not present the case, or make statements during the proceedings. Students should provide the District with the name and contact

information for the student's advisor as soon as practical but at least three (3) days prior to the hearing;

- Be informed that evidence of the victim's past sexual history will be excluded from discussion during the hearing or hearing process. Similarly, the past sexual history of the victim with persons other than the respondent shall be presumed irrelevant;
- Be provided written notification of the outcome of the hearing including any sanctions, remedies/accommodations for the complainant or respondent, additional remedies for the school community;
- Be provided written notification of external counseling services that may be available;
- Be provided written notification of options for changing academic, extracurricular, transportation, school-site, or work-site situations, if reasonable; and
- Be provided written notification of an avenue for appeal.

Live Hearings

A live hearing will not be conducted unless students who are parties to the complaint are at least 18 years of age or extraordinary circumstances are present. The complainant and respondent will be notified in writing of the hearing date, the alleged policy violation(s) and issued a notice to appear at the hearing. The Notice of Hearing will be hand-delivered or mailed to the physical or electronic addresses of the parties. Parties are responsible for ensuring that a current physical and electronic mail address is included in district records. The live hearing will include opening statements, each party's evidence and witnesses, cross-examination, and closing statements. Students are permitted to have an advisor accompany the Student throughout the disciplinary hearing. Students should provide the District with the name and contact information for the Student's advisor at least 3 calendar days prior to the hearing. Parties are present during the disciplinary hearing (except during deliberations of the hearing officer). Parties are permitted to make statements, present witnesses and present evidence during the hearing which has been previously collected and approved during the investigative process.

Non-Live Hearings

Non-live hearings will have similar rights and responsibilities, except that the hearing officer will conduct the hearing via written or oral exchanges officer and neither the complainant nor the respondent will confront one another; no cross-examination will occur. However, both parties will be invited to submit questions, receive answers, and present relevant written arguments in connection with the claims and defenses. Parties will have at least 10 days to respond to the receipt of information or documents to which they wish to respond. The investigator's report, all submissions by the parties, the exchange of information, documents and arguments will provide the basis for the hearing officer's decision.

All Hearings

Witnesses and evidence need to be directly related to the claims. Parties will be notified in any instance in which responses, information or documents are not available because of a privilege (not waived by the party who asserts the privilege) or irrelevant information is involved (e.g., information involving prior sexual behavior or sexual predisposition is irrelevant; a privilege such as an attorney-client or doctor-patient or other privilege bars introduction of certain evidence). The standard of proof used in district Title IX Hearings is the preponderance of the evidence, which

means the determination to be made is whether it is more likely than not a violation occurred. This is significantly different than proof beyond a reasonable doubt, which is required for a criminal prosecution.

Outcomes
If it is determined under the preponderance of evidence standard (more likely than not to have occurred) that the respondent is not responsible for a Sexual Harassment policy violation the complaint will be dismissed.

If it is determined under the preponderance of evidence standard that the respondent is responsible for a Sexual Harassment policy violation the following sanctions will be considered. The listing of sanctions below is not intended to be exclusive; actions may be imposed singularly or in combination when a violation of this policy is found.

Discrimination (includes gender discrimination) may include the following sanctions on the student(s) found responsible:

- Restriction: A limitation on a student's privileges for a period of time and may include but not be limited to, the denial of the use of facilities or access to parts of campus, denial of the right to represent the District, or denial of participation in extracurricular activities.
- Service Project: Community service or an education class or project beneficial to the individual and campus or community.
- Probation: A specified period of time during which the student is placed on formal notice that he/she is not in good social standing with the District and that further violations of district policies will subject the student to suspension from school.
- Suspension: If warranted by the severity of the incident, removal from classes and other privileges or activities for a definite period of time not to exceed the remainder of the semester in which the incident occurred and the following semester and until the conditions which are set forth in the hearing outcome letter are met. Students who are suspended from the District are not permitted on campus or in campus buildings, facilities or activities at any time for any reason during the period of suspension, unless otherwise directed by the Site Principal or designee. Conditions to conclude a suspension and reinstatement process will be stated in the written notification. Notation on the student's transcript will not be made; however, a permanent record of the action will be maintained in the student's record.

Sexual Harassment may include the following sanctions on the student(s) found responsible.

- Restriction: A limitation on a student's privileges for a period of time and may include but not be limited to the denial of the use of facilities or access to parts of campus, denial of the right to represent the District.
- Service Project: Community service or an education class or project beneficial to the individual and campus or community.
- Behavioral Change Requirement: Required activities including but not limited to, seeking academic counseling, substance abuse assessment, decision making class, writing a reflection paper, etc.
- Probation: Students are prohibited from participating in any extracurricular activities not directly associated with academics (e.g., intramural sports, attending athletic events,

student organizations/clubs/associations, leadership positions or other organizations). Students must apply to be removed from probation by submitting documentation of their significant proactive efforts to become good citizens of the community and engage in responsible, productive behavior.

- Suspension: If warranted by the severity of the incident, removal from classes and other privileges or activities for a definite period of time not to exceed for the remainder of the semester in which the incident occurred and the following semester and until the conditions which are set forth in the hearing outcome letter are met. Students who are suspended from the District are not permitted on campus or in campus buildings, facilities or activities at any time for any reason during the period of suspension, unless otherwise directed by the Site Principal or designee. Conditions to conclude a suspension and reinstatement process will be stated in the written notification. Notation on the student's transcript will not be made; however, a permanent record of the action will be maintained in the student's record.

Sexual Violence may include the following sanction on the student(s) found responsible.

- Long-term Suspension: Suspension of student status for an indefinite period not to exceed the maximum period permitted by law. The conditions for readmission, if any, shall be stated in the hearing outcome letter. In addition, a student, though readmitted to the school by operation of law, may be denied the opportunity to participate in extracurricular activities for as long as the student is enrolled in the District. Notation on the student's transcript will not be made; however, a permanent record of the action will be maintained in the student's record. Removal should be reserved and used only in cases involving the most severe instances of misconduct.

Both parties will be notified of the outcome in writing at the same time by certified mail or other agreed upon form of notice within five business days after the hearing. Both parties have the right to appeal the decision reached through the hearing process within five days after the hearing.

Appeal Procedures

An appeal is not a new hearing, but is a review of the record of the original hearing. It serves as a procedural safeguard for the student or other party. The burden of proof shifts from the District to the party found responsible for the policy violation. The appealing party must show one or more of the listed grounds for an appeal.

A. Appeals must be submitted in writing to the Superintendent within five (5) district working/calendar days of receiving the decision. Failure to file an appeal within the prescribed time constitutes a waiver of any right to an appeal.

B. The appeal must cite at least one of the following criteria as the reason for appeal and include supporting argument(s):

    1. The original hearing was not conducted in conformity with prescribed procedures and substantial prejudice to the complainant or the respondent resulted.
    2. The evidence presented at the previous hearing was not "sufficient" to justify a decision against the student or group.

3. New evidence which could have substantially affected the outcome of the hearing has been discovered since the hearing. The evidence must not have been available at the time of the original hearing. Failure to present information that was available is not grounds for an appeal.
4. The sanction is not appropriate for the violation. This provision is intended to be utilized when a determined sanction is inherently inconsistent with district procedures or precedent. Simple dissatisfaction with a sanction is not grounds for overturning a sanction under this provision.

C. The Superintendent will review the record of the original hearing, including documentary evidence. It is the Superintendent's discretion to convert any sanction imposed to a lesser sanction, to rescind any previous sanction, or to return a recommended sanction to the original hearing officer for review/or reconsideration. If there is new evidence (unavailable at the time of the hearing through no fault of the parties) which is believed to substantially affect the outcome, or evidence presented at the previous hearing was "insufficient" to justify a decision against the student or group, or a finding that a substantial procedural error resulting in prejudice occurred, the matter may be remanded to either a rehearing of the entire matter or reconsideration of specific issues. If remanded to the original hearing officer, either or both students may appeal the hearing officer's decision to the Superintendent and the procedures set out above shall control the appeal.

D. The final decision will be communicated in writing by the Superintendent to both parties. The decision will be communicated within ten (10) calendar days of receiving the hearing officer's decision.

E. The decision of the Superintendent on appeal shall be final.

Retaliation

The Federal civil rights laws, including Title IX, make it unlawful to retaliate against an individual for the purpose of interfering with any right or privilege secured by these laws. This means that if an individual brings concerns about possible civil rights problems to the District's attention, including publicly opposing sexual harassment or filing a sexual harassment complaint with the District or any State or Federal agency, it is unlawful for the District to retaliate against that individual for doing so. It is also unlawful to retaliate against an individual because he or she testified, or participated in any manner, in an OCR or district's investigation or proceeding. Therefore, if a student, parent, teacher, sponsor, coach, or other individual complains formally or informally about sexual harassment or participates in an OCR or district investigation or proceedings related to sexual harassment, the District is prohibited from retaliating (including intimidating, threatening, coercing, or in any way discriminating against the individual) because of the individual's complaint or participation. Individuals who, apart from official associations with the District, engage in retaliatory activities will also be subject to the District's policies insofar as they are applicable to third party actions.

The District will take steps to prevent retaliation against a student who filed a complaint on his or her own behalf or reported on behalf of another student, or against those who provided information

as witnesses. Complaints of retaliation will follow the same process of investigation, hearing, and appeal.

If it is determined under the preponderance of evidentiary standard (more likely than not to have occurred) that a student is responsible for retaliation the following sanction will be imposed.

- Suspension: Removal from classes and other privileges or activities for a definite period of time not to exceed the maximum period permitted by law and until the conditions which are set forth in the hearing outcome letter are met. Students who are suspended from the District are not permitted on campus or in campus buildings, facilities or activities at any time for any reason during the period of suspension, unless otherwise directed by the Site Principal or designee. Conditions to conclude a suspension and reinstatement process will be stated in the written notification. Notation on the transcript is not made; however, a permanent record of the action is maintained in the student's record.

District Officers and Designees

The designation of a district official responsible for prescribed actions shall automatically include the official's designee in instances where an official is unable, unavailable or it appears that the official may have a conflict of interest that causes the official to recuse from involvement in the matter. The official's designee shall have the same authority as the official in matters involving this policy. In connection with an appeal the Superintendent may appoint a neutral individual, not employed by the District, to consider and decide the appeal.

Timelines

Unless otherwise stated, a reference to days, refers to calendar days. The intent of this policy is to complete the grievance process within 60 days of the filing of a formal complaint; however, the timeline can be affected by one or both parties' right to at least 10 days to review and respond, consistent with the procedural protections provided both parties. An extension of timelines by agreement or to ensure one or both parties' opportunity to respond will not violate this policy even if the timeline for resolution of a grievance through appeal, for good cause, exceeds 60 days.

Recordkeeping Protocol

The District will document all reports and complaints of sex discrimination and provide copies of those reports to the Title IX Coordinator. The District Title IX Office will maintain a secured electronic file system of all Title IX cases, reports, and complaints by academic year. The cases will include all information related to the individual case, which includes but is not limited to the initial complaint, letters sent to all parties, response from the respondent, immediate or other assistance, investigation notes, informal resolution agreement (if applicable), notice of hearing, committee selection, hearing notes, hearing decision, written notice of the outcome, and any recordings made of the live hearing or in the course of the investigation. The time period to maintain the case records will be no less than seven (7) years from the date of District's final action or decision (whether through report of the investigation, informal resolution, hearing, or appeal). The confidential reporting of the number of incidents and types will be sent to the Student Assistance Coordinator for the preparation of the Annual Crimes Report.

Prevention and Education

A. Education: District requires all employees to take sexual harassment educational training courses on an annual basis. Failure to have a confirmation of this required training may result in appropriate disciplinary action. Additional in-person trainings are also offered periodically and upon request.

B. Bystander Intervention: If you witness sexual harassment, or behaviors that may lead to sexual harassment (a violation of district policy), there are a variety of things you can do as a bystander:
    - Divert the intended victim (e.g., "help me; I don't feel well!")
    - Distract the perpetrator (e.g., "looks like your car is being towed; a police officer is on the way!")
    - Delegate to a person of authority (e.g., if at a party let a parent, or other adult know of the situation)
    - Direct, confront the perpetrator (e.g., "don't speak to her that way; you are in trouble")

C. Risk Reduction Tips

Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to blame victims, and with recognition that only those who commit sexual violence are responsible for those actions, these suggestions may nevertheless help you reduce your risk of experiencing a nonconsensual sexual act.

- Make your personal limits known as early as possible.
- Be aware of your alcohol or drug intake. Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
- Never leave a party or event with a person you don't know.
- Never consent to send another person a picture of any part of your body without clothing.
- Take care of your friends or colleagues and ask that they take care of you.
- Never leave a friend at a party or allow the friend to leave a party with someone not known to them. Contact trusted adults to intervene.

D. Potential Aggressor

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you reduce your risk for being accused of sexual misconduct:

- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
- Understand and respect personal boundaries.

- Don't make assumptions about consent; about age; about someone's sexual availability; about whether they are attracted to you; about how far you can go; or about whether they are physically and/or mentally able to consent.
- If there are any questions or ambiguity, then you do not have consent.
- Remember that students cannot consent to sexual behavior.

Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading them. You must respect the boundaries for sexual behaviors.

- Don't take advantage of someone's drunkenness or drugged state, even if they did it to themselves.
- Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size.
- Don't abuse that power. Understand that consent to one form of sexual behavior (e.g., kissing) does not automatically imply consent to other forms of sexual behavior.
- Silence and passivity cannot be interpreted as an indication of consent.
- Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

Training
Training on sexual misconduct: discrimination, harassment, and violence is included in the District's education program for students and the professional development program for staff members.

Free Speech and Academic Freedom
Members of the District community enjoy significant free speech protections guaranteed by the First Amendment of the United States Constitution. This policy is intended to protect members of the District community from discrimination and is not designed to regulate protected speech. No provision of this policy shall be interpreted to prohibit conduct that is legitimately related to course content, teaching methods, scholarship, or public commentary of an individual faculty member or the educational, political, artistic or literary expression of students in classrooms and public forums. However, freedom of speech and academic freedom are not limitless and do not protect speech or expressive conduct that violates federal or state antidiscrimination laws.

Availability of other Complaint Procedures
In addition to seeking criminal charges through local law enforcement, members of the District community may also file complaints with the following entities regardless of whether they choose to file a complaint under this procedure:

Office for Civil Rights
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Customer Service Hotline: (800) 421-3481
Email: OCR@ed.gov

Office for Civil Rights:
Kansas City Field Office: OCR.KansasCity@ed.gov, (816) 268-0550;
Washington D.C.: OCR@ed.gov 1-800-421-3481

Equal Employment Opportunity Commission:
Oklahoma City Field Office: 1-800-669-4000;
Washington D.C.: 1-800-669-4000, Eeoc.gov/contact

Distribution
The District shall: prominently display on its website the required contact information for the Title IX Coordinator; post training materials used to train Title IX Coordinators and related Title IX Officials, Investigators, and Hearing Officers on its website; and notify applicants for employment, parents or legal guardians of elementary and secondary school students, and employee organizations—of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator.

Approved by the Board of Education May 2021

1.56 TOBACCO-FREE ENVIRONMENT

(*See also* Student Possession or Use of Tobacco)

The health of students and employees is important to the District. The policy is an attempt to provide a healthy workplace and to stress good health practices.

The entire school environment and all of its District property and buildings are tobacco free. "Tobacco" is defined as cigarettes, cigars, pipe tobacco, snuff, chewing tobacco and all other kinds and forms of tobacco prepared in such a manner to be suitable for chewing, smoking or both, and includes e-cigarettes/vaping devices or any other product packaged for smoking or the simulation of smoking. Smoking, chewing, and any other use of tobacco (and tobacco paraphernalia) by staff, students and members of the public is prohibited on, in or upon any school property 24 hours a day 7 days a week. This includes classrooms, corridors, restrooms, locker rooms, work areas, cafeterias, offices, staff, lounges, gymnasiums, fields, stadiums, parking lots and all vehicles owned, leased or operated by the District.

District employees and students will not be permitted to use tobacco or tobacco products while they are participants in any class or activity in which they represent the District. It also affects employees of agencies working with students and/or employees of the District, spectators at contests, activities, sports events, and games, and all others authorized to be in the District's facilities.

Revised by the Board of Education June 2004
Revised May 2011
Revised October 2013

1.57 TRADEMARK, REGISTRATION, AND LICENSING

Jenks Public Schools recognizes the importance of protecting its trademarks, service marks and trade names from unauthorized use. It is, therefore, the policy of the Board to implement a trademark registration and licensing policy as follows:

All of the trademarks, service marks, trade name logos, and/or symbols of Jenks Public Schools, including but not limited to the name "Jenks Public Schools" and "Jenks Trojans" are registered trademarks with the Secretary of State, State of Oklahoma, or are entitled to protection under the common law. It is the policy of the Board to defend their trademark status. Any use of a Jenks Public Schools trademark must have prior written approval from Jenks Public Schools and must be produced, manufactured or sold under license by Jenks Public Schools.

The Superintendent or designee shall establish procedures for licensing merchandise, including but not limited to the adoption of a licensing agreement form, product approval process, agency agreement form and a recommended payment and/or royalty structure. The Superintendent or designee shall serve as Trademark Officer and will receive and act upon all requests for permission to use District-registered trademarks.

The Superintendent or designee may approve any request for permission to use Jenks Public Schools trademark for non-commercial or educational purposes. Any request for profit or commercial use must be approved by the Board of Education.

Approved by the Board of Education February 2004

1.58 TRAVEL

(*See also* Registration)

Employees on all official school business that requires traveling expenses must obtain authorization from the employee's supervisor or Superintendent. The Superintendent must approve all out of state travel. The Superintendent or principal may charge various activity accounts for expenses incurred for school activities and professional meetings, clinics, etc. For students or individual non-employee sponsors who may incur eligible travel expenses for meals and/or lodging may be reimbursed from the general fund upon approval of the Superintendent and Principal.

In the interest of safety for students and staff, the Superintendent has the responsibility and authority to make the final decision as to whether or not a trip shall take place. There may be a situation that will necessitate a last-minute cancellation of a trip, even if the Superintendent has previously approved such travel. This could result in parents/guardians and students losing deposits, airfare costs, and other expenditures made prior to the travel. If a decision is made which results in money being lost, the District will not be responsible for reimbursing student and/or parents/guardians. Funds which have been deposited for a trip in a school activity account, but have not been spent or committed, may be refunded.

Rates below reflect maximum guidelines and only portions may be authorized by the supervisor.

In-State Travel
Mileage allowance is authorized for the owner of the vehicle, if performed by conveyance other than that owned by Jenks Public Schools. Air, bus, or rail tickets will be reimbursed (after the date of travel) or purchased directly by the District; the mileage allowance will not apply. Gas, oil, turnpike charges, and parking are not reimbursed when a mileage allowance is paid. The Superintendent has the discretion to raise or lower the travel allowance, not to exceed the current Internal Revenue Service (IRS) rate at any given time.

If travel is performed by school owned conveyance, reimbursement for necessary gas, oil, turnpike charges, and repairs purchased from personal funds is authorized. All claims for reimbursement must be supported by valid receipts.

Reimbursement for actual cost of lodging may be authorized. All claims for reimbursement must be accompanied by valid receipts showing printed name and address of service business.

Per diem expenses may be authorized and approved only if overnight travel is required. Per diem expenses are for expenditures of undocumented meal expenses and other incidentals. Meal ticket receipts are not required for per diem allowances. Reimbursement will be computed on a forty-five dollar ($45) per diem basis, and prorated on each fraction thereof, subject to the following conditions:

1. Travel status commences when employee leaves Jenks or authorized point of departure and ends when employee returns to Jenks or authorized final destination.
2. Per diem is calculated on a twenty-four (24) hour basis, rather than a calendar day.
3. No more than forty-five ($45) will be allowed for per diem during any twenty-four (24) hour period.
4. Other expenses incurred by employees such as car rental, taxi service, toll gates, etc., will be handled on a receipt basis.

Out-of-State Travel
All out-of-state travel for staff members and students must be approved by the Superintendent.

Per diem reimbursement for employees will be computed on sixty dollars ($60) for each twenty-four (24) hour period and prorated on each fraction thereof. Other in-state travel provisions, stated above, for mileage, lodging and travel status shall apply to out-of-state travel.

International Travel
All international travel must be approved by the Board of Education. Proposals for international travel opportunities for students should be submitted to the Assistant Superintendent for Educational Services for consideration and possible recommendation to the Superintendent's Cabinet and Board of Education for approval. Approval must be granted prior to publicizing travel opportunities to students and families.

Bus Drivers
Bus drivers transporting school personnel and/or students to and from authorized school activities shall be paid at their regular rate of pay for all hours worked including drive time and on-duty

time. A driver who reports for any activity trip, which is subsequently canceled, will be paid a minimum of two (2) hours.

Travel expenses will be paid according to policy guidelines.

Revised by the Board of Education October 2004
Revised February 2007
Revised July 2009
Revised August 2017
Revised May 2020

1.59 UNIFORMS

The Board of Education will permit an individual school site to require student uniforms, if at least 60% of all students' parents/guardians approve the proposal to require uniforms at that site.

Scholarships will be offered (confidentially), through the Teaching and Learning Department for students who are free lunch eligible. Applications for scholarships (two uniforms per year) will be made through the Teaching and Learning Department.

As part of this policy, an application for exemption (religious verification) from the student uniform requirement will be offered to those parents/guardians who desire such exemption. Each exemption will be for one year only and will be effective after the parent/guardian has met with the designated school site administrator and upon approval of the designated school administrator.

Each school that passes a uniform policy shall develop incentives and positive reinforcement measures to encourage full compliance with the uniform policy. Each school should strive to achieve full compliance through use of incentives and positive reinforcement measures. In addition, schools shall communicate with parents/guardians so that expectations, rationale, and benefits are fully understood by the student and his/her family.

Revised by the Board of Education June 2019

1.60 USE OF TECHNOLOGY AND EQUIPMENT

(*See also* Copyright Policy Statement; Internet Policy)

The Board of Education is responsible for ensuring that all computer software and hardware is legally utilized by the professional staff and students.

It is the intention of the District to utilize all technology in a manner which will ensure that the District, its teachers, and students do not violate copyright laws or in any manner infringe on the rights of ownership and control of the computer software or hardware used in the educational program.

The Superintendent or designee is charged with the responsibility of developing specific procedures for ensuring that copyright laws are not violated by the District, its employees, or students.

Loan of Technical Equipment
The District may elect to loan equipment to the employees of the District on a long or short-term basis. The decision to loan such equipment will be affected by necessity or convenience to the employees in performing school duties away from school property and will be made by the Superintendent or designee. A completed equipment check-out form must be on file with the appropriate supervisor.

Revised by the Board of Education June 1996

1.61 VIDEO SURVEILLANCE

The District is committed to nurturing a safe, caring, and positive environment. In order to provide for the personal safety and security of students, staff, and patrons while on District property and while attending District functions, as well as to protect District property, the Board of Education supports the use of video surveillance on school property, including the surveillance of vehicles, in accordance with guidelines established by the administration. The Superintendent will designate the site principal or department administrator who will be responsible for managing and auditing the site use and security of video surveillance cameras. This policy is expected to encourage individuals to demonstrate respect for themselves, for others, and for their surroundings.

General Procedures
Video surveillance devices may monitor school buildings, vehicles, and grounds. Video surveillance shall not include audio recordings, with the exception that school buses may be equipped with audio/visual recordings. Video surveillance may be placed in areas to monitor the safety and security of students, staff, and patrons and where surveillance has proven to be necessary as a result of threats, prior property damages, or other security incidents.

The site principal or department administrator designated by the Superintendent shall be responsible for managing and auditing the site use and security of video cameras, monitors and electronic images. Only the site principal/department administrator or individuals designated by the site principal/department administrator shall be permitted access to the video monitors or be permitted to operate the video system controls. Video monitors shall be located in controlled access areas.

The District shall inform students, staff, and parents/guardians that the District will be conducting video surveillance on school property and explain the purpose for such surveillance.

The recording of actions of students, staff, and others may be reviewed or audited for the purpose of determining adherence to federal and state law, Board of Education policies, as well as District and school rules. The District may use video surveillance to detect, report, and/or deter criminal offenses.

The District may monitor video surveillance and recordings from such surveillance to assure the safety and security of students, staff, and patrons. If deemed appropriate by the administration, further actions may be taken by the District as a result of video surveillance activities, including but not limited to disciplinary actions and reporting evidence of crimes to appropriate authorities. Disclosure of video records shall be done on a “need to know” basis.

Copies of video records that have been used for any of the purposes of this policy shall be numbered, dated, and retained according to the camera site. When a copy of the video record is accessed or viewed, a log will be maintained that lists the date, place, names of the individuals accessing or viewing the video records, and the reason(s) for viewing the video records.

The site principal or department administrator designated by the Superintendent insures digital video records on a hard drive are maintained for a minimum of seven days and may be recorded over after this time. An incident-related copy of a video record may be recorded, and such copy of a video record is maintained for one year after it is created. After one year has expired, the copy of the video record shall be destroyed unless good cause exists not to destroy the video record at that time. A copy of the video record not destroyed after one year shall be destroyed once there is no longer good cause to continue to maintain it.

Covert Surveillance
Covert surveillance shall be handled with appropriate care and sensitivity. This policy is designed to clarify the grounds upon which covert surveillance may be used as a tool to gather information concerning serious matters relating to students, employees, and others while on school property. However, nothing contained herein shall be construed to limit the District's ability to use covert surveillance to the extent permitted by law.

As a general matter, the use of covert surveillance shall be a restricted practice requiring the approval of the Superintendent or designee. At the conclusion of each covert surveillance investigation, a confidential written report will be made to the Superintendent regarding the outcome of the investigation and what action, if any, resulted as a consequence of the investigation.

Approved by the Board of Education November 2003
Revised May 2017

1.61.1 BODY WORN CAMERAS (BWC)

Purpose
The Jenks Public Schools Police Department has provided each of its sworn uniformed field personnel with access to audio and wearable Body Worn Cameras (BWC) for use while on-duty. These recorders are intended to assist officers in the performance of their duties by providing an unbiased audio/video record of a contact and to supplement the officer's report of an incident. They are also intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public.

The BWC is designed to assist and compliment campus patrol officers in the performance of their duties. The BWC is used to record certain activities by providing a visual and audio record of the circumstances of certain incidents.

All recordings made by personnel acting in their official capacity as members of this Department shall remain the property of the Department and should not be considered private, regardless of whether those recordings were made with Department-issued or personally-owned recorders.

Procedure

1. **Officer Safety takes Precedence over Recording Events**

   Officers shall follow existing officer safety policies when conducting enforcement stops as outlines in Department policies and procedures. Officer safety shall be the primary consideration when contacting citizens or conducting vehicle stops, not the ability to record an event.

2. **General**

   a. Only authorized personnel shall use or be in possession of a BWC device.
   b. BWC equipment is for official use only and shall not be utilized for personal use.
   c. Officers shall not tamper with or dismantle any hardware or software component of any BWC device.
   d. The use of any other personal recording device for the same purpose is not authorized without permission of the Chief of Police or designee.
   e. All digital evidence collected using the BWC is considered a record of the Jenks Public Schools Police Department and is for official use only.
   f. Accessing, copying, forwarding or releasing any digital evidence for other than provided for in this policy is strictly prohibited. Public release of digital evidence is prohibited unless approved by the Chief of Police or their designee.

3. **Advisements about Recording**

   a. Private citizens do not have a reasonable expectation of privacy when talking with police officers during the scope of an officer's official duties, even when the contact is in a private residence. Therefore, officers are not required to give notice they are recording. However, if asked, officers shall advise the citizens they are being recorded.
   b. Officers are not required to initiate or cease recording an event or circumstance solely at the demand of a citizen.
   c. Officers and supervisors involved in the investigation of a complaint against a member of the Jenks Public Schools Police Department must inform complainants and witnesses they are being recorded.

4. **When and Where to Record**

   a. Enforcement-Related Contacts
      1. Enforcement-related contacts include the following: Traffic stops, field interviews, detentions, arrests, persons at radio calls who are accused of crimes, and consensual encounters in which the officer is attempting to develop reasonable suspicion on the subject of the encounter.
      2. Covering another Jenks Public Schools Police Department uniformed employee or law enforcement officer during an enforcement contact.
   b. Arrests

      Officers may stop recording when the arrestee is cooperative and safely secured inside a police car or law enforcement facility. If an arrestee becomes uncooperative, or if there is some evidentiary purpose, officers should resume recording.
   c. Suspect Interviews
      1. Officers are encouraged to fully record suspect interviews. In connection with law enforcement investigations officers should not stop and start the recording during a

suspect interview.

2. When recording interviews, officers shall ensure they record any admonishments prior to the start of an interview.

d. Private Residences
Private Citizens have a reasonable expectation of privacy in their homes. However, when officers are lawfully present in a home (warrant, consent, or exigent circumstances) in the course of official duties, there is no reasonable expectation of privacy.

e. Search Warrants, Consent, Searches, Etc.
During the execution of a search warrant, an arrest warrant, a Fourth Amendment waiver search, or a consent search in which the officer is looking for evidence or contraband.

f. Special Events
Officer's use of BWC's at special events is at the discretion of the Special Event Supervisor.

5. When and Where NOT to Record

a. BWCs shall not be used to make recordings depicting Jenks Public Schools students or minor children that are not made during or as part of a law enforcement investigation including but not limited to, recordings of routine interactions with students or recordings of any activities or interactions in connection with investigations into school discipline matters that are not related to a law enforcement investigation.

b. BWCs shall not be used to record non-work-related activity

c. BWCs shall not be used to record in areas or activities such as pre-shift conferences, Department locker rooms, break rooms, or other activities not related to a criminal investigation.

d. BWCs shall not be activated in places where persons have a reasonable expectation of privacy, such as locker rooms, dressing rooms, or restrooms.

e. BWCs shall not be used during Department administrative investigations.

f. When possible, officers should avoid recording exposed areas of the body that could cause embarrassment or humiliation, such as exposed breast, groin, etc.

g. Patient Privacy

1) Officers shall not record patients during medical or psychological evaluations by a clinician or similar professional, or during treatment. Officers shall be aware of patients' rights to privacy when in hospital settings. When recording in hospitals and other medical facilities, officers shall be careful to avoid recording persons other than the suspect.

2) Officers shall not record while in a facility whose primary purpose is to provide psychiatric services unless responding to a radio call involving a suspect who is still present.

h. Victim and Witness Interviews

1) Victim and witness interviews will generally not be recorded.

2) Domestic Violence victims often recant their statements as early as the following morning of a crime. Victims may also make their children unavailable for investigators or court to avoid their providing statements. For these reasons, domestic violence victims with serious injuries, such as strangulation injuries or injuries requiring hospitalization are exceptions and their statements should be recorded if the victim is

willing. Officers should also record the statements of children of domestic violence victims who are witnesses in these types of cases if the children are willing.

3) BWCs shall not be used during Sex Crimes or Child Abuse investigations while interviewing potential victims.

i. Demonstrations

1) As a general policy, Department personnel should refrain from visual recording or photographing peaceful demonstrations.
2) When there is a reason to believe that a planned event has the potential for unlawful activity, Commanding Officers should make the determination whether visual recording or photographing is appropriate.
3) During demonstrations, Officers will not activate their devices unless they witness crimes occurring among the demonstrators and/or believe an arrest is likely, at which point they should begin recording.

j. Informal or Casual Encounters

Generally, officers should not record informal or casual encounters with members of the public. Officers should consider that recording people in some circumstances may inhibit sharing neighborhood information or developing strong ties between community members and officers.

6. Copying and Releasing Digital Evidence

Except as specifically provided herein, digital evidence captured by BWC shall be treated as official records and handled pursuant to existing Department policies and procedures and will only be released to anyone outside the department with the specific consent of the Chief of Police and the District Chief Information Officer.

a. Recordings captured by BWC shall be released only in accordance with all applicable state and federal laws, including, but not limited to the Family Educational Right to Privacy Act ("FERPA") and the Oklahoma Open Records Act.
b. Recordings captured by BWC for a law enforcement purpose by the Jenks Public Schools Police Department may be released to Jenks Public Schools administrators or their designees on request if the contents of the recording are relevant to an investigation by Jenks Public Schools employees into a school disciplinary matter. Copies of such recordings that are maintained in the custody of Jenks Public Schools employees outside of the Jenks Public Schools Police Department shall be treated as education records for the purposes of FERPA and shall not be disclosed unless such disclosure would be allowable under applicable Jenks Public Schools policies dealing with confidentiality of education records.

Approved by the Board of Education July 2017

1.62 WEAPONS PROHIBITED - SCHOOL AND VEHICLES

(*See also* Student Behavior Policy)

Except as specifically set out in this policy, the District prohibits any person to have in his possession on any Jenks School District property or while in any school bus or vehicle used by any school for transportation of students or teachers any firearms or weapons as defined by state law. Further, this policy prohibits the transportation, possession and storage of firearms in a locked

vehicle by students on school property. School administrators may require any individual on school property or vehicles to submit to random metal detector searches and have their purses, bags, briefcases, etc., randomly searched with x-ray machines and/or metal detectors. Anyone discovering an unauthorized firearm at school must report the incident immediately to the Jenks Public Schools District Police or District Police Administrator. "School property" means all District owned or leased property used for purposes of elementary, secondary or vocational-technical education and support of such programs, and shall not include property owned by the District where such property is leased or rented to an individual or corporation and used for purposes other than educational. This is in accordance with OS Title 21, Section 1280.1.

Firearms and weapons are allowed on school property and deemed not in violation of this policy as follows:

1. A gun or knife used for the purposes of participating in the Oklahoma Department of Wildlife certified hunter training education course, or any other hunting, fishing safety of firearms training course, or a recognized firearms sports event, team shooting program or competition, or "living history reenactment" as defined by law, provided the course or event is approved by the principal or chief administrator of the school where the course is offered, and provided the weapon is properly displayed or stored as required by law pending participation in the course, event, program or competition.
2. Weapons in the possession of any peace officer or other person authorized by law to possess a weapon on school property in the performance of their duties and responsibilities. Officers and other authorized persons shall notify the District Police upon arrival on school property if they are in possession of a firearm so that the appropriate credentials can be confirmed.
3. 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 Corps (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 or school district where the ceremony, assembly or educational program is being held; provided, however, the gun or other weapon that uses projectiles is not loaded and is inoperable at all times while on school property.
4. Except for students, guns or other weapons designed for hunting kept in a privately-owned vehicle and properly stored as required by law, provided such vehicle is driven onto school property only to transport a student to and from school and such vehicle does not remain unattended on school property.
5. Except for students, a firearm carried in a motor vehicle pursuant to 21 O.S. § 1277 onto property set aside by a public elementary or secondary school for the use or parking of any vehicle; provided, however, said firearm must be stored and hidden from view in a locked motor vehicle when the motor vehicle is left unattended on school property.
6. For events identified as educational, including but not limited to skeet shooting, and approved by the District that require guns or other weapons to be transported onto school property must be done according to all State and Federal law. Any weapon transported onto school property for this purpose must immediately be declared to the JPS Police Department and surrendered for safe storage until the appropriate staff can retrieve the weapon.

1.63 WELLNESS

(*See also* Staff Protection Policy; Harassment/Bullying)

The Jenks Board of Education hereby declares its concern for the safety and health of District employees and students. Jenks Public Schools recognizes the relationship between academic achievement and student health and wellness, and it is the intent of this policy that staff, students, and parents/guardians must work together to provide a safe, secure, and healthy learning environment.

Health and Nutritional Education

The aim of the Jenks Public Schools pre-kindergarten through twelfth grade health and wellness curriculum is to empower students to develop healthy, positive behaviors, skills, and attitudes by providing a variety of fitness and health awareness opportunities while establishing school-community partnerships that encourage healthy lifelong choices. Nutrition education will be offered and integrated into the core curriculum for all grades (PK-12), providing students the knowledge and skills necessary for lifelong healthy eating behaviors.

Curricula for the health and physical education programs in the District, using current Oklahoma State Health and Wellness standards, are reviewed according to the textbook adoption schedule for the State of Oklahoma. These processes provide for public input by involving stakeholders from all District school sites as well as the community.

School Practices

Nutrition education occurs in the classroom as well as in the larger school community. The District utilizes multiple channels (e.g. classroom, cafeteria, and communications with parents) to promote healthy nutritional and physical behaviors. In support of the aim of the Jenks Public Schools wellness curriculum:

- students will be allowed adequate time to consume meals, at least 10 minutes for breakfast and 20 minutes for lunch from the time they are seated;
- recess before lunch will be encouraged to the greatest extent possible;
- food, beverages, and candy will not be used to reward or punish academic performance or student behavior;
- the District provides training and support to food service and other relevant staff to meet nutrition standards for preparing healthy meals;
- during the school day, the District only permits school-sponsored fundraisers which are health-promoting. Such fundraisers include non-food items, physical activity-related options, community service options, or healthy foods and beverage options which follow USDA Smart Snacks standards (see Jenks Public Schools Administrative Regulation-Nutritional Guidelines);
- only foods and beverages that meet the USDA's Smart Snacks standards may be marketed in schools;

- the District allows school gardens on district property and dedicates related resources (e.g. land, water) for their implementation; and
- the District encourages parents to provide healthy lunches and snacks when sending food from home.

Nutritional Guidelines
To promote student health, students will not be provided with foods outside the USDA Smart Snacks standards, with the exception of two (2) events per school year in which healthy options are also available. All competitive foods and beverages sold to students during the school day must meet or exceed the USDA's Smart Snacks standards.

School Meals Service through the National Lunch-Breakfast Program
The District will make nutritious foods available on campus during the school day to promote student and staff health. At a minimum, the District Child Nutrition Program will serve reimbursable meals that meet the United States Department of Agriculture's (USDA) requirements and follow the Dietary Guidelines for Americans (DGA). As required under the National School Lunch Program (7CFR 210.12), the District will promote activities to involve students and parents in the School Lunch Program. In addition, the District will promote healthy food and beverage choices and appropriate portion sizes. All meals will:

- be appealing and attractive to children/young adults/staff of various ages and diverse backgrounds;
- be served in clean, pleasant and supervised settings;
- be accessible to all children and young adults;
- be designed to feature fresh fruits and vegetables from local sources to the greatest extent possible, including the Farm to School Program.
- include the provision of clean, unflavored, cool drinking water available and accessible without restriction and at no charge throughout the school day; and
- include food high in fiber, free of added trans-fat, low in added fats, sugar, and sodium, and served in appropriate portion sizes consistent with the USDA standards.

Physical Education and Physical Activity
The aim of the Jenks Public Schools pre-kindergarten through twelfth grade physical education curriculum is to enhance quality of life by fostering physical dexterity and life-long health and well-being in an environment that promotes participation and the development of the whole person. The District supports quality physical activity throughout the school day. Practices which support the accomplishment of this aim include:

- all students in grades Pre-kindergarten through five will participate in physical activity a minimum of 150 minutes per week through 20 minutes of daily recess, integrated physical activity within the academic classroom and physical education class activities. Time spent in these activities, per state law, will meet the requirements for accreditation by the Oklahoma State Board of Education. Students in all grades will be offered a range of physical activity choices, which may include competitive and non-competitive options. In addition, teachers and other school personnel at all grade levels may provide opportunities to students for additional

physical activity by integrating physical activity into the academic curriculum, including adaptive physical education;

- students participating in physical education will be moderately to vigorously active for the majority of class time;
- physical activity, or the withholding thereof, will not be used to punish academic performance or student behavior in the classroom;
- the District provides proper equipment and facilities to support physical education classes and other school-sponsored physical activities;
- the District provides training for teachers for integrating physical activity into the curriculum; and
- students, parents, and other community members will have access to the District's physical activity facilities outside the normal school day (see Facility Usage and Rental policy).

Monitoring and Policy Review

Each school site's Healthy and Fit School Committee may include parents, students, representatives of the school food authority, physical education teachers, school health professionals, the school board, school administrators and the general public. Each site committee will use the School Health Index to develop an action plan unique to that site as part of the Coordinated School Health Framework. Each plan will be evaluated and updated annually. Site Healthy and Fit School committees may participate in the implementation, review and update of the district wellness policy.

At least once every three years, the District will measure the extent to which schools are in compliance with the Wellness Policy. The District will inform and update the public about the content and implementation of the Wellness Policy.

Oversight for the District Wellness Policy and any appropriate updates will be maintained by the Associate Superintendent in the Education Service Center Teaching and Learning Office. All schools in the District will comply with the policy and all federal and state laws related to wellness.

Revised by the Board of Education May 2014
Revised May 2017

1.63.1 MASKS

The District recognizes the health and safety benefits of facial coverage during virus outbreaks. Viruses like COVID-19 are transmitted through respiratory particles produced by an infected person who coughs, sneezes, or talks. These particles can land on commonly touched surfaces or be inhaled through the nose or mouth and into the lungs, which causes infection. Masks help prevent people with a contagious virus from spreading the virus. Proper facial coverage protects healthy individuals from virus exposure and decreases virus-spread rates.

Definitions

The terms "mask" and "facial coverage" mean a cloth face covering or non-surgical medical masks, not a surgical mask or respirator (like an N95 respirator). Respirators are personal protective equipment that the Centers for Disease Control and Prevention ("CDC") recommends be reserved for health care providers. Cloth face coverings are not personal protective equipment

because they are not designed to protect the wearer; cloth face coverings are designed to shield infected individuals and thus protect others against virus spread.

A "face shield" is a transparent hard plastic face covering that is attached to a helmet, hat, or headband that covers the wearer's eyes, nose, and mouth. Using a face shield is considered a different form of masking and may be appropriate in limited circumstances for some individuals who cannot wear a cloth face covering due to certain medical conditions or whose job responsibilities dictate the use of a face shield rather than a mask.

The term "new" means unused and uncontaminated.

The term "wear" means to put the mask over the nose and mouth. The mask should fit against the sides of the face.

Policy
The Board will consider available information and advise the Superintendent or designee to provide notice to the school community about mask requirements.

Employees, students, and visitors are expected to provide their own masks for personal use. No individual is permitted to "share" a face mask with another individual on school premises or during school activities.

Exceptions

General Exceptions: Students, employees, and visitors may opt out of a mask requirement for medical, religious, or personal reasons.

The parent/guardian of any student seeking an exception to this policy should complete the *Opt-Out Form* found on the JPS website or in the office at each school.

Employees seeking an exception to this policy should complete the *Opt-Out Form* located on the Human Resources page of the JPS website or from the Human Resources office and provide any required documentation. The form must be delivered or sent via email to the employee's supervisor.

Employees who wish to use a face shield rather than a mask must receive approval from the Chief Human Resources Officer or designee. In no circumstances will a face shield that does not extend below the chin of the individual be an acceptable masking substitute.

Temporary Exceptions: Individuals may temporarily remove masks when engaging in the activities listed below. These activities should be conducted in a manner that maintains appropriate social distance. When a mask is temporarily removed, it should be promptly returned to the face upon the cessation of the activity for which removal was permitted.

A. A school approved activity in which the location and/or nature of the activity makes it highly impractical and even unsafe to wear a mask (e.g., sports activities);
B. physical exercise programs;

C. consumption of food, beverages, and medication; and
D. other activities as approved by District administration.

District coaches and sponsors shall assist District administrators in determining to what extent masks should be required during school-sponsored activities, given the availability of social distance and practicality of mask-wearing while participating in the activity.

Additionally, in rare situations, the Superintendent or designee may grant an employee a general or temporary exception from wearing a mask when mandated or may grant an appropriate workplace accommodation if wearing a mask substantially impedes the employee from performing a basic function of the employee's job or the mask creates a workplace hazard. For example, an exception may be warranted if during the course of an employee's job duties there is a substantial likelihood that a facial mask would catch on fire, catch in machinery, or prevent the employee from seeing or smelling a workplace hazard. An employee who believes their position qualifies for this exception should submit a written request detailing the circumstances warranting the exemption to their building principal or supervisor to present to the Superintendent or designee.

Consequences
Non-compliance with the District's designated masking procedure may result in disciplinary action or provision of an alternative-education environment.

Employees may receive disciplinary action up to and including possible termination. Students may receive disciplinary action consistent with the District's discipline code; however, students will not receive out-of-school suspension unless a student and the student's parent or guardian refuse other reasonable options extended by the District.

Students' access to education outweighs disciplinary measures for non-compliance with masking procedures as long as students and parents or legal guardians work cooperatively with District officials to determine an alternative to masking. If a student refuses to wear a mask, the District will contact the student's parent or guardian. If the student's parent or guardian supports the student's refusal and the refusal is not based on medical, religious, or personal reasons, the student will be subject to the District's disciplinary procedures applicable to students.

Even when masks are required, a student must promptly and fully respond to a request by a teacher or school administrator to remove the mask or other facial covering. Any such request will be made only when deemed necessary by the school representative for ensuring compliance with District rules of conduct or for health-or-safety-related reasons.

If the District elects to modify its masking procedure to afford more protection, the school must provide individuals with reasonable notice. Individuals will not be disciplined for failure to modify mask usage until given notice of the policy modification and reasonable time to adapt.

Impact on Existing District Policies and Rules
Regardless of which masking procedures the District employs, no individual may wear a mask with a design on it which violates the District's dress code or would substantially disrupt or materially interfere with the educational environment of the school.

Approved by the Board of Education August 2020
Proposed Revision September 2021

1.63.2 SAFE AND HEALTHY SCHOOL COMMITTEES

No later than October 1 of each year, each school site shall establish a Safe School Committee to be comprised of at least seven (7) members. Members may be employees, parents, students, volunteers, community members, and/or local law enforcement officials. The Safe School Committee shall study and make recommendations to the principal regarding:

- 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; student harassment, intimidation and bullying at school;
- Professional development needs of faculty and staff to implement methods to decrease student harassment, intimidation and bullying;
- Professional development needs of faculty and staff to recognize and report suspected human trafficking;
- Methods to encourage the involvement of the community and students, the development of individual relationships between students and school staff, use of problem-solving teams that include counselors and/or school psychologists, and ways to utilize behavioral health resources, including suicide prevention resources.

Each Safe School Committee shall meet at least once each semester. Each Committee shall appoint a committee chairperson who shall maintain written minutes of each meeting. The Committee chairperson will be responsible for notifying all Committee members of meetings, preparing agendas for each meeting and posting the agendas in the principal's office for a reasonable period prior to the date and time of each meeting. The principal of each school site will retain all agendas, minutes and other documents related to the Safe School Committee.

Committees may also, if they deem it appropriate, make recommendations to the principal regarding the development of a rape/sexual assault program for implementation at the school site. The Superintendent or designee will consider any such recommendations to determine whether implementation of the recommended or an alternative program is warranted.

Each public school shall also establish a Healthy and Fit School Advisory Committee, to be comprised of at least six members. The Advisory Committee may be comprised of teachers, administrators, parents/guardians of students, healthcare professionals, child nutrition employees, and business community representatives.

The Healthy and Fit Advisory Committee may be combined with the Safe School Committee as determined by the site principal.

Each Healthy and Fit Advisory Committee shall study and make recommendations to the school principal regarding:

1. Health Education;
2. Physical education and physical activity; and
3. Nutrition and health services.

Revised by the Board of Education June 2009
Revised March 2013
Revised May 2020

2.0 PERSONNEL

Unless specified stated otherwise, the following definitions shall apply throughout the Policy Book:

- A certified employee is a licensed or certified teacher or administrator.
- A classified employee who is contracted and assigned a job classification requiring a minimum of thirty-five (35) hours per week is considered a full-time employee.

2.01 ADMINISTRATIVE INTERN

The intern program is designed to provide training and development for qualified teachers who are interested in the administrative field and are prospective candidates for future administrative positions.

The specific objectives of the program are to: introduce the intern to administrative skills through practical application of these skills; acquaint the intern with the organizational divisions and responsibilities of the divisions; assist the intern in gaining a workable knowledge of school office procedures; and introduce the intern to the evaluation and supervision skills used with certified and classified staff.

Candidates applying for the intern position are required to have the following qualifications:

1. Must hold a standard Oklahoma certificate and be employed by the District at the time application is filed.
2. Must have completed at least one (1) successful school year in the District at the time application is filed. (Applicant cannot begin internship before completing two (2) successful school years in the District.)
3. Must have completed hours toward a master's program or completed administrative certification requirements.

All candidates for the intern program must have completed a written application.

Intern candidates will be selected by an administrative team for recommendation to the Board of Education for the designated school year. Selection does not provide the intern with any assurance that the assignment will continue beyond the school term for which assignment is made.

Interns will remain on the classroom teachers' salary schedule and will be eligible for tenure and earned salary steps. Interns may be required to attend in-service training in leadership assessment, evaluation and supervision of teaching and curriculum. Salary adjustments and length of contract will be adjusted according to the intern's assignments and responsibilities. Evaluation of the intern will be by an assigned supervisor.

2.02 ASSIGNMENT AND SCHEDULE OF EMPLOYEES

(*See also* Drug Free Workplace; Testing Employees and Applicants for Employment; Hiring)

Individuals hired by Jenks Public Schools are employees of the District. The specific assignment of personnel is an inherent managerial right. The Superintendent or designee shall have the authority to assign or reassign any employee to any approved position for which the employee is certified and/or qualified and which is deemed to be in the best interest of the District.

Further, the supervisor may schedule employee's work as needed in the best interest of the District.

Revised by the Board of Education June 2002

2.03 ATTIRE FOR ALL EMPLOYEES

Attire and grooming for all employees should be professional, reasonable, modest, and in such style as will not cause distraction and will be appropriate at all times.

Revised by the Board of Education June 1997
Revised May 2010

2.04 BLOODBORNE PATHOGENS

(*See also* Safety and Hazards in the Workplace; Employees Infected with AIDS)

The Jenks Bloodborne Pathogen Committee has identified specific categories of employees who, by their job descriptions, are at risk for contracting the Hepatitis B virus. These employees will be given an opportunity to receive the vaccination series at no personal cost. Employees must either receive the vaccination series or sign a declination form indicating that they choose to waive the right to receive the free vaccination series. Employees who do not receive the vaccine series or sign the declination form shall not be permitted to report to work. Annually, all District employees will participate in Universal Precautions training. For details, see handbook on OSHA regulations for bloodborne pathogens.

Revised by the Board of Education June 1991

2.05 CERTIFIED SUSPENSION, DISMISSAL, AND NON-REEMPLOYMENT

(*See also* Reduction in Professional Staff)

Suspension, dismissal, and nonrenewal of teachers shall be as provided by law and in accordance with applicable regulations of the Oklahoma State Department of Education (OSDE).

1. Definitions and Scope
   A. "Teacher" means a duly certified or licensed person who is employed to serve as a counselor, librarian, school nurse, or any instructional capacity. An administrator shall be considered a "teacher" only with regard to service in an instructional, non-administrative capacity.
   B. "Dismissal" means the discontinuance of the teaching service of a teacher during the term of a written contract.
   C. "Non-reemployment" means the nonrenewal of a teacher's contract upon expiration of the contract.
   D. "Suspension" means the temporary discontinuance of a teacher's services during the term of a contract pending dismissal or non-reemployment.
   E. "Career teacher" means a teacher who:

      i. was employed by the District prior to the 2017-2018 school year and has completed three (3) or more consecutive complete school years in such capacity in the District under a written teaching contract; or
      ii. was first employed by the District during or after the 2017-2018 school year under a written teaching contract and:
         - completed three (3) consecutive, complete school years in the District and has an evaluation rating of “superior” for at least two (2) if those years; or
         - completed four (4) consecutive, complete school years in the District with averaged rating of “effective” or higher for the four (4) year period with ratings of at least “effective” for the last two (2) of the four (4) years; or
         - completed four (4) consecutive, complete school years in the District and was granted career status by the board of education after the applicable principal and superintendent petitioned the board to grant the teacher career status. (The principal’s petition must specify the facts which support granting career status.)

   F. "Probationary teacher" means a teacher who:

      i. was employed by the District prior to the 2017-2018 school year and has completed fewer than three (3) consecutive, complete school years in such capacity in the District under a written teaching contract; or
      ii. was employed by the District during or after the 2017-2018 school year under a written teaching contract and has not met the requirements to be a career teacher as described above.
   G. “Abandonment of contract” means a teacher’s failure to report at the beginning of the contract term or otherwise perform the assigned duties when the teacher has accepted other employment or is performing work for another employer that prevents the teacher from fulfilling the obligations of the employment contract.

H. This policy does not apply to:

i. substitute teachers,
ii. adult education teachers or instructors,
iii. nonrenewal of teachers employed on temporary contracts for a complete year;
iv. nonrenewal and dismissal of teachers employed on temporary contracts for less than a complete school year.
v. administrators, except with regard to service in an instructional, non-administrative position.

I. This policy does apply to teachers employed in positions *fully funded* by federal or private categorical grants in regard to dismissals or suspensions during the term of employment under the grant, but not in regard to "non-reemployment" at the expiration of the grant.

2. Grounds for Dismissal or Non-reemployment

A. A career teacher may be dismissed or not reemployed for:

i. willful neglect of duty,
ii. repeated negligence in performance of duty,
iii. incompetency,
iv. unsatisfactory teaching performance,
v. instructional ineffectiveness (starting in 2017-1018 this includes but is not limited to being evaluated as "needs improvement" or lower for 3 consecutive years),
vi. mental or physical abuse to a child,
vii. commission of an act of moral turpitude,
viii. abandonment of contract,
ix. criminal sexual activity or sexual misconduct (as those terms are defined by law) which has impeded the effectiveness of the teacher's performance of school duties,
x. failure to meet local school board staff development requirements (non-reemployment only),
xi. engaging in acts which could form the basis of criminal charges sufficient to result in denial/revocation of a teaching certificate, or
xii. any other grounds hereafter allowed by law.

B. A career teacher shall be dismissed or not reemployed for:

i. conviction of a felony,
ii. conviction of any sex offense subject to Oklahoma's Sex Offenders Registration Act or another state's or the Federal Sex Offender Registration Provisions, or
iii. instructional ineffectiveness. Starting in 2017-2018, this includes teachers with an ineffective rating for two (2) consecutive school years.

C. A probationary teacher may be dismissed or not reemployed for cause, including but not limited to engaging in acts which could form the basis of criminal charges sufficient to result in denial/revocation of a teaching certificate. Starting in 2017-2018, cause includes, but is not limited to, an ineffective rating for 2 consecutive school years or failure to obtain career status in 4 years.

D. A probationary teacher shall be dismissed or not reemployed for:
   i. conviction of a felony,
   ii. conviction of any sex offense subject to Oklahoma's Sex Offenders Registration Act or another state's or the Federal Sex Offender Registration Provisions.

E. A cause listed 2A(i) - (v) for a career teacher, or any cause related to inadequate teaching performance for a probationary teacher, shall not be a basis for a recommendation to dismiss or not reemploy a teacher unless corrective action procedures have been followed. Dismissal or non-reemployment for any cause not listed in 2A(i) - (v) for a career teacher, or not related to inadequate teaching performance for a probationary teacher, shall not require corrective action procedures (i.e. admonishment) to be followed.

   i. The District will not prohibit, or take disciplinary action against, a teacher for:
      a. Disclosing public information to correct what the teacher reasonably believes evidences a violation of the Oklahoma Constitution or law or rule promulgated pursuant to law;
      b. Reporting a violation of the Oklahoma Constitution, or state or federal law; or
      c. Taking any of the above actions without giving prior notice to the 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 District may discipline any teacher who violates a student or parent/legal guardian's confidentiality rights and protections pursuant to the Family Educational Rights and Privacy Act (FERPA) and any other state or federal law which requires confidentiality of information concerning students.

3. Procedures for Dismissal or Non-reemployment
   A. Commencement of Action
      i. Whenever the superintendent determines cause exists for a district teacher's dismissal or non-reemployment, the superintendent shall submit a written recommendation to the board of education. The recommendation shall state the

specific ground(s) (statutory grounds, in the case of a career teacher) and specify the underlying facts on which the recommendation is based.

ii. In the absence of a recommendation from the superintendent pursuant to this section, or when the board of education chooses not to accept the superintendent's recommendation as to reemployment of a teacher, the board may initiate dismissal or non-reemployment action without a recommendation provided that it adheres to the other provisions of this policy and that the corrective action procedures, if applicable, have been followed.

B. Suspension

Whenever the superintendent believes cause exists for a teacher's dismissal and that the immediate suspension of the teacher would be in the best interests of students, the superintendent, or the board of education on the recommendation of the superintendent, may suspend the teacher without notice or hearing. The suspension shall not deprive the teacher of any teaching compensation or other benefits to which he/she would otherwise be entitled under the teaching contract or law. Within ten (10) days after the suspension becomes effective, the board of education shall initiate a hearing for dismissal pursuant to this policy. However, in a case involving a criminal charge or indictment, such suspension may extend to such time as the teacher's case is finally adjudicated, except such extension shall not include any appeal process.

C. Notice and Hearing

i. Prior to taking action to dismiss or non-reemploy a teacher, the board clerk or designee shall deliver a copy of the recommendation (or comparable statement of the grounds and underlying facts if the board is acting on its own volition) and notice of hearing rights to the affected teacher. The notice shall contain the date, time, and location of the hearing and shall be delivered by (i) certified mail, restricted delivery, return receipt requested; (ii) personal delivery, with a signed acknowledgment of receipt from the teacher; or (iii) process server. Delivery must be made to the teacher prior to the first Monday in June for a non-reemployment. The hearing shall be held between 20 and 60 days from the teacher's receipt of the hearing notice.

ii. The teacher hearing before the board of education shall be conducted pursuant to procedures established by the State Department of Education. In the absence of or to the extent not inconsistent with those procedures, the hearing shall be conducted as prescribed in the paragraphs below.

iii. The hearing shall commence with a statement to the teacher of the teacher's rights at the hearing. Following this statement, the school administration shall present facts showing the cause for the teacher's dismissal or non-reemployment. The teacher shall then have the right to present the teacher's side of the matter. After both the school administration and the teacher have fully presented their respective positions, the board of education shall deliberate on the evidence regarding the teacher's dismissal or non-reemployment in executive session.

iv. At the hearing, the teacher shall be entitled to be represented by counsel, to cross-examine witnesses presented by the school administration, to present witnesses on the teacher's behalf and to present any relevant evidence or statement which the teacher desires to offer. The burden of proof for any dismissal or non-reemployment shall be on the superintendent (or designee), and the standard of proof shall be a preponderance of the evidence.

v. After due consideration of the evidence and testimony presented at the teacher's hearing, the board shall vote, in open session, on the following: (1) findings of fact based on the evidence submitted and (2) whether to dismiss or non-reemploy the teacher. The decision shall be made by a majority of the board of education members present at the meeting and shall be final and non-appealable. The motion to dismiss or non-reemploy the teacher should state the specific cause for dismissal or non-reemployment, although such cause need not be a statutory cause for a probationary teacher.

vi. The teacher shall be sent notice of the board's decision by certified mail, restricted delivery, return receipt requested, or substitute process. The notice shall state the basis for the board's decision.

vii. The teacher shall receive any compensation or benefits to which the teacher is entitled until such time as the board's decision is final. If the teacher's hearing is for non-reemployment, and not for dismissal, the teacher's compensation and benefits may continue only until the end of the teacher's current contract.

D. Criminal Matters

Whenever the superintendent (or board) makes a recommendation for a teacher's termination based on conduct which could form the basis of criminal charges sufficient to warrant revocation of the teacher's certificate, the superintendent shall forward a copy of the recommendation to the Oklahoma State Department of Education and the teacher at the conclusion of any due process provided to the teacher or upon acceptance of the teacher's resignation.

4. Teachers with a Suspended Certificate

A teacher whose certificate has been suspended by the State Board of Education pursuant OKLA. STAT. tit. 70, Section 3-104 and OKLA. STAT. tit. 75, Sections 314 and 314.1 shall be placed on paid suspension while proceedings for revocation or other action are pending before the State Board of Education. During the time the teacher's certificate is suspended, the District may initiate due process procedures in accordance with OKLA. STAT. tit. 70, Section 6-101.20 *et. seq.*

Revised by the Board of Education June 2001
Revised June 2013
Revised January 2019
Revised October 2021

2.06 CERTIFIED REEMPLOYMENT DATES

Certified employees will be considered for reemployment for the ensuing school year at a regular or special Board Meeting according to the following:

- Superintendent in July
- Principals and other administrators in May or June
- Classroom teachers and other certified staff prior to the first Monday in June.

Revised by the Board of Education June 1996
Revised September 2009
Revised May 2012
Revised June 2013

2.07 CHILD ABUSE, NEGLECT, EXPLOITATION, AND TRAFFICKING REPORTING AND INVESTIGATION

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

Definitions
Certain terms used in this policy have the following definitions:

1. "Abuse, neglect, or exploitation" shall include, but is not limited to all of the following:

    a. "Abuse" is defined as:
        i. harm or threatened harm through action or inaction to a child's health, welfare (including non-accidental physical pain or injury, or mental injury), or safety, sexual abuse, sexual exploitation, or negligent treatment or maltreatment, including but not limited to the failure or omission to provide adequate food, clothing, shelter or medical care or protection from harm or threatened harm, by a person responsible for the child's health or welfare. (10A Okla. Stat. § 1-1-105);
        ii. willful or malicious harm or threatened harm or failure to protect from harm or threatened harm to the health, safety, or welfare of a child under eighteen (18) years of age by another, or the act of willfully or maliciously injuring, torturing or maiming a child under eighteen (18) years of age by another. (21 Okla. Stat. § 843.5); or
        iii. the intentional infliction of physical pain, injury, or mental anguish or the deprivation of food, clothing, shelter, or medical care to an incapacitated person, partially incapacitated person, or a minor by a guardian or other person responsible for providing these services. (30 Okla. Stat. § 1-111).

b. “Neglect” is defined as any of the following:
    i. the failure or omission to provide any of the following:
        1. adequate nurturance and affection, food, clothing, shelter, sanitation, hygiene, or appropriate education,
        2. medical, dental, or behavioral health care,
        3. supervision or appropriate caretakers, or
        4. special care made necessary by the physical or mental condition of the child,
    ii. the failure or omission to protect a child from exposure to any of the following:
        1. the use, possession, sale, or manufacture of illegal drugs,
        2. illegal activities, or
        3. sexual acts or materials that are not age-appropriate;
    iii. abandonment. (10A Okla. Stat. § 1-1-105); or
    iv. the failure to provide protection, adequate shelter or clothing; or the harming or threatening with harm through action or inaction by either another individual or through the person's own action or inaction because of a lack of awareness, incompetence, or incapacity, which has resulted or may result in physical or mental injury. (30 Okla. Stat. § 1-111).

c. “Sexual abuse" is defined as behavior that includes but is not limited to rape, incest and lewd or indecent acts or proposals, made to a child, as defined by law, by a person responsible for the health, safety, or welfare of the child. (10A Okla. Stat. § 1-1-105).

d. "Sexual exploitation" is defined as behavior that includes but is not limited to allowing, permitting, encouraging, or forcing a child to engage in prostitution, as defined by law, by any person eighteen (18) years of age or older or by a person responsible for the health, safety, or welfare of a child, or allowing, permitting, encouraging or engaging in the lewd, obscene or pornographic photographing, filming or depicting of a child in those acts by a person responsible for the health, safety, and welfare of the child (10A Okla. Stat. § 1-1-105).

e. “Contributing to the delinquency of a minor” is defined as behavior that knowingly or willfully causes, aids, abets or encourages a minor to be, to remain, or to become a delinquent child or a runaway child. (21 Okla. Stat. § 856).

f. “Incest” is defined as marrying, committing adultery or fornicating with a person within the degrees of consanguinity within which marriages are by the laws of the state declared incestuous and void. (21 Okla. Stat. § 885).

g. “Forcible Sodomy” is defined as sodomy committed:
    i. By a person over eighteen (18) years of age upon a person under sixteen (16) years of age;
    ii. Upon a person incapable through mental illness or any unsoundness of mind of giving legal consent regardless of the age of the person committing the crime;

iii. With any person by means of force, violence, or threats of force or violence accompanied by apparent power of execution regardless of the age of the victim or the person committing the crime;
iv. By a state, county, municipal or political subdivision employee or a contractor or an employee of a contractor of the state, a county, a municipality or political subdivision of this state upon a person who is under the legal custody, supervision or authority of a state agency, a county, a municipality or a political subdivision of this state, or the subcontractor or employee of a subcontractor of the contractor of the state or federal government, a county, a municipality or a political subdivision of this state;
v. Upon a person who is at least sixteen (16) years of age but less than twenty (20) years of age and is a student of any public or private secondary school, junior high or high school, or public vocational school, with a person who is eighteen (18) years of age or older and is employed by the same school system;
vi. Upon a person who is at the time unconscious of the nature of the act, and this fact should be known to the accused;
vii. Upon a person where the person is intoxicated b
viii. y a narcotic or anesthetic agent administered by or with the privity of the accused as a means of forcing the person to submit; or
ix. Upon a person who is at least sixteen (16) years of age but less than eighteen (18) years of age by a person responsible for the child's health, safety or welfare. (21 Okla. Stat. § 888).

h. "Maliciously, forcibly, or fraudulently taking or enticing a child away" is defined as maliciously, forcibly or fraudulently taking or enticing away any child under the age of sixteen (16) years, with intent to detain or conceal such child from its parent, guardian or other person having the lawful charge of such child or to transport such child from the jurisdiction of this state or the United States without the consent of the person having lawful charge of such child. (21 Okla. Stat. § 891).

i. "Soliciting or aiding a minor child to perform or showing, exhibiting, loaning, or distributing obscene material or child pornography" is defined as:
    i. Willfully solicits or aids a minor child to perform any of the following actions:
        1. Lewdly exposing his or her person or genitals in any public place, or in any place where there are present other persons to be offended or annoyed thereby;
        2. Procuring, counseling, or assisting any person to expose such person, or to make any other exhibition of such person to public view or to the view of any number of persons, for the purpose of sexual stimulation of the viewer;
        3. Writing, composing, stereotyping, printing, photographing, designing, copying, drawing, engraving, painting, molding, cutting, or otherwise preparing, publishing, selling, distributing, keeping for

sale, knowingly downloading on a computer, or exhibiting any obscene material or child pornography; or

4. Making, preparing, cutting, selling, giving, loaning, distributing, keeping for sale, or exhibiting any disc record, metal, plastic, or wax, wire or tape recording, or any type of obscene material or child pornography; or

ii. Shows, exhibits, loans, or distributes to a minor child any obscene material or child pornography for the purpose of inducing said minor to participate in:

1. Lewdly exposing his or her person or genitals in any public place, or in any place where there are present other persons to be offended or annoyed thereby;
2. Procuring, counseling, or assisting any person to expose such person, or to make any other exhibition of such person to public view or to the view of any number of persons, for the purpose of sexual stimulation of the viewer;
3. Writing, composing, stereotyping, printing, photographing, designing, copying, drawing, engraving, painting, molding, cutting, or otherwise preparing, publishing, selling, distributing, keeping for sale, knowingly downloading on a computer, or exhibiting any obscene material or child pornography; or
4. Making, preparing, cutting, selling, giving, loaning, distributing, keeping for sale, or exhibiting any disc record, metal, plastic, or wax, wire or tape recording, or any type of obscene material or child pornography. (21 Okla. Stat. § 1021).

j. "Procuring or causing the participation of any minor child in any child pornography or knowingly possessing, procuring or manufacturing child pornography" is defined as procuring or causing the participation of any minor under the age of eighteen (18) years in any child pornography or who knowingly possesses, procures, or manufactures, or causes to be sold or distributed any child pornography. (21 Okla. Stat. § 1021.2).

k. "Permitting or consenting the participation of a minor child in any child pornography" is defined as a parent, guardian or individual having custody of a minor under the age of eighteen (18) years who knowingly permits or consents to the participation of a minor in any child pornography. (21 Okla. Stat. § 1021.3).

l. "Facilitating, encouraging, offering, or soliciting sexual conduct with a minor" is defined as facilitating, encouraging, offering or soliciting sexual conduct with a minor, or other individual the person believes to be a minor, by use of any technology, or engaging in any communication for sexual or prurient interest with any minor, or other individual the person believes to be a minor, by use of any technology. (21 Okla. Stat. § 1040.13a).

m. "Offering or offering to secure a minor child for the purposes of prostitution or any other lewd or indecent act" is defined as:
    i. Offering, or offering to secure, a child under eighteen (18) years of age for the purpose of prostitution, or for any other lewd or indecent act, or procure or offer to procure a child for, or a place for a child as an inmate in, a house of prostitution or other place where prostitution is practiced;
    ii. Receiving or offering or agreeing to receive any child under eighteen (18) years of age into any house, place, building, other structure, vehicle, trailer, or other conveyance for the purpose of prostitution, lewdness, or assignation, or to permit any person to remain there for such purpose; or
    iii. Directing, taking, or transporting, or offering or agreeing to take or transport, or aid or assist in transporting, any child under eighteen (18) years of age to any house, place, building, other structure, vehicle, trailer, or other conveyance, or to any other person with knowledge or having reasonable cause to believe that the purpose of such directing, taking, or transporting is prostitution, lewdness, or assignation. (21 Okla. Stat. § 1087).

n. "Causing, inducing, persuading or encouraging a minor child to engage or continue to engage in prostitution" is defined as:
    i. By promise, threats, violence, or by any device or scheme, including but not limited to the use of any prohibited controlled dangerous substance causing, inducing, persuading, or encouraging a child under eighteen (18) years of age to engage or continue to engage in prostitution or to become or remain an inmate of a house of prostitution or other place where prostitution is practiced;
    ii. Keeping, holding, detaining, restraining, or compelling against his or her will, any child under eighteen (18) years of age to engage in the practice of prostitution or in a house of prostitution or other place where prostitution is practiced or allowed; or
    iii. Directly or indirectly keeping, holding, detaining, restraining, or compelling or attempting to keep, hold, detain, restrain, or compel a child under eighteen (18) years of age to engage in the practice of prostitution or in a house of prostitution or any place where prostitution is practiced or allowed for the purpose of compelling such child to directly or indirectly pay, liquidate, or cancel any debt, dues, or obligations incurred, or said to have been incurred by such child. (21 Okla. Stat. § 1088).

o. "Rape" is defined as sexual intercourse involving vaginal or anal penetration accomplished with a male or female who is not the spouse of the perpetrator and who may be of the same or the opposite sex as the perpetrator under any of the following circumstances:
    i. Where the victim is under sixteen (16) years of age;
    ii. Where the victim is incapable through mental illness or any other unsoundness of mind, whether temporary or permanent, of giving legal consent;

iii. Where force or violence is used or threatened, accompanied by apparent power of execution to the victim or to another person;
iv. Where the victim is intoxicated by a narcotic or anesthetic agent, administered by or with the privity of the accused as a means of forcing the victim to submit;
v. Where the victim is at the time unconscious of the nature of the act and this fact is known to the accused;
vi. Where the victim submits to sexual intercourse under the belief that the person committing the act is a spouse, and this belief is induced by artifice, pretense, or concealment practiced by the accused or by the accused in collusion with the spouse with intent to induce that belief. In all cases of collusion between the accused and the spouse to accomplish such act, both the spouse and the accused, upon conviction, shall be deemed guilty of rape;
vii. Where the victim is under the legal custody or supervision of a state agency, a federal agency, a county, a municipality or a political subdivision and engages in sexual intercourse with a state, federal, county, municipal or political subdivision employee or an employee of a contractor of the state, the federal government, a county, a municipality or a political subdivision that exercises authority over the victim, or the subcontractor or employee of a subcontractor of the contractor of the state or federal government, a county, a municipality or a political subdivision that exercises authority over the victim;
viii. Where the victim is at least sixteen (16) years of age and is less than twenty (20) years of age and is a student, or under the legal custody or supervision of any public or private elementary or secondary school, junior high or high school, or public vocational school, and engages in sexual intercourse with a person who is eighteen (18) years of age or older and is an employee of the same school system; or
ix. Where the victim is nineteen (19) years of age or younger and is in the legal custody of a state agency, federal agency or tribal court and engages in sexual intercourse with a foster parent or foster parent applicant. (21 Okla. Stat. § 1111).

p. "Rape" is defined as an act of sexual intercourse accomplished with a male or female who is the spouse of the perpetrator if force or violence is used or threatened, accompanied by apparent power of execution to the victim or to another person. (21 Okla. Stat. § 1111).

q. "Rape by instrumentation" is defined as an act within or without the bonds of matrimony in which any inanimate object or any part of the human body, not amounting to sexual intercourse is used in the carnal knowledge of another person without his or her consent and penetration of the anus or vagina occurs to that person. Provided further that (1) where the victim is at least sixteen (16) years of age and is less than twenty (20) years of age and is a student, or under the legal custody or supervision of any public or private elementary or secondary school,

junior high or high school, or public vocational school, and engages in conduct prohibited by this section of law with a person who is eighteen (18) years of age or older and is an employee of the same school system, or where the victim is under the legal custody or supervision of a state or federal agency, county, municipal or a political subdivision and engages in conduct prohibited by this section of law with a federal, state, county, municipal or political subdivision employee or an employee of a contractor of the state, the federal government, a county, a municipality or a political subdivision that exercises authority over the victim, or (2) where the victim is nineteen (19) years of age or younger and in the legal custody of a state agency, federal agency or tribal court and engages in conduct prohibited by this section of law with a foster parent or foster parent applicant, consent is not an element. (21 Okla. Stat. § 1111.1).

r. "Making any oral, written or electronically or computer-generated lewd or indecent proposals to a minor child under the age of sixteen (16)" is defined as making any oral, written or electronically or computer-generated lewd or indecent proposal to any child under sixteen (16) years of age, or other individual the person believes to be a child under sixteen (16) years of age, for the child to have unlawful sexual relations or sexual intercourse with any person. (21 Okla. Stat. § 1123).

s. "Exploitation" is defined as an unjust or improper use of the resources of an incapacitated person, a partially incapacitated person, or a minor for the profit or advantage, pecuniary or otherwise, of a person other than an incapacitated person, a partially incapacitated person, or a minor through the use of undue influence, coercion, harassment, duress, deception, false representation or false pretenses (30 Okla. Stat. § 1-111).

t. "Child Trafficking" as defined below.
   i. "Child Trafficking" includes, but is not limited to behavior that consists of the acceptance, solicitation, offer, payment or transfer of any compensation, in money, property or other thing of value, at any time, by any person in connection with the acquisition or transfer of the legal or physical custody or adoption of a minor child, except as ordered by the court or except as otherwise provided by Section 7505-3.2 of Title 10 of the Oklahoma Statutes. (21 Okla. Stat. § 866).
   ii. A "person responsible for a child's health, safety, or welfare" includes a parent, a legal guardian, a custodian, a foster parent, a person 18 years of age or older with whom the child's parent cohabitates or any other adult residing in the home of the child, an agent or employee of a public or private residential home, institution or facility, or an owner, operator or employee of a child care facility as defined by Okla. Stat. Tit. 10 § 402.
   iii. "Parent" refers to parents, guardians or others who have legal responsibilities for specific children.

Reporting Suspected Abuse, Neglect, Exploitation, or Trafficking
Any District employee having reasonable cause to believe that any student under the age of eighteen (18) years is a victim of abuse, neglect or exploitation shall immediately, with the assistance of the school nurse, report this matter to:

1. Oklahoma Department of Human Services ("DHS") through the hotline designated for this purpose (1-800-522-3511); AND
2. Jenks Campus Police

Any District employee having reasonable cause to believe that any student eighteen (18) years or older is a victim of abuse, neglect or exploitation shall immediately report this matter to Jenks Campus Police.

Additionally, any District employee must report suspected child trafficking to:

1. Oklahoma Bureau of Narcotics and Dangerous Drugs Control ("OBNDDC") at 1-800-522-8031;
2. DHS through the hotline designated for this purpose (1-800-522-3511); AND
3. Jenks Campus Police.

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

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

Investigating Abuse, Neglect, or Exploitation
At the request of appropriately identified investigators of DHS, OBNDDC or the District Attorney's office or local law enforcement, the superintendent, principal or other school official shall permit the investigators access to the student about whom the agency received a report. The interview will be arranged in a manner that minimizes embarrassment to the student. The superintendent will not contact the parent, guardian or other person responsible for the student's health or welfare prior to or following the interview, unless permission for parent contact is provided by DHS, OBNDDC or the District Attorney's office or law enforcement authorities. No District employee will be present during the interview. However, a District employee may be present prior to the interview if the employee believes that his or her temporary presence will make the student more comfortable or if the representatives request the presence of a District employee during the interview.

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

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

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

Information Concerning Abuse, Neglect or Exploitation
In any instance in which the District receives a report from DHS regarding any confirmed report of sexual abuse or severe physical abuse concerning the student, the Superintendent or designee will forward to a subsequent school in which the student enrolls all confirmed reports of sexual abuse and severe physical abuse received from DHS, and the Superintendent or designee will notify DHS of the student's new school and address, if known.

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

Reference:
10A Okla. Stat. §1-2-101 et seq.
30 Okla. Stat. § 4-903
70 Okla. Stat. § 1210.163

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2.08 CLASSIFIED (SUPPORT) ANNUAL EMPLOYMENT

Classified personnel will be considered annually for employment. The Jenks Public Schools, no later than ten (10) days after the effective date of the education appropriation bill or June 1, whichever is later, shall give reasonable assurance of employment in writing to any classified employee that the school intends to employ for the subsequent school year. Any employee must work at least one hundred twenty (120) days in a fiscal year (July 1 to June 30) to qualify for an experience increment in pay.

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Revised July 2012

2.09 CLASSIFIED (SUPPORT) EMPLOYEE SUSPENSION, DEMOTION, TERMINATION, OR NON-REEMPLOYMENT

(*See also* Classified Evaluation Program)

- "Classified employee" shall mean an employee of the District who provides those services not performed by professional educators or licensed teachers, which are necessary for the efficient and satisfactory functioning of the District.
- "Full-time classified employee" shall mean a classified employee who regularly works the standard period of labor which is generally understood to constitute full-time employment for the type of services performed by the employee and who is employed by the District for a minimum of one hundred seventy-two (172) days per year.
- "Suspension without pay" shall mean the temporary denial of a classified employee's right to work and receive any pay and other benefits during the term of the suspension. "Suspension without pay" may be used as a disciplinary measure as provided for in this policy or as a suspension pending investigation as provided for in this policy. If a final decision is made under the procedures stated below that a suspension without pay was improper, the classified employee shall receive full pay and other benefits for the period of suspension, provided that nothing herein shall entitle the classified employee to compensation or other benefits past the date of expiration of the classified employee's contract.
- "Suspension with pay" may occur in those situations in which the Superintendent or designee, or a supervisor of the classified employee perceives a significant hazard in keeping the classified employee on the job, in which event the classified employee may be asked to immediately leave the District's premises and the classified employee is temporarily relieved of his/her duties pending a hearing as specified below.
- "Demotion" shall mean a reduction in pay during the term of the classified employee's contract "Demotion" shall not mean a change in job description or work assignment or duties.
- "Termination" shall mean the discharge of the classified employee from his/her employment with the District during the term of his/her contract and does not include the cessation of employment upon expiration of the classified employee's contract.

A full-time classified employee who has been employed by the District for more than one (1) year shall be suspended, demoted, terminated or non-reemployed during the term of his/her contract

only for cause as provided in this policy. In addition to the definition of cause stated in this policy, "cause" shall also specifically include lack of funds or lack of work.

Any classified employee who has been employed by the District for less than one (1) year (12 months) is not entitled to invoke the procedures of this policy and such employee's contract can be terminated at any time without cause.

A classified employee may be suspended, demoted, terminated or non-reemployed for causes including, but not limited to, the following list of violations, rules, and regulations:

- inappropriate verbal or physical interaction with students or staff; immoral conduct or indecency including abusive and/or foul language; harassment, threatening, intimidating, coercing or interfering with employees or supervisors at any time; threatening, intimidating, coercing or exploiting students or others connected with the District; wrongdoing or dishonesty of any kind, including withholding pertinent information from a supervisor; violation of a law or regulation; sexual harassment of an employee, a student or a third party such as a patron or vendor; engaging in discriminatory conduct (including discrimination based on race, religion, color, national origin, sex, sexual orientation, gender expression, gender identity, pregnancy, disability, genetic information, veteran status, or age) against an employee, student, or third party;
- improper time card and clock activities; clocking in or out on another employee's time card or time sheet; abuse of "breaks" (rest periods) or meal period policies; excessive tardiness and/or absenteeism; excessive or unexcused absenteeism for any reason; chronic tardiness; unexcused failure to be at work station at starting time; leaving work station without authorization for any reason; unauthorized absence from work station during working hours; wasting time or loitering during working hours; walking off job or abandonment of job (3 or more consecutive or non-consecutive absences in a rolling 6-month period without following the proper reporting procedures); misuse or abuse of any school district leave policy or guidelines;
- unauthorized or inappropriate use of electronic equipment; excessive personal calls during working hours, except for emergencies (this includes incoming and outgoing calls); excessive electronic communication, including text messaging and internet usage;
- smoking or using tobacco products in an unauthorized area, including the use of e-cigarettes, personal vaporizes and other similar devices, regardless of whether those devices are used with cartridges containing nicotine; possession, consumption or reporting to work under the influence of beer, alcoholic beverages, non-prescribed drugs, or controlled dangerous substances; possession of weapons on school premises, in school district vehicles or while on duty;
- refusal or failure to do work assignment or follow instruction of work supervisor; unsafe operation of motor vehicles, machines or equipment, and disregard of known safety rules or common safety practices during performance of any task; unauthorized operation of machines, tools, or equipment; poor performance; distracting the attention of others; creating disturbances on the premises at any time including but not limited to engaging in quarrelsome behavior and fighting; creating or contributing to unsanitary conditions; violation of a policy or rule enacted to ensure orderly and proper job performance or for the safety of self or others; actions or omissions that jeopardize the health, safety, life or property of self or others; operating

machines or equipment without using the safety devices provided, intentional act or omission which constitutes a material or substantial breach of job duties, responsibilities or obligations;

- falsification of personnel or other records; making or publishing false, vicious, or malicious statements concerning any employee or supervisor; sabotage; gambling, lottery, or any other game of chance on District property; practical jokes injurious to other employees, students, or District property; removing, abusing, misusing, or defacing of District, employee or student property; removing District property or records from District premises without authority; theft or misappropriation of property of employees, students, or of the District; unauthorized posting, removal, or distribution of printed matter on District premises;
- violation of a law or regulation; conduct which the employee knew or should have reasonably known was a violation of school rules or policies;
- refusal of job transfer within the District, if transfer does not result in a demotion; insubordination of any kind; violation of any District rule, policy, or administrative order; receiving two (2) admonishments, verbal or written, for any misconduct within sixty (60) days, or receiving three (3) admonishments, verbal or written, for any misconduct within six (6) months.

When it is in the best interest of the District, any classified personnel may be suspended, demoted, terminated or non-reemployed.

Procedures for Suspensions Without Pay, Terminations, and Demotions
Any full-time classified employee is subject to disciplinary action in the form of a suspension without pay, demotion or termination. Prior to instituting any such disciplinary action, the full-time classified employee shall receive the following hearing rights:

1. The Superintendent or designee shall orally advise the classified employee of the cause or basis for the proposed disciplinary action;
2. The Superintendent or designee shall explain to the classified employee the evidence against the classified employee;
3. The Superintendent or designee shall allow the classified employee an opportunity to present his/her side of the matter.

After the classified employee is afforded the above hearing rights, the Superintendent or designee may take any of the following actions:

1. Suspension without pay for ten (10) working days or less as a disciplinary measure;
2. Suspension without pay pending investigation as to whether cause exists for the termination of the classified employee;
3. Demotion of the classified employee;
4. Termination of the classified employee; or
5. No disciplinary action is appropriate.

If a classified employee is suspended without pay pending an investigation as to whether termination is appropriate then within five (5) working days after the effective date of the suspension without pay such investigation must be completed and the Superintendent or designee

shall afford the classified employee a second hearing with the same hearing rights as set forth in this policy.

After the second hearing, the classified employee shall either be reinstated with back pay and other benefits, suspended without pay as a further disciplinary measure not to exceed a total of ten (10) working days including the initial days of suspension without pay, demoted or terminated.

The classified employee shall have the right to appeal to the Board of Education a suspension without pay as a disciplinary measure, a demotion or a termination as set forth in the procedures for appeal to the Board of Education below.

Procedures for Non-Reemployment
Prior to being non-reemployed, a full-time classified employee who has been employed by the District for more than one (1) year shall be entitled to the following hearing rights:

The Board of Education, Superintendent, or designee shall advise the classified employee, in writing, of the Board's intention not to reemploy the classified employee for the subsequent fiscal year;

The written notification shall set out the cause(s) for such action;

The classified employee shall have the right to contest his/her non-reemployment before the Board of Education as set forth in the Procedures for Appeal to the Board of Education below.

Procedures for Appeal to the Board of Education
After any suspension without pay, or prior to the effective date of any demotion or termination during the term of his/her contract, the classified employee shall receive notice of his/her right to a hearing before the Board of Education as herein provided. All notices shall be hand-delivered or sent to the classified employee by certified mail at the address of the classified employee shown on the school records.

A classified employee who has been notified in writing of his/her suspension without pay, demotion or termination during the term of his/her contract or non-reemployment may notify the Clerk of the Board of Education within ten (10) working days of hand-delivery or, if mailed, the postmark on the notice if the classified employee desires a hearing before the Board of Education. If the classified employee fails to notify the Clerk of the Board of Education in writing within ten (10) working days of hand-delivery or the postmark on the notice that the classified employee requests a hearing, the classified employee shall be deemed to have waived the right to a hearing and the suspension without pay, demotion or termination action shall be final and the Board may take final action to non-reemploy the employee without further notice or hearing rights. All notices required herein shall be hand-delivered or mailed by certified mail. The date of hand-delivery or postmark shall be used to determine the timeliness of the notice.

Hearing Before Board of Education
Upon timely notice as set forth above, the classified employee shall be entitled to a hearing before the Board of Education. The hearing shall be conducted at the next, or next succeeding, regularly

scheduled meeting if the request for the hearing was received at least ten (10) days prior to the next, or next succeeding, regularly scheduled Board of Education meeting. At the request of the classified employee or at the discretion of the Board of Education, the Board of Education shall call a special meeting to conduct the requested hearing, which special meeting shall be held no earlier than ten (10) days nor later than thirty (30) days after receipt of the classified employee's request.

It is the intent of the Jenks Board of Education to provide two and one-half (2 1/2) hours (total time) for the opening statement, presentation of evidence, cross-examination, and closing statement for each side in a classified employee due process hearing. If the representative of either side desires additional time, rationale for that additional time shall be provided to the School Board at the beginning of the hearing process. Both sides and individual Board members may address this issue. The Board will consider the request and vote to set a reasonable time for each side based on the information provided by the parties and the totality of the circumstances. To the extent possible, the Board will seek to obtain an agreement from the parties as to a reasonable time limit. Appropriate decorum should be exhibited by all spectators at all times. Spectators are permitted to silently observe the proceedings, since a personnel hearing is a quasi-courtroom setting. Clothing, signs, or any other items that communicate support for any issue to be decided by the Board will not be permitted.

At the hearing before the Board of Education, the classified employee shall be entitled to be represented by counsel, to cross-examine witnesses presented by the District, to present witnesses on his/her behalf and to present any relevant evidence or statement which the classified employee desires to offer. The hearing shall be conducted in open session. The hearing shall commence with a statement to the classified employee of his/her rights at the hearing. Following this statement, the school administration shall present facts showing the cause for the classified employee's suspension without pay, demotion, termination or non-reemployment. The burden of proof shall be upon the school administration. The classified employee shall then have the right to present his/her side of the matter.

After both the school administration and the classified employee have fully presented their respective positions, the Board of Education shall deliberate on the evidence in executive session. The Board of Education shall announce its finding and decision immediately in open session by individual voice vote.

The decision shall be made by a majority of the Board of Education members present at the meeting.

As to suspension, demotion or termination, the Board of Education may affirm, modify or reverse the action taken against the classified employee, including increasing or decreasing the severity of the original action. As to non-reemployment, the Board may reemploy or non-reemploy the employee for the subsequent fiscal year.

The decision of the Board of Education at the hearing shall be final and non-appealable.

Revised by the Board of Education May 2006
Revised May 2007

Revised May 2011
Revised June 2013
Revised June 2015
Revised April 2016
Revised June 2017
Revised June 2018
Revised August 2020
Revised May 2021
Revised October 2021

2.10 CLASSIFIED (SUPPORT) PROBATIONARY EMPLOYEES

All new classified employees employed by the Jenks District will serve a sixty (60) calendar day probationary period. The probationary period will commence on the first day worked, following employment by the Board of Education, and conclude at the end of sixty (60) calendar days. During this period, the probationary employee may be terminated upon written notification from Human Resources.

The employee's performance will be reviewed at the end of the probationary period and a recommendation made to the Board of Education regarding any change in employment status, and salary adjustments if applicable.

Insurance benefits are available to full-time and twenty (20) hour part-time employees on the first of the month following Board approval date and commencement of work duties. When the Board approval date and the commencement of work duties date fall in different months, benefits will commence on the date set by the Benefits Coordinator or Director of Financial Services.

During the probationary period, the employee will accumulate leave according to Board policies, but will not be paid for unused leave if termination occurs within a calendar year (365 days) of the employee's hire date.

Revised by the Board of Education May 2008
Revised June 2013
Revised June 2015
Revised December 2021

2.11 CRIMINAL RECORDS

Student and staff safety is of paramount concern to the Jenks Board of Education. Employees and/or volunteers who have committed criminal offenses could be a threat to the safety of students and staff. The Board of Education commits itself to making the best possible effort to maintain a workplace safe for all students and employees

On an annual basis, all District employees who are employed by September 1 and volunteers are required to truthfully answer the following questions:

Have you within the past three hundred sixty-five (365) days:

1. Entered a plea of guilty or nolo contendere to a state (any state) or federal felony charge? (This question includes non-sealed criminal records involving a "deferred sentence" or "deferred judgment.")
2. Been convicted of a state (any state) or federal felony offense?
3. Been charged with a state (any state) or federal felony offense which was reduced to a misdemeanor offense to which you entered a plea of guilty or nolo contendere? (This question includes non-sealed criminal records involving a "deferred sentence" or "deferred judgment.")
4. Entered a plea of guilty or nolo contendere to, or been convicted of, a state (any state) or federal misdemeanor charge involving illegal chemical substances or illegal sexual activity? (This question includes non-sealed criminal records involving a "deferred sentence" or "deferred judgment.")
5. Entered into a deferred prosecution agreement with a state (any state) or federal prosecutor?
6. Been required to register as a sex offender under the Oklahoma Sex Offender Registration Act or under similar laws in another state?

All questionnaire forms must be returned to the office of Superintendent or designee by September 15 of each school year.

Refusal by the employee to sign and return the required form or giving false information or misinformation on the required questionnaire form will constitute insubordination and willful neglect of duty and may be the basis for disciplinary action, including termination of employment. It is the duty of every District employee or volunteer, within ten (10) days of any of the following occurrences, to notify, in writing, the Superintendent.

1. If the employee or volunteer enters a plea of guilty or nolo contendere to a state or federal felony charge;
2. If the employee or volunteer is convicted of a state or federal felony offense;
3. If the employee or volunteer enters a plea of guilty or nolo contendere to a misdemeanor offense that originally was a state or federal felony charge:
4. If the employee or volunteer enters a plea of guilty or nolo contendere or has been convicted of a state or federal misdemeanor charge involving illegal chemical substances or illegal sexual activity;
5. If the employee or volunteer enters into a deferred prosecution agreement with a state or federal prosecutor;
6. Been required to register as a sex offender under the Oklahoma Sex Offender Registration Act or under similar laws in another state?

Failure to provide the referenced information, in writing, to the Superintendent within the ten (10) day period may result in termination for insubordination and willful neglect of duty.

Each year up to 10% of the total staff (certified, support, and administrative) may be randomly selected for a complete criminal record check to be conducted in the same manner as pre-employment criminal record checks for all employees.

Revised by the Board of Education January 2005
Revised May 2006

Revised August 2012
Revised May 2021

2.12 DISTRICT VEHICLES

A two hundred dollar ($200) monthly allowance will be provided for Athletic Trainers and Assistant Directors of Community Education.

Administrators will receive an on-call stipend and will not be reimbursed for mileage, gas, oil, turnpike charges, and parking fees while traveling within a two-hundred (200)-mile radius. Any administrators traveling out-of-state will be allowed the lesser of the District mileage rate or airfare for coach accommodations unless otherwise directed by the Superintendent or designee.

Jenks Public Schools recognizes the importance of vehicle safety and security; therefore, Jenks Public Schools reserves the right to install Global Positioning Systems (GPS) in District-owned vehicles that are designated for school purposes only.

Revised by the Board of Education September 2005
Revised September 2008
Revised May 2012
Revised June 2013
Revised July 2014
Revised June 2015
Revised April 2016
Revised August 2017
Revised June 2018
Revised May 2020

2.13 DRUG-FREE WORKPLACE

(*See also* Facility Rental and Usage; Student Possession or Use of Alcohol and Illegal Drug Policy; Employee Assistance Program; Testing Employees and Applicants for Employment)

In order to maintain a healthy educational and working environment in the District's schools, and to comply with the requirements of the Drug-Free Workplace Act of 1988 for purposes of receiving federal grants, the Board of Education adopts the following policies and regulations

1. The unlawful use, possession, dispensing, distribution, or manufacture of a controlled substance in any of the District's facilities, on District property (including vehicles), or at a District sponsored function or event is prohibited. Violation of this prohibition is grounds for disciplinary action, including dismissal or non-renewal of employment.
2. Employees who are engaged in the performance of work under the terms of a federal grant must abide by the prohibition in paragraph one (1) as a condition of their employment. Violation of the prohibition may result in dismissal or non-renewal.
3. Employees who are engaged in the performance of work under the terms of a federal grant must notify a District administrator of any criminal drug conviction for a violation which occurred at a District workplace within five (5) days after such conviction. Such a conviction shall result in dismissal or non-renewal.

4. Such a conviction shall be reported by the District's grant administrator to the relevant federal granting agency within ten (10) days of the notification by the employee or other actual notice.
5. This policy statement shall be included in the District's employee manual and shall be available to all employees.
6. The employee in-service training period, prior to the commencement of each school year, shall include a review and discussion of the dangers of drug abuse in the workplace, the District's policy for a drug-free workplace, the penalties for violating the policy, and available sources of information, counseling or other assistance regarding drug use.

Approved by the Board of Education June 1989
Revised June 2013

2.14 EARLY RETIREMENT INCENTIVE PROGRAM

Participation in the early retirement incentive program will be offered only when salary savings to the District are indicated as determined by the Board of Education.

The purpose of an early retirement incentive program is to serve the needs of the District as they may be related to productivity, salary expenditures, staff reductions, staff reorganizations, and affirmative action opportunities.

Participation in the program is limited to certified employees and full-time, thirty-five (35) hours per week classified employees where reduction may be needed and substantial salary savings are indicated. Benefits that may come to an eligible employee are, in fact, incidental to the overall purpose of the program. Employees must be eligible and/or qualified for the State Teacher Retirement System.

The administration will assess the needs of the District with regard to the items stated above and may recommend to the Board of Education to open the program if the administration believes it is in the best interest of the District.

Conditions for Participation

1. Prospective retirees must be active employees with a minimum of ten (10) full immediate past years of consecutive service as an employee of Jenks Public Schools.
2. The length of payments and the amount of payment benefits will be determined exclusively by the Board of Education. Such amount shall be reasonable and appropriate in view of the length and type of service rendered by the potential retiree to the District but, in no event, will be more than the amount saved by the District due to the reorganization or staff reductions.
3. All benefits terminate on the retiree's sixty-fifth (65) birthday or after thirty-six (36) monthly payments, whichever comes first. In the event of death prior to the end of the maximum benefit period, all benefits will immediately cease.
4. Benefits will include cash paid in lieu of dental, health, and life insurance premiums in the Jenks District's dental, health, and life insurance plans, if any, in effect during the period of time in which the participant is paid retirement benefits. Such benefits will permanently cease if participant accepts employment, except on a substitute basis, with any other District in the state of Oklahoma.

5. Payment of all retirement benefits will be made twice monthly in equal installments.
6. Any potential retiree must enter into a written contract in the form provided by the District prior to being eligible to receive any retirement payments or benefits.
7. Nothing in this policy shall require the District to offer early retirement to any person nor shall prohibit the District from effectuating staff reductions in a manner other than through early retirement.

Revised by the Board of Education June 1997
Revised June 2013

2.15 EMPLOYEE ASSISTANCE

It is the policy of Jenks Public Schools to assist our employees who have, or may develop a personal problem (marital, legal, alcoholism and chemical dependency, financial, emotional, or stress related) that interferes with their ability to perform their duties in a timely and competent manner. To further that policy, Jenks Public Schools will make available to all employees an Employee Assistance Program, to be provided by an organization outside the Jenks Public Schools. All employees will be notified annually of the name and address of the provider and the procedure for seeking assistance from the provider.

Employee Responsibility
It shall be the employee's responsibility to present personal problems affecting their work and lives to the Employee Assistance Program.

It shall be the employee's responsibility to carry through with the recommended treatment or course of action following problem assessment and referral.

If family member's personal problems (marital, legal, alcoholism and chemical dependency, financial, emotional, or stress related) are affecting the employee's ability to perform his/her duties at work, the employee should call the Employee Assistance Program Services.

If formally referred to the Employee Assistance Program Services by the supervisor due to job performance deterioration, it shall be the employee's responsibility to accept the referral to the program and follow through with treatment recommendations.

Supervisor Responsibility
The supervisor has the responsibility to be aware of employee productivity and to intervene as soon as job performance deteriorates.

If during supervisor conferences, the supervisor discovers that the employee is experiencing personal problems (marital, legal, alcoholism and chemical dependency, financial, emotional, or stress-related), the supervisor should suggest the employee voluntarily seek assistance from the Employee Assistance Program Services.

If regular supervision practices are not providing the necessary structure to correct job performance, the Employee Assistance Program Services shall be recommended in conjunction with a plan of improvement.

The Employee Assistance Program Service may be: recommended to employee with the first level of improvement action; requested of employee with the second level of action; and/or required as a condition of continued employment with the third level of action.

The supervisor shall inform the employee with the third level of improvement action that while the choice to seek assistance is the employee's, failure to do so may invoke disciplinary action which may include termination.

This policy, and subsequent related procedures, are not intended to supplant the disciplinary process, which may include termination, or in any way to supplant the employee's due process procedure as stated in existing policies. The Jenks Public School District maintains the right to institute termination or other disciplinary procedures at any time if warranted by the employee's performance. The Employee Assistance Program is a service offered to employees; referral to the Employee Assistance Program is not a prerequisite to termination or other disciplinary proceedings.

It will be the responsibility of all management to implement this policy and to follow the procedures which have been designed to assure that no person with any of these problems (marital, legal, alcoholism, and chemical dependency, financial, emotional, or stress related) will have either their present job security or future promotional opportunities jeopardized by a request for assistance. However, continued unsatisfactory job performance and/or attendance will be handled in accordance with existing policies concerning absenteeism and poor work performance.

Program Confidentiality
In order for the Employee Assistance Program to work, employee confidentiality must be maintained at all times. No information regarding the employee's diagnosis or particular problem will be revealed to others or put into employee's personnel record. Once the supervisor has formally referred an employee to the Employee Assistance Program, the District coordinator for the Employee Assistance Program is entitled to the following information:

1. Did employee keep Employee Assistance Program Services appointment?
2. Is employee cooperating?
3. Is employee going to require long-term assistance?
4. What are prospects for improvement?

There will be a minimum of record keeping to assure program confidentiality.

Approved by the Board of Education July 1990
Revised May 2021

2.16 EMPLOYEE COMPLAINT PROCEDURE

The purpose of this procedure is to secure at the lowest possible level equitable solutions to a claim of a policy violation by an employee.

A “complaint” is a dispute, disagreement, problem or controversy involving a violation or a misinterpretation of policy or procedure. A “complainant” is any employee asserting a complaint.

The term “days” shall mean calendar days. The number of days for the processing of complaints indicated at each level should be considered as a maximum. The time limits specified may be extended or limited by written mutual consent.

Procedure
An employee may discuss the matter with the immediate supervisor and have the complaint adjusted. If a resolution cannot be reached, the persons involved should begin the complaint procedure at Level One.

Level One - A complaint will first be discussed with the employee’s site principal or supervisor within ten (10) days of when the employee knew or should have known about the violation or misinterpretation with the objective of solving the problem. If the matter is not resolved at this meeting, the employee may file a complaint at the next level within five (5) days. The site principal or immediate supervisor shall submit his/her decision in writing within five (5) days.

Level Two - If the employee feels that a satisfactory resolution has not been achieved at Level One, the employee should contact the Assistant Superintendent within five (5) working days of the decision given at Level One. The Assistant Superintendent shall submit his/her decision in writing within five (5) days.

Level Three - If the employee feels that a satisfactory resolution has not been achieved at Level Two, the employee may file a written appeal to the Superintendent within five (5) working days of the decision given at Level Two. The Superintendent will hold a hearing within ten (10) days to determine the outcome of the complaint. His/her decision shall be rendered within five (5) days of the hearing.

Level Four - If the employee feels that a satisfactory resolution has not been achieved at Level Three, the employee has five (5) working days to appeal to the Board of Education which will hear the complaint at the next regular meeting or within thirty (30) calendar days. The decision of the Board will be final.

Revised by the Board of Education July 1994

2.17 EMPLOYEES COMPENSATED WITH GRANT FUNDS

Employees compensated with federal or categorical grant funds will be employed with a contract renewable as grant funds are available.

Approved by the Board of Education July 1994
Revised April 2016

2.18 EMPLOYEES INFECTED WITH COMMUNICABLE DISEASES

(See also Safety and Hazards in the Workplace; Bloodborne Pathogens)

The Board is strongly committed to providing a safe working environment for employees and students in relation to communicable diseases, while maintaining the dignity and privacy of individuals infected with communicable diseases.

Current research indicates that the risk of transmitting HIV/AIDS and other communicable diseases is low in the school setting when appropriate procedures are followed. All school employees are required to follow the district's Bloodborne Pathogen Exposure Control Plan at all times when there is a potential for exposure to any bodily fluid. In accordance with state law, teachers and administrators who work with students in fifth through twelfth grades will complete an annual professional development regarding bloodborne pathogens.

Information regarding an individual's communicable disease status will be maintained in a separate confidential file and will only be disclosed in compliance with Oklahoma law. Information about an individual's communicable disease status will not be included in the individual's regular personnel records.

Communicable Diseases for Which Isolation or Quarantine is Required

No employee having a communicable disease, requiring a period of isolation or quarantine, shall enter or remain at a district school site. This shall be in effect until the order for quarantine or isolation has expired or permission for entry and return to the school site and activities has been given by the Tulsa Health Department or Oklahoma State Department of Health.

Employment

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

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

Revised by the Board of Education November 1996
Revised October 2021

2.19 EMPLOYMENT OF FAMILY MEMBERS (NEPOTISM)

(*See also* Board Member Requirements; Assignment of Employees; Hiring)

The Board of Education concurs with and supports the public policy stated in Oklahoma Statutes limiting the employment of individuals related to members of the Board of Education. In addition, the Board believes the employment of individuals related by blood or marriage to persons holding administrative positions, and the employment of related individuals, to work in the same building and administrative department in the District creates similar possibilities for conflicts of interest, favoritism, and disruption of the efficient and impartial administration of school business.

Therefore, the Board has determined it is in the best interest of the District to adopt the following employment regulations:

"Family members" means individuals related within the second degree by consanguinity or affinity. Degrees of relationship shall be determined as provided by Oklahoma Statute.

Family members related to certified or classified administrators will not be employed in the same department or in the same building, but may be employed in other departments or other division positions, including teaching positions.

The District will make a concerted effort to refrain from employing members of the same family as employees assigned to the same building or same department.

Current employees who are family members and whose work assignments do not conform to these regulations may be reassigned as may be considered feasible by the administration. No current employee will be terminated because of such non-conformity with these regulations or because reassignment was not feasible.

Revised by the Board of Education July 1995
Revised May 2020

2.20 EVALUATION - CERTIFIED

The Jenks Public School District's certified staff evaluation plan is designed to support the District's pursuit of excellence in education.

Education is a human endeavor. The Jenks Public School District is a community of people working for one (1) common goal - the growth and development of the young people we serve. In order to enable our students to grow and develop, it is important that all educators continue to grow in professional effectiveness.

The goal of the evaluation process is to facilitate and provide opportunities and motivation for growth by establishing high standards of competence and promoting the acquisition of advanced skills. It is to be implemented in a supportive atmosphere of positive communication and professional sharing of knowledge, and with the premise that students deserve quality instruction.

The purposes of evaluation are to provide:

1. a high standard of effective instruction in the District;
2. an opportunity to identify, recognize and praise quality job performance;
3. a mechanism for identifying staff development needs;
4. a focus on professional growth to increase student learning;
5. a process that promotes professional growth to increase student learning;
6. opportunities to set plans for growth which value the educator's professional judgment;
7. for the continuing interchange of ideas and encourage rapport among staff; and
8. information that may be used to make recommendations concerning employment to the Board of Education.

In the Jenks District, evaluation is defined as an endeavor among all staff members and the Board of Education to improve the quality of the educational program and to encourage professional growth. The District and the individual educator jointly accept the responsibility for the improvement of efforts to educate the students in our District.

All staff members are expected to perform well in relation to their job descriptions, statements of objectives and approved performance criteria. Evaluation is a system for documenting the criteria and the evidence of achievement by staff members.

The Board of Education has adopted evaluation policy, procedures, criteria, and instruments for all certified employees in compliance with state statutes. The performance of all certified staff members will be evaluated using the criteria submitted by the evaluation committee and approved by the Board of Education. The Superintendent will be evaluated by the Board of Education; site principals and other central office administrators will be evaluated by the Superintendent or designee; assistant principals and building principals will be evaluated by their site principals; and teachers and other non-administrative staff will be evaluated by the principals/supervisors as provided by law. All personnel designated by the local Board to conduct the personnel evaluations shall be required to participate in training prior to conducting such evaluations.

All career teachers will be formally evaluated at least once during each school year by April 30; however, career teachers who receive an evaluation rating of highly effective or superior (composite score of 3.8 or higher) may be evaluated once every three (3) years. All probationary teachers will be observed in the first, second, and third quarter with a formal evaluation in the fourth quarter by April 30.

All teachers, even career teachers who are not evaluated during exemption years, must still participate in any professional development/growth goals as required by the Oklahoma State Department of Education.

If the evaluator recommends a personal development plan (PDP), a plan will be developed by the evaluator and staff member. The plan will include a statement indicating how the District will assist with the improvement efforts. The evaluation report and personal development plan, if one (1) is developed, will be filed in the staff member's personnel file.

The evaluation reports will be maintained by Human Resources. The file is accessible to the staff member, the Board of Education, the evaluator, the employee's supervising administrator, administrative staff to which the staff member applies for employment, and only those others designated by the teacher. All persons accessing the staff member's personnel file for other than routine clerical purposes, will sign an appropriate entry log stating date, name, and reason for review of the file.

The procedures, criteria, instruments and process of evaluation will be subject to continuous review and appraisal by the Board of Education. As they are approved, copies of all amendments and changes will be provided to staff members.

Any legislative act, state department ruling, or court decision which makes any part of this policy unlawful will in no way make inactive the rest of this policy.

Revised by the Board of Education June 2009
Revised June 2013
Revised December 2013

2.21 EVALUATION - CLASSIFIED (SUPPORT)

The Classified Personnel Evaluation Program is designed to improve the quality of work in all areas of the classified staff by improving the individual on-the-job performance of each employee. The supervisor will meet with the employee to identify strengths and areas for improvement and to prescribe steps for recognition and improvement. This will be done on an annual basis.

The classified employee shall acknowledge receipt of the evaluation by signing the form. The classified employee may, within ten (10) days, respond to the evaluation in writing and said response will be attached to the evaluation.

All classified personnel are expected to perform well in relation to their job descriptions, statement of objectives and approved performance criteria. Evaluation is a system for documenting the criteria and the evidence of achievement by staff members.

Probationary Employee
"Probationary employee" means a person who is employed in a classified position as a new employee in the District and shall complete a sixty (60) calendar day probationary period.

During the entrance conference at the time of employment, the employee will be made aware of the performance factors to be evaluated during the sixty (60) day probationary period.

The supervisor will conduct an on-going evaluation of the employee, making as many observations as possible during the probationary period.

At the completion of the probationary period, the designated supervisor will conduct a conference with the employee. During this conference the employee will be either recommended for full employment status or have his/her employment terminated.

One (1) Year Employee
"One (1) year employee" means a person who is employed in a classified position in the District, after successful completion of a probationary period, and is in the first, calendar year of service.

Following successful completion of the probationary period, the supervisor will conduct an on-going evaluation of the employee making as many observations as possible. Conferences with the employee may be scheduled to discuss areas for improvement and suggestions for improvement and/or to emphasize strengths.

On or before the completion of the one (1) year period (12 months), the supervisor will either recommended for continued employment or termination.

Classified Employee
"Classified employee" means a person who is employed in a classified position in the District after completing one (1) successful year of service.

Classified employees who have completed one (1) year of service will be evaluated each year. The supervisor will conduct an on-going evaluation of the employee making as many observations as possible. Conferences with the employee may be scheduled to discuss areas for improvement and suggestions for improvement and/or to emphasize strengths.

Prior to reemployment, the supervisor should conduct a conference with the employee to discuss job performance.

Each year the supervisor will recommend to the Office of Human Resources classified employees for reemployment or non-reemployment.

Other evaluation conferences may be held at the discretion of the supervisor for an employee who transfers to another position, receives a promotion, returns following suspension, or if other circumstances are such that the supervisor feels special evaluations are necessary. Classified employees may be placed on plans for improvement at any time during their employment with the District.

This policy, and subsequent related procedures, is not intended to supplant the District policy on suspension, demotion, termination, or non-reemployment of classified employees.

Revised by the Board of Education June 2004
Revised June 2013

2.22 EXTRA ADMINISTRATIVE ASSIGNMENTS

Because of the nature and job responsibilities of an administrative assignment, it is the policy of the Board of Education that administrators may not receive stipends for temporary or extra duty assignments which are within the scope of their job responsibilities.

Further, administrators may not be assigned to positions of a dual nature which may create the possibility of a conflict of interest and disrupt the efficient and impartial administration of their assignment.

2.23 FAIR LABOR STANDARDS ACT (FLSA)

The District complies with the Fair Labor Standards Act #29 CFR § 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. The District will cooperate with all state agencies and will maintain compliance.

2.24 FELONY RECORD SEARCH

(*See also* Hiring; Criminal Records Questionnaire Policy)

It shall be the policy of Jenks Public Schools to obtain the results of a national criminal history record check, as defined by OKLA. STAT. tit. 74, § 150.9, of every prospective District employee and conduct an annual search of the Oklahoma Sex Offender and Mary Rippy Violent Crime Offender Registries with respect to all employees who offer or provide services to children, including but not limited to secondary students. The District shall also obtain an Oklahoma criminal history record check from the Oklahoma State Bureau of Investigation for all prospective teachers.

The provisions of this policy shall not apply to school district employees hired on a part-time or temporary basis for the instruction of adult students only.

National Felony Record Search of Prospective Employees

During the application and interview process with each employment applicant, the District will advise the applicant that:

1. The District requires a national criminal history record check of every prospective employee as a condition of employment. The District also requires an Oklahoma criminal history record check for every prospective teacher;
2. To enable the District to request the search and obtain the results, the applicant must complete and sign an Authorization and Release Form(s) provided by the District;
3. The District will only request a national criminal history record check and/or the Oklahoma criminal history record check if the Superintendent or designee recommends employment of the applicant;
4. If the Superintendent recommends employment of the applicant, the applicant must pay the search fee;
5. If the Superintendent or designee recommends employment of the applicant, the applicant must provide a social security number, and/or permit himself/herself to be fingerprinted, and provide any other information necessary to facilitate the national criminal history record check and/or the Oklahoma criminal history record check;
6. The Board of Education shall not have the authority to enter into any written contract with a prospective teacher who does not have an Oklahoma criminal history record check on file with the District. No prospective teacher shall be permitted to perform work or render services to the District without such record check on file. A prospective teacher who has an Oklahoma criminal history record check on file with the District but is awaiting the results of the national criminal history record check may perform services for the District subject to the provisions of below;
7. The applicant, if placed on duty prior to receipt of the national criminal history record check results, will be classified as a temporary employee until the District is notified that the search is clear of any felony conviction(s) within the past ten (10) years, or at any time if the conviction shows a tendency to be a danger to the health/safety of students or if the conviction indicates a potential conflict with the duties to be performed by the applicant. All criminal history record checks will be made in compliance with the Federal Fair Credit Reporting Act. If the results of the criminal history record check are not received by the

school District within sixty (60) days, if the record check reveals a prior felony offense conviction(s) within the past ten (10) years, or at any time if the conviction shows a tendency to be a danger to the health/safety of students or if the conviction indicates a potential conflict with the duties to be performed by the applicant, or if the record search reveals a false response to one or more of the questions on the authorization and release, the applicant shall be deemed to have resigned his or her employment. The administration will review the facts and circumstances of each situation and decide whether to recommend the resignation be accepted. Such resignation may be accepted by the Board of Education at any time. Under these circumstances, the applicant waives any due process procedures which might be available under federal and state law and District policies and procedures. The sixty (60) day temporary employment period shall begin on the first day the prospective employee reports for duty at the District;

8. Any admission or plea of guilt, nolo contendere, or deferred prosecution agreement to a felony or felony conviction, prior to or during employment may be considered grounds for immediate termination;
9. The District may waive the requirement to obtain an initial national criminal record check for any prospective employee who has obtained certification from the Oklahoma State Department of Education within the past twelve (12) months;
10. The District may waive the requirement to obtain a new national criminal record search if the applicant for a full-time teaching position has been employed as a full-time or substitute teacher in another Oklahoma school District, produces a copy of an existing national criminal history record check from within the past five (5) years, and produces an original letter from the former District stating that the employee left in good standing.

Felony Record Searches of Current Employees
The following rules apply to requests for record checks regarding current employees of the District:

General Rules: When the District seeks to obtain a record check regarding a current District employee pursuant to the terms of this policy, the employee who is the subject of that record check must complete and sign an authorization and release form provided by the District. The employee shall permit himself/herself to be fingerprinted, if applicable, provide a social security number and provide any other information necessary to facilitate the record check. The District shall be responsible for the payment of fees associated with record checks regarding current District employees.

Current Teachers Not Eligible for Retirement: The District will review the personnel records of all certified teachers currently employed by the District who (1) were employed by the District as of May 19, 2020, and (2) are not eligible for retirement through the Oklahoma Teachers' Retirement System, in order to determine whether the District has both an Oklahoma criminal history record check from the Oklahoma State Bureau of Investigation (the "OSBI") and a national criminal history record check on file for each teacher. In the event that the District does not have both of the above-referenced record checks on file regarding a teacher, the District will obtain the record check(s) it did not previously have on file for that teacher prior to the deadline for that teacher to renew his or her teaching certificate.

Current Teachers Eligible for Retirement: The District will review the personnel records of all certified teachers currently employed by the District who (1) were employed by the District as of May 19, 2020, and (2) are eligible for retirement through the Oklahoma Teachers' Retirement System, in order to determine whether the District has both an Oklahoma criminal history record check from the OSBI and a national criminal history record check on file for each teacher. In the event that the District does not have both of the above-referenced record checks on file regarding a teacher, the District will obtain the record check(s) it did not previously have on file for that teacher no later than the earlier of (1) July 1, 2022, or (2) the deadline for the renewal of the teacher's teaching certificate.

Other Employees: The District will review the personnel records of all other current employees of the District who were employed by the District as of May 19, 2020, in order to determine whether the District has both an Oklahoma criminal history record check from the OSBI and a national criminal history record check on file for each employee. In the event that the District does not have both of the above-referenced record checks on file regarding an employee, the District will obtain the record check(s) it did not previously have on file for that employee no later than July 1, 2022.

Record Checks Upon Request of the Board or Superintendent: The District will request an Oklahoma criminal history record check and/or national criminal history record check regarding any current school District employee if the board of education or Superintendent requests a search of that employee's felony record.

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

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

Revised by the Board of Education May 2006
Revised May 2011
Revised January 2014

2.25 FRINGE BENEFITS

Classified employees who are contracted for thirty (30) hours or more per week and certified employees who are contracted for at least one-half (1/2) time may be eligible for the State Flexible Benefit Allowance to pay for health/dental insurance cost. Dependent coverage is available.

Classified employees who are contracted for twenty (20) hours or more and fewer than thirty (30) hours per week are eligible to participate in the District's health/dental insurance program with the employee covering half the cost of the "employee only" premium.

Any employee on approved leave of absence may continue health/dental insurance within the group coverage as follows: a personal check made payable to the Jenks Public Schools Insurance Program for the monthly premium is due in the insurance department prior to the first day of each month.

The District will pay monthly premiums for thirty thousand dollars ($30,000) in life insurance for employees who are Board hired for twenty (20) hours or more per week. Payroll deduction will be available for dependent coverage.

Any employee on approved leave of absence may continue life insurance with the group coverage as follows: a personal check made payable to the Jenks Public Schools Insurance Program for the monthly premium is due in the insurance department prior to the first day of each month.

All benefits will commence on the first day of the month following approval by the Jenks Board of Education, or the first day of the month following first day worked, whichever is earlier. The employee is responsible for the return of all forms, enrollment, etc., to enroll in District offered benefits.

Any employee whose length of day, week and/or year is shortened because of Board action due to budget reductions will continue to receive the same Board-paid insurance benefits as were previously paid. If this position is subsequently filled by another employee, benefits for this position will be paid as per current Board policy. If this position is subsequently filled by another employee, benefits for this position will be paid as per current Board policy. The Board will also provide coverage under Worker's Compensation, and an Employee Liability Insurance which covers any civil action, one million dollars ($1,000,000.00) limit, resulting from the performance of job responsibilities.

Revised by the Board of Education October 2004
Revised May 2006
Revised June 2015
Revised May 2017
Revised May 2020
Revised December 2021

2.26 HIRING

(*See also* Assignment of Employees; Physician's Certificate; Proof of Eligibility to Work; Testing Employees and Applicants for Employment; Felony Record Search; Criminal Record Questionnaire Policy)

Applications for employment in the Jenks District shall be completed online through the Jenks Public Schools website.

Jenks Public Schools will make every effort to be fully informed as to the personal character and qualifications of those applicants to be recommended for employment. The District will contact any former employer or other persons deemed appropriate concerning the personal character and qualifications of applicants. As authorized by OS Title 70, Section 5-142, additional steps will be taken to secure information regarding the applicant's driving record, and criminal/felony record, if any.

A pre-employment drug test will be required for all employees. Any information or misrepresented information provided to the District by the applicant/employee is grounds for immediate removal from consideration and/or employment.

Individuals hired by Jenks Public Schools are employees of the District. The specific assignment of personnel is an inherent managerial right. The Superintendent shall have the authority to assign or reassign any employee to any approved position for which the employee is certified and/or qualified and which is deemed to be in the best interest of the District.

Pending availability of funds and with the approval of Human Resources, employees may be reimbursed for certification exams with passing scores. Reimbursement is reserved for employees who have been asked to add certification to benefit the District.

Revised May 2017
Revised February 2018
Revised May 2020

2.27 INTERN PLACEMENT

Assignment of intern teachers will be made by the site principal. The supervising teacher assigned to an intern teacher will receive the credit hours or remuneration, if offered, from the university. All other placements of university interns shall be made through the Office of Teaching and Learning.

Revised by the Board of Education June 1996
Revised May 2010
Revised May 2012
Revised July 2014

2.28 LEAVE OF ABSENCE

Leave of absence benefits are provided for contracted and Board approved employees. Part-time certified employees and classified employees who are contracted for twenty (20) hours or more per week, are eligible for leave benefits on a prorated basis.

Leave benefits should be used for the purpose for which it was intended. Leave requests that do not conform to the policies stated will not be approved.

Each employee is responsible for completing a leave request (half or full day only) and submitting it to the administrator supervisor no later than the second day after returning to work.

Leave of absence, except for emergencies, must be approved in advance by the administrator or supervisor. The administrator or supervisor may deny the use of leave on a particular day if the absence on that day would cause an undue hardship upon the District.

Any employee who willfully or deliberately absents himself or herself from his/her appointed place of assignment or duty during the school year, without proper authority, will be reported by the immediate supervisor, directly to the Superintendent or designee, within twenty-four (24) hours after the absence is discovered. The Superintendent may notify the Board of Education of the unauthorized absence.

The Board recognizes the state or federal government may enact new laws and regulations that affect the District's leave policies for employees. The District will comply with such laws and regulations applicable to its employees.

To the greatest extent possible, additional leave granted by a state or federal act will run concurrently with leave granted to employees under existing policies, procedures, and/or contracts. The District will implement any new mandated employee leave provisions consistent with any regulations or guidelines issued by the governing authority granting such leave.

Further, the District will comply with any state or federal laws applicable to the pay of its employees, including those applicable to the garnishment of wages.

When appropriate, the District will seek advice from local, state, or federal authorities and/or its legal counsel as to any obligations under newly issued laws and regulations.

Revised by the Board of Education in July 2014
Revised June 2015
Revised May 2021

2.28.1 BEREAVEMENT

Employees shall be granted up to five (5) days for bereavement in the case of a death of a member of the employee's immediate family, up to a maximum of ten (10) days per year, upon approval from Human Resources.

Immediate family is here defined as spouse, children, parents/guardians, siblings, grandparents/guardians, grandchildren and like relations established through the marriage of the current spouse.

Of the ten (10) day maximum, two (2) days may be used in the case of a death outside the immediate family.

Upon request of the employee and approval of the Board or its designee, additional bereavement days may be granted as unpaid leave.

Revised by the Board of Education June 2009
Revised June 2019

2.28.2 EPIDEMIC LEAVE

Classified (support) employees who are full-time employees of the District, as determined by the standard period of labor which is customarily understood to constitute full-time employment for the type of services performed by the employee, and who are also employed a minimum of one hundred seventy-two (172) days, shall be entitled to pay for any time lost when school is closed on account of epidemics or otherwise when an order for such closing has been issued by a health officer authorized by law to issue the order.

Approved by the Board of Education October 2021

2.28.3 FAMILY AND MEDICAL LEAVE (FMLA)

It is the policy of the Jenks District to comply fully with the requirements of the Family and Medical Leave Act (FMLA) of 1993. FMLA requires that a covered employer provide up to twelve (12) work weeks or sixty (60) work days of unpaid leave to eligible employees. "Eligible employees" are those employees who have been employed for at least one year by the Jenks District; and worked at least 1,250 hours during the previous 12-month period; and have requested leave for a reason covered by FMLA.

Eligible employees who meet the FMLA requirements may be granted unpaid family leave and paid sick, vacation and personal leave combined for the following reasons:

1. For the birth of a child and to care for such child, or placement for adoption or foster care of a child;
2. To care for a spouse, child or parent/guardian with a serious health condition;
3. For a serious health condition of the employee that makes the employee unable to perform his or her job functions; or
4. For any qualifying exigency arising out of the fact that a spouse, son, daughter, or parent is a military member on covered active duty or call to covered active duty status.

An eligible employee may also take up to twenty-six (26) work weeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness, when the employee is the spouse, son, daughter, parent, or next of kin of the service member.

The term "serious health condition" means one which requires either in-patient care, or continuing treatment by a health care provider. This term is intended to cover conditions or illnesses affecting health to the extent that in-patient care is required, or absences are necessary on a recurring basis or for more than just a few days. A "serious health condition" does not cover short-term conditions

for which treatment and recovery are very brief. Such conditions would normally be covered by the District's sick leave policies.

The term "year" as used in this Policy shall mean a rolling 12-month period measured backward from the date an employee uses any leave.

It is not the intent of the District or this policy to provide leave benefits that exceed those authorized by rule, policy, or existing law. An eligible employee must use any accrued paid vacation leave, personal leave and sick leave for any part of the twelve (12) week period. It is the policy of the District that all paid non-FMLA leave will be used first. In the event the application of existing leave policies results in less leave than is required by the FMLA, an eligible individual will be entitled to such additional leave as is necessary to result in the minimum leave specified in the FMLA.

Where the employee's spouse is also employed by the District, the total number of work weeks of FMLA leave to which both spouses are entitled is limited to twelve (12) work weeks during a year if such leave is for the birth of a child or to care for a child or for placement for adoption or foster care of a child.

Application for Family or Medical Leave
An employee requesting leave must complete an "Application for Family or Medical Leave." The application must state the reason for the leave, the duration of the leave (if known), and the starting and ending dates of the leave. An application can be obtained from the employee's supervisor or Human Resources.

The application for leave must be submitted at least thirty (30) days before family or medical leave because of an expected birth or placement of a child, or because a planned medical treatment is to begin. If, for reasons beyond the employee's reasonable control, the leave is to begin in less than thirty (30) days, an employee must give notice to his or her immediate supervisor and to Human Resources as soon as is practicable, ordinarily within one or two school days of when the employee learns of the need for leave.

In the absence of an application for leave from an eligible employee the District may, in its discretion, place an eligible employee on FMLA leave if the employee is absent for any of the reasons set forth in the Act.

Leave Based on a Serious Health Condition
A "Medical Certification Statement" must accompany an application for leave based on the serious health condition of the employee or the employee's spouse, child or parent/guardian. This statement must be completed by the applicable health care provider and include the date on which the health condition began, the estimated duration of the condition, and the relevant medical facts related to the condition.

If the employee has a serious health condition the certification must state that the employee cannot perform the functions of the assigned position. Likewise, when the employee is prepared to return to work certification must be provided by the health care provider that the employee is able to

resume work. The District reserves the right to require the employee to obtain a second medical opinion at the District's expense. If the opinions of the first and second health care provider differ, the District may require a third opinion from a health care provider mutually agreed upon by the District and the employee. The third opinion shall be final and binding.

The District may require subsequent certifications to support FMLA leave but not more often than every thirty (30) days unless the employee requests an extension of leave; changed circumstances occur regarding the illness or injury; or the District receives information that casts doubt on the validity of an existing certification.

In the event the employee is applying for leave to care for a spouse, child or parent/guardian, the certification must state that fact along with an estimate of the amount of time the employee will need.

Right to Conduct Surveillance

In an effort to combat misuse of leave permitted by the FMLA, an employee may be surveilled to determine if the employee is not using the FMLA leave for the purpose for which it was granted. The District may conduct non-workplace (off-site) surveillance of an employee based on an honest belief or suspicion that the employee is misusing the FMLA leave granted. If the employee is found to be misusing the FMLA leave, the employee will be subject to all disciplinary action allowed by law, including but not limited to dismissal or nonrenewal. Circumstances which may give rise to an honest belief or suspicion of FMLA leave misuse include, but are not limited to, an employee providing inconsistent reasons for the FMLA leave, an employee engaging in a suspicious pattern of absences over a short period of time, verifiable information from co-workers evidencing misuse by an employee and significant changes in the frequency or duration of an employee’s absences.

Intermittent Leave or Leave on a Reduced Leave Schedule

An employee may request to use available leave intermittently or on a reduced leave schedule. Where leave is requested in connection with a serious health condition of the employee or immediate family member, the request for leave must be supported with a certification from the health care provider that such leave is medically necessary and stating the expected duration and schedule of such leave. There must be a medical need for the leave and evidence that the medical need can be accommodated best through an intermittent or reduced leave schedule. Any eligible employee seeking leave on an intermittent or reduced leave basis must obtain and complete a request for leave and must submit the medical certification required.

Intermittent or reduced leave may also be taken in connection with the birth or because of the placement for adoption or foster care of a child. However, intermittent leave or leave on a reduced leave schedule for this purpose may only be taken with the approval of the District.

In either instance, whether because such leave is medically necessary or in connection with the birth or placement of a child, the employee must try to schedule the leave so as not to unduly disrupt the District's operations. In the event the employee takes intermittent leave or reduced leave the District reserves the right to place the employee in an alternative position which better accommodates intermittent or reduced leave.

When a teacher requests intermittent or reduced leave for planned medical treatment for more than twenty percent (20%) of the total number of working days in the period during which the leave would be used, the District may require the employee to elect either to (1) take leave for a "particular duration" or time which is not greater than the duration of the planned treatment, or (2) be transferred to an alternative position. If the instructional employee requesting intermittent leave or leave on a reduced leave schedule does not give proper notice as required the District may deny the taking of leave until thirty (30) days after notice was provided, or may require the employee to take leave for either a "particular duration" or accept an alternative position.

Leave Taken Near the End of an Academic Term
If a teacher begins any type of covered leave more than five (5) weeks before the end of a term, and if the leave will last at least three (3) weeks and the employee would otherwise return to work during the three (3) weeks before the end of the term, the District may require the employee to continue taking leave until the end of the term.

If a teacher takes leave for a reason other than the employee's own serious health condition which commences during the five (5) weeks before the end of the term, and if the leave will last more than two (2) weeks and the employee would otherwise return to work during the last two (2) weeks of the term, the District may require the employee to continue taking leave until the end of the term.

If a teacher takes leave for a reason other than the employee's own serious health condition which begins during the last three (3) weeks of the term, and if the leave will last more than five (5) working days, the District may require the employee to take leave until the end of the term.

For the purposes of this Policy, the word "term" means the first term or fall semester term of each academic year and the second term or spring semester term of each academic year.

Effect of Leave on Benefits
During a period of family or medical leave, an employee will be retained on the District's medical insurance plan under the same conditions that applied before leave began. In order to continue medical insurance coverage the employee must continue to make any contributions made to the plan before leave. Failure of the employee to pay the medical insurance premium may result in a loss of coverage. The employee is required to pay all of the premiums for any other type of insurance coverage which may exist.

If the employee fails to return to work after the expiration of the leave, the employee will be required to reimburse the District for payment of health insurance premiums during the family or medical leave, unless the reason the employee fails to return is the presence of a serious health condition which prevents the employee from performing his or her job or to circumstances beyond the employee's control.

The employee may not accrue any seniority or employment benefits that would have accrued if not for the taking of leave. However, the employee who takes family or medical leave will not lose any seniority or employment benefits that accrued before the date leave began.

Reinstatement to Former Position
An employee generally is entitled to be restored to an equivalent position and to equivalent conditions of employment. This may not be applicable to employees who are designated as "highly compensated employees." The District cannot guarantee that an employee will be returned to the original job. A determination as to whether a position is an "equivalent position" will be made by the District. A highly compensated employee is one who is salaried, and is "among the highest paid 10 percent" of the employees employed within 75 miles of the employee's worksite. An employee who qualifies as a "highly compensated" employee may be denied restoration to employment if necessary to prevent substantial and grievous economic injury to the operations of the District.

An employee who is ready to return from leave must complete a "Notice of Intention to Return from Family or Medical Leave" before returning to work. An employee may return to work before the expiration of a family or medical leave of absence. In this event notification must be given to the employee's supervisor at least five (5) working days prior to the employee's planned return.

Failure to Return from Leave
The failure of an employee to return to work upon the expiration of a family or medical leave of absence will subject the employee to immediate termination unless an extension is granted. Any termination, as a result of this provision, is subject to the same rights as a termination for cause. An employee who requests an extension of family leave or medical leave must submit a request for an extension, in writing, to the employee's immediate supervisor with a copy to Human Resources. This written request should be made as soon as the employee realizes an inability to return at the expiration of the leave period.

Revised by the Board of Education May 2007
Revised June 2015
Revised January 2019

2.28.4 HOLIDAYS

Employees who are employed full-time on a twelve (12) month contract will be eligible for paid holidays. One (1) day will be allowed for each of the following holidays: Independence Day, Labor Day, New Year's Day, Martin Luther King, Jr. Day, and Memorial Day. Two (2) paid days may be granted for Thanksgiving. Three (3) paid days may be granted for Christmas. In conjunction with the paid holidays at Christmas, full-time employees who are contracted and working twelve (12) calendar months are granted two (2) additional holidays that will be scheduled by the District.

Employees who are employed full-time on a contract for less than twelve (12) calendar months will be eligible for paid holidays that occur within the contracted working period.

Full-time employees who are contracted and working twelve (12) calendar months are entitled to three (3) additional floating holidays which may be taken during the fiscal year with supervisor's approval. Probationary employees shall not be eligible to use floating holidays until successful completion of the 60-day probationary period.

Holiday pay may not exceed forty (40) hours per week.

Any variations from the above schedule must be authorized by the employee's supervisor in writing and a copy sent to the Office of Human Resources.

Revised by the Board of Education June 2002
Revised April 2011
Revised June 2015
Revised May 2020
Revised December 2021

2.28.5 JENKS CLASSROOM TEACHERS ASSOCIATION (JCTA) LEAVE

The Board shall provide the Jenks Classroom Teachers Association (JCTA) with twenty-five (25) days per year for leave to attend conventions and conferences of the Association or its affiliates, or to conduct Association business.

JCTA shall reimburse the District for the amount actually or normally paid to a certified substitute teacher for each day utilized.

2.28.6 LEAVE WITHOUT PAY

All requests for leave of absence without pay shall be in writing to the Human Resources Office, setting forth the date and reason for leave. Before leave without pay may be considered, all other appropriate accrued leave must be used. Such requests require the approval of the Board of Education in advance of leave. Leave of absence without pay will not be granted except in extreme emergencies.

While on approved leave without pay, an employee will not lose any accumulated leave or years of experience; however, no additional leave or holiday pay will be granted or accrued. Employees who are members of the Oklahoma Teachers' Retirement System (OTRS) will be subject to the rules of OTRS, which prohibit a day of leave without pay from being counted as a day worked for the purpose of service credit. Employees who take leave without pay will not receive a full year of service credit towards retirement.

Revised by the Board of Education April 2006
Revised May 2010
Revised April 2016

2.28.7 LEAVE WITHOUT PAY CALCULATED

Classified employees paid by the hour will have their leave of absence pay based on their regular (not overtime) hourly rate of pay. For each leave of absence less than four (4) hours that school is in session, one-half (1/2) of one (1) day's leave of absence will be charged. For each leave of absence more than four (4) hours, one (1) full day's leave of absence will be charged.

When an employee is absent under conditions which make him/her liable for substitute's pay, an amount equal to the substitute's pay will be deducted from the employee's warrant even though a

substitute may not be employed. Leave without pay for certified employees and others on annual contract is chargeable at a prorated basis in the case of extended contracts, for each day of absence.

Requests must be in writing and submitted to the Human Resources Office and approved by the Board of Education in advance of leave.

2.28.8 LEAVE WITHOUT PAY LONG-TERM

Teachers may be granted, upon written request to and approval of the Board, an unpaid leave of absence for up to one (1) school year for the purpose of personal illness, illness in the immediate family, or rearing of the employee's child.

Written requests for unpaid leave of absence for the ensuing year must be filed prior to March 1 of the current year, except when the situation for which the leave is requested could not have been known prior to March 1.

Written notification for reinstatement for the ensuing year following a leave of absence must be filed by March 1. If no such request is filed by that date, the teacher will be deemed to have resigned effective at the end of the current contract year.
While on approved leave a teacher shall not lose any accumulated leave, years of experience, or career status; however, no additional leave, years of experience, or career status shall accrue during the leave.

Teachers on approved leave may continue to participate in the District's health and life insurance plan with the teacher paying the premiums. Teachers who choose not to continue the life insurance while on leave, will be required to complete an Evidence of Insurability (EOI) form upon returning to work. The life insurance provider may deny coverage based upon the EOI. Teachers will be required to sign a waiver, if they elect not to continue life insurance coverage while on leave of absence.

Upon returning from an unpaid leave of absence, the teacher will be assigned to a position for which the teacher is certified.

Revised by the Board of Education June 2000
Revised June 2015

2.28.9 LEGAL PROCESS LEAVE

Employees who receive a summons shall submit a copy to Human Resources. Employees will be granted leave at their daily rate of pay, less any juror or witness fee, for jury service or appearing as a witness subpoenaed in a criminal, civil, or juvenile proceeding during the contracted work day. Employees must provide the Payroll Department with verification from the courts with their leave affidavit indicating exact dates served as a juror or as a subpoenaed witness, as well as a copy of any payments received. Payroll will deduct the amount paid by the court to the employee from the employee's check to ensure the employee is not being paid by both the court and the District. If an employee is subpoenaed to appear in a civil case in which neither the District nor the State is a party, the District is entitled to the cost of a substitute, not to exceed $100, from the

party issuing the subpoena. Employees who are parties (i.e., plaintiff or defendant) to a legal proceeding are not entitled to legal process leave.

Revised by the Board of Education September 2007
Revised May 2011
Revised May 2012

2.28.10 MILITARY

All requests for military leaves of absence shall be in writing to the Board of Education, with such information as may be pertinent to the subject. Military leaves for eligible employees may be approved under the provisions of the school laws of Oklahoma without loss of pay during the first thirty (30) days of regularly scheduled work days if such leave of absence in any federal fiscal year. The District will comply with all other rights guaranteed under state and federal law.

Revised by the Board of Education May 2017
Revised June 2019

2.28.11 PERSONAL BUSINESS LEAVE

Each employee will be granted three (3) days of cumulative personal business leave each year. Leave will be calculated for half-day and full-day absences based on the employee's daily contracted hours.

An employee may accumulate a maximum of five (5) days of personal business leave days. Any additional unused days shall be added to the employee's accumulated sick leave, up to the maximum allowed. When terminating from the District, unused personal business leave shall be added to the employee's accumulated sick leave, up to the maximum allowed.

The administration may deny the use of personal business leave on a particular day if the absence on that day would cause an undue hardship on the school or District. Except with the approval of the Superintendent or designee, personal business leave may not be used during the following times: the last ten (10) days of the instructional calendar; on a professional day; the day(s) immediately preceding or following a holiday or vacation period; and days when school remains in session despite adverse weather conditions.

If, during the normal work day, employees receive compensation for work outside the scope of their job responsibilities, or volunteer time to the District as a parent/guardian or patron, they must use personal leave, leave without pay or vacation leave. This includes, but is not limited to, professional consulting, environmental camp, summer camps, and field trips.

Any misuse of the leave policy with the District could result in loss of compensation or termination of employment.

Revised by the Board of Education September 2007
Revised June 2008
Revised September 2009
Revised November 2015

Revised June 2019
Revised May 2020
Revised May 2021

2.28.12 PROFESSIONAL LEAVE

When approved in advance by the administrator or supervisor, an employee shall be provided professional leave for attending workshops, conferences, training, and other activities or official school business related to the employee's assignment. Professional leave will be without loss of pay or other benefits. When authorized by the administrator or supervisor, the District may pay for all or a portion of the expenses related to the professional leave.

Approved by the Board of Education June 1997

2.28.13 SABBATICAL LEAVE

Sabbatical leave may be granted by the Board to teachers with seven (7) years of experience in the District for the purpose of continuing education, travel or work opportunities related to the teacher's assignment or participation in international teaching programs.

Sabbatical leaves may be granted for one (1) school year. Sabbatical leaves for less than the school year will not be considered.

Teachers on sabbatical leave will do so without salary but may continue to participate in the District health and life insurance plan with the teacher paying the premiums. Prior to granting sabbatical leave, the request will be submitted to the Superintendent who will consider the proposal utilizing the following criteria:

1. the merit of the activity to be participated in during the sabbatical leave;
2. the ability to find a suitable replacement for the teacher during the term of leave; and
3. the ability to employ the replacement at the end of the leave.

Teachers who have been granted sabbatical leave will be guaranteed a position within the District for which they are certified and qualified, at the end of the leave. The teacher must notify the District by March 1 if he/she plans to return. If no such notification is made, the teacher will be deemed to have resigned his/her employment with the District. Teachers returning from sabbatical leave will not forfeit career status or previously earned salary steps.

Revised by the Board of Education June 2001
Revised June 2018

2.28.14 SICK LEAVE

Classified
All employees may be granted one (1) day leave of absence with pay for each full calendar month employed up to a maximum of twelve (12) working days for each fiscal year, July 1 through June 30.

Classified personnel who are contracted and working less than an eight (8) hour day may be eligible for sick leave benefits on a prorated basis. Accumulated sick leave may be used for accidental injury or illness of the employee or the immediate family of the employee. The immediate family is defined as spouse, parents/guardians, children, grandparents/guardians, siblings, and like relations established through the marriage of the current spouse as well as legal dependents, and household members.

Although it is not normally required that an employee obtain prior approval to use sick leave, the employee may be required to provide certification of accidental injury, illness or pregnancy by a medical doctor, or provide other appropriate evidence in order to receive sick leave for an absence.

Upon termination of employment, sick leave days that have been accumulated by working less than eight (8) hours will be converted to eight (8) hour days or fraction thereof for redemption under the District unused sick leave program.

Unused sick leave days may accumulate to a maximum of one hundred seventy (170) days. Paid sick days will not be used in computing time for overtime allowances.

If the employee has completed at least one calendar year (365 days) of employment, upon termination of employment, the District will pay for any unused sick leave accumulated in the Jenks District, which has not been transferred to another Oklahoma School District, up to the allowable Board approved maximum according to the schedule(s) below:

1. Employees hired prior to the 2007-2008 school year shall be paid for consecutive years worked as follows:
   a. 0-15 years in District $50
   b. 16-20 years in District $60
   c. 21+ years in District $65

2. New employees beginning with the 2007-2008 school year shall be paid for consecutive years worked as follows:
   a. 0-8 years in District $25
   b. 9-15 years in District $50
   c. 16-20 years in District $60
   d. 21+ years in District $65

If the payment for unused sick leave totals $1,000 or more, the payment will be placed in a Health Reimbursement Arrangement (HRA).

Because of the difficulty of retaining competent classified employees on a temporary basis over an extended period of time, a classified employee shall be subject to termination for physical inability to perform the job requirements if the employee is unable due to illness or accidental injury to return to work for his or her regularly scheduled hours and to perform all of the duties of the position within thirty (30) work days or the number of work days equal to the employee's total accumulated sick leave days, whichever is longer, counted from the date of first absence due to the illness or injury.

Certified

The Board of Education grants sick leave with full pay to all full-time, certified employees. This is to give an employee financial protection in case of persona illness and to protect the welfare of the children.

The Board shall provide each teacher ten (10) days of sick leave each year for use in case of personal accidental injury, illness, pregnancy, or accidental injury or illness in the immediate family. Teachers on eleven (11) month contracts will receive eleven (11) days each year, and those on twelve (12) month contracts will receive twelve (12) days each year.

The immediate family is defined as spouse, parents/guardians, children, grandparents/guardians, siblings, and like relations established through the marriage of the current spouse as well as legal dependents, and household members.

Unused sick leave days may accumulate to a maximum of one hundred seventy (170) days.

For each absence during the work day of less than four (4) hours, one-half (1/2) day sick leave will be charged. For each absence of four (4) hours or more, one (1) day sick leave will be charged. After exhausting all sick leave, a teacher may be absent due to personal accidental injury, illness or pregnancy up to an additional twenty (20) days. During such period, the teacher shall receive his/her salary less the amount actually or normally paid a certified substitute teacher for that teacher's position.
Although it is not normally required that an employee obtain prior approval to use sick leave, the employee may be required to provide certification of accidental injury, illness or pregnancy by a medical doctor, or provide other appropriate evidence in order to receive sick leave for an absence.

Disabilities caused or contributed to by pregnancy shall be subject to the provisions of sick leave. Teachers shall be provided with family and medical leave without pay as required by the Federal Family and Medical Leave Act of 1993 and as stipulated in Board Policy.

If a certified employee is employed by another school district his/her accumulated sick leave may be transferred to the receiving district up to sixty (60) days. Upon termination of employment, the District will pay for any unused sick leave accumulated in the Jenks District, which has not been transferred to another Oklahoma School District, up to the allowable Board approved maximum according to the schedule(s) below:

1. Employees hired prior to the 2007-2008 school year shall be paid for consecutive years worked as follows:
   a. 0-15 years in District $50
   b. 16-20 years in District $60
   c. 21+ years in District $65

2. New employees beginning with the 2007-2008 school year shall be paid for consecutive years worked as follows:
   a. 0-8 years in District $25
   b. 9-15 years in District $50
   c. 16-20 years in District $60

d. 21+ years in District $65

If the payment for unused sick leave totals $1,000 or more, the payment will be placed in a Health Reimbursement Arrangement (HRA).

Revised by the Board of Education September 2007
Revised May 2010
Revised September 2014
Revised November 2015
Revised May 2017
Revised May 2020
Revised May 2021
Revised December 2021

2.28.15 SICK LEAVE SHARING

Sick leave days may be donated from one District employee to another within the following guidelines:

1. Permission to receive donations will be granted only for a District employee who is pregnant or recovering from childbirth or who is suffering from or has a relative or household member suffering from an extraordinary or severe illness, injury, impairment or physical or mental condition that has caused or will cause the employee to exhaust all accumulated sick leave earned pursuant to Title 70, Section 6-104 of the Oklahoma Statutes and that has caused or is likely to cause the employee to take leave without pay or to terminate employment, as determined by the Board of Education.

2. For purposes of this policy, the following definitions apply: "Relative of the employee" means a spouse, parent/guardians, children, grandparents/guardians, siblings, and like relations established through the marriage of the current spouse as well as legal dependents, and household members.
   - "Household members" means those persons who reside in the same home, who have reciprocal duties to and do provide financial support for one another, including foster children and legal wards, even if they do not live in the household. This term does not include persons sharing the same general house, when the living style is primarily that of a dormitory or commune.
   - "Severe" or "extraordinary" means serious, extreme or life-threatening, including temporary disability resulting from pregnancy, miscarriage, childbirth and recovery there from.
   - "District employee" means a teacher or any full-time employee of the District. Whether an employee is a "full-time employee of the District" will be determined by the standard period of labor which is customarily understood to constitute full-time employment for the type of services performed by the employee and who is employed a minimum of one hundred seventy-two (172) days.

3. The request for permission to receive donations must be in writing and may be presented to the Superintendent or designee by the District employee or another employee (acting with the affected employee's permission) in his or her behalf. The Superintendent or

designee will place the request on the agenda of the Board of Education with a recommendation to approve or disapprove the request, in whole or in part. A District employee may be eligible to receive donations if the Board determines that the employee meets the criteria described in this policy and the employee has followed District policies regarding the use of sick leave. To allow the Superintendent, designee or the Board to determine whether the employee meets the criteria described in this policy, the employee must first submit a medical certificate from a licensed physician or health care practitioner verifying the severe or extraordinary nature and expected duration of the condition. The Superintendent or designee or the Board of Education may request such additional information about the employee's condition and may withhold action until it is provided.

4. A donee may not use any donated sick leave until his or her own sick leave earned pursuant to OS Title 70, Section 6-104 has been exhausted. The donee may use donated sick leave only for the purposes specified in this policy.

5. Donated sick leave will be paid at the daily rate of the donee, not the donor. The sick leave received by the donee will be designated as donated sick leave and will be maintained separately from all other sick leave balances. Donated sick leave will be used as needed.

6. Donated sick leave not used by the donee during an occurrence as determined by the Board shall be returned to the donating employee. The donated sick leave remaining will be returned at its original donor value and reinstated to the annual leave balance of each donor.

7. The maximum total number of days that may be received as donations by any employee is one hundred fifty (150) during his/her total District employment. An employee shall not be determined to be eligible for donations more than twice during his or her term of employment by the District. Donations may be made only during the academic year (July 1-June 30) in which the employee is determined to be eligible to receive donations.

8. An employee may donate only days that are earned and accumulated. The donor may donate any amount of sick leave provided the donation does not cause his or her sick leave balance to fall below ten (10) day (certified) or eighty (80) hours (classified).

9. Any contribution of sick leave by one employee to another is strictly voluntary. No employee shall be coerced, threatened, intimidated or financially induced into donating sick leave under this policy. Each contribution of sick leave must be confirmed in writing by the donor to the Payroll Department.

10. Donated sick leave cannot be transferred to another District or purchased by the Jenks District upon termination of employment.

Revised by the Board of Education September 2005
Revised September 2008
Revised September 2014
Revised June 2015

2.28.16 TRANSFERRED-IN SICK LEAVE

Employees with experience in an Oklahoma school district in the immediate preceding year or a fraction of the current year may transfer accumulated sick leave as certified by the sending Board of Education in an amount not to exceed sixty (60) days. Said days must be used first and can be transferred from the Jenks District to another district in Oklahoma but cannot be purchased by the Jenks District upon termination of employment.

2.28.17 VACATION

Full-time employees who are contracted and working twelve (12) calendar months each fiscal year, July 1 to June 30, are entitled to vacation with pay with supervisor's approval. An employee must take at least one (1) week of vacation leave on consecutive days unless approved by the central office supervisor.

Vacation days may not be accumulated beyond the end of the next fiscal year and will be scheduled as authorized by the Superintendent or designee. All vacation leave earned in a fiscal year must be taken during that fiscal year or the next fiscal year unless authorized by the Superintendent or designee.

Twelve (12) month employees shall be eligible for vacation according to the following schedule (based on the number of years of twelve (12) month employment):

Fiscal Years of Service in JPS	**Days Earned Per Month**	**Maximum Work Days Paid Vacation**
0 Through 10 Years	1.0	12 work days
11 Through 20 Years	1.5	18 work days
Over 20 Years	2.0	24 work days

For classified employees, vacation days will be accrued monthly for any eligible employee who has worked the major portion of the month.

Certified and classified administrators assigned to twelve (12)-month positions are entitled to twenty (20) days of annual vacation leave during their first ten (10) years of administrative service on a twelve (12) month contract, and twenty-four (24) days annually for each consecutive year thereafter.

For certified and classified administrators, days of vacation leave are vested on the first day of the fiscal year; however, should an administrator terminate during the fiscal year, paid vacation must be earned on a prorated monthly basis.

Upon termination of employment, employees who have completed a calendar year (365 days) will be paid accrued and unused vacation.

Revised by the Board of Education June 2009
Revised May 2021

2.28.18 WORKER'S COMPENSATION LEAVE

(*See also* Physician's Certificate/Physician's Examination)

The District provides benefits established under the Oklahoma Worker's Compensation Act to all District employees who are injured in on-the-job accidents. All regular employees who are injured in on-the-job accidents shall receive statutory benefits including medical expenses, temporary compensation and benefits for permanent disability or death as required by the Act.

Accrued and unused personal business leave and sick leave benefits shall be paid as allowed by law to the injured employee in addition to worker's compensation benefits for temporary disability if the injured employee should so elect. Every injured employee will be given as soon as possible after an on-the-job injury an election absence form.

No supplemental payment shall be made until such time as the employee returns the election form to the District. If the election for supplemental pay is made, sick leave shall be used and exhausted before personal leave unless different instructions are directed by the employee, in writing, to the District.

While on approved worker's compensation leave employees shall not lose any accumulated leave, years of experience, or career status; however, no additional leave, years of experience, or career status shall accrue during the leave.

Revised by the Board of Education June 1998

2.29 LUNCH AND OTHER BREAKS

A classified employee must take a minimum thirty (30) minute lunch break or may take up to sixty (60) minutes with supervisor approval under the following conditions: assigned clock hours are five (5) or more per day and assigned clock hours include the regular lunch period.

Classified employees must clock in and out for the lunch break. In overtime situations, the supervisor will determine entire schedule including lunch breaks.

A classified employee is not entitled to a scheduled break period; however, a break may be granted with supervisor approval. An employee who chooses to leave his/her campus or work site must clock-out.

For up to one (1) year after a child's birth, any employee who is breastfeeding her child will be provided reasonable break time each day to express breast milk for her child. The break time, if possible, shall run concurrently with any break time, paid or unpaid, already provided to the employee. Each building administrator will designate a private area, other than a restroom, where an employee can express breast milk. The designated area shall be a space where intrusion from co-workers, students and the public can be prevented and one where an employee who is using this area can be shielded from view. Time required for breastfeeding breaks is considered unpaid time under the Fair Labor Standards Act. An employee may make up the time taken for such

breaks by designating a lunch period as a breastfeeding break, adjusting her work schedule with the approval for her supervisor to make up the time taken for breastfeeding breaks, using personal leave for time used for breastfeeding breaks, or opting for leave without pay for time used for breastfeeding breaks.

Revised by the Board of Education June 1996
Revised January 2019

2.30 MEMBERSHIP IN ORGANIZATIONS

(*See also* Contributions/Gifts)

No employee is urged or required to belong to, have membership in, or join, any fraternity, sorority, secret society, club, association, organization, group, or similar unit; national, state, or local.

Urging of an employee to join, belong, or renew membership by another employee or employees, under an act of pressure, compulsion, coercion, threat or duress, spoken or implied, is prohibited and will not be tolerated.

Revised by the Board of Education June 2001

2.31 OVERTIME AND COMPLIANCE WITH WAGE AND HOUR LAWS

Jenks Public Schools will approve no overtime beyond those situations approved by the Superintendent or designee.

Administrators and supervisors must make every effort to minimize overtime work (work in excess of 40 hours per workweek) and work exceeding contracted time for hourly employees within the workweek, which is defined as Sunday-Saturday. Hourly employees must make every effort to complete their work without exceeding his/her contracted hours. Any employee exceeding his/her contract is required to seek pre-authorization from the appropriate administrator to work hours in excess of his/her contract.

Hourly employees are not to be issued/assigned district laptop computers, nor shall the District facilitate the receipt of email on an hourly employee's phone, or other electronic device. Exceptions due to essential duties of an employee's job may be considered and authorized on a case-by-case basis by the Chief Human Resources Officer so that appropriate wage and hour considerations can be analyzed and communicated.

Under circumstances where access to email is available to an hourly employee outside of the regular work day (through whatever means, whether by work computer, home computer, laptop computer, cell phone, etc.), the employee must seek prior written authorization to utilize these resources outside of regular work hours and must record any and all time spent reading and/or responding to district business email and performing other district work with the aid of such equipment.

Hourly employees must accurately record and submit all time worked on behalf of the District by using the District's electronic time system or by a timesheet. Time must not be over-reported or under-reported. Hourly employees must not work outside of the individual employee's regular work hours without prior authorization of their administrator. Work not permitted outside regular work hours (without specific administrator pre-authorization) would include making or receiving business phone calls, reading and/or sending business emails (whether by computer, phone or other device); organizing, reviewing or preparing business documents; shopping for supplies on behalf of the District; and other business activities related to the employee's job.

In most circumstances, hourly employees should be performing work during times when a supervisor or administrator is present at the work site. Exceptions for the specific job role, such as campus police or other approved role, or for a specific, urgent one-time need, must be approved by the administrator.

Hourly employees must not work from home without prior written authorization of the Chief Human Resources Officer. Under the unusual circumstance where the Chief Human Resources Officer has pre-authorized an hourly employee to work at home, the employee must record and submit the exact time he/ she spent performing the authorized work.

Hourly employees who do not obtain written pre-authorization to work outside of regular work hours or written pre-authorization to work from home, but who perform such work without permission, must record and submit the exact amount of time spent working, even though not pre-authorized in writing.

Hourly employees are prohibited from volunteering to do work for the District in any capacity that is similar to the individual employee's regular job duties.

Hourly employees who work in excess of 40 hours in a given workweek will receive compensatory time at the rate of one and one-half hours per hour worked in excess of 40 hours in that workweek. Paid or unpaid leave days and holidays do not count as hours worked in the workweek. Compensatory time off in lieu of overtime payment will not be authorized. For hourly employees working more than one position, a "blended rate" will be used in the calculation of overtime pay.

Administrators and supervisors must not allow or permit employees to work "off the clock".

Revised by the Board of Education June 2004
Revised August 2016
Revised May 2017

2.32 PARKING PERMITS

(*See also* Parking)

Employee parking permits are the property of the District, and are to be issued to all faculty and staff members who drive vehicles. Employees must properly display a parking permit on all vehicles parked and/or driven on District property. Employee parking permits are intended for use by the employee only and are not to be loaned to or used by a student.

If the parking permit is lost, stolen, defaced, or destroyed, the employee should report this to the supervisor or principal. The employee may be subject to a replacement cost. Upon termination of employment with the District, the parking permit must be returned.

Employees who violate this policy may be denied parking and driving privileges and may be subject to further disciplinary action.

Revised by the Board of Education June 1998

2.33 PAY

The Jenks District requires all employees to be paid by direct deposit into the employee's bank account. If an employee encounters difficulty obtaining a bank account for direct deposit, the District shall work with the employee to set up an account at the District's bank. Direct deposit of payroll funds will be made in accordance with the District's payroll schedule for the current year.

Approved by the Board of Education June 2008
Revised July 2014
Revised October 2021

2.34 PHOTO IDENTIFICATION

Photo identification cards are the property of Jenks Public Schools and are issued to all staff and faculty members for school identification purposes. It shall be worn during school and/or work hours. If the card is lost, stolen, or destroyed, the supervisor or principal should be notified. A replacement identification card is the responsibility of the employee for a fee of five dollars ($5.00). Upon termination of employment with the District, the photo identification card must be surrendered before final compensation is made.

Revised by the Board of Education May 2008

2.35 PHYSICIAN'S CERTIFICATE/PHYSICAL EXAMINATION

(*See also* Worker's Compensation Leave; Hiring, Leave of Absence)

The Board of Education may require a physician's certificate to certify that any employee is physically and mentally able to perform duties. A physician's medical release to return to work may be required following any long-term leave for illness or injury.

In the interest of safety, all drivers of school buses are required to undergo an annual physical examination by a qualified physician to determine their physical qualification to operate a bus. A copy of the physician's report showing the results of the examination will be filed in the school records.

Select personnel may be required to undergo a physical examination by a Board designated physician at school expense, prior to their first employment with the District.

Revised by the Board of Education May 2012

2.36 PROFESSIONAL DEVELOPMENT

The District's certified personnel must earn a minimum of fifteen (15) professional development points during each school year and accumulate a minimum of seventy-five (75) points during a five-year period. These points will be authorized by prior approval of the activity by the Superintendent or designee and will follow the guidelines as established by the Professional Development Committee and the Board of Education. The District shall keep records of professional development activities through the online system maintained by the Professional Development Center.

Employees shall access the online professional development system to monitor progress toward meeting the professional development requirement described above. Prior to the professional day offered by the District during the second semester of each school year, the District's Professional Development Center will notify all certified employees in the fifth year of their five-year professional development cycle of the total points accumulated toward the required seventy-five (75) points and of any deficiencies in required professional development.

Classified employees must earn a minimum of six (6) professional development points during each school year. The District shall keep records of professional development points earned by classified employees using the tracking system designated for that employee's site or department.

Professional development that is completed by June 30 will apply to the local professional development plan requirements for fiscal year ending on that date. Points earned while teaching at another school may be transferred for credit at this institution.

Employees must attend all meetings called or approved by the Superintendent or designee. Teachers are expected to attend those professional meetings for which they are granted professional business leave to attend. Local staff meetings will be called as needed by the Superintendent or designee.

In addition to these requirements, all teachers will be required to participate in individual growth goals in accordance with the programs and guidelines established by the Oklahoma State Department of Education. These growth goals will be established in conjunction with a teacher's evaluation (regardless of whether a teacher is evaluated during a school year) but will not increase the required number of professional development points needed under this policy.

Reference: OAC 210:20-19-3

Approved by the Board of Education May 2017

2.37 PROOF OF ELIGIBILITY TO WORK

(*See also* Hiring)

The federal government requires employers to have on file proof of citizenship status and eligibility to work. Jenks Public Schools therefore requires all individuals recommended for employment with the District to complete an employment eligibility verification form I-9. The employee must present Jenks Public Schools with acceptable documents evidencing identity and

employment authorization. The list of acceptable documents can be found on the I-9 form or through the United States Citizenship and Immigration Services website.

This proof of citizenship status and eligibility to work will be kept on file in the Human Resources Office as required by law.

Revised by the Board of Education April 2016

2.38 REDUCTION IN PROFESSIONAL STAFF

General Matters

1. Reasons for a Reduction in Force. Any teacher in the District may be non-reemployed for the following fiscal year when the Board decides that due to (a) a financial necessity or (b) a program change for institutional reasons or (c) a decline in enrollment or (d) other business necessity as determined by the Board, a reduction in the teaching staff for the following fiscal year is necessary.

2. Definitions. For the purpose of this section, the following terms have the stated meanings:

    a. “Financial necessity” means a reduction in the District's financial resources resulting from declining enrollment or any other action or event that in the sole judgment of the Board of Education will result in a reduction in the District's current or future operating budget.
    b. "Program change" means any elimination, curtailment or reorganization of a curriculum offering, program or school operation or a reorganization or closing of a school or a consolidation of two or more individual schools or school districts.
    c. "Declining enrollment" means a decrease in the District's total enrollment or enrollment in a particular program or curriculum offering which in the sole judgment of the Board of Education may adversely affect the District's current or future allocation of funds and/or the necessity of maintaining certain current or future class sections or curriculum offerings.
    d. A "contracted special duty assignment" is an assignment that requires special skill or expertise for which the teacher receives additional pay pursuant to a written extra duty contract that is separate from the regular teaching contract and which assignment involves athletics, academics, the arts, music, drama, debate and cheerleading.
    e. “Seniority” means the length of continuous, full-time contracted employment as a teacher in the District, beginning on the date the teacher first reported to work. If seniority is the same, the date the Board approved the employment of the teacher will be the deciding factor.

3. *Criteria for Eliminating Positions*. The primary criterion in determining any reduction in force shall be the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the District. In deciding which positions to eliminate, the Superintendent and the Board will consider the curriculum, the needs of students and those contracted special duty assignments that require special skill or expertise. The decision as to which positions to eliminate shall be made by the Board of Education acting on its own volition or following receipt of a recommendation by the

Superintendent of schools. When positions must be eliminated, the Board will attempt to reduce staff first by normal attrition.

4. *Criteria for Non-Reemployment of Teachers in Affected Positions*. Once a determination has been made as to which positions should be eliminated then the primary basis that will be used in determining which teachers to retain in the affected position(s) will be the composite rating of the teachers holding such positions as measured [to the nearest hundredth of a decimal point] by the District's Teacher and Leader Effectiveness Evaluation System [TLE] for each year in which the TLE has been in effect, not to exceed three (3) years. If the composite ratings of the teachers in the affected positions are identical then the following, in this order, shall control:

    a. Seniority in the District.
    b. The number of certifications held.
    c. Total years of teaching experience.
    d. Academic degree status: Doctorate, then Master's, then Bachelor's.
    e. Administrative recommendation.
    f. By lot drawing conducted by the Human Resources Department in front of an authorized representative of the Jenks Classroom Teacher Association.

Procedures for Reduction in Force

1. *Action by Superintendent*. The Superintendent, upon receipt of the Board's preliminary determination of the necessity for a reduction in force, or upon his own volition, shall submit to the Board the Superintendent's written recommendations for eliminating particular teaching positions. In making recommendations, the Superintendent (a) shall not be limited to considering only positions in the areas or programs designated by the Board and (b) shall consult with relevant district administration where a position elimination is proposed and (c) shall take into consideration the criteria set out herein.
2. *Action by Board*. In the absence of a recommendation from the Superintendent pursuant to this section, or when the Board of Education chooses not to accept the Superintendent's recommendation, the Board may initiate action without such recommendation provided that it adheres to the other provisions of this Reduction in Force Agreement.
3. *Notice and Hearing Procedures*. Prior to taking any action to non-reemploy a teacher due to a reduction in force, whether acting on a recommendation of the Superintendent or on its own volition, the Board shall provide written notice and an opportunity for hearing to the affected teacher; provided however, because the law does not provide nonrenewal hearings for teachers on temporary contracts, no hearing opportunity shall be afforded any teacher on a temporary contract with notice of the expiration of the temporary teacher's contract at the end of the school year being provided to the temporary teacher. The notice and Board hearing procedures for teachers other than temporary teachers shall be the same as those provided by Oklahoma law regarding non-reemployment of teachers. Notice of a recommendation of non-reemployment shall be given to the teacher prior to the applicable deadline set by law.
4. *Board Hearing*. At the Board hearing, evidence may be presented by the administration and the teacher, as to (a) whether a reduction in force is reasonably necessary and is being made in good faith and for the best interests of the District and (b) whether the

recommendation to not renew the specific teacher is being made in good faith under this Reduction in Force Agreement.

5. *Effect of Board Decision*. The decision of the Board based on the evidence presented at the hearing shall be final and non-appealable.

Reemployment or Other Employment After Reduction in Force

1. *Recall*. For one school year after the effective date of non-reemployment due to a reduction in force, the Board of Education shall not fill the specific position previously held by an eligible teacher who was non-reemployed due to a reduction in force without first offering such specific position to the non-reemployed and eligible teacher. In order to be an "eligible teacher" for recall, the teacher, at the time of the reduction in force, must have had an overall composite evaluation rating, for the time period used, of at least 2.80 on a scale of 5.00. If more than one non-reemployed eligible teacher is both certified and qualified for a position which the teachers previously held with the District and which becomes available, the Board, after receiving the Superintendent's advice, shall select the eligible teacher it believes will best fill the position. Nothing in this provision shall give to any non-reemployed and eligible teacher priority rights to fill a vacancy which becomes available and for which the eligible teacher is certified and qualified unless such position is identical to the position which the teacher previously held with the District.
2. *Recall Procedures*. The offer of reemployment shall be made personally or by certified mail, return receipt requested, and the teacher shall be notified in such notice that if the teacher wishes to accept, the teacher must do so in writing within five (5) calendar days of his receipt of notice. Failure to receive acceptance within five (5) calendar days or rejection of the offer of reemployment eliminates all reemployment rights of the teacher.
3. *Status After Recall*. A career teacher who has been non-reemployed and who is then reemployed within one school year shall be reinstated as a career teacher. A probationary teacher who is non-reemployed but is then reemployed within one school year shall be given credit for the time already served as a probationary teacher for the purpose of determining eligibility for career teacher status.

Revised by the Board of Education June 1998
Revised September 2012

2.39 REPORTING OF STUDENT POSSESSION OF ALCOHOLIC BEVERAGES OR DANGEROUS SUBSTANCES

The Board of Education hereby adopts the following policy for reporting students under the influence or possession of low-point beer, alcoholic beverages, or controlled dangerous substances:

Any employee who has reasonable cause to suspect that a student may be under the influence of, or has possession, an alcoholic beverage, a controlled dangerous substance, or any counterfeit form of the items above shall immediately notify a principal or assistant principal, who will proceed according to Board Policy.

Any suspension and/or search of said student shall be subject to any applicable Oklahoma Statute, Jenks School Board Policy, or student handbook regulation.

Any employee who has reasonable cause to suspect that a student is under the influence of, or has possession, alcoholic beverages, a controlled dangerous substance, or a counterfeit form of any of the above, and who reports such information to the appropriate school official, shall be immune from all civil liability as guaranteed by OS Title 70, Section 24-132.

Revised by the Board of Education June 1998
Revised May 2012
Revised April 2016
Revised May 2020
Revised June 2022

2.40 REPORTING THREATENING BEHAVIOR

All District officers, employees and school board members have a legal obligation under Oklahoma law to report to Jenks Campus Police verbal threats or acts of threatening behavior which reasonably have the potential to endanger students, school personnel or school property. Under this policy, "Threatening Behavior" means any verbal threat or threatening behavior, whether or not it is directed at another person, which indicates potential for future harm to students, school personnel or school property. If a District official, employee, or school board member reasonably believes that a person has made a verbal threat or exhibited threatening behavior which has the potential to endanger students, school personnel or school property, and—given the immediacy of the behavior—it is reasonable to do so, the individual should first report the matter to his or her direct supervisor. In addition, employees should promptly inform the Human Resources department of any protective or restraining order that they have obtained that lists the workplace as a protected area.

Reports to Principal or Other School Officials
Instances of verbal threats or acts of threatening behavior which reasonably have the potential to endanger students, school personnel or school property should also be reported to the principal or other school official. This reporting obligation exists in all instances, including conduct at school, activities, and conduct that happens off of school property. Accordingly, all employees have an obligation to notify the principal or other school official, if for any reason the employee believes that verbal threats or acts of threatening behavior have been made which reasonably have the potential to endanger students, school personnel, or school property.

Immunity for Good Faith Reports
Oklahoma law provides that any District employee who in good faith makes a report to an appropriate law enforcement office has immunity from civil liability and employment discipline that might otherwise be incurred or imposed if the employee reasonably believes a person is making verbal threats or exhibiting threatening behavior.

Reference: 70. Okla Stat. § 24-100.8

Approved by the Board of Education January 2019
Revised June 2022

2.41 RESIGNATIONS

Employees desiring to resign shall give their immediate supervisors written notice at least two (2) weeks prior to the effective date of resignation. Certified employees must provide written notice of their intent not to be reemployed for the following school year by no later than the 15th day following the first Monday in June. If not notified, it is the right of the District not to release an employee from his/her contract for the school year.

The Board authorizes the Superintendent or designee to immediately accept employee resignations and to terminate employment pursuant to Board Policies and law prior to Board approval.

Approved by the Board of Education June 2005
Revised May 2017

2.42 SAFETY AND HAZARDS IN THE WORKPLACE

(*See also* Asbestos Hazard; Hazardous Material; Bloodborne Pathogens; Employees Infected with Communicable Diseases)

The Jenks Board of Education hereby declares its concern for the safety of the District's employees and pledges the implementation of programs and training to prevent occupational injuries and illness. Core elements of a health and safety program will include, but are not limited to the following: implementing management commitment to worker safety and health generally; implementing procedures for identifying and controlling workplace hazards; developing and communicating safety plans, rules and work procedures; and conducting and providing for training for supervisors and employees in safe and healthful work practices.

Employee training will include, but are not limited to the following:

1. Train as needed to familiarize each employee with reasonable safety standards and to provide a guide for the prevention of accidents, to eliminate disabling injury, to prevent loss of time and salary and to make the school system a safer place in which to work.
2. Provide or make available all types of personal protective equipment for those jobs requiring such protection and require use of same.
3. Provide to each type or classification of employee no less than quarterly.
4. Be based on the nature and seriousness of the hazards.

Revised by the Board of Education July 1994
Revised June 2022

2.43 SALARY ADJUSTMENTS FOR GRADUATE CREDIT FOR CERTIFIED STAFF

For certified staff, adjustments to salary may be made for graduate hours earned. The hours must be graduate level from an accredited college or university. The hours must have been earned after the date of receiving the bachelor's or master's degree.

For administrators, stipends may be given for doctoral degrees. The doctoral degree must be earned from an accredited college or university.

Salary adjustments for completion of course work during a contract year will not be approved until the next contract year.

Official transcripts and the salary adjustment request form must be submitted to Human Resources by September 1.

Approved by the Board of Education July 2014

2.44 STAFF PROTECTION

(*See also* Safe Schools Committee Policy)

The Board of Education acknowledges the need for its employees to perform their duties in a safe, secure and non-threatening atmosphere. The Board recognizes, however, that a possibility of an on-the-job assault or battery or assault and battery on an employee exists.

The term "assault," as used in this policy, shall mean any willful attempt or threat to inflict injury upon any person, when coupled with an apparent present ability to do so or any intentional display of force such as would give the victim reason to fear or expect immediate bodily harm.

The term "battery," as used in this policy, shall mean the unlawful application of force to the person of another which results in injury or an offensive touching.

When the circumstances require it, an employee may use reasonable force to repel an assault or battery upon himself/herself or another person.

Any student who assaults or batters an employee may be suspended. The exact length of the student's suspension shall be proportional to the seriousness and consequences of the incident.

When assaults or batteries occur, the following procedures shall be utilized:

1. A written report of the incident and action taken shall be submitted by the principal or immediate supervisor to the Superintendent or designee. The employee shall have the right to submit a written report of his or her version of the incident.
2. When warranted, the immediate supervisor or principal will notify campus police or other law enforcement officials of the assault or battery. The Campus Police or other law enforcement officials shall advise the employee of the lawful procedures available for initiating a criminal complaint arising from the assault or battery.
3. Leave with pay shall be granted to an employee for all court appearances in criminal cases arising out of any assault or battery of the employee.
4. Certified staff members will receive up to sixty (60) days of leave with pay, inclusive of any worker's compensation, for an absence caused by an injury or disability due to employment-related assault. The term of the sixty (60) days leave with pay does not extend beyond the duration of the employee's current contract.

This policy applies only to assaults or batteries inflicted on District employees while acting within the scope of their employment.

Revised by the Board of Education May 2012

2.45 SUBSTITUTES

Applications for substituting shall be submitted online via the District's application system. Substitutes are required to complete the District's orientation training prior to substituting. All substitutes will be required to have a national criminal background check in accordance with state law. Substitutes will also be required to complete the JPS Substitute Packet, including, but not limited to, the following documents 1) a Felony Affidavit, 2) a signed release for reference and criminal record checks, and 3) verifications of identity and employment eligibility. The Superintendent or designee shall approve in advance any deviation to the orientation requirements.

Substitute teachers without a current Oklahoma certificate, but who hold a high school diploma or GED, shall not be employed in excess of one hundred thirty-five (135) days during a school year. Substitute teachers without a current Oklahoma certificate, but who hold a bachelor's degree, shall not be employed in excess of one hundred forty-five (145) during a school year. Substitute teachers holding a valid Oklahoma teaching certificate may substitute an unlimited number of days.

A substitute teacher whose assignment includes lesson planning, grade reporting and parent/guardian contact, etc. for twenty (20) consecutive days or more in the same classroom shall be considered long-term. Long-term substitutes must be approved in advance by the Superintendent or designee.

All substitutes will be paid at the Board-approved substitute rate of pay. The Superintendent or designee shall approve in advance any substitute teacher pay that deviates from this policy. Substitute teachers are not eligible for sick leave, insurance, or other benefits provided by the Board of Education. The Jenks District requires substitutes to direct deposit pay into the substitute's bank account. See substitute handbook for pay rates and schedule.

Revised by the Board of Education June 2008
Revised December 2009
Revised February 2013
Revised December 2014
Revised May 2020

2.46 TAX-SHELTERED ANNUITIES AND DEFERRED COMPENSATION

It is the policy of Jenks Public Schools to provide several tax-sheltered annuity companies for employees to select from when purchasing annuity plans. The annuities and deferred compensation plans allow employees to purchase annuities pursuant to Section 403(b) and deferred compensation 457(b) of the Internal Revenue Code. It shall be the sole responsibility of the employee to ensure the amount of payments withheld will not exceed the maximum permissible under the Internal Revenue Code.

Only district approved insurance or annuity representatives will be permitted to meet with employees during normal business hours. The third-party administrator for the District 125 Plan also will have access to employees for enrollment during normal business hours.

Contracts may be written only by companies which have been approved in advance by Jenks Public Schools administration. A list of annuity providers may be obtained from the District insurance office.

Revised by the Board of Education May 2008
Revised April 2016
Revised May 2021

2.47 TEMPORARY CLASSIFIED EMPLOYEE

Temporary classified employee is an employee hired to work less than eighty (80) working days in a temporary position. Temporary classified personnel will not be eligible for health, dental and life insurance or any leave or absence provisions. Superintendent or designee approval is required to employ temporary employees.

2.48 TEMPORARY CONTRACTS

(*See also* Hiring)

Certified applicants recommended for employment after May 1 for the next school year will be employed on a temporary contract to terminate at the end of the school year. Pursuant to Oklahoma Statutes, any certified employee who has been employed by the District on a temporary contract is not entitled to invoke the procedures of the Teacher Due Process Act of 1990.

Revised by the Board of Education May 2008
Revised May 2017

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

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

The safety of students and employees of the District is of paramount concern to the Board.

An employee who is under the influence of alcohol or an illegal chemical substance when the employee is on duty or on school property poses serious safety risks to students and other employees.

The use of alcohol and illegal chemical substances has a direct and adverse effect on the safety, personal health, attendance, productivity and quality of work of all employees and the safety of all students.

Scientific studies demonstrate that the use of alcohol and illegal chemical substances reduces an employee's ability to perform his job beyond the time period of immediate consumption or use.

The Board recognizes that all employees have certain personal rights guaranteed by the Constitutions of the United States of America and the State of Oklahoma, as well as by the Oklahoma Standards for Workplace Drug and Alcohol Testing Act, Okla. Stat. Tit. 40 § 551 et seq., as amended. This policy will not infringe on those rights.

Due to the devastating impact that the use of alcohol and illegal chemical substances can have on the safety of students and employees and their adverse effect on an employee's ability to perform the employee's job, the Board will not tolerate employees who use, possess, distribute, purchase, sell or are under the influence (as defined in the policy) of alcohol or illegal chemical substances when on duty or while on school property.

This policy will apply to all employees of the District regardless of position, title or seniority except bus drivers. The testing of bus drivers for alcohol or illegal chemical substances is exclusively governed by the District's policy on Alcohol and Drug Testing for Drivers and the federal Omnibus Transportation Act of 1991. Bus drivers whose job assignment involves duties independent of bus driving shall be subject to this policy as to all non-bus driving duties.

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

Definitions

- “Applicant” means a person who has applied for a position with an employer and received a conditional offer of employment, or an existing employee seeking transfer or reassignment to a different position, or an existing employee who is being transferred or reassigned to a different position.
- "Illegal chemical substance" means any substance which an individual may not sell, possess, use, distribute or purchase under either Federal or Oklahoma law. "Illegal chemical substance" includes, but is not limited to, all scheduled drugs as defined by the Oklahoma Uniform Controlled Dangerous Substances Act, all prescription drugs obtained without authorization and all prescribed drugs and over the counter drugs being used for an abusive purpose. By this policy, applicants and employees are placed on notice that the District may test individuals for drugs and alcohol.
- "Alcohol" means ethyl alcohol or ethanol.
- "Under the influence" means any employee of the District or applicant for employment with the District who has any alcohol or illegal chemical substance or the metabolites thereof present in the person's body in any amount which is considered to be "positive" for such alcohol or drug or drug metabolites using any scientifically substantiated alcohol or drug use screen test and alcohol or drug use confirm test.
- "Positive" when referring to an alcohol or drug use test administered under this policy means a toxicological test result which is considered to demonstrate the presence of alcohol or an illegal chemical substance or the metabolites thereof using the cutoff standards or levels determined by the State Board of Health or in the absence of such State Board cutoff levels,

the cutoff levels customarily established by the testing laboratory administering the alcohol or drug use test.

- "School property" means any property owned, leased or rented by the District, including but not limited to school buildings, parking lots and motor vehicles.
- "Drug or alcohol test" means a chemical test administered for the purpose of determining the presence or absence of a drug or its metabolites or alcohol in a person's bodily tissue, fluids or products. Adulteration of a specimen or of a drug or alcohol test shall be considered as a refusal to test.
- "Confirmation test" means a drug or alcohol test on a sample to substantiate the results of a prior drug or alcohol test on the same sample and which uses different chemical principles and is of equal or greater accuracy than the initial test.
- In instances when a breathalyzer test is used, a confirmation test means a second sample test that confirms the prior result. Where a single use test is utilized, a confirmation test means a second test confirmed by a testing facility.
- "Employee" means any person who supplies labor for remuneration to his or her employer in this state and shall not include an independent contractor, subcontractor or employees of an independent contractor; provided, however, an independent contractor, subcontractor, or employees of an independent contractor, may be subject to a workplace drug or alcohol testing policy under the terms of the contractual agreement when the drug or alcohol testing policy applies to other workers at the job site or workers who are in the same or similar classification or group.
- "On duty" means any time during which an employee is acting in an official capacity for the District or performing tasks within the employee's job description, including the taking of an annual physical examination.
- "Bus driver" means:
  a) a District employee who is required to have a commercial drivers' license ("CDL") to perform the employee's duties;
  b) employees of independent contractors who are required to have a CDL;
  c) owner-operators;
  d) leased drivers; and
  e) occasional drivers.
- "Direct Child Care" means the following:
  a) Administering to the needs of infants, toddlers, preschool-aged children, and school-age children outside of school hours;
  b) By persons other than their parents, guardians, or custodians;
  c) For any part of the twenty-four-hour day;
  d) In a place other than a child's own home, except that an in-home aide provides child care in the child's own home.

To the extent not specifically defined herein, the definition of any term, word or phrase found in this policy shall be as set forth in the Oklahoma Standards for Workplace Drug and Alcohol Testing Act.

Procedures for Alcohol or Illegal Chemical Substance Testing

Any alcohol or drug use test administered under the terms of this policy will be administered by or at the direction of a testing facility licensed by the Oklahoma State Department of Health

("Department") and using scientifically validated toxicological methods that comply with rules promulgated by the Department. Testing facilities shall be required to have detailed written specifications to assure chain of custody of the samples, proper labeling, proper laboratory control and scientific testing. All aspects of the alcohol and drug use testing program, including the taking of samples, will be conducted so as to safeguard the personal and privacy rights of applicants and employees. The test sample shall be obtained in a manner which minimizes its intrusiveness.

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

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

If the initial drug use test is positive for the presence of an illegal chemical substance or the metabolites thereof, the initial test result will be subject to confirmation by a second and different test of the same sample. The second test will use an equivalent scientifically accepted method of equal or greater accuracy as approved by rules of the State Board of Health, at the cutoff levels determined by Board rules. An applicant for employment will not be denied employment or an employee will not be subject to disciplinary procedures unless the second test is positive for the presence of illegal chemical substances or the metabolites thereof.

If an initial alcohol use test is positive for the presence of alcohol, the initial test result will be subject to confirmation by a second and different test using any scientifically accepted method approved by rules of the State Board of Health, at the cutoff levels determined by Board rules.

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.

Any applicant for employment or employee who is subject to disciplinary action as a result of being under the influence of alcohol or an illegal chemical substance, as and for an appeal procedure, will be given a reasonable opportunity, in confidence, to explain or rebut the alcohol or drug use test results. If the applicant or employee asserts that the positive test results are caused by other than consumption of alcohol or an illegal chemical substance by the applicant or employee, then the applicant or employee will be given an opportunity to present evidence that the positive test result was produced by other than consumption of alcohol or an illegal chemical substance. The District

will rely on the opinion of the District's testing facility which performed the tests in determining whether the positive test result was produced by other than consumption of alcohol or an illegal chemical substance.

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

The District may permit testing for drugs or alcohol by other methods reasonably calculated to detect the presence of drugs or alcohol, including but not limited to breathalyzer testing, testing by use of a single-use test device, known as onsite or quick testing devices, to collect, handle, store, and ship a sample collected for testing.
The testing facility reports and results of alcohol and drug use testing will be maintained on a confidential basis except as otherwise required by law. The laboratory performing alcohol or drug use tests for the District will not report on or disclose to the District any physical or mental condition affecting an employee or employment applicant which may be discovered in the examination of a sample other than the presence of alcohol or illegal chemical substances or the metabolites thereof. The use of samples to test for any other substances will not be permitted.

The records of all drug and alcohol test results and related information retained by the District shall be the property of the District unless:

1. the information will be admissible evidence by an employer or employee in a court case or administrative agency hearing if either the employer or employee is a named party;
2. the information is required to comply with a valid judicial or administrative order; or
3. the District's employees, agents or representative needs to access the records in the administration of the Standards for Workplace Drug and Alcohol Testing Act.

Employee Alcohol and Drug Use Test Requirements
The District is authorized to conduct drug and alcohol testing in accordance with the Standards for Workplace Drug and Alcohol Testing Act. The District has chosen to conduct drug or alcohol testing under the following circumstances:

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

2. For-cause testing: The District will require an employee to undergo drug or alcohol testing at any time the Superintendent, or designee, reasonably believes that the employee may be under the influence of drugs or alcohol, including, but not limited to, the following circumstances:
   a) drugs or alcohol on or about the employee's person or in the employee's vicinity,
   b) conduct on the employee's part that suggests impairment or influence of drugs or alcohol,
   c) a report of drug or alcohol use while at work or on duty.
   d) information that an employee has tampered with drug or alcohol testing at any time,
   e) negative performance patterns, or
   f) excessive or unexplained absenteeism or tardiness.

3. Post-accident testing: The District may require an employee to undergo drug or alcohol testing if the employee or another person has sustained an injury while at work or property has been damaged while at work, including damage to equipment. The District may require post-accident drug or alcohol testing if there is a reasonable possibility that employee drug use could have contributed to the reported injury or illness. For purposes of workers' compensation, no employee who tests positive for the presence of substances defined and consumed pursuant to Section 465.20 of Title 63 of the Oklahoma Statutes, alcohol, illegal drugs, or illegally used chemicals, or refuses to take a drug or alcohol test required by the employer, shall be eligible for such compensation;

4. Random testing: As determined appropriate by the Board of Education, the District may require an employee or all members of an employment classification or group to undergo drug or alcohol testing at random and may limit its random testing programs to particular employment classifications or groups, except that the District will require random testing only of employees who:
   a) are police or peace officers, have drug interdiction responsibilities, or are authorized to carry firearms, or
   b) are engaged in activities which directly affect the safety of others, including but not limited to school vehicle mechanics.

5. Scheduled, periodic testing: The District will require an employee to undergo drug or alcohol testing as a routine part of a routinely scheduled employee fitness-for-duty medical examination, or in connection with an employee's return to duty from leave of absence, of employees who:
   a) are police or peace officers, have drug interdiction responsibilities, or are authorized to carry firearms, or

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

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

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

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

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

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

Applicants Under the Influence of Alcohol or An Illegal Chemical Substance

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

Person Authorized to Order Alcohol or Drug Testing

The Superintendent or designee has the authority to require alcohol or drug use testing of employees under this policy.

Release of Information

Upon written request, the applicant for employment or the employee will be provided, without charge, a copy of all information and records related to the individuals' testing. All test records and results will be confidential and kept in files separate from the employee or applicant's personnel records.

The District shall not release such records to any person other than the applicant, employee or the District's review officer unless the applicant or employee, in writing following receipt of the test results, has expressly granted permission for the District to release such records in order to comply with a valid judicial or administrative order.

The testing facility, of any agent, representative or designee of the facility, or any review officer, shall not disclose to any employer, based on the analysis of a sample collected from an applicant or employee for the purpose of testing for the presence of drugs or alcohol, any information relating to the general health, pregnancy, or other physical or mental condition of the applicant or employee.

The testing facility shall release the results of the drug or alcohol test, and any analysis and information related thereto, to the individual tested upon request.

This policy does not preclude the District, when contracting with another employer, from sharing drug or alcohol testing results of any tested person who works pursuant to a contractual agreement.

Medical Marijuana
Pursuant to Okla. Stat. Tit. 63, § 420A et. seq., unless failure to do so would cause the District to imminently lose a monetary or licensing related benefit under federal law or regulations, the school district will not discriminate against an applicant in hiring or take employment action against an employee on the basis of the employee's or applicant's status as a medical marijuana license holder.

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

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

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

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

1. Observation of any of the conduct or phenomenon described below:
   a. the odor of marijuana on or around the individual;
   b. Disorganized thinking;
   c. Paranoia and/or confusion;
   d. Bloodshot eyes;
   e. Increased heart rate;
   f. Increased appetite; or
   g. Loss of Coordination and

2. Any circumstance that would permit the school district to engage in "for cause" drug or alcohol testing of the employee under this policy.

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

1. Police or peace officers, those employees with drug interdiction responsibilities, or who are authorized to carry firearms;
2. School Bus Mechanics;
3. Employees whose responsibilities require the driving a school vehicle;
4. School Nurses or Employees who are authorized to administer medicine to students;
5. Employees whose responsibilities include direct patient care or direct childcare; and
6. Teachers and instructors responsible for the following courses: Agriculture Education, Driver's Education, Robotics, Secondary Science, and Stagecraft.

Notice of Policy
This policy shall be given broad circulation to all District employees. Each employee shall be provided access to this policy and each applicant shall be provided access to this policy upon the tender of a conditional offer of employment.

This policy is subject to and supplemented by the Oklahoma Standards for Workplace Drug and Alcohol Testing Act (the "Act"). To the extent that any provision of this policy is in conflict with the Act, then the Act shall control. To the extent that this policy is silent as to any matter covered by the Act, then the Act shall control. This policy shall be interpreted by the Board of Education of the District and its employees consistent with the Act.

Revised by the Board of Education June 2002
Revised September 2009
Revised August 2012
Revised May 2020

2.49.1 ALCOHOL AND DRUG TESTING FOR BUS DRIVERS

The purpose of this policy is to prevent accidents and injuries resulting from alcohol or controlled substance use by drivers of commercial motor vehicles. This policy is intended to comply with the District's mandatory obligations under regulations issued by the United States Department of Transportation (DOT).

Definitions
- "Alcohol" means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols including methyl or isopropyl alcohol.
- "Alcohol concentration" means the number of grams of alcohol (for example: 0.04) in 210 liters of expired deep lung air.
- "Alcohol confirmation test" means a subsequent test using an EBT (a breath testing device), following a screening test with a result of 0.02 or greater, that provides quantitative data about the alcohol concentration.
- "Alcohol screening device" (ASD) means a breath or saliva device, other than an EBT, that is approved by the National Highway Traffic Safety Administration and ~~a~~ppears on the Office of Drug and Alcohol Policy and Compliance's webpage for "Approved Screening Devices to Measure Alcohol in Bodily Fluids" because it conforms to the model specifications from NHTSA.

- "Alcohol use" means the consumption of any beverage, mixture or preparation, including any medication, containing alcohol.
- "BAT" means a qualified breath alcohol technician.
- "Cancelled test" means a drug or alcohol test that has a problem identified and cannot be or has not been corrected. A cancelled test is neither a positive nor a negative test.
- "CDL" means commercial driver's license.
- "Clearinghouse means the Federal Motor Carrier Safety Administration's (FMCSA) Commercial Driver's License Drug and Alcohol Clearinghouse.
- "Collection site" means a place selected by the employer where employees present themselves for the purpose of providing a urine specimen for a drug test.
- "Confirmatory drug test" means a second analytical procedure performed on a specimen to identify and quantify the presence of a specific drug or drug metabolite.
- "Confirmed drug test" means a confirmatory drug test result received by a MRO from a laboratory.
- "Controlled substance" means amphetamines, cannabinoids, cocaine, phencyclidine (PCP), opioids, or a metabolite of any of these substances.
- "Designated employer representative" (DER) means an employee authorized by the employer to take immediate action(s) to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation processes. The DER also receives test results and other communications for the employer.
- "Dilute specimen" means a urine specimen with creatinine and specific gravity values that are lower than expected for human urine.
- "Driver" means: (i) a District employee who is required to have a CDL to perform the employee's duties; (ii) employees of independent contractors who are required to have CDLs; (iii) owner-operators; (iv) leased drivers; and (v) occasional drivers.
- "EBT" means a device that is approved by NHTSA for the evidential testing of breath at the .02 and .04 alcohol concentrations and appears on the Office of Drug and Alcohol Policy and Compliance's webpage for "Approved Screening Devices to Measure Alcohol in Bodily Fluids" because it conforms to the model specifications from NHTSA.
- "Federal Act" means the Omnibus Transportation Testing Act of 1991 and the regulations issued by the United States Department of Transportation pursuant to that Act.
- "Oklahoma Act" means the Oklahoma Standards for Workplace Drug and Alcohol Testing Act.
- "Initial drug test" means the test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.
- "Initial validity test" means the first test used to determine if a specimen is adulterated, diluted, or substituted.
- "Invalid drug test" means the result for a urine specimen that contains an unidentified adulterant or an unidentified interfering substance, has abnormal physical characteristics, or has an endogenous substance at an abnormal concentration that prevents the laboratory from completing or obtaining a valid drug test result.

- "Medical review officer" (MRO) means a person who is a licensed physician and who is responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanations for certain drug test results.
- "Safety-sensitive function" means all time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work.
- "Screening Test Technician" (STT) means a person who instructs and assists employees in the alcohol testing process and operates an ASD.
- "Service agent" means any person or entity, other than an employee of the employer, who provides services to employers and/or employees in connection with DOT drug and alcohol testing requirements.
- "Split specimen" means a part of the urine specimen that is sent to a first laboratory and retained unopened, and which is transported to a second laboratory in the event that the employee requests that it be tested following a verified positive test of the primary specimen or a verified adulterated or substituted test result.
- "Stand-down" means the practice of temporarily removing an employee from the performance of safety-sensitive functions based only on a report from a laboratory to the MRO of a confirmed positive test for a drug or drug metabolite, an adulterated test, or a substituted test, before the MRO has completed a verified test.
- "Substance Abuse Professional" (SAP) means a person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.
- "Substituted specimen" means a specimen with creatinine and specific gravity values that are so diminished that they are not consistent with human urine.
- "Verified test" means a drug test result or validity testing result from a United States Department of Health and Human Services certified laboratory that has undergone review and final determination by the MRO.

Required Testing & Consent
The following testing is required of all drivers:

Pre-Employment Testing and Consent: A driver must pass an alcohol and controlled substance test prior to performing a safety-sensitive function. The test will be conducted during the hiring process or immediately before the driver first performs a safety-sensitive function.

1. **Alcohol Testing**
   A driver may not commence the performance of duties unless the test shows a concentration of less than 0.04. If the test shows a concentration of between 0.02 and 0.04, no safety-sensitive duties may be performed for at least 24 hours.

   A pre-employment alcohol test will <u>not</u> be required if:

   a) The driver has undergone an alcohol test required by the Federal Act within the previous six weeks and tested under 0.04; and

b) The driver provides evidence that no prior employer of the driver has any record of alcohol misuse by the driver within the previous six months.

2. Controlled Substances

The driver must receive a confirmed negative controlled substance test result from a medical officer, except that no testing is required if:

a) The driver has participated within the previous 30 days in a drug testing program meeting the requirements of the Federal Act; and
b) While participating in the program, the driver either (a) was tested for controlled substances within six months prior to the date of employment application or (b) participated in a random controlled substance testing program for the twelve months prior to the date of the employment application; and
c) The employer ensures that no prior employer of the driver of whom the employer has knowledge has records of a violation of this part or the controlled substance use rule of another DOT agency with the previous six months.

3. Pre-Employment Consent

The school district shall comply with the query requirements of the FMCSA, including participation in the Clearinghouse. This participation is described in detail in the District's policy on Compliance with Regulations regarding the FMCSA Clearinghouse. As part of this compliance, until January 6, 2023, the school district shall request the driver's written consent to obtain the following information from DOT-regulated employers who have employed the driver during the thirty-two (32) years before the date of the driver's application to a position requiring safety-sensitive duties:

a) Alcohol tests with a result of 0.04 or higher alcohol concentration;
b) Verified positive drug tests;
c) Refusals to be tested (including verified adulterated or substituted drug test results);
d) Other violations of DOT agency drug and alcohol testing regulations; and
e) Documentation of the driver's successful completion of return-to-duty requirements (for those drivers who have violated a drug or alcohol regulation). If the previous employer does not have this documentation, the District shall request the driver produce it.

A driver may not perform safety-sensitive functions if s/he refuses to consent in writing to the release of the above information.

This records check shall be in addition to any queries conducted on the Clearinghouse website. After January 6, 2023, the school district shall continue to seek records from employers to the extent required by FMCSA and DOT regulations and shall seek consents when such records checks are required.

Drivers are responsible for furnishing the District with accurate information regarding their employment history, including accurate identification of all former DOT-regulated employers.

The District shall maintain a written, confidential record of the information obtained or of the good faith efforts made to obtain the information. This record shall be maintained for three years from the date of the driver's first performance of safety-sensitive functions.

Prior to the driver's first performance of safety-sensitive functions, the District shall ask the driver whether s/he has tested positive, or refused to test, on any pre-employment drug or alcohol test (1) administered by a DOT-regulated employer, (2) in connection with a position for which the driver applied, (3) involving the driver's failure to obtain safety-sensitive transportation work, and (4) over the period of two years preceding the date of the employee's application for employment with the District. If the driver admits to a positive test or a refusal to test within the past two years, the District shall not allow the driver to perform safety-sensitive functions until and unless the driver documents successful completion of the return-to-duty process.

4. **Consequences Associated with Pre-Employment Testing**
   The District may decline to employ an applicant who fails drug testing, provides false information, or who fails to cooperate with the District in procuring testing and test results. To the extent the applicant has been offered employment or placed in an alternate position pending the receipt of test results, the offer may be withdrawn and alternate employment terminated in accordance with the District's policies and procedures applicable to employee termination.

Post-Accident Testing

1. **Alcohol**
   As soon as practical following an accident, an alcohol test will be administered to the following drivers:
   a) Each surviving driver who was performing safety-sensitive functions with respect to the vehicle, if the accident involves loss of life.
   b) Each surviving driver who received a moving traffic violation arising from the accident, within eight (8) hours of the accident, if the accident involved:
      1) bodily injury to any person that necessitated immediate medical treatment away from the scene of the accident; or
      2) at least one vehicle incurred disabling damage as a result of the accident that required the vehicle to be transported away from the scene by a tow truck or other vehicle.

   The test is to be administered within two (2) hours of the accident, the employer must prepare and maintain a record of why the test was not administered. If the test is not administered within eight (8) hours of the accident, the driver's supervisor shall cease attempts to administer an alcohol test and shall prepare a written report explaining why a test was not given.

   Drivers shall remain readily available for testing. A driver leaving the scene of an accident without a valid reason prior to submission to the test may be deemed to have refused to submit to testing.

A breath or blood alcohol test conducted by a law enforcement agency will be considered to meet these requirements if the test meets the requirements of the Federal Act and the test results are obtained by the District.

2. Controlled Substances

As soon as practical following an accident, a test for controlled substances will be administered to the following drivers:

a) Each surviving driver who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life.
b) Each surviving driver who received a moving traffic violation arising from the accident, if the accident involved:
   1) bodily injury to any person that necessitated immediate medical treatment away from the scene of the accident; or
   2) at least one vehicle incurred disabling damage as a result of the accident that required the vehicle to be transported away from the scene by a tow truck or other vehicle.

The test is to be administered within thirty-two (32) hours of the accident. If no test is made within that time period, then no test will be made and the driver's supervisor will prepare a written report stating the reasons for not administering a prompt test.

Drivers shall remain readily available for testing. A driver leaving the scene of an accident without a valid reason prior to submission to the test may be deemed to have refused to submit to testing.

A urine test for controlled substances administered by a law enforcement agency will be considered to meet these requirements if the test meets the requirements of the Federal Act and the results are obtained by the District.

Random Testing

- Random alcohol and controlled substances testing of drivers will be conducted throughout the year. Selection of the drivers to be tested will be made by a scientifically valid method, such as random-number table or a computer based random-generator matched with drivers' social security numbers, payroll identification numbers or other comparable identifying numbers. Dates for administering unannounced testing shall be unpredictable and spread reasonably throughout the calendar year.
- Drivers are to be tested while performing safety-sensitive functions, just before performing those functions, or just after ceasing those functions. A driver who is notified of selection for random alcohol or controlled substances testing must proceed to the test site immediately, unless the driver is performing a safety-sensitive function other than driving, in which case the driver must cease performing the safety-sensitive function and proceed to the test site as soon as possible.
- The minimum annual percentage rate for random alcohol testing will be ten percent (10%) of the average number of driver positions, subject to adjustment of the percentage by the

Federal Highway Administration. The minimum annual percentage rate for random testing for controlled substances will be fifty percent (50%) of the average number of driver positions.

Reasonable Suspicion Testing

Alcohol and controlled substance testing will be conducted when there is reasonable suspicion to believe that a driver has violated a provision in this policy. Reasonable suspicion shall be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. Reasonable suspicion for controlled substance use may also be based on indications of the chronic and withdrawal effects of controlled substances.

Alcohol testing is authorized only if the observations are made during, just preceding or just after the period of the work day that the driver is performing a safety-sensitive function. A written record must be made as to why an alcohol test was not made within two hours following a determination of reasonable suspicion of misuse. No test is to be made if eight hours passed after the determination.

Persons designated to determine whether reasonable suspicion exists shall receive at least sixty (60) minutes of training on performance indicators of probable alcohol misuse. The required observations shall be made by a supervisor who has received training in detecting the symptoms of alcohol/controlled substance misuse. The supervisor who makes the determination that reasonable suspicion exists shall not conduct the alcohol test.

A written record will be made of the observations leading to a controlled substance reasonable suspicion test. The record will be signed by the supervisor who made the observations. The record will be made within twenty-four (24) hours of the observed behavior or before the test results are received, whichever is earlier.

Return to Duty Testing

1. Returning after Reasonable Suspicion of Alcohol Abuse Determination

   A driver suspected of being under the influence of or impaired by alcohol will not be permitted to perform a safety-sensitive function until: (i) an alcohol test shows a concentration of less than 0.02; or (ii) twenty-four hours have elapsed following a determination that there was reasonable suspicion to believe the driver has violated the rules in this policy against alcohol misuse.

2. Returning after Violation of Prohibitions in this policy

   A driver who has engaged in conduct prohibited by this policy shall not be permitted to perform safety-sensitive functions until s/he first passes a controlled substance test and/or an alcohol test with an alcohol concentration of less than 0.02.

A driver who has violated a provision in this policy cannot again perform any safety-sensitive duties for any employer until and unless the driver completes the SAP evaluation, referral, and education/treatment process.

Follow-up Testing

A driver who has been identified by a SAP as needing assistance in resolving problems with alcohol misuse or controlled substance use and who has returned to duty involving the performance of a safety-sensitive function will be subject to a minimum of six unannounced follow-up alcohol and/or controlled substance tests over the following twelve months. The SAP is the sole determiner of the number and frequency of follow-up tests, as well as whether the tests will be for drugs, alcohol or both. The SAP can direct additional testing during this period or for an additional period up to a maximum of sixty (60) months. The District must carry out the SAP's follow-up testing requirements.

Test Procedures

Testing methodology will comply with the requirements of the Oklahoma Act, except that the requirements of the Federal Act stated in this policy supersede the provisions of the Oklahoma Act. Alcohol testing must be conducted in a location that provides visual and aural privacy to the driver, sufficient to prevent unauthorized persons from seeing or hearing the test.

Alcohol Testing Procedures

1. Procedures for an Alcohol Screening Test Using an EBT or Non-Evidential Breath ASD

    a) When the driver enters the testing location, the BAT or STT will require the driver to provide positive identification. If the driver requests, the BAT or STT will provide positive identification. The BAT or STT will explain the testing procedure. An individually-sealed mouthpiece is opened in the view of the driver and attached to the EBT. The driver will then blow into the mouthpiece for at least six (6) seconds. If the EBT does not provide a printed result, the BAT or STT will record the test number, date, technician's name, location and test result in a log book. The driver will initial the log book. If the EBT provides a printed result, the result is either: (i) printed on the testing form; or (ii) affixed to the form with tamper-evident tape.

    b) If the screening test result is less than 0.02, the BAT or STT will transmit the result in a confidential manner to the District's DER, who is designated by the Board of Education or Superintendent to receive and handle alcohol test results in a confidential manner.
    c) If the breath test is 0.02 or higher, a confirmation test is required.

2. Procedure for an Alcohol Screening Test Using Saliva ASD

When the driver enters the testing location, the STT will require the driver to provide positive identification. If the driver requests, the STT will provide positive identification. The STT will explain the testing procedure. The STT will check the expiration date on the device and show it to the driver. An individually wrapped package containing the device will be opened in the presence of the driver, and the driver will be instructed to insert the device into his or her mouth and use it

in the manner described by the manufacturer. If the driver chooses not to use the device, the STT must insert the device into the driver's mouth and gather saliva.

If the screening test result is less than 0.02, the STT will transmit the result in a confidential manner to the school district's DER, who is designated by the board of education or the school superintendent to receive and handle alcohol test results in a confidential manner. If the test result is an alcohol concentration of 0.02 or higher, a confirmation test is required.

Alcohol Confirmation Tests
All confirmation tests must be conducted using an EBT. The confirmation test must occur no less than fifteen (15) minutes after the completion of the screening test and should occur no more than thirty (30) minutes after the completion of the screening test.

Before a confirmation test is given, the BAT must conduct a "blank" test on the EBT to obtain a reading of 0.00. The remainder of the confirmation test is identical to the screening test for EBTs described in section above.
If the confirmation test result is lower than 0.02, nothing further is required of the driver.

If the confirmation test result is 0.02 or higher, the driver must sign and date the ATF. The BAT will immediately transmit the result to the DER in a confidential manner.

Refusal to take a required test has the same consequences as if the driver had tested 0.04 or more. The following constitutes a refusal to take a test: (1) failure to appear for any test within a time required to appear; (2) failure to provide an adequate amount of saliva or breath for testing without a valid medical explanation; (3) failure to cooperate with any part of the testing process; (4) failure to sign the alcohol testing form or ATF certification; (5) failure to remain at the testing site until the testing process is complete, unless the test is a pre-employment test; (6) failure to undergo a medical examination or evaluation due to insufficient breath sampling; (7) leaving the scene of an accident before being tested, except when reasonably necessary to receive medical treatment.

Controlled Substances Testing Procedures
1. Procedures for Collection of Urine Specimens
   a) All urine collections must be split specimen collections.
   b) The District must direct an immediate urine collection under direct observation with no advance notice to the driver, if:
      1) the laboratory reported to the Medical Review Officer ("MRO") that a specimen is invalid and the MRO has reported that there is not an adequate medical explanation for the result; or
      2) the MRO reported that the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed.
      3) The laboratory reported to the MRO that the specimen was negative-dilute with a creatinine concentration greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL, and the MRO reported the specimen as negative-dilute and that a second collection must take place under direct observation.

c) The District may direct a collection under direct observation of a driver if the drug test is a return-to-duty test or a follow-up test.
d) A driver must receive an explanation of the reasons for a directly observed collection.
e) If a driver declines to allow a directly observed collection, that driver will be considered to have refused to test.

2. Procedures for Testing of Urine Specimens

a) Testing of urine samples for controlled substances shall be performed by a laboratory certified by the federal Department of Health and Human Services (DHHS) under the National Laboratory Certification Program.
b) Controlled substance testing may only be performed for the following five drugs or classes of drugs: (a) marijuana metabolites, (b) cocaine metabolites, (c) amphetamines, (d) opioid metabolites, and (e) phencyclidine (PCP).
c) If the driver requests a test of a split specimen, the first laboratory will ship the unopened split specimen to a second DHHS-approved laboratory for testing. If the test of the split specimen fails to confirm the presence of a controlled substance, the entire test is cancelled.
d) The driver must request a split specimen test verbally or in writing within seventy-two hours of being notified of a verified positive drug test or refusal to test because of adulteration or substitution.
e) If a driver does not make a request within seventy-two hours, the driver may present information to the MRO documenting that serious injury, illness, lack of actual notice of the verified test result, inability to contact the MRO, or other circumstances unavoidably prevented the driver from making a timely request.
f) If a driver makes a timely request for a split specimen test, the District must ensure that the MRO, first laboratory and second laboratory perform the split-specimen testing functions in a timely manner. If necessary, the District must pay for the split specimen testing and seek reimbursement from the driver.
g) The MRO will report split specimen test results to the DER and driver.
h) The laboratory will report results directly to the MRO. The laboratory will not report the results to anyone else.
i) When the MRO receives a confirmed positive, adulterated, substituted, or invalid test result from the laboratory, the MRO will attempt to contact the driver to determine whether the driver wants to discuss the test result. If the MRO cannot reach the driver after reasonable efforts to do so, the MRO must contact the DER but cannot tell the DER that the driver has a confirmed positive, adulterated, substituted, or invalid test result. The DER must then attempt to contact the driver. If the DER makes contact with the driver, the DER should simply direct the driver to contact the MRO immediately and inform the driver of the consequences of failing to contact the MRO within the next seventy-two hours. If the DER is unable to reach the driver after making three (3) attempts, spaced reasonably, over a twenty-four-hour period, then the DER may place the driver on temporary medically unqualified status or medical leave. Documentation must be kept by the DER of any actual and/or attempted contacts with the driver, including the dates and times of the contacts. If the DER is unable to contact the driver within the twenty-four-hour period, the DER must

leave a message for the driver by voice mail, e-mail or letter to contact the MRO and inform the MRO of the date and time of this message.

j) Confirmation testing for controlled substances will be performed in accordance with the Oklahoma Act, except when the Oklahoma Act conflicts with Federal law.
k) The MRO may conduct additional testing of a specimen as authorized by the DOT if doing so is necessary to verify a test result.
l) The MRO must verify a confirmed positive test result for marijuana, cocaine, amphetamines, semi-synthetic opioids (i.e., hydrocodone, hydromorphone, oxycodone, and oxymorphone) and/or PCP unless the driver presents a legitimate medical explanation for the presence of the drug(s)/metabolite(s) in her or his system. In determining whether an employee's legally valid prescription consistent with the Controlled Substance Act for a substance in the categories constitutes a legitimate medical explanation, the MRO must not question whether the prescribing physician should have prescribed the substance.
m) The MRO must verify a confirmed positive test result for opiates in the following circumstances:
n) The MRO must verify the test result positive if the laboratory confirms the presence of 6-acetylmorphine (6-AM in the specimen)
o) In the absence of 6-AM, if the laboratory confirms the presence of either morphine or codeine at 15,000 ng/mL or above, the MRO must verify the test result positive unless the employee presents a legitimate medical explanation for the presence of the drug(s)/metabolite(s) in her or his system.
p) For all other opiate positive results, the MRO must verify a confirmed positive test result for opiates only if they determine that there is clinical evidence, in addition to the urine test, of unauthorized use of any opium, opiate or opium derivate.
q) As part of the verification decision, the MRO must conduct a medical interview that includes reviewing the driver's medical history and any other relevant biomedical factors presented by the driver, as well as directing the driver to undergo further medical evaluation.
r) DOT tests must be completely separate from non-DOT tests in all respects, and DOT tests must take priority over non-DOT tests. DOT tests must be completed before a non-DOT test is begun. The results of a DOT test shall not be disregarded or changed based on the results of a non-DOT test.

Prohibitions

A driver will not be permitted to report to duty or to remain on duty requiring the performance of a safety-sensitive function if:

Alcohol

a) The driver has an alcohol concentration of 0.04 or higher as measured on a breath test.
b) The driver displays behavior or appearance characteristics of alcohol misuse.
c) The driver is under the influence of or is impaired by alcohol, as shown by behavioral, speech, and performance indicators of alcohol misuse.
d) The driver possesses alcohol while on duty.
e) The driver uses alcohol during duty performance.

f) The driver has used alcohol within the four hours prior to performing duties.
g) The driver has had an accident within the last eight hours and has not taken a breath test showing clearance from prohibited alcohol levels.
h) The driver has refused to take a breath test for alcohol use.
i) The driver is taking any prescription or non-prescription medication containing alcohol, even if the driver has notified the driver's supervisor of the medication use.

Controlled Substances

a) The driver uses any controlled substance, unless the use is pursuant to a physician's written certification stating that the use does not adversely affect the driver's ability to safely operate a motor vehicle.
b) A supervisor or administrative employee has actual knowledge that a driver has used a controlled substance.
c) The driver has a positive confirmed test for a controlled substance.
d) The driver displays behavior or appearance characteristics of controlled substance use.
e) The driver has refused to take a controlled substance test.

Refusal to Test

A driver has refused to take an alcohol or controlled substance test if s/he:

a) Fails to appear for any test as directed by the District.
b) Fails to remain at the testing site until the testing is complete.
c) Fails to provide a urine specimen.
d) Fails to provide a sufficient amount of urine when there is no adequate medical explanation for the failure.
e) Fails to permit a directly observed or monitored collection.
f) Fails or declines to take a second test the District or collector has directed.
g) Fails to undergo a medical examination or evaluation as directed by the MRO as part of the verification process or as directed by the DER when the urine sample was insufficient.
h) Fails to cooperate with any part of the testing process (e.g. refuses to empty pockets when directed to do so, behaves in a confrontational way that disrupts the collection process).
i) Has a verified adulterated or substituted test result.

Standing Down Employees

Stand-down is "the practice of temporarily removing an employee from the performance of safety-sensitive functions based only on a report from a laboratory to the MRO of a confirmed positive test for a drug or drug metabolite, an adulterated test, or a substituted test, before the MRO has completed verification of the test result."

a) DOT regulations prohibit employers from standing employees down, before the MRO has completed verification of the test result.
b) A verified test is a drug test result or validity testing result from an HHS-certified laboratory that has undergone review and final determination by the MRO.
c) The District may assign a driver non-driving duties pending the receipt of a verified test result when the District has reasonable suspicion to believe the employee is impaired.

d) When the District does remove an employee from service, following verification of the drug test result, it will do so consistent with the confidentiality requirements, within its control, imposed by law.

Referral and Treatment
A driver who violates any of the prohibitions in this policy shall be advised of the resources available to the driver for evaluating and resolving problems associated with the misuse of alcohol or use of controlled substances, including the names, addresses and telephone numbers of substance abuse professionals and counseling and treatment programs.

A driver who violates any of the prohibitions in this policy must be evaluated by a SAP who shall determine what assistance, if any, the driver needs in resolving problems associated with alcohol misuse or controlled substance use. The driver will not be permitted to perform safety-sensitive duties for any employer until and unless he or she completes the SAP evaluation, referral, and education/treatment process.

If the driver is identified as needing assistance in resolving problems associated with alcohol misuse or controlled substance use, the driver must be evaluated by a SAP to determine if the driver has properly followed the prescribed rehabilitation program. The driver must be subject to unannounced follow-up alcohol and/or controlled substance tests upon return-to-duty.

The SAP will provide a written report directly to the DER highlighting the SAP's specific recommendations for a course of education and treatment with which the driver must comply prior to returning to the performance of safety-sensitive functions. Neither the driver nor the District shall seek a second SAP's evaluation in order to obtain another recommendation. Only the SAP who made the initial evaluation may modify his or her initial recommendations.

If the SAP recommends that the driver continue treatment, aftercare or support group services after returning to safety-sensitive duties, the District may require the driver to participate in the recommended treatment or services as part of the return-to-duty agreement.

These requirements do not apply to drivers refusing to be tested or drivers having a pre-employment test of 0.04 or more.

The District is not required to return a driver to safety-sensitive duties just because the driver complies with the SAP's recommendations.

Educational Materials
Each driver shall receive educational materials that explain:

a) the alcohol misuse prevention requirements;
b) the school district's policies and procedures;
c) the identity of a contact person knowledgeable about the materials;
d) factual information on the effects of controlled substance use and alcohol misuse on personal life, health and safety;

e) where help can be obtained, including information regarding the school district's Employee Assistance Program;
f) categories of employees subject to testing;
g) a description of prohibited conduct and the circumstances that trigger testing;
h) testing procedures and safeguards;
i) what constitutes a refusal to submit to testing and the consequences;
j) signs and symptoms of an alcohol or controlled substance problem;
k) consequences for drivers with an alcohol test level of 0.02 or more but less than 0.04; and
l) the consequences of violating the rules in this policy.

The District's staff will prepare and distribute appropriate educational materials as provided for in this section.

Maintenance of Records
Upon written request, a driver is entitled to obtain copies of any District records concerning the driver's use of alcohol or controlled substances, including test results.

The District shall not release individual test results or medical information about a driver to third parties without the employee's specific written consent to the release of a particular piece of information to a particular person or organization. Notwithstanding this prohibition, the District may release information pertaining to a driver's drug or alcohol test without the employee's consent in certain legal proceedings.

Disciplinary Action
Employees who violate any prohibition in this policy will be subject to disciplinary measures, including employment termination. Likewise, employees whose test results are positive for alcohol or controlled substances are subject to disciplinary actions, including employment termination. The same disciplinary consequences face individuals who provide false information in connection with the testing process or who fail to cooperate with the District's efforts to fulfill its testing obligations.

Clearinghouse Participation
The District shall report to the Clearinghouse in any situation required by 49 C.F.R. §382.705(b) and shall supply all required information. MROs and SAPs shall also be required to report to the Clearinghouse any situation to which they are required to provide information under 49 C.F.R §382.705. The situations where reporting is required are described in detail in the school district's policy on *Compliance with Regulations regarding the FMCSA Clearinghouse*.

Other Policies
This policy does not supersede any other District policy pertaining to alcohol misuse or controlled substance use by District employees, except to the extent that this policy is specific to drivers performing safety-sensitive functions. To the extent permitted by federal law, this policy is to be interpreted consistent with Oklahoma's Act regarding drug and alcohol testing of personnel.

2.49.2 COMPLIANCE WITH REGULATIONS REGARDING THE FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION (FMCSA) CLEARINGHOUSE

The District is committed to complying with all federal regulations and assuring the safety of its students. Therefore, it is the policy of the District to comply with all Federal Department of Transportation (DOT) agency regulations regarding mandatory use of the Federal Motor Carrier Safety Administration's (FMCSA) Commercial Driver's License (CDL) Drug and Alcohol Clearinghouse (Clearinghouse) to screen its current and prospective CDL employees before and throughout their employment with the District. This policy supplements the District's existing drug and alcohol testing policies regarding bus drivers.

The District may contract with a Consortium/Third-Party Administrator (Consortium) to manage its compliance with this policy and law regarding the Clearinghouse, except its obligations to register and set up and account with the Clearinghouse and pay for queries.

Definitions

- "CDL Employee" means an employee of the District who performs a safety-sensitive function and must hold a CDL as a condition of their employment. This definition expressly includes any individual subject to drug testing under the District's Drug Testing for Bus Drivers policy.
- "Current CDL Employee" means an CDL employee who was hired prior to January 6, 2020.
- "Prospective CDL Employee" means either: a current employee of the District who seeks to perform safety-sensitive functions for the first time after January 6, 2020, and must hold a CDL as a condition to perform those safety-sensitive functions, or an applicant for a position within the District who was or will be hired after January 6, 2020, for which holding a CDL is a condition of employment.

Non-Delegable Duties Regarding the Drug and Alcohol Clearinghouse

The District shall itself register and set up an account with the Clearinghouse and purchase queries from the Clearinghouse. It shall not contract with a Consortium to perform those duties.

CDL Employees Hired After January 6, 2020: Pre-Employment Screening

The District shall require all prospective CDL employees to register themselves with the Clearinghouse and provide the District with digital consent to obtain all information available from a full query.

Until January 6, 2023, the District shall also secure the prospective CDL employee's written consent to obtain from previous and current DOT-regulated employers the following information covering the past three (3) years:

- Any verified positive, adulterated, or substituted controlled substances test result; any alcohol confirmation test with a concentration of 0.04 or higher; any refusal to submit to a test in violation of 49 C.F.R. § 382.211; or

- Any employer has reported actual knowledge, as defined at § 382.107, that the driver used alcohol on duty in violation of § 382.205, used alcohol before duty in violation of § 382.207, used alcohol following an accident in violation of § 382.209, or used a controlled substance, in violation of § 382.213.

The District shall obtain the necessary consent and conduct a full query through the Clearinghouse for all prospective CDL employees and obtain results that confirm the prospective CDL employee's Clearinghouse record contains none of the violations listed in this section before permitting any prospective CDL employee to perform a safety-sensitive function for the District, including operating a CMV.

Once a prospective CDL employee has been hired, the District will conduct query requirements on the employee to the same extent those required on Current CDL Employees.

Current CDL Employees: Conducting Queries from the Clearinghouse
At least annually (defined as once per 365-day period), the District shall conduct queries (full or limited) from the Clearinghouse on each CDL employee to determine whether information exists in the Clearinghouse. Any query run on an employee (including any full query run on a prospective CDL employee) shall count towards this requirement.

When the District runs full queries on its CDL employees, it shall require those employees to register with the Clearinghouse and provide digital consent for the District to obtain all information available from a full query.

The District may, in lieu of full queries, annually obtain its CDL employees' written consent and perform limited queries of the Clearinghouse.

- Should a limited query show that information exists within the Clearinghouse about a particular CDL employee, the District shall, within 24 hours of conducting the limited query, require the employee to register with the Clearinghouse (if not already registered) and provide digital consent for the District to obtain all information available from a full query; the District shall then conduct a full query to confirm the CDL employee's Clearinghouse record contains none of the prohibitions listed below.
- If the District fails to conduct a full query with the prescribed 24 hours, it shall not permit the CDL employee to continue to perform safety-sensitive functions until the District obtains a full query showing none of the prohibitions listed below.

Prohibitions
The District shall not permit a CDL employee to perform any safety-sensitive function if they refuse to provide the necessary consents or the results of a Clearinghouse query demonstrate any of the following:

- A verified positive, adulterated, or substituted controlled substances test result; an alcohol confirmation test with a concentration of 0.04 or higher; a refusal to submit to a test in violation of 49 C.F.R. § 382.211; an employer has reported actual knowledge, as defined at § 382.107, that the driver used alcohol on duty in violation of § 382.205, used alcohol before duty in violation of § 382.207, used alcohol following an accident in violation of §

382.209, or used a controlled substance in violation of § 382.213, except where a query of the Clearinghouse demonstrates that:

1. That the driver has successfully completed the Substance Abuse Professional (SAP) evaluation, referral, and education/treatment process set forth in part 40, subpart O, of title 49; achieves a negative return-to-duty test result; and completes the follow-up testing plan prescribed by the SAP.
2. That, if the driver has not completed all follow-up tests as prescribed by the SAP in accordance with 49 C.F.R. § 40.307 and specified in the SAP report required by § 40.311, the driver has completed the SAP evaluation, referral, and education/treatment process set forth in part 40, subpart O, of title 49 and achieves a negative return-to-duty test result, and the employer assumes the responsibility for managing the follow-up testing process associated with the testing violation.

Recordkeeping Requirements

The District shall retain for three (3) years a record of each Clearinghouse query it runs and all information received in response to each query made. The District shall additionally retain any written employee consent to limited queries for a period of not less than three (3) years from the last date a query was run on the employee.

Updating the Clearinghouse

The District or a Service Agent on behalf of the District, shall, by the close of the third business day following the date on which it obtained information related to a CDL employee, update the Clearinghouse with all information required under 49 C.F.R. §382.705(b), in any of the following circumstances:

- An alcohol confirmation test with a concentration of 0.04 or higher or a refusal to test for alcohol.
- Refusal to test for drugs when the a determination by an MRO is not required.
- Actual knowledge (defined by 49 C.F.R 382.107) that a driver has used alcohol on duty, used alcohol within four (4) house of coming on duty, used alcohol prior to a post-accident test, or has used a controlled substance.
- Negative return-to-duty test results (drug and alcohol testing); and
- Completion of a follow-up test.

A SAP or MRO as defined in the Drug Testing for Bus Drivers policy shall report any information required by 49 C.F.R. 382.705 in the circumstances required pursuant to that regulation. The circumstances that must be reported include:

- Verified positive, adulterated, or substituted controlled substance tests results (MRO);
- Refusal-to-test determination by the MRO (MRO);
- A negative return-to-duty test (SAP); and
- An employer's report of completion of follow-up testing (SAP);

Use of the Drug and Alcohol Clearinghouse to Comply with 40 C.F.R. § 40.25

As of January 6, 2023, the District shall use the Clearinghouse in accordance with 49 C.F.R. § 382.701(a) to comply with its obligations under 49 C.F.R. § 40.25 regarding its drug and alcohol testing requirements for CDL employees; except, where an employee subject to follow-up testing

has not successfully completed all follow-up tests, the District shall then request the employee's follow-up testing plan directly from the previous employer in accordance with § 40.25(b).

Additionally, the District shall request information required under § 40.25 directly from those employers regulated by a DOT agency other than FMCSA if a prospective CDL employee was subject to an alcohol and controlled testing program under the requirements of a DOT Agency other than FMCSA.

Approved by the Board of Education May 2021

2.50 TELEWORK

This policy shall be in effect when district school sites are closed for an extended period due to exigent circumstances or when intermittent telework arrangements are warranted. These procedures will not be used when the District is open for in-person instruction except as determined necessary by the Superintendent or designee.

The Board of Education, while preferring that all District employees perform their work duties at their Primary Work Locations, does recognize that under certain extenuating circumstances it may be necessary to require or authorize some District employees to work from an alternative work location.

The purpose of this policy is to ensure the District is able to effectively continue educating and serving its students when it is required to temporarily close District work sites for an extended period due to extenuating circumstances, including, but not limited to, pandemic health emergencies and closure orders from federal, state, or local authorities or when the Superintendent determines that intermittent telework arrangements are necessary and meet District needs.

Definitions:

- District Work Location: A location, either on or off District property, to which a Teleworking Employee must physically report to complete a task or work assignment by his/her supervisor.
- On-Call: A work assignment where the employee is considered "at work," though not physically present at his/her Primary Workplace, by being immediately available and accessible by electronic or telephonic means during the employee's regular work hours, including any other designated hours due to a staggered or alternate work schedule, and who is required to physically report to a District Work Location or the Teleworking Employee's Primary Workplace when directed by their supervisor.
- Primary Workplace: The Teleworking Employee's usual and customary workplace or work site.
- Telework/Teleworking: A flexible work arrangement in which the Superintendent or designee directs or allows Teleworking Employees to perform their essential job functions at pre-approved Telework Locations in accordance with their same performance expectations.
- Telework Employee(s)/Teleworking Employee(s): District personnel who have been authorized by District administration to Telework during a Telework Event to produce an

agreed upon work product and/or complete work-related duties. This includes support personnel who are working On-Call.

- Telework Event: A potentially recurring situation during which time designated employees may Telework in lieu of physically reporting to their Primary Workplace.
- Telework Location: A work site or space not owned or leased by the District, but which is an approved location from which Teleworking Employees may perform their assigned job functions, which can include an employee's home. A Telework Location is one which is safe, secure, free of undue distractions, adequately equipped to allow the Teleworking Employee to complete assigned work tasks and duties, and one which allows the employee to be immediately available and accessible by electronic or telephonic communication means during regular work hours and any other assigned or designated hours (e.g., required office hours pursuant to any virtual or distance learning policy).

In circumstances which necessitate extended cessation of in-person instruction and/or closure of some or all District work sites, the District considers Telework to be a viable alternative work arrangement for the delivery of instruction and services to students from designated certified employees and support staff. Therefore, under certain circumstances, the Board of Education (Board) delegates authority to the Superintendent or designee to designate employees, individually or collectively, who may or must Telework until further advised.

Teleworking, in part or whole, will continue as an acceptable work arrangement as long as, in the Superintendent's sole discretion, such conditions continue to exist which necessitate the use of Teleworking as a means to deliver instruction and/or services to students. The Superintendent will consider local, state and/or federal guidance related to the Telework Event when making this determination.

The decision of whether Telework is appropriate or required for a particular employment position is at the discretion of the Superintendent or designee. The Superintendent or designee is authorized to establish any necessary guidelines or procedures to be used in identifying suitable work positions and employees who are eligible to Telework and may require any employee to Telework or not Telework. Teleworking arrangements may be discontinued at any time with reasonable advance notice.

Telework may be appropriate for some employment positions and employees; however, Teleworking is not an entitlement. Telework may be denied to certain employees at the sole discretion of the Superintendent or designee, and any such denial is not appealable to the Board. The Superintendent's discretion under this policy shall, in compliance with federal and state antidiscrimination laws, be exercised in a non-discriminatory manner.

Notwithstanding the provisions above, if the assignment or denial of Telework to an employee effectively results in a demotion, suspension, or termination, this policy shall not prevent a qualified employee from exercising due process rights under the District's policies related to that demotion, suspension or termination.

Not all employees may be eligible for Teleworking. Employees who may not be eligible to Telework can include, but are not limited to, those employees that are identified as emergency

personnel, members of critical infrastructure pursuant to any federal or state order, or employees whose physical presence at their Primary Workplace is essential to the performance of their duties. If an employee is not eligible for Telework and the employee is unable to work during assigned hours, the employee may be required to take any available accrued leave, whether paid or unpaid, in compliance with relevant District leave policies, unless the employee is eligible for other state or federal leave benefits available at the time.

Neither this policy, nor the procedures outlined herein, are intended to and do not confer additional employment rights on any District employee, including the right to Telework or be assigned to a position that is eligible for Teleworking under this policy.

The Board reserves discretion to overrule or modify the Superintendent's decisions to permit, require, or terminate Telework under this policy.

Telework Location Approval

Any and all telework locations must be approved prior to the employee beginning telework assignments. It is the duty of the employee to provide the address of the telework location, if other than the employee's primary residence, to the Superintendent/designee and to receive written approval within a reasonable time frame prior to commencing telework. No employee shall commence telework without written prior approval of the telework location by the Superintendent or designee. The requested telework location may be denied to employees at the sole discretion of the Superintendent or designee. Telework out-of-state will not be approved due to the many tax, employment, and other issues presented when employees seek to work in out-of-state locations.

If an employee wishes to work from an alternative location, other than the pre-approved location, the employee must give a two-week notice to the Superintendent/designee including the new address of the location and reason for the relocation. The employee must receive written approval prior to commencing telework in the new location.

All teleworking employees must be available to report to the District worksite location at all times during work hours unless a health consideration exists.

Conditions of Telework

Employees may not Telework on a full-time, permanent basis, without the approval of the Superintendent or designee. Teleworking Employees shall adhere to all applicable District policies and procedures, unless specifically preempted pursuant to this policy.

Employees who Telework via electronic means must be computer literate and have access to a pre-approved, appropriate Telework Location, along with the required computer and telecommunications resources necessary for completion of work responsibilities. District-owned software may be installed on a Telework Employee's personal computer equipment in compliance with and subject to applicable software license agreements and must be removed from the employee's personal electronic equipment upon direction by District Administration. In all cases, if an employee separates from the District for any reason, all District software must be removed from the employee's personal electronic equipment.

Employees must seek prior approval to remove district technology or equipment from the pre-approved telework location. Absent approval, teleworking employees may not remove district technology or equipment from the pre-approved telework location for any reason.

Teleworking Employees must be available by phone and email during their regularly-scheduled work hours and during any alternate or staggered schedule hours as necessary under the circumstances and assigned by the employee's supervisor (e.g., scheduled office hours pursuant to any virtual or distance learning policy). Attendance at the employee's Primary Workplace for mandatory on-site meetings, training sessions, or other official District business activities is required when scheduled by the District.

On-Call Employees must be immediately available and accessible by electronic or telephonic communication means during the employee's regular work hours, including any other designated hours due to a staggered or alternate work schedule, from their Telework Location and are required to physically report to a District Work Location or the Teleworking Employee's Primary Workplace when directed by their supervisor.

All District and professional standards of performance and conduct that apply in the employee's Primary Workplace continue to apply at Telework Locations. Furthermore, employees shall adhere to all District policies, rules, and regulations while Teleworking. Employees with questions as to how a specific policy or procedure will be effective in the Telework environment should contact their direct supervisor for guidance.

The District may, but is not required, to give the employee a list of directives regarding teleworking in relation to this policy. Any work-related injuries that occur while the employee is teleworking must be reported to the District.

Impact on Salary and Benefits
Any change in salary and hourly pay or benefits will be done in accordance with Oklahoma law. Teleworking employees unable to Telework due to illness or other reasons should contact their supervisor in accordance with District leave policies.

Teleworking as an ADA Accommodation
This policy does not apply to employees who Telework as an accommodation under the Americans with Disabilities Act (ADA). Should the District determine that Teleworking is a reasonable accommodation under the ADA and does not impose an undue burden on the District, the District and employee shall follow the District's applicable ADA accommodations procedures and policies with respect to such accommodation.

Reference: 29 U.S.C. 201–209; 42 U.S.C. 12101 *et seq*., 28 C.F.R. pt. 35

Approved by the Board of Education May 2021

2.51 TUTORING AND OTHER SERVICES

The Board of Education encourages employees to give assistance to their students for the purposes of remediation and/or enrichment. Employees will not be charged for the utilization of their

classrooms for purposes of working with students when no remuneration is received. Attendance at and participation in school related meetings holds precedence over tutoring.

Employees engaged in tutoring or providing other educational services for remuneration, such as screenings, counseling, or any other therapeutic activity will be expected to pay the prevailing facilities use charge when the use of the classroom extends beyond 6:00 p.m. on regular school days. The use of classrooms during the summer, holidays or weekends, when additional utility charges will be incurred, will be at the prevailing facilities use fee.

Employees will not be involved in academic tutoring, screenings, counseling or any other therapeutic activity with students enrolled in their classes, or in the case of special education teachers, students on their caseload, during the regular school year when financial remuneration is received. This does not include vocal and instrumental music lessons or workshops where group instruction is utilized. Employees utilizing school facilities for tutoring or non-school sponsored group instruction will be responsible for the supervision of the students. Exceptions must be Board approved.

Faculty members may not receive remuneration for tutoring or other services during the contract day.

Revised by the Board of Education July 1990
Revised May 2010
Revised June 2018
Revised June 2022

3.0 STUDENTS

3.01 ACADEMIC CREDIT

The District will provide students/families with regular notice of the academic standards required to graduate from the District. This information will be distributed annually to middle and high school students during the enrollment process and in student/parent handbooks and will include details regarding:

- Number and types of credits needed to graduate;
- Minimum enrollment requirements;
- Standardized assessments;
- Proficiency based promotion; and
- Concurrent enrollment options.

Students/families are expected to work with the assigned counselor to ensure that their student meets all the necessary requirements for successful completion of the District's program.

Internships, Apprenticeships, and Mentorships
High school sophomores, juniors and seniors may also obtain up to one (1) unit of elective credit per semester by participating in an internship, apprenticeship, or mentorship experience. The following requirements must be met in order to participate:

- The student must make advance arrangements with the Jenks High School Site Principal or designee. These arrangements must address, at a minimum, issues such as the experience's learning objectives and evaluation, scheduling, and other issues which the Site Principal or designee deems appropriate to the situation.
- The students' parent/guardian must consent, in writing to program participation
- The student and his or her parent/guardian must assume responsibility for all transportation to and from the program site.
- The student's participation in the program must not create scheduling conflicts, excessive absences, or otherwise impede the student's overall academic progress.

Program sites are required to agree in advance to adhere to reasonably accepted safety standards, conform to the District's non-discrimination commitment, supervise the student in a meaningful experience, and regularly evaluate the student's performance.

A fully-completed, written program plan must be on file with the Site Principal or designee prior to the student's first day of participation in the program.

Approved by the Board of Education May 2017
Revised June 2018
Revised October 2021

3.02 AIDS PREVENTION EDUCATION FOR STUDENTS

Acquired Immune Deficiency Syndrome (AIDS) prevention education will be taught a minimum of once during grades seven/eight/nine and ten/eleven/twelve as required by law for ninety (90) minutes at each grade level. The general objectives of the curriculum for all levels include being made aware of the (1) form of the disease, (2) methods of transmission, and (3) prevention of AIDS.

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 timeframe to deal only with factual medical information for AIDS prevention. At least one (1) month prior to teaching AIDS prevention education in any classroom, the District shall conduct at least one (1) presentation pertaining to the curriculum for parents/guardians. Students may be released from AIDS prevention education if a parent or guardian makes this request in writing to the principal.

Revised by the Board of Education June 1998
Revised July 2014
Revised June 2019

3.03 ASSESSMENT OF STUDENTS WITH DISABILITIES

School districts must assess students with disabilities as frequently and in the same manner as they do students without disabilities. Therefore, to the extent the District requires student participation in districtwide assessment, students with disabilities will be included in the assessment or provided an alternative method of assessment.

The Individualized Education Plan or Section 504/Title II team for each student with a disability (collectively referred to as the "Team") will make the decision regarding the student's participation in regular districtwide assessment on an individual basis, considering his or her unique needs. To make appropriate decisions regarding the student's need for accommodation and/or alternate assessment, the Team will:

1. Begin with the assumption that all students with disabilities will participate in all regular districtwide assessments.
2. Assess the need for accommodation and/or alternate assessment based on the student's present level of educational performance, educational goals and the content and format of the districtwide assessment(s) under consideration.
3. Allow for alternate assessment only if a student would not be able to demonstrate some of the knowledge and skills on the regular districtwide assessment with appropriate accommodations.

To make these determinations, Team members will be knowledgeable about the student's present level of educational performance and measurable annual goals; the general curriculum; the format and content of the regular districtwide assessment; and the alignment between the curriculum and the academic content standards assessed by the districtwide assessment system.

Based on a review of relevant information, the members of the Team will determine whether and how the student will participate in the regular districtwide assessment. For those students who are identified as needing accommodations, the Team will document in either the IEP or Section 504/Title II Plan which accommodations are necessary for the student to participate in the regular assessment. The Team may determine that the student can participate in some portions of the assessment without accommodations and identify accommodations for other portions of the assessment.

The Team may determine that, even with accommodations, a student with a disability would be unable to demonstrate at least some of the knowledge and skills tested through the regular districtwide assessment, and as a result, that the student's performance must be assessed through alternate assessment. The Team will not determine that participation in an alternative assessment is necessary based primarily upon poor attendance; English language learner status; social, cultural or economic differences; disruptive behavior; student reading level; expectations of poor performance; amount of time receiving special education services; low achievement in general education; categorical disability label; performance tied solely to a level, label or cut score; or the location where the student receives services. If the Team determines that student participation in an alternate assessment is necessary, the team will specifically identify the alternate assessment to be utilized on the IEP or Section 504/Title II Plan. The Team will select a mode of alternate assessment that measures the same content area(s) as the districtwide assessment.

Approved by the
Board of Education June 2003
Approved by the Board of Education May 2017

3.04 ATTENDANCE EXEMPTIONS

Medical Exemptions

In order to determine medical exemptions for accountability purposes on the Oklahoma School Report Card, a district medical exemption committee consisting of three to five administrators that represent both elementary and secondary education shall convene. That committee shall use the rules provided by the Oklahoma State Department of Education as guidance to determine which exemption requests qualify as medical exemptions when calculating chronic absenteeism rates. Chronic absenteeism is defined as a student that is absent from school at least ten percent (10%) of the time school is in session.

A significant medical condition means a severe, chronic, or life-threatening physical or mental illness, infection, injury, disease, or emotional trauma.

Waivers

State law requires all students to engage in six hours of rigorous coursework daily. The only exceptions to this requirement are students receiving remediation after being denied a standard diploma by the District, fifth-year seniors, and students with disabilities whose IEPs or 504 accommodation plans indicate exceptions to Oklahoma State Law. In addition, under rare circumstances, the Board of Education, Superintendent, or designee, may consider a waiver to the attendance policy for unique educational opportunities, competitions, and off-campus training if petitioned by a parent or guardian. However, since legal statutes require schools to

formulate and adopt curricula and courses of study using accredited teachers, no credit toward promotion or graduation or grades may be awarded for time spent outside of the school curricula.

Revised by the Board of Education May 2007
Revised November 2013
Revised May 2017
Revised April 2022
Revised June 2022

3.05 CHILD FIND/IDENTIFICATION, LOCATION, AND EVALUATION

(*See also* Open Records Act; Notification of Rights under FERPA)

In accordance with the requirements of the Individuals with Disabilities Education Act, the State Department of Education, Section 504 of the Rehabilitation Act, and Title II of the Americans with Disabilities Act the District will identify, locate, and evaluate students suspected of having a disability, ages 3 through 21, who may need special education and related services, regardless of the severity of the disability. These child find/identification, location and evaluation activities will be conducted throughout the year by the 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:

Child Find/Identification
The District will identify, locate, and evaluate students suspected of having a disability, ages 3 through 21, who may need special education and related services, regardless of the severity of the disability or whether the student is advancing from grade to grade. The District will coordinate with other agencies, private, and charter schools within the District geographical boundaries. Some private schools may qualify for federal funds. Public awareness of the opportunities available to home schooled or highly mobile or homeless students will be promoted as well.

Referral
Students pre-kindergarten through twelfth grade who are suspected of having disabilities which may require special and related services may be referred for evaluation through the local schools. Local Districts coordinate with the Sooner Start Early Intervention Program in referrals for eligible students beginning at three (3) years of age.

Evaluation
Under the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act, and Title II of the Americans with Disabilities Act, evaluation is defined as 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 services and/or accommodations that the child may need.

Written consent of the parent/guardian for such evaluation must be on file with the District prior to any child receiving an initial evaluation to determine eligibility for special education services. This evaluation denotes procedures used selectively with an individual child and does not include basic tests administered or procedures used with all children in a school, grade, or class.

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

Before any major identification, location, or evaluation, schools shall provide notice to parents/guardians. Accommodations for other languages or means of communications may be provided upon request. Such notice shall occur at least annually prior to conducting these activities and shall include the rights of parents/guardians under FERPA.

For further information, contact the office of Student Programs.

Revised by the Board of Education June 2004
Revised May 2008
Revised May 2011
Revised June 2013
Revised July 2014
Revised May 2017

3.06 CHILD NUTRITION

School Meals Service through the National Lunch-Breakfast Program
The District will make nutritious foods available on campus during the school day to promote student and staff health. At a minimum, the District Child Nutrition Program will serve reimbursable meals that meet the United States Department of Agriculture's (USDA) requirements and follow the Dietary Guidelines for Americans (DGA). As required under the National School Lunch Program (7CFR 210.12), the District will promote activities to involve students and parents in the School Lunch Program. In addition, the District will promote healthy food and beverage choices and appropriate portion sizes. All meals will:

- be appealing and attractive to children/young adults/staff of various ages and diverse backgrounds;
- be served in clean, pleasant and supervised settings;
- be accessible to all children and young adults;
- be designed to feature fresh fruits and vegetables from local sources to the greatest extent possible, including the Farm to School Program;
- include the provision of clean, unflavored, cool drinking water available and accessible without restriction and at no charge throughout the school day; and
- include food high in fiber, free of added trans-fat, low in added fats, sugar, and sodium, and served in appropriate portion sizes consistent with the USDA standards.

Cafeteria Use
Except under special circumstances all students will eat in the cafeteria or other designated location.

Guests must follow District procedures for check-in prior to joining a student in the cafeteria.

Meal Costs
The Board of Education will establish the cost for meals prior to the beginning of each school year. Meal costs will be widely publicized and posted on the District website.

Free and Reduced-Price Meals
All families will have the opportunity to submit an application for free and/or reduced-priced meals. This application must be completed each year. The District will utilize federal guidelines in determining eligibility for free and/or reduced-price meals, and those guidelines will be publicized with other notices regarding the District's child nutrition program. The Director of Child Nutrition Services is responsible for reviewing applications and determining eligibility. He or she is responsible for promptly notifying families whether their application has been approved and following up with families who have submitted incomplete applications.
Any family who wishes to appeal a decision regarding their eligibility may make an appeal to the Executive Director of Student Services. If an appeal is filed, the individual will be notified of the date and time for an appeal hearing. Individuals may bring a representative with them to any appeal hearing.

School personnel will use discretion in handling applications, and the names of students eligible for free/reduced-price meals will not be published, posted, announced, or publicized.

Charging Policy
The District must work to ensure that its child nutrition services are run in a fiscally responsible manner. Families will be notified when their child's account balance is low so that the account can be replenished.

In order to assure all students have access to a hot meal, fees for traditional breakfasts and lunches may be charged to the student's account when the balance does not cover the cost of the meal. No a la carte items may be charged. Families will be contacted by phone and/or electronic mail when the balance due exceeds $5.00. Questions regarding account balances should be directed to the Cafeteria Manager at the site where the student attends school.

Approved by the Board of Education February 2018
Revised May 2020

3.07 CLASSROOM VISITATION BY PARENTS/GUARDIANS

All visitation must be scheduled and approved by the building administrator. Special restrictions may be administered at the discretion of the administrator.

To minimize disruption, parents/guardians may visit their child's classrooms under these circumstances: to attend a class function such as a party or a play; to have a conference with the teacher in the classroom when other students are not present; to make classroom observations during instructional time. Requests may be required in writing and delivered to the administrator at least forty-eight (48) hours prior to visiting the classroom at the discretion of the principal.

Observations may occur within the following guidelines:

- An administrator may require that the parents/guardians be accompanied by school personnel;
- Observations will not be scheduled during testing or any other activity that could be disrupted by the presence of visitors in the classroom; and
- No recording equipment or cameras will be permitted in the classroom during an observation of the instructional process unless prior permission is given by the administrator.

Parents/legal guardians must follow District procedures for admittance to the school facility.

Revised by the Board of Education May 2008

3.08 CLASSROOM VISITATION BY OTHERS

The District also permits others with a legitimate educational reason to observe in a school or classroom. Examples of this group might be visiting educators, intern teachers or education students doing a practicum. All visitors must adhere to admittance procedures established by District policy.

Further, the District permits observation of a specific student by non-school affiliated professionals with a legitimate educational reason to conduct an observation. Examples of this group might include a social worker or a psychologist. The person wishing to observe must first make a written request to the site principal. The principal will also require written authorization from the child's parent/guardian or a court order.

The principal will make the final decision whether to grant or deny a request or seek additional information. The principal may limit or deny subsequent observations if, in the principal's discretion, the observations are or may become detrimental to the educational process.

Revised by the Board of Education May 2008
Revised May 2011

3.09 COMMUNICABLE DISEASES

(See also Bloodborne Pathogens)

A student afflicted with a communicable or contagious disease shall be prohibited from attending school in the District until free from the disease, or until a plan for management of the case has been formulated which will adequately protect other students and employees in the school environment against transmission of the disease. No student having a communicable disease, requiring a period of isolation or quarantine, shall enter or remain at a District school site. This shall be in effect until the order for quarantine or isolation has expired or permission for entry and return to the school site and activities has been given by the Tulsa Health Department or Oklahoma

State Department of Health. It is the parent/guardian's responsibility to notify the site nurse's office if a child has been diagnosed with a communicable disease.

The Board of Education may require a physician's certificate stating that any student is physically and/or emotionally able to attend classes. Refer to Health Services Policy Book for specifics about physical conditions.

Reference: OKLA. STAT. tit. 63 O.S. 2011, Section 1-507

Revised by the Board of Education May 2007
Revised October 2021

3.10 CONCUSSIONS AND HEAD INJURIES FOR STUDENT ATHLETES

The Jenks Board of Education recognizes that concussions and head injuries may result from contact sports. On an annual basis, a concussion and head injury information sheet shall be completed and returned to the Jenks Head Athletic Trainer by the student athlete and the student athlete's parent/guardian prior to the student athlete's participation in practice or competition. The student athlete may not participate until the form is returned.

A student athlete who is suspected of sustaining a concussion or head injury during a practice or game shall be removed from participation at that time. Any student athlete removed from participation shall not be allowed to participate until the athlete is evaluated in a follow-up examination by a licensed health care provider trained in the evaluation and management of concussions and receives written clearance to return to participation from the health care provider (Oklahoma Statute 24-155 of Title 70).

Approved by the Board of Education January 2011

3.11 CONTRABAND DOG/SUBSTANCE ABUSE

It is the policy of the Jenks Public Schools to assist and encourage students to remain or to become drug and alcohol free.

The District will use trained contraband dogs at all secondary schools on a regular basis and elementary schools as needed. In addition to searching for contraband within the school buildings, dogs will also search for contraband in parking lots and any other school property, to include any school sponsored activity on or off school property.

A substance abuse survey may be administered to students grades 6-12. The survey will allow the District to assess drug and alcohol usage and will assist in determining the effectiveness of its prevention and intervention programs.

Revised by the Board of Education May 2007
Revised June 2013

3.12 CORPORAL PUNISHMENT

Corporal punishment is not permitted in Jenks Public Schools.

Approved by the Board of Education July 1992

3.13 CREDIT FOR LEARNING

(*See also* Non-Accredited Home School Admissions Policy)

Students may progress in their educational endeavors by subject, course, and/or grade level based on mastery of the Oklahoma Academic Standards, not on time spent in classes, completion of assignments, or prerequisites. The student who can successfully be moved ahead under Credit for Learning guidelines can demonstrate content knowledge, skills, and application of learning in the core areas regardless of time spent in the classroom. Parent/guardian involvement is integral in the credit for learning/promotion process as is consideration of the student's social, emotional, physical, and intellectual needs. Credit for Learning is intended to serve those unique students enrolled in Jenks Schools whose needs cannot be met by following a traditional timetable and sequence but require promotion beyond current placement. Credit for Learning opportunities will be available for students from grades K-12 in the core content areas of language arts, mathematics, science, social studies, languages, and the arts.

Students who request Credit for Learning will complete an application process and take a criterion-referenced test to measure the skills and knowledge relevant to each core course or subject for which credit is desired. If passed at the ninety (90) percent or higher level, student applicants may be required to complete a performance component. That component will be evaluated by selected staff and must meet standards comparable to superior ninety (90) percent performance.

Upon successful completion of both the criterion and performance components, and after appropriate consultation with parents/guardians, a student may be promoted and receive appropriate credit. Credit earned in high school level courses will count toward meeting graduation requirements. Credit will be noted as an "A." No record of unsuccessful attempts will be maintained in the student's permanent school records.

Options for accommodating student needs for advancement after having demonstrated proficiency may include, but are not limited to, the following: individualized instruction, virtual courses, independent study, concurrent enrollment, cross-grade grouping, or grade/course advancement.

Notification regarding the availability of Credit for Learning will be made available to parents/guardians and students on an annual basis. Guidelines and application procedures will be available at each school and in the Teaching and Learning Department.

Revised by the Board of Education June 2004
Revised July 2014

3.14 DISPROPORTIONALITY

The District acknowledges a student's social, cultural, environment, and economic circumstances can be relevant factors when considering and determining the identification, disability category, educational placement and discipline of a student suspected of or having a disability covered by the Individuals with Disabilities Education Act. By way of this policy, the District reaffirms that on the grounds of race, color, or national origin, it does not discriminate in favor of or against (a) the identification of children as children with disabilities, including identification by disability category, (b) the placement of children with disabilities in particular educational settings, or (c) the incident, duration, and type of disciplinary action taken with respect to children with disabilities, including suspensions.

To ensure implementation of this policy, district employees, district multidisciplinary evaluation teams, and district individualized education program teams at all school sites must consider a student's social, cultural, environment and economic circumstances when:

- Referring a student for evaluation as a student with a disability and in addition to the student's current performance, area of disability, medical information, parental/teacher input and disability category;
- Evaluating the student as a student with a disability;
- Determining the disability category of a student with a disability;
- Determining the educational placement of student with a disability; and
- Considering and imposing discipline on student with a disability.

The purpose of considering a student's social, cultural, environment and economic circumstances is to ensure that students, because of their race, color, or national origin, are not being (a) over referred for evaluation as students with a disability, (b) over identified as students with a disability, (c) over/under identified as having particular disability categories, (d) limited to receiving educational services in a particular educational placement, and (e) subject to a particular discipline, including suspensions.

In implementing this policy, the Superintendent or designee is to ensure that school staff receives annual training, preferably in the fall of each school year, on all eligibility considerations regarding the identification of students with disabilities, including race and ethnicity.

Approved by the Board of Education May 2017

3.15 DISTRIBUTION OF WRITTEN MATERIALS IN SCHOOL FACILITIES – STUDENTS

Current judicial decisions hold that public school students have a constitutional right to distribute written materials in school facilities, subject to reasonable regulation by school authorities of the time, place, and manner of distribution and subject to certain restrictions concerning the content of the material.

The purpose of this policy is to provide for the exercise of this right by Jenks District students and at the same time to inform Jenks District students of the conditions which the Jenks District Board

of Education deems essential to prevent interference with the mission of the District to provide educational services for all Jenks District students.

Certain definitions as used in this policy are as follows:

- Distribution means the circulation of written material by handing out copies, selling, or offering copies for sale and accepting donations for copies.
- Written material includes, but is not limited to, leaflets, magazines, books, brochures, fliers, petitions, newspapers, buttons, badges or other insignia. Minors mean persons under the age of eighteen (18).

Jenks Public Schools' students may distribute written materials at any entrance or exit to a school building for a period not to exceed thirty (30) minutes prior to the commencement of the earliest class in that building and not to exceed thirty (30) minutes after the end of the last instructional class in that building. Students may distribute written materials at an entrance or exit to a school cafeteria when lunch is being served in the cafeteria. Students may distribute written materials before and after regular school hours at the entrances and exits to school gymnasiums, school stadiums, school auditoriums or other school facilities when those facilities are being used. Students will not distribute written materials in or on school grounds, leased parking lots, or facilities except as stated above.

Students shall not distribute written materials in a manner which disrupts a school activity or which impedes the flow of traffic within hallways or entranceways to the school. No person will be compelled to accept any written material. A person who declines to accept written material will not be threatened, treated with disrespect (verbally or by gesture), or impeded in any manner.

Students who distribute written materials will be responsible for removing discarded and leftover materials from the school facility and grounds before the students leave the school premises after distributing material.

The distribution of written material shall not be restricted or denied solely because of the political, religious or philosophical content of the material. However, students must realize that rights go hand-in-hand with responsibilities and that students have a responsibility to refrain from the distribution of written material which is:

Obscene to minors, meaning material which, taken as a whole, lacks serious literary, artistic, political or scientific value for minors; and when an average person, applying contemporary community standards, would find that the written material, taken as a whole, appeals to an obsessive interest in sex by minors of the age to whom distribution is directed;

Libelous, meaning a false and unprivileged statement about a specific individual which tends to harm the individual's reputation;

Vulgar, lewd or indecent, meaning material which, taken as a whole, an average person would deem improper for presentation to minors because of sexual connotations or profane language;

A display or promotion of unlawful products or services, meaning material which advertises or advocates the use of products or services prohibited by law from being sold or provided to minors;

Group defamation, meaning material which disparages a group or a member of a group on the basis of race, religious affiliation, ethnic or national origin, gender identity or preference, or handicapping condition. This includes racial, gender related, and religious epithets, "slurs," insults and abuse; and

Disruptive of school operations, meaning material which, on the basis of past experience or based on specific instances of actual or threatened disruptions relating to the written material in question, is likely to cause a material and substantial disruption of the proper and orderly operation of school activities or school discipline.

Students are required to submit written materials to the school principal five (5) school days in advance of distribution. If the school principal concludes that the submitted written material falls within one (1) or more of the categories of prohibited materials described above, the principal shall notify the students in writing stating the reasons. Distribution without principal's permission may subject students to disciplinary action as provided herein, and the principal may elect to take action to halt distribution of the material.

Students who violate this policy will be subject to disciplinary action, including suspension.

If a student is suspended for violation of this policy or if distribution of a publication is halted by a principal, the student may appeal the decision in accordance with the Jenks District Student Suspension Procedures currently in effect.

This policy does not apply to official school publications, such as yearbooks or student newspapers published as a part of the school curricula. All schools within the Jenks District shall provide a notice in the Student Handbook that by permitting the on-campus distribution of written materials by Jenks Public School students under this policy, the school, the Jenks District, and the Board of Education are not approving any written material distributed by students or endorsing, supporting, or advocating the content of the material. Any student shall be entitled to a free copy of this policy upon request.

Revised by the Board of Education June 1998

3.16 DISTRIBUTION OF FLIERS/POSTERS – OTHER

The distribution of all literature by outside agencies and individuals is to be approved by the Director of Communications. Jenks Public Schools utilizes an online platform as the method to distribute flyers electronically throughout the District. Individuals wishing to distribute materials are required to create an account with the online flier company and submit the flier though the online platform. The Director of Communications will approve/disapprove the submitted flier and an email will be sent from the online flier company to the requestor with the result. No literature will be distributed that contains religious or political materials and/or advertising overtones which may be beneficial to any particular group or business at the expense of others.

Any individual who calls on the principal or other school employee for the purpose of selling some commodity or service, including a proposal to photograph the students, must have prior approval from the Director of Communications. If the signature of the Director of Communications is not visible on the literature to be distributed, the principal should refer the individual to the office of the Director of Communications for the necessary authorization. The intent of this policy is to prohibit or minimize the exploitation of students to promote for monetary gain any business or private enterprise. Posters/signs to be displayed in buildings will be approved by building principals or the Director of Communications in accordance with written materials policy.

Departments within the District will occasionally find the need to distribute fliers about the events and programs within their area (ex. Community Education classes). These fliers do not need approval from the Director of Communications. The department administrator will need to review and approve any fliers being distributed by their respective departments.

PTA and PTAG organizations will also have a need to distribute fliers announcing the events and fundraisers they sponsor. All PTA and PTAG fliers will need to be reviewed and approved by the site principal prior to distribution.

Students
The Director of Communications will not approve any attempts by outside agencies, profit or non-profit, to exploit students of the District through the use of advertising or fundraising campaigns. It should be understood that some advertising and sales, when in connection with school related activities, can be beneficial to the District and its students. Therefore, advertising and book sales may be permitted in the District if they are directly related to approved school clubs or related activities that benefit District students. Such activities may include but not be limited to school newspapers, yearbooks, athletic clubs, cheerleading clubs, YMCA, and scouting activities. All school sponsored fundraising projects will be considered permissible.

Generally, for-profit organizations will not be allowed to distribute materials to Jenks students. Exceptions will be made for those organizations working in cooperation with school groups in the organization and promotion of approved fundraisers directly benefiting Jenks Public Schools or a student group. Fundraisers must be approved by the site principal or designee.

Staff
On occasion, for-profit organizations and businesses may wish to distribute fliers to staff members. The Director of Communications will approve these materials if the content is of direct benefit or cost savings to employees. Such benefits may include, but not be limited to, educator discounts, special sales, and professional development opportunities.

Revised by the Board of Education May 2008
Revised July 2014
Revised May 2017

3.17 DRESS CODE

All students are expected to be neatly groomed. Because a relationship between one's appearance and behavior does exist, attire for students must be reasonable, modest, and in such a style as it

will not cause distraction from the educational process or create an unsafe, threatening environment. The responsibility of upholding and enforcing this code rests with those students, parents/guardians, teachers, and principals concerned. Where there is a judgment to be made, the principal will make the decision in accordance with the student/parent handbook policy, as approved annually by the School Board.

Revised by the Board of Education June 1999
Revised May 2017

3.18 EDUCATIONAL SERVICES FOR STUDENTS UNDER SECTION 504 AND TITLE II OF THE AMERICANS WITH DISABILITIES ACT

(*See also* Non-Discrimination Statement)

The District recognizes its responsibilities to children who are or may be qualified persons with disabilities under Section 504 of the Rehabilitation Act of 1973 ("Section 504") and Title II of the Americans with Disabilities Act ("Title II").

Qualified Individual with a Disability

All qualified persons with disabilities within the jurisdiction of the District are entitled to a free appropriate public education ("FAPE"), regardless of the nature or severity of the person's disability. Section 504 and Title II define a person with a disability as any person who (a) has a physical or mental impairment that substantially limits one or more major life activities, (b) has a record of such an impairment or (c) is regarded as having such an impairment. The definition of disability shall be construed in favor of broad coverage of individuals, to the maximum extent permitted by Section 504 and Title II.

The term "major life activities" includes, but is not limited to, functions such as caring for one's self, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. A "major life activity" also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions. An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability. Also, an impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.

Mitigating Measures

The determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures such as:

1. medication, medical supplies, equipment, or appliances, low-vision devices (which do not include ordinary eyeglasses or contact lenses), prosthetics including limbs and devices, hearing aids and cochlear implants or other implantable hearing devices, mobility devices, or oxygen therapy equipment and supplies;
2. use of assistive technology;
3. reasonable accommodations or auxiliary aids or services; or
4. learned behavioral or adaptive neurological modifications.

For purposes of this policy, a "qualified person with a disability" is a person with a disability who is (a) of an age during which it is mandatory under Oklahoma law to provide such services to persons with disabilities; (b) of an age during which persons without disabilities are provided such services; or (c) a person for whom a state is required to provide a FAPE under the Individuals with Disabilities Education Act.

Appropriate Education
An appropriate education may comprise education in regular classes, education in regular classes with the use of related aids and services, or special education and related services in separate classrooms for all or portions of the school day. Special education may include specially designed instruction in classrooms, at home, or in private or public institutions and may be accompanied by related services such as speech therapy, occupational and physical therapy, psychological counseling and medical diagnostic services necessary to the child's education.

The District will design quality education programs for student with disabilities to meet their individual needs to the same extent that the needs of nondisabled students are met.

Services neccesary to provide a qualified student a free appropriate public education (FAPE) will be provided by the District at no cost to the parent or guardian, including those services necessary for the student's participation in District-sponsored academic programs such as class field trips.

Non-Academic and Extracurricular Services and Activities
The District shall ensure that students with disabilities participate with students without disabilities in nonacademic and extracurricular services and activities to the maximum extent appropriate to meet the needs of the student with a disability. Nonacademic and extracurricular services and activities include, but are not limited to, meals, recess periods, counseling services, physical recreationsl athletics, transportation, health servies, recreational activities, special interest groups or clubs sponsored by the Distrrict, referrals to agencies which provide assistance to students with disabilities, and employment of students.

Educational Setting
The District will place students with and without disabilities in the same setting, to the maximum extent appropriate to the educational needs of the students with disabilities. Students with disabilities will participate with nondisabled students in both academic and nonacademic services, including meals, recess and physical education, to the maximum extent appropriate to their individual needs. If the District places an individual with disabilities in another school, the District will take into account the proximity of the other school to the student's home.

Evaluation and Placement
The District shall annually undertake to identify and locate every qualified child with a disability residing in the District's jurisdiction who is not receiving a public education and take appropriate steps to notify children with disabilities and their parents or guardians of the District's duties under Section 504 and Title II.

The District will make evaluation and placement decisions in accordance with appropriate procedures required by law. A multidisciplinary group, including persons knowledgeable about

the child, the meaning of the evaluation data and the placement options, will document and consider carefully information obtained from all such sources in making eligibility and placement decisions. A parent is a required participant if he or she is a person knowledgeable about the student.

The multidisciplinary group will consider reevaluation at least every three years for each Jenks Public Schools student for whom the District is providing a FAPE or more frequently if conditions warrant or if the child's parent or teacher requests a reevaluation.

Section 504/Title II Plan
When the multidisciplinary group determines that a student is eligible for educational services under Section 504 and Title II, it will prepare a plan documenting how the District will provide FAPE for that student. The plan will identify the educational services, related services and supplementary aids and services needed to meet the student's individual educational needs in the least restrictive environment.

Regular or special education and related services, including supplementary aids, services, accommodations, and modifications, will be included in a student's Section 504/Title II plan, or IEP, if applicable, to enable the student to participate in academic programs, such as District-sponsored field trips, and to participate in nonacademic or extracurricular activities with students with and without disabilities.

Procedural Safeguards
The District will employ procedural safeguards regarding the identification, evaluation or educational placement of persons who, because of disability, need or are believed to need special instruction or related services. District personnel will notify parents or guardians of any evaluation or placement actions and parents or guardians will be allowed to examine the student's records.

Retaliation
The District also prohibits retaliation, intimidation, threats, or coercion of any person for opposing discrimination or for participating in the District's discrimination complaint process or making a complaint, testifying, assisting, appealing, or participating in any other discrimination complaint proceeding or hearing. Persons with complaints or concerns about the application of this policy should contact the District's 504 Coordinator in the Student Programs office at the Education Service Center (299-4415, ext. 2400), or the Title II Coordinator in the Human Resources office at the Education Service Center (299-4415, ext. 2305.)

Approved by the Board of Education May 2017
Revised November 2017

3.19 ELECTRONIC WIRELESS DEVICES/CELL PHONES

Jenks Public Schools promotes an environment for instructional learning that is safe and secure. Therefore, in order to foster digital citizenship, students are urged to practice mature and responsible cell phone usage. The District establishes rules for the use of wireless communication devices during the school day.

The District requires that all students devote their full attention to education while at school or during educational activities. Accordingly, the District expects students to limit their use of personal wireless devices and personal electronic accounts at school. Wireless devices include, but are not limited to, cell phones, laptops, cameras, GPS systems, devices capable of intercepting or recording a conversation, and devices capable of providing visual surveillance or images. Electronic accounts include, but are not limited to, accounts that allow digital communication such as email and social media accounts.

Regardless of the type of technology used, no student may make any type of surreptitious recording of others on District property. Additionally, no person may use any type of technology to remotely monitor, listen to, or view actions occurring at school or school activities. Personal wireless devices not otherwise prohibited shall be turned off and out-of-sight in locations such as restrooms, locker rooms, changing rooms, and any other area where a reasonable expectation of privacy exists ("private areas"). The use of any audio/visual recording and camera features are strictly prohibited in private areas. Students who observe a violation of this provision shall immediately report this conduct to a teacher, coach, or principal. Employees who observe a violation of this provision shall immediately report this conduct to a principal.

Students may possess wireless communication devices during school hours under the following conditions:

1. In the classroom, the device must be turned off and not be visible.

2. Students are prohibited from using the device except when a teacher allows the use of the device for academic purposes.

3. Beyond the authorized classroom use, elementary and intermediate students may only use their electronic devices before or after school hours. Students in grades seven and eight may use their electronic devices before or after school hours and during lunch, and students in grades nine through twelve may use electronic devices before or after school hours, during passing periods, and during lunch.

4. Students may not use any personal wireless device to:
   - send or receive answers to test questions or cheat on academic assignments;
   - record conversations or events during the school day, on school property, or at school activities;
   - threaten, harass, intimidate, or bully;
   - take, possess, or distribute obscene or pornographic images or photos;
   - engage in lewd communications;
   - violate school policies, handbook provisions, or regulations.

5. School personnel shall have the authority to detain and search any student upon the reasonable suspicion that the student is misusing the communication device. School personnel shall have the authority to confiscate the device from the student's possession.

6. Refusal by a student to give the device to school personnel when requested may result in the student being suspended from school.

7. Misuse of the wireless communication device may result in additional discipline consequences.

A violation of any part of this policy may result in disciplinary consequences as well as the confiscation of the wireless communication device. The confiscated device may be picked up by the student after school.

Revised by the Board of Education May 2001
Revised June 2004
Revised May 2010
Revised May 2011
Revised June 2013
Revised July 2014
Revised June 2015
Revised May 2017
Revised January 2019

3.20 ENGLISH LANGUAGE DEVELOPMENT PROGRAM (ELD)

Jenks Public Schools provides an English Language Development (ELD) Program designed to develop the English proficiency of all students, grades PK-12, who speak a language other than English and are in need of additional English language instruction.

Home Language Surveys are completed by all students upon enrollment and identify language use in the home. Students with a language other than English are required to take an English language proficiency assessment. Students who score a composite score between 1.0 and 4.7 will receive English Language services. English Language Development (ELD) services are provided according to assessed individual student needs. Instructional staff receives professional development to provide comprehensible instruction, ensuring all English Learners' (EL) access to the curriculum. Students exit the ELD Program upon obtaining a proficient score on a follow-up assessment.

Approved by the Board of Education June 2013
Revised May 2021

3.21 EQUAL ACCESS

(*See also* Religion; Distribution of Written Materials in School Facilities by Students)

The Board of Education is committed to the proposition that student participation in student activities and organizations can advance educational goals and otherwise be of benefit to students, and that the policies of the District should further students' opportunities for participation. In allowing and furthering student activities and organizations, the Board is mindful of the dictates of the United States Constitution and the Federal Equal Access Act, 20 U.S.C. § 4071, et seq. This policy is adopted to implement these goals.

SCHOOL SPONSORED STUDENT ORGANIZATIONS

The District may sponsor and conduct activities and organizations for students that the Board determines are in furtherance of and consistent with educational objectives of the District or reasonably related to the District's curriculum ("school sponsored student organizations").

School sponsored student organizations shall have a faculty sponsor, whose teaching field, education, background or other expertise is reasonably related to the purpose and goals of the group, and who may receive extra-duty compensation.

Application for District sponsorship shall be made by the proposed faculty sponsor and at least twenty (20) students who intend to participate in the organization. Each building principal shall establish application forms and procedures, and guidelines for membership requirements, organizational structure, and provisions of a constitution or other organizational rules, subject to approval by the Superintendent.

After the proposed organization and its constitution have received preliminary approval from the Superintendent, the Board of Education shall review and approve or disapprove the organization for sponsorship based on the standards set out in this policy.

Independent Student-Organized Groups
In addition to school sponsored student organizations, the secondary (7th-12th grades) schools of the District shall have a limited open forum for meetings of independent student organized groups.

Meetings of independent student organized groups may be held before or after the school day. No student may attend a meeting when he or she has a scheduled class or is required by school rules or schedules to be elsewhere.

All meetings shall be student initiated and open to all students in the school. All student attendance at independent student organized group meetings shall be voluntary.

No meeting may include any activity that is unlawful or that materially and substantially interferes with the orderly conduct of educational activities within the school.

An adult monitor, who may or may not be a school employee, shall be present at all meetings. A school employee may be present at a meeting of a student religious group only in the capacity of monitor. Neither school nor non-school adult monitors may direct, conduct, or control activities of student meetings.

Independent student organized groups may invite outside speakers to their meetings.

If students wish to meet in independent student organized groups under this policy, they must file a request to meet with the principal which lists: a) the room in which they wish to meet and the time during which they will meet; b) the name of one (1) student who will serve as the contact between the group and the school authorities; and c) the monitor, approved by the principal, who will be present. The principal shall approve a meeting if it meets the requirements of this policy

and shall notify the student contact person of his/her approval or, if it does not meet the requirements of this policy, his/her reasons for disapproval within two (2) days of the submission of the request to meet. Once permitted to do so, an independent student organized group may continue meeting for the remainder of the school year, unless it subsequently violates this or any other school policy.

In assigning meeting rooms to student organizations, the school shall not arbitrarily discriminate between or among school sponsored and independent organizations. However, in assigning meeting rooms the school may consider the number of persons expected to attend and the needs of the organization.

Meetings of independent student organized groups may be announced by notices posted on bulletin boards in the school. Such notices may contain only the name of the organization, the date, time, and place of the meeting, and a brief identification of the subject of the meeting or a list of agenda items. Signs should be produced by students and contain letters and numbers only. No graphic representations should be included on the poster.

Nothing shall be construed to limit the authority of the school, its agents or employees, to maintain order and discipline on school premises, to protect the well-being of students and faculty, and to assure that attendance of students at meetings is voluntary.
It is understood that the content of these independent student organized group meetings is not approved or disapproved by the District. The District is neutral as to the content of these meetings.

Revised by the Board of Education May 2007

3.22 FOREIGN EXCHANGE STUDENT

The purpose of foreign exchange student programs is to enhance exchange students' knowledge of American culture and language through active participation in family and school life and to enhance American knowledge of other cultures. In order to make this a positive experience for everyone involved, Jenks High School has established the following guidelines.

1. The sponsoring exchange program will be fully responsible for the selection of suitable students for participation in its program;
2. Selection will be limited to secondary students who have a sufficient command of the English language to enable them to function well in an English-speaking academic and community environment;
3. The sponsoring program will provide the school a copy of the agency's current criteria for their exchange program and all available information concerning the prospective exchange student (transcript, health records, etc.);
4. Application deadline is July 1. No exchange student is to be assigned to a host family in the Jenks District until he/she has been accepted in writing as a student by the principal.
5. Jenks High School has a limit of six (6) exchange students per year. No more than two (2) students shall be from the same country and no more than two (2) from the same program;
6. Placement arrangements will be made with a single host family for the entire academic year;
7. Exchange students of senior standing will be allowed to participate in all senior activities and go through the commencement ceremony. Students will not receive a diploma;

8. Exchange students will be enrolled for six (6) hours per day. They will not be enrolled in any world language course that provides instruction in their native language.

In addition, Jenks High School accepts and endorses the federal regulations of the United States Information Agency entitled, "Regulations Governing Designated Exchange-Visitor Programs."

Revised by the Board of Education June 2003
Revised October 2013
Revised May 2021

3.23 GIFTED PROGRAM STATEMENT

The ultimate goal of the gifted program is to identify and serve those individuals who demonstrate the potential for high performance. To enhance and to realize the full scope of that student's abilities, a differentiated education is necessary. This reinforces Jenks Public School's philosophy of meeting the educational needs of all students. See District Gifted Education Plan.

3.24 GUIDELINES FOR MINIMIZING THE USE OF PHYSICAL RESTRAINT WITH STUDENTS WITH DISABILITIES

The purpose of this policy is to define the circumstances under which district personnel may use physical restraint for students with disabilities in compliance with those guidelines set forth in the State Department of Education's (SDE) Special Education Handbook ("Guidelines for Minimizing the Use of Physical Restraint").

For purposes of this policy, the term "physical restraint" is defined as a person restriction that immobilizes or reduces the ability of a student to move his or her torso, arms, legs, or head freely. The term physical restraint does include a physical escort. Physical escort means a temporary touching or holding of the hand, wrist, shoulder, or back for the purpose of inducing a student who is acting out to walk to a safe location.

Physical restraint should never be used for the purposes of discipline or as a punishment, to force compliance, as a convenience for staff or to prevent property damage. The use of chemical and/or mechanical restraint, as defined in the Guidelines for Minimizing the Use of Physical Restraint, is prohibited.

School personnel may use physical restraint for students with disabilities only under the emergency circumstances identified in the Guidelines for Minimizing the Use of Physical Restraint and only if the elements identified by the Guidelines for Minimizing the Use of Physical Restraint exist. School personnel who use physical restraint must have training in: conflict de-escalation (the crisis cycle and interventions at each stage), the possible effects of physical restraint, First Aid, and Cardiopulmonary Resuscitation (CPR).

When restraining a student with disabilities, District police officers are considered to be performing a law enforcement function. Therefore, they are exempt from following Guidelines for Minimizing the Use of Physical Restraint**.**

The use of physical restraint for students with disabilities shall be subject to written SDE Policies and Procedures.

Approved by the Board of Education May 2017

3.25 HAZING

(*See also* Harassment and Bullying)

The Jenks Board of Education in order to comply with OS Title 21, Section 1190 and to ensure that all students may enjoy a safe and secure environment adopts the following policy:

No student organization or any person associated with any organization sanctioned or authorized by Jenks Public Schools shall engage or participate in hazing.

The following definitions shall apply to this policy:

- "Hazing" means an activity which 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 operating within the jurisdiction of Jenks Public Schools;
- "Endanger the physical health" shall include but not be limited to any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, alcoholic beverage as defined in OS Title 37, Section 506, low-point beer as defined in OS Title 37, Section 163.2, drug, controlled dangerous substance, or other substance, or any other forced physical activity which could adversely affect the physical health or safety of the individual; and
- "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 investigation or suspension of said student or student organization shall be subject to any applicable Oklahoma Statute, Jenks School Board Policy, or student handbook regulation.

All staff members who witness such activities or have suspicion of such activity shall report such information to the appropriate school official for investigation.

Approved by the Board of Education October 1990

3.26 INTERNET BASED INSTRUCTION: SUPPLEMENTAL ONLINE COURSES

(See also Network and Internet Acceptable Use Policy)

Upon request, the District will provide supplemental learning opportunities using online technology in a nontraditional classroom setting to students enrolled in the District. Supplemental online courses are an optional avenue of instruction for District-enrolled students. All existing requirements related to student progress including retention, promotion, and grade assignment are the same for the District's online students as they are for students enrolled in traditional courses. The District shall ensure that students have the opportunity to advance through the supplemental online course at their own pace so long as the supplemental online course completion corresponds with the standard course completion schedule of the District or the student's Individualized Education Program (IEP) or 504 Plan.

Definition of Terms

- "Supplemental online course" - 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 and which are part of a student's regular school day.
- "Educationally appropriate" - For the purposes of supplemental online courses, 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.

Access to Supplemental Online Courses

Only public school students enrolled in the District will be granted access to supplemental online courses. Once a student has made a request to enroll in supplemental online course(s), the District will take necessary steps to determine the educational appropriateness of the request and to make online course(s) available to that student. Whether a requested online course is educationally appropriate for a student will be determined by the site principal or designee(s). Students may take supplemental online courses from online course providers selected and approved by the District that meet the criteria established by the Oklahoma State Board of Education (OSBE). Students will have access to supplemental online courses and the required equipment within the District. However, students taking supplemental online courses from a remote location will be responsible for providing their own equipment and Internet access.

Funding

The District shall provide funding for an enrolled student's participation in online courses which could otherwise be taken in a traditional classroom setting within the student's school day. Students wishing to take more online course instruction may do so at their own expense. The District is not responsible for payment to an online course provider for online course instruction expenses incurred by a student outside the regular school day. The District will bear no responsibility for payment or collection of any outstanding funds or fees owed by a student to an online course provider.

School Day and Attendance Standards

Public school students enrolled in the District may take supplemental online courses from a location inside or outside of the school site location and may participate in supplemental online courses outside the normal school hours of operation. Students who elect to enroll in supplemental

online courses, regardless of when or where taken, are still required to complete the equivalent number of hours of instruction as regularly enrolled students in the District and must satisfy the same attendance requirements of the District. Students who demonstrate no evidence (as outlined below) of participation in an online course may be withdrawn from the course, per District handbook policy.

Students enrolled in supplemental online courses must meet all state mandated compulsory attendance requirements and are not exempt from state truancy laws. Attendance and participation in a supplemental online course shall be monitored in accordance with 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, and required face-to-face meetings with online course teachers. The student may be counted "in attendance" when evidence of student/teacher/course interaction that demonstrates student progress toward learning objectives and demonstrates regular student engagement in course activity is provided. Attendance/participation reports shall be provided to parents and the District on a weekly basis via electronic format. Supplemental online course providers from outside the District must make available to students, parents, and the District reports that reflect daily attendance and participation and provide evidence that the student is making appropriate progress. Such reports shall be sent weekly to site administrators or designees via electronic format.

Student Eligibility, Admissions, and Enrollment
Online supplemental courses that are educationally appropriate shall be offered to all qualifying District students who meet the following criteria:

1. The District offers individual academically approved and educationally appropriate online supplemental courses to students who are enrolled in the District. Students enrolled in supplemental online courses must meet all enrollment and eligibility criteria set by the District Student Residency Policy, the Oklahoma State Board of Education Rules, and state law. Only students who are enrolled in the District for the current school year are eligible to enroll in supplemental online courses. The admission process for students in grades seven through twelve who wish to take one or more supplemental online courses through the District may be found in the course planning guide and the academic criteria will be the same for students enrolled in traditional coursework. Course credit will be issued and transcripted upon satisfactory completion of the course within a specified timeframe. Students in all other grades should contact their site principal for application and enrollment procedures. District policies regarding grading scales and credits earned shall be applied to supplemental online courses under the same criteria as traditional courses offered by the District.

2. The District shall allow for ongoing and continuous enrollment for supplemental online courses that are compliant with state law and all applicable State Board of Education rules. The final determination and selection of the providers is at the discretion of the District. Students enrolled in supplemental online courses shall have their progress monitored weekly by the teacher of record.

3. Rarely, an online course provider outside of the District may be approved for specific students. The online course provider shall officially notify the District and parents in writing of the completion of each course the student takes within five (5) business days of completion. Course grades must be reported in the form of a percentage or in a manner consistent with District grading policies. The District shall use its established grading scale to convert the percentage to a letter grade or other notation consistent with District grading policies for transcript purposes. Out of District online course providers must report any change in a student's status (moving, dropping a course, etc.) immediately upon discovery or notification of the student's change in status.

Appeal Process
If a student's enrollment in a supplemental online course is denied based on a determination by the District that the course is not educationally appropriate, the parents or guardians of the student may appeal that determination to the site principal. Further appeal will be heard by the Superintendent or designee(s). The District will notify the State Department of Education of any denial of a student's enrollment in online supplemental course(s), the reason for the denial, and any correspondence or information the District received in support of the student taking the online course.

Grace Period
A student may withdraw without academic penalty from a supplemental online course within fifteen (15) calendar days from the first day of a supplemental online course enrollment.

A student who withdraws from any supplemental online course is still obligated to complete the equivalent number of classroom hours of traditional course instruction (six hours per day) that is required of students in the District in accordance with District policy and state law. Enrollment in a traditional course must be completed within ten days of the beginning of the semester in order for the student to receive course credit.

Student Assessments
Each student enrolled in one or more online courses will participate in required state-level academic assessments administered pursuant to state law in the same manner as other regularly enrolled students within the state. No student will be allowed to enroll in an online course without submission of a signed Education Student Assessment Results Release Form or FERPA waiver.

Special Education Students
Students who are on Individual Education Plans (IEPs) or 504 Plans should contact their site for details regarding enrollment in supplementary online courses as part of the IEP or 504 processes. The District will provide supplementary aids and services, program modifications, supports for personnel and accommodations set forth in a student's IEP or Section 504 Plan to enable a student to take supplemental online courses that have been determined to be educationally appropriate for the student by the student's IEP or 504 team members.

Approved by the Board of Education January 2002
Revised June 2012
Revised November 2013
Revised May 2021

3.27 INTRA-DISTRICT TRANSFERS

(See also Open Transfer Policy: Attendance Areas)

Requests for transfers between schools within the District for resident students will be considered annually on a space available basis. Transfers are contingent upon the maintenance of a satisfactory discipline and attendance record and may be canceled at any time. Parents/guardians will be responsible for transportation, if required. Information about applying for an intra-district transfer can be found on the district website under "Enrollment".

Revised by the Board of Education May 2012
Revised May 2017
Revised June 2022

3.28 MEDICATION IN SCHOOL

In accordance with Oklahoma Statutes, the Board of Education permits the self-administration of inhaled medication by a student for treatment of asthma and anaphylaxis, self-administration of replacement pancreatic enzymes to treat cystic fibrosis, and self-application of sunscreen. Students diagnosed with seizure disorders will have a seizure action plan that follows provisions outlined in OKLA. STAT. tit.70 §. 1210.183, *Seizure Safe Schools Act*. Students may also attend to the management of their diabetes medical management plans and seizure action plans under the guidance of the school nurse. Specific requirements for approval of self-administration of these medications are addressed in the student handbooks.

Revised by the Board of Education December 2005
Revised June 2009
Revised May 2012
Revised January 2019
Revised May 2020
Revised October 2021

3.29 MINUTE OF SILENCE

According to state law schools will observe approximately one (1) minute of silence each school day for the purpose of allowing each student in the exercise of his or her individual choice, to reflect, meditate, pray, or engage in any other silent activity that does not interfere with, distract, or impede other students in the exercise of their individual choices.

Approved by the Board of Education June 2003

3.30 NON-ACCREDITED HOME SCHOOL ADMISSIONS

Jenks Public Schools welcomes enrollment of students who have been students in non-accredited schools and who have been home schooled. Students enrolling in the District from non-accredited schools and who have been home schooled will be placed in grade levels and in courses based upon educational factors, primarily academic mastery as demonstrated on tests that assess the student by the District curriculum standards and objectives and Oklahoma Academic Standards

(OAS) adopted by the State Board of Education. Assessment results will be maintained for at least one (1) calendar year.

Students entering the District from non-accredited schools or who have been home schooled without evidence of participation in nationally standardized achievement assessments will be required to take academic assessments administered by District personnel. Pending receipt of such assessment results, the administration may allow the student to attend school in a designated alternative or temporary setting.

The administration shall determine the approved assessment instruments that will be used to implement this policy. Grade and course enrollment will be based upon results of placement tests and/or any other assessment information and/or education records deemed to be relevant by the administration.

Students seeking credit for high school courses completed while enrolled at a non-accredited school or while the student was home schooled will complete an application process and take a criterion-referenced test to measure the skills and knowledge relevant to each core course or subject for which credit is desired. If passed at the eighty (80) percent or higher level, student applicants may be required to complete a performance component. That component will be evaluated by selected staff and must meet standards comparable to eighty (80) percent performance.

Upon successful completion of both the criterion and performance components, the student may receive appropriate credit. Credit will be noted as either an "A" or "B" on the high school transcript based on the scored acquired on the assessments. No record of unsuccessful attempts will be maintained in the student's permanent school records.

A parent/guardian who disagrees with the placement decision of the school may present a written objection for inclusion in the student's permanent folder and may ask the Superintendent or designee to review those objections. Any review of a placement decision by the Superintendent or designee shall be limited to determining compliance with this policy; then the student's placement will be remanded to the administration for compliance with this policy. The decision of the Superintendent shall be final and non-appealable.

Approved by the Board of Education June 2001
Revised May 2010
Revised July 2014
Revised June 2018

3.31 NOTIFICATION OF PROTECTION OF PUPIL RIGHTS AMENDMENT

The Protection of Pupil Rights Amendment affords parents/guardians and students who are 18 or emancipated minors ("eligible students") certain rights regarding curriculum materials, surveys, collection and use of information for marketing purposes, and certain physical exams. For purposes of this policy, the following definitions apply:

- "Instructional material" means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.
- "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.
- "Parent" includes a legal guardian or other person standing in loco parentis (such as a grandparent/guardian or stepparent/guardian with whom the child lives, or a person who is legally responsible for the welfare of the child). All rights provided to parents/guardians under this policy transfer to the student when the student turns 18 years old or is an emancipated minor at any age.
- "Personal information" means individually identifiable information including a student or parent/guardian's first and last name; a home or other physical address (including street name and the name of the city or town); a telephone number; or a Social Security identification number.
- "Survey" includes an evaluation.

Inspection of Instructional Materials
All instructional materials, including teacher's manuals, audio visual, or other supplementary instructional material that will be used in connection with any survey, analysis, or evaluation as part of any applicable program shall be available for inspection by the parents/guardians of students in the District. However, teacher lesson plans and tests are confidential records under the Oklahoma Open Records Act. After request by a parent/guardian, review of instructional materials shall be at a time mutually convenient to the teacher involved and the parent/guardian. Any complaint by a parent/guardian regarding the parent/guardian's inability to inspect any instructional material shall initially be addressed to the principal of the school where the parent/guardian's child attends. If the parent/guardian is dissatisfied with the principal's decision, then the parent/guardian may request review by the Superintendent, or his or her designee, who shall have final authority over the matter.

Establishing a curriculum and determining to include or remove particular materials within the curriculum are the legal responsibilities of the Board of Education subject to statutory and State Board of Education guidelines. Nothing in this policy is intended to grant or require prior parent/guardian approval or control of materials or parent/guardian control, approval or review of teaching techniques or methods.

Surveys
Without the parent/guardian's prior consent, no student shall be required to submit to a survey, analysis, written examination or evaluation that reveals information concerning:

1. Political affiliations or beliefs of the student or the student's family;
2. Religious practices, affiliations, or beliefs of the student or the student's parent/guardian;
3. Sexual behavior or attitudes;
4. Illegal, anti-social, self-incriminating or demeaning behavior;
5. Mental or psychological problems of the student or the student's family;

6. Critical appraisals of other individuals with whom the student has a close family relationship;
7. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers; and
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Parents/guardians may inspect, upon request, a survey created by a third party before the survey is administered or distributed to students. Review of such surveys shall be at a time mutually convenient to the principal involved and the parent/guardian. Any complaint by a parent/guardian regarding the parent/guardian's inability to inspect any such survey shall be addressed to the Superintendent, or his or her designee, who shall have final authority over the matter.

The District will take appropriate steps in compliance with the Family Educational Rights and Privacy Act to protect student privacy in the event of the administration or distribution of a student survey containing one or more of the items mentioned above.

Psychiatric or Psychological Examinations
Without the prior written consent of the parent or guardian, no student who is an unemancipated minor shall be required, as part of any applicable program, to submit to psychiatric or psychological examination, testing or treatment.

Notification and Opt Out
The District will directly notify parents/guardians, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the following activities are scheduled or expected to be scheduled:

1. Activities involving the collection, disclosure or use of personal information collected from students for the purpose of marketing or selling that information or providing that information to others for that purpose. These activities do not include information for the exclusive purpose of developing, evaluating or providing educational products or services for or to students or educational institutions, such as:

    a. College or other postsecondary education recruitment, military recruitment;
    b. Book clubs, magazines, and programs providing access to low-cost literary products;
    c. Curriculum and instructional materials used by elementary and secondary schools;
    d. Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic clinical, aptitude, or achievement information about students and the subsequent analysis and public release of the aggregate data from such tests and assessments;
    e. The sale by students of products or services to raise funds for school-related or education-related activities; and
    f. Student recognition programs.

2. The administration of any survey containing one or more items described above in the Surveys section of this policy; and

3. Any non-emergency, invasive physical examination or screening that is (a) required as a condition of attendance; (b) administered by and scheduled by the school in advance; and (c) not necessary to protect the immediate health and safety of the student or other students. This provision does not apply to any physical examination or screening that is permitted or required by state law, including physical examinations or screening that is permitted without parent/guardian notification.

Inspection of Data Collection Instruments
The District will take appropriate steps in compliance with the Family Educational Rights and Privacy Act to protect student privacy in the event of such collection, disclosure or use of personal information collected from students for the purpose of marketing or selling that information or providing that information to others for that purpose. Parents/guardians and eligible students may inspect, upon request, any instrument used in the collection of such information before the instrument is administered or distributed to students. Review of such instruments shall be at a time mutually convenient to the principal involved and the parent/guardian.

Any complaint by a parent/guardian regarding the parent/guardian's inability to inspect any such survey shall be addressed to the Superintendent, or his or her designee, who shall have final authority over the matter.

Revised July 2014

3.31.1 RIGHTS UNDER FERPA

(*See also* Oklahoma Open Records Act: Child Identification)

The Family Educational Rights and Privacy Act (FERPA) affords parents/guardians and students over eighteen (18) years of age ("eligible students") certain rights with respect to the student's education records. They are as follows:

1. The right to inspect and review the student's education records within forty-five (45) days of the day the District receives a request for access.

   Parents/guardians or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent/guardian or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent/guardian or eligible student believes are inaccurate, misleading or in violation of student privacy rights.

   Parents/guardians or eligible students may ask the District to amend a record that they believe is inaccurate, misleading or otherwise in violation of student privacy rights. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate, misleading or in violation of student privacy rights.

   If the District decides not to amend the record as requested by the parent/guardian or eligible student, the District will notify the parent/guardian or eligible student of the decision and

advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent/guardian or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

   One (1) exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent/guardian or student participating in a school service program or serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

   A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the District discloses education records without consent to officials of another District in which a student seeks or intends to enroll. Disclosures may also be made related to some judicial orders or lawfully issued subpoenas.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

   Family Policy Compliance Office
   U.S. Department of Education
   400 Maryland Avenue, SW
   Washington, D.C. 20202-5920
   1-800-USA-LEARN (1-800-872-5327)

Revised by the Board of Education May 2010
Revised May 2011
Revised May 2012

3.31.2 DIRECTORY INFORMATION

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that the District, with certain exceptions, obtain written consent prior to the disclosure of personally identifiable information from the student's education records. However, the District may disclose appropriately designated "directory information" without written consent, unless the District is advised to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the District to include this type of information from the student's education records in certain school publications. Examples include:

1. A playbill, showing the student's role in a drama production;
2. The annual yearbook;
3. Honor roll or other recognition lists;
4. Graduation programs; and
5. Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent/guardian's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA), as reauthorized by the Every Student Succeeds Act (ESSA) of 2015, to provide military recruiters, upon request, with three directory information categories – names, addresses and telephone listings – unless parents/guardians have advised the LEA that they do not want their student's information disclosed without their prior written consent.

The District has designated the following information as "directory information," and it will disclose that information without prior written consent:

1. The student's name;
2. The names of the student's parents/guardians;
3. The student's address;
4. The student's telephone listing;
5. The student's electronic mail address;
6. The student's date and place of birth;
7. The student's dates of attendance;
8. The student's grade level (i.e., first grade, tenth grade, etc.);
9. The student's participation in officially recognized activities and sports;
10. The student's degrees, honors and awards received;
11. The student's weight and height, if a member of an athletic team;
12. The student's photograph; and
13. The most recent educational agency or institution attended.

At the beginning of each school year, the list or revised list of the items of directory information will be presented to parents/guardians during the online registration process. Students who are new to the District will be presented with the directory information during the online enrollment process. Parents will indicate their consent during the registration/enrollment process. Parents may not opt out of disclosing directory information if the purpose is to prevent the disclosure of the student's name or institutional email address in a class in which the student is enrolled, or to prevent the school from requiring the student to wear a student ID badge.

Revised by the Board of Education November 2003
Revised May 2012
Revised April 2016
Revised May 2020

3.32 NOTIFICATION OF THREAT TO SELF OR OTHERS

A parent/guardian is to be notified when it has been determined by the appropriate staff members that a student has disclosed or is suspected of suicidal intentions or of causing harm to others. A collaborative school team or a team representative will meet as soon as possible with the student to make an assessment concerning the severity of the situation and to provide information to the student's parent/guardian. In order to ensure the safety of the student and other students, the team or representative may advise the parents/guardians to seek assistance outside of school. A list of agencies and emergency numbers will be made available. The District is not responsible for providing these services. The District shall provide staff with required training in suicide awareness and prevention, and in the reporting of student drug abuse in compliance with OKLA. STAT. tit. 70, § 24-100.7.

At the discretion of the school team, or team representative, parents/guardians will be requested to sign a Student Referral for Initial Assessment form indicating that they have been informed and are responsible for providing appropriate measures to ensure the student's safety and the safety of other students.

The failure of parents/guardians to provide professional support may result in school officials reporting negligence to the Department of Human Services and/or recommending that the student not return to school until his/her safety or the safety of others is assured.

Revised by the Board of Education June 2000
Revised July 2014
Revised October 2021

3.33 PLEDGE OF ALLEGIANCE

At the beginning of each school day students are authorized to recite the Pledge of Allegiance to the Flag of the United States of America. Students not wishing to participate in the pledge shall not be required to do so, and such notification shall be posted in a conspicuous place to inform students.

Approved by the Board of Education June 2003

3.34 RETENTION AND PROMOTION OF STUDENTS

Retention is the process of delaying a child's promotion to the next grade. It is an educational alternative designed to meet the academic, social, emotional, developmental, physical, chronological, and/or intellectual needs of the student.

Elementary Grades (PK-6th)
A child should be considered as a candidate for retention only after all other available options are considered. With the exception of retention decisions at the third-grade level which are prescribed by state law, retention decisions will always take into account such additional factors as school adjustment, parental/guardian support, alternative programs, and teacher recommendations. Students at the third-grade level will be promoted or retained pursuant to 70 O.S. § 1210.508C.

Secondary Grades (7th-12th)
Students may be retained at the 7th or 8th grade level on the basis of performance in academic core subjects: math, reading, science, or social studies. Retention decisions at the middle school level also will take into account such additional factors as school adjustment, parental/guardian support, performance on district and state assessments, and teacher recommendations. Students completing 9th grade must have earned at least 4 credits toward high school graduation in order to progress to the 10th grade. Students completing the 11th grade must have earned at least 16 credits toward high school graduation in order to move to the 12th grade and senior standing.

Appeals Process
After receiving a decision to retain a student, a parent may request reconsideration of a retention decision by taking the steps outlined below. Parents who disagree with the District's decision to promote a student to the next grade may also appeal the decision upon receipt of the student's report card by taking the steps outlined below.

First Level of Appeal. The parent may request review of the initial decision by letter to the site principal. If no request is received within five (5) days of the parent's receipt of written notification of the committee's initial decision to retain or promote, the decision will be final and non-appealable.

Second Level of Appeal. The parent may request review of the principal's decision by letter to the Superintendent, or designee. If no request is received within five (5) days of the parent's receipt of the principal's written notification of his or her decision, the principal's decision will be final and non-appealable.

Final Level of Appeal. The parent may request review of the Superintendent's decision by letter to the Superintendent or Clerk of the Board of Education. If no request is received within five (5) days of the parent's receipt of the Superintendent's written notification of his or her decision, the Superintendent's decision will be final. The parent will be notified in writing of the date, time, and place of the Board meeting at which the decision will be reviewed. The Board's decision will be final and non-appealable. If the parent disagrees with the Board's decision, he or she may prepare a written statement stating the reason(s) for disagreement, which will be placed in and become a part of the student's permanent cumulative record.

Prior to retaining a student at the parent's request, the student's parent will be required to sign an acknowledgement form accepting responsibility for any adverse consequences of retaining a student against district recommendations. Oklahoma law does not allow for an appeal process when a student is retained at the third-grade level pursuant to the *Reading Sufficiency Act* 70 O.S. § 1210.508C.

Approved by the Board of Education June 2013
Revised October 2013
Revised February 2018

3.35 SEARCH

(See also Testing Students with Regard to Alcohol and the Use of Illegal Chemical Substances)

Designated representatives of Jenks Public Schools have the authority to detain and search or authorize the search of any Jenks school student, or property in the possession of the student, when reasonable suspicion exists which supports the belief that the student is in possession of property that is illegal, prohibited by school rules or Board policy, or stolen from another student, an employee, or the school. Designated representatives have the authority to search while on school premises, at school activities, or in transit under authority of the school. School personnel all have access to school lockers, desks, and other school property in order to properly supervise the welfare of students. School lockers, desks, and other areas of school facilities may be opened and examined by school officials at any time and no reason shall be necessary for such search. Students shall not have any reasonable expectation of privacy towards school administrators or teachers in the contents of a school locker, desk, or other school property. School personnel may utilize trained contraband dogs on school premises. Students may be required to submit to metal detector searches and have their purses, book bags, briefcases, etc. searched with x-ray machines and/or metal detectors.

Revised by the Board of Education June 2009

3.36 SECLUSION OF STUDENTS WITH DISABILITIES

The purpose of this policy is to define the circumstances under which district personnel may use seclusion for students with disabilities in compliance with those guidelines set forth in the SDE's Special Education Handbook ("Seclusion Guidelines").

For purposes of this policy, the term "seclusion" means the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. This includes situations where a door is locked as well as where the door is blocked by other objects or held by staff. Any time a student is involuntarily alone in a room and prevented from leaving should be considered seclusion regardless of the intended purpose of the name applied to this procedure or the name of the place where the student is secluded. Seclusion does not include timeout, which is a behavior management technique implemented or the purpose of calming and redirecting.

Seclusion should never be used for the purposes of discipline or as a punishment, to force compliance, as a convenience for staff or to prevent property damage. Seclusion should not be used to manage behavior.

School personnel may use seclusion for students with disabilities only under the emergency circumstances identified in the Seclusion Guidelines and only if the elements identified by the Seclusion Guidelines exist.

School personnel may only utilize seclusion procedures if they have training in:

1. Conflict de-escalation;
2. The crisis cycle and interventions at each stage;
3. Possible effects of seclusion;
4. Appropriate use of seclusion rooms (including escorting and placing a student in a seclusion room);
5. Hold current CPR and First Aid certification; and

6. Monitoring the well-being of students.

Seclusion training should be recurrent and with annual updates and result in some form of certification or credential.

Any student placed in seclusion based on the criteria in the Seclusion Guidelines must be continuously monitored visually and aurally by a school employee. Additionally, (a) the student must be allowed to go to the bathroom upon request, (b) the student must be permitted water to drink upon request, and (c) immediate action must be taken if the student displays any signs of medical distress.

A "seclusion room" is defined as a room or other confined area in which a student with a disability is placed in isolation from other persons from which the student is prevented from leaving. A seclusion room must meet the following criteria:

1. It must be of adequate size permitting the student to sit or lie down;
2. It must have adequate lighting;
3. It must be equipped with heating, cooling, ventilation, and lighting systems that are comparable to those in other rooms throughout the building where the seclusion room is located;
4. It must be free of any objections that pose a potential risk of harm to the student with a disability;
5. If equipped with a door that locks, the lock must automatically disengage in case of an emergency, such as fire or severe weather; and
6. It must allow continuous visual and auditory monitoring of the student with a disability.

The use of seclusion for students with disabilities shall be subject to written State Department of Education Policies and Procedures.

Approved by the Jenks Board of Education May 2017

3.37 SOCIAL ORGANIZATIONS

It is considered in the best interest of the school to prohibit the organization of any student fraternity, sorority, secret society, or similar or allied organizations. The organization or support of any such group or groups will not be permitted.

Revised by the Jenks Board of Education June 1996

3.38 STUDENT ALCOHOL AND DRUG TESTING FOR PARTICIPANTS IN EXTRACURRICULAR ACTIVITIES AND/OR PARKING ON DISTRICT PROPERTY

(*See also* Student Behavior Policy; Extracurricular Activities Contract; Student use of Alcohol, Illegal Drugs; Testing Students – Alcohol, Illegal Substances)

The Board of Education of the Jenks District (the "District"), in order to protect the health and safety of students and to educate and direct students away from drug and alcohol use and abuse,

adopts the following Policy for testing students for the use of illegal drugs, alcohol, and performance enhancing drugs. This policy shall apply to students participating in extracurricular activities and/or students who apply for and are granted a parking permit to park on District property.

Statement of Purpose and Intent

It is the desire of the Board of Education, administration, and staff that every student in the District refrains from using or possessing alcohol and illegal or performance enhancing drugs. Therefore, except as provided below, the sanctions of this Policy shall relate solely to limiting the opportunity of any student determined to be in violation of this Policy to participate in extracurricular activities and/or park on District property. This Policy is intended to supplement and complement all other policies, rules, and regulations of the District regarding possession or use of alcohol and illegal or performance enhancing drugs.

Participation in school-sponsored extracurricular activities is a privilege, not a right. Students who participate in these activities are respected by the student body and are expected to conduct themselves as good examples of behavior, sportsmanship, and training. Accordingly, students who participate in extracurricular activities carry a responsibility to themselves, their fellow students, their parents, and their school to set the highest possible example of conduct, which includes avoiding the use or possession of alcohol and illegal or performance enhancing drugs.

Parking on the property of the District is also a privilege, not a right. Students who park on District property operate vehicles in close proximity to other students and faculty and may also have passengers in their vehicles. Because of this, the potential harm from misjudgment or impaired judgment due to alcohol or illegal drugs is great. Accordingly, students who park on District property carry a responsibility to themselves, their fellow students, and members of the public to operate their vehicles in a safe and reasonable manner that includes avoiding the use or possession of alcohol or illegal drugs. The use of alcohol and illegal drugs impairs the ability of a student to meet this responsibility.

The purpose of this Policy is to prevent alcohol and illegal or performance enhancing drug use, to educate students as to the serious physical, mental, and emotional harm caused by alcohol and illegal or performance enhancing drug use, to alert students who have possible substance abuse problems to the potential harms of use, to prevent injury, illness, and harm as a result of alcohol and illegal or performance enhancing drug use, and to strive within the District for an environment free of alcohol and illegal or performance enhancing drug possession or use. This policy is not intended to be disciplinary or punitive in nature. The sanctions of this policy relate solely to limiting the opportunity of students to participate in extracurricular activities or to park on campus when they are found to be in violation of this policy. There will be no academic sanction solely for a violation of this policy. Notwithstanding the foregoing, a student may be disciplined, including suspended out of school, if a violation of this policy also results in a violation of the District's Student Behavior Policy.

Definitions

- "Extracurricular" means any District sponsored team, club, organization, or activity in which student participation is voluntary and in which students represent the District in competitions.

- "Student extracurricular activities participant" means any student participating in any competitive extracurricular activity.

- "Student Athlete" means a 7th-12th grade member of any District sponsored interscholastic sports team, including athletes, cheerleaders, and Pom participants.

- "Coach/Sponsor" means any person employed by the District to coach athletic teams of the District, to act as a sponsor or coach of a cheerleader team of the District, or to serve as sponsor for any other extracurricular activity.

- "Athletics" and "athletic activity" means participation by a student athlete on any athletic team, cheerleader team, or Pom team sponsored by the District.
- "In-season" means anytime during the day, night, weekends or holidays, including all time in and away from school during the entire school year for all student extracurricular activities participants.

- "Permit Holder" means a student who currently holds a permit to park on District property.

- "Alcohol" means ethyl alcohol or ethanol and any alcoholic beverage and includes "low-point beer" as defined by Oklahoma law.

- "Illegal drugs" means any substance which an individual may not sell, possess, use, distribute, or purchase under either federal or Oklahoma law. "Illegal drugs" includes, but is not limited to, all scheduled drugs as defined by the Oklahoma Uniform Controlled Dangerous Substance Act, all prescription drugs obtained without authorization and all prescribed and over-the-counter drugs being used for an abusive purpose, and paraphernalia to use such drugs.

- "Performance enhancing drugs" include anabolic steroids and any other natural or synthetic substance used to increase muscle mass, strength, endurance, speed, or other athletic ability. The term "performance enhancing drugs" does not include dietary or nutritional supplements such as vitamins, minerals, and proteins that can be lawfully purchased in over-the-counter transactions.

- "Drug or alcohol use test" means a chemical test administered for the purpose of determining the presence or absence of alcohol or illegal or performance enhancing chemical substances or their metabolites in a student's blood, bodily tissue, fluids, products, urine, breath, or hair. Drug or alcohol testing may include but is not limited to urinalysis, hair follicle, and/or oral swab collection methods.

- "Random selection basis" means a mechanism for selecting student extracurricular activities participants for drug and/or alcohol use testing that:
  a. results in an equal probability that any student extracurricular activity participant from a group of student extracurricular activity participants subject to the selection mechanism will be selected, and
  b. does not give the District discretion to waive the selection of any student extracurricular activity participant selected under the mechanism.

- "Positive" when referring to an alcohol or drug use test administered under this Policy means a toxicological test result which is considered to demonstrate the presence of alcohol or an illegal or a performance enhancing drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug or alcohol use test.

- "Reasonable suspicion" means a suspicion based on specific personal observations concerning the appearance, speech or behavior of a student extracurricular activity participants and reasonable inferences drawn from those observations in the light of experience. Information provided by a reliable source, if based on personal knowledge, shall constitute reasonable suspicion. In the context of performance enhancing drugs, reasonable suspicion specifically includes unusual increases in size, strength, weight, or other athletic abilities.

- "Games/competitions" mean regular season, tournament, and playoff games/competitions and do not include practice games and scrimmages.

- "School Day(s)" means a day when school is in session and students are required to report to school. By way of example only and not as a limitation, school days does not include snow days, holidays, or parent-teacher conference days.

- "District Property" means any property owned by or under the control of the District.

Participation – Extracurricular Activities

Alcohol and illegal or performance enhancing drug possession or use is incompatible with participation in extracurricular activities on behalf of the District. For the safety, health, and well-being of the student extracurricular activity participants of the District, the District has adopted this Policy for use by all participating students at the 7th-12th grade level. Any student found to be in possession of, or having used alcohol or illegal or performance enhancing drugs, either by observation or drug or alcohol use test, will be considered to have violated this Policy.

Each student extracurricular activity participant shall be provided with a copy of this Policy via the Student/Parent Handbook and the "Student Extracurricular Activity Participant Alcohol and Illegal or Performance Enhancing Drugs Contract" (the "Extracurricular Activities Contract"), which shall be read, signed and dated by the student, parent or custodial guardian and a coach/sponsor before such student shall be eligible to practice or participate in any extracurricular activity. No student shall be allowed to practice or participate in any extracurricular activity unless the student has returned the properly signed Extracurricular Activities Contract. Provided,

however, the lack of a signature on the part of a coach/sponsor shall not invalidate consent to drug testing under the contract.

The principal and sponsor, or, in the case of student athletes only, the athletic director or designee and applicable coach, shall be responsible for determining whether a violation of this Policy has occurred when an observation of possession or use of alcohol or illegal drug by a student extracurricular activity participant has been reported. If a violation of the Policy is determined to have occurred by a student extracurricular activities participant other than a student athlete, a principal will contact the student, the sponsor, and the parent or custodial guardian of the student and schedule a conference. If a violation of the Policy is determined to have occurred by a student athlete, the athletic director or designee will contact the student, the sponsor or head coach, the applicable principal, and the parent or custodial guardian of the student and schedule a conference. At the conference, the violation of the Policy will be described and the restrictions explained.

The Extracurricular Activities Contract for alcohol and illegal or performance enhancing drug and/or alcohol use testing requires a completed scientifically-validated test for alcohol and/or illegal or performance-enhancing drugs. The District will set a fee charge to be collected from each student when the Extracurricular Activities Contract is signed and returned to the coach. Student athletes who have physical examinations performed by their personal physicians must nonetheless sign the Extracurricular Activities Contract and comply with all Policy requirements. For all student extracurricular activity participants, tests will be done as chosen by the random selection basis; or at any time a student extracurricular activities participant is requested by the principal, athletic director, athletic trainer or by the sponsor or coach, based on reasonable suspicion (see Policy for Testing Students with regard to the use of Alcohol and Illegal Chemical Substances), to be tested for alcohol and illegal or performance enhancing drugs.

Drug and/or alcohol use testing for student extracurricular activities participants will be chosen on a random selection basis weekly from all student participants. The District will determine a weekly number of student names to be drawn at random to complete a scientifically-validated test for drug and/or alcohol use testing for alcohol and/or illegal or performance enhancing drugs.

In addition to the drug and alcohol use tests required above, any student extracurricular activities participant may be required to submit to a drug and/or alcohol use test for alcohol or illegal or performance enhancing drugs or the metabolites thereof at any time upon reasonable suspicion.

Participation – Parking Permits

Alcohol and illegal drug possession or use is incompatible with operating a motor vehicle on property of the District. For the safety, health, and well-being of the students and Permit Holders of the District, the District has adopted this Policy for use by all Permit Holders. Any student found to be in possession of, or having used alcohol or illegal drugs, either by observation or drug or alcohol use test, will be considered to have violated this Policy.

All students who park on District property must have a proper parking permit issued by the District.

Each Permit Holder shall be provided with a copy of this Policy via the Student/Parent Handbook, and the "Parking Permit Application and Alcohol and Illegal Drug Contract" (the "Parking Permit

Contract"), which shall be read, signed and dated by the student, parent or custodial guardian before such student shall be eligible to apply for a parking permit. No application for a parking permit will be considered until the student has returned the properly signed Parking Permit Contract.

The principal or his/her designee shall be responsible for determining whether a violation of this Policy has occurred when an observation of possession or use of alcohol or illegal drug by a Permit Holder has been reported. If a violation of the Policy is determined to have occurred by a Permit Holder, the principal will contact the student and the parent or custodial guardian of the student and schedule a conference. At the conference, the violation of the Policy will be described and the restrictions explained, including the beginning date of any suspension of the parking permit.

The Parking Permit Contract for alcohol and illegal drug and/or alcohol use testing shall be to provide a requested sample as chosen by the random selection basis; or at any time a Permit Holder is requested by the principal or his/her designee, based on reasonable suspicion, to be tested for alcohol and illegal drugs.

Drug and/or alcohol use testing for Permit Holders will also be chosen on a random selection basis weekly from a list of all Permit Holders. The District will determine a weekly number of student names to be drawn at random to provide a requested sample for drug and/or alcohol use testing for alcohol and/or illegal drugs.

In addition to the drug and alcohol use tests required above, any Permit Holder may be required to submit to a drug and/or alcohol use test for alcohol or illegal or performance enhancing drugs or the metabolites thereof at any time upon reasonable suspicion.

The District will set a fee to be collected from each student when the Parking Permit Contract is signed and returned to the administration, to cover the expense of these testing procedures.

Testing Procedures

Any alcohol or drug use test required by the District under the terms of this Policy will be administered by or at the direction of a professional laboratory chosen by the District using scientifically validated toxicological methods. The professional laboratory shall be required to have detailed written specifications to assure chain of custody of the specimens, proper laboratory control and scientific testing.

All aspects of the alcohol or drug use testing program, including the taking of specimens, will be conducted so as to safeguard the personal and privacy rights of the student to the maximum degree possible. The test specimen shall be obtained in a manner designed to minimize intrusiveness of the procedure. In particular, if a urine sample is collected, the specimen must be collected in a restroom or other private facility behind a closed stall. The principal, athletic director, or athletic trainer shall designate a sponsor or coach or other adult person of the same sex as the student to accompany the student to a restroom or other private facility behind a closed stall. The monitor shall not observe the student while the specimen is being produced, but the monitor shall be present outside the stall to listen for the normal sounds of urination in order to guard against tampered specimens and to insure an accurate chain of custody. The monitor shall verify the normal warmth

and appearance of the specimen. If at any time during the testing procedure the monitor has reason to believe or suspect that a student is tampering with the specimen, the monitor may stop the procedure and inform the principal, athletic director, or athletic trainer who will then determine if a new sample should be obtained. If a student is determined to have tampered with any specimen or otherwise engaged in any conduct that disrupts the testing process of any student, then the student will be deemed to have committed a second offense under this Policy and the sanctions for a second offense will be imposed. The monitor shall give each student a form on which the student may list any medications he/she has taken or any other legitimate reasons for having been in contact with illegal drugs or performance enhancing drugs in the preceding thirty (30) days. The medication list may be submitted to the lab in a sealed and confidential envelope.

If an initial drug use test is positive, the initial test result will be subject to confirmation by a second and different test of the same specimen. The second test will use any scientifically accepted method. A specimen shall not be reported positive unless the second test procedure is positive for the presence of an illegal drug or performance enhancing drug or the metabolites thereof. If an initial alcohol use test is positive for the presence of alcohol, the initial test result will be subject to confirmation by a second test using any scientifically accepted method. The unused portion, if any, of a specimen that tested positive for alcohol or illegal or performance enhancing drugs shall be preserved by the laboratory for a period of six (6) months.

If the alcohol or drug use test for any student has a positive result, the laboratory will contact the principal, the athletic director, or a designee with the results. In the case of student extracurricular activities participants who are not athletes, a principal will contact the student, the sponsor, and the parent or custodial guardian of the student and schedule a conference. In the case of student athletes, the athletic director or athletic trainer will contact the student, the sponsor or head coach, the applicable principal, and the parent or custodial guardian of the student and schedule a conference. In the case of Permit Holders, a principal will contact the student and the parent or custodial guardian of the student and schedule a conference.

At the conference, a principal or the athletic director or designee will solicit any explanation for the positive result and ask for doctor prescriptions of any drugs that the student was taking that might have affected the outcome of the alcohol or drug use test. If the student and his/her parent or custodial guardian desires another test of the remaining portion, if any, of the specimen, the principal, athletic director, or athletic trainer will arrange for another test at the same laboratory or at another laboratory agreeable to the principal or athletic director or designee. Any such re-test shall be at the expense of the student and his/her parent or custodial guardian. Such re-test must be requested during the conference described in this paragraph. Should a re-test be requested, no determination shall be made as to whether there is a policy violation until the re-test had been completed; however, the student shall be ineligible for participation in extracurricular activities or parking on District property pending the results of such re-test. However, if the re-test returns a positive result, any days that a student is ineligible for participation in extracurricular activities or parking on District property shall be counted towards the sanction issued under this policy.

If, during the conference described above, the student asserts that the positive test results are caused by other than consumption of alcohol or an illegal or performance enhancing drug by the student, then the student will be given an opportunity to present evidence of such to the principal

or to the athletic director. The District will rely on the opinion of the original laboratory that performed the test in determining whether the positive test result was produced by other than consumption of alcohol or an illegal or performance enhancing drug. Should an alternative reason for the positive result be provided, no determination shall be made as to whether there is a policy violation until the original laboratory has been consulted; however, the student shall be ineligible for participation in extracurricular activities or parking on District property pending such consultation. However, if a policy violation is determined to have occurred, any days that a student is ineligible for participation in extracurricular activities or parking on District property under this paragraph shall be counted towards the sanction issued under this policy. If a policy violation has been determined to by the principal or the athletic director to have occurred, they will notify the student and his/her parent(s)/guardian(s).

A student who has been determined by the appropriate school administrator to be in violation of this Policy shall have the right to appeal the decision to the Superintendent or designee(s). Such appeal must be lodged within five (5) calendar days of notice of the initial report of the offense, during which time the student will remain ineligible to participate in any extracurricular activities and/or park on District property. The Superintendent or designee(s) shall then determine whether the original finding was justified. There is no further appeal right from the Superintendent's decision and such decision shall be conclusive in all respects. Any necessary interpretation or application of this Policy shall be the sole and exclusive judgment and discretion of the Superintendent, which shall be final and non-appealable.

Before a student who has tested positive in an alcohol or drug use test may rejoin his/her extracurricular activity and/or park on District property after a first or second offense, such student may be required to undergo one or more additional alcohol or drug use tests to determine whether the student is no longer using alcohol or illegal or performance enhancing drugs. The District will rely on the opinion of the laboratory that performed or analyzed the additional alcohol or drug use test in determining whether a positive result in the additional alcohol or drug use test was produced by alcohol or illegal or performance enhancing drugs used by the student before the offense or by more recent use.

All documents created pursuant to this Policy with regard to any student will be kept in a confidential folder and will never be made a part of the student's cumulative folder nor be considered a "disciplinary" record.

Notwithstanding the provisions above, a student extracurricular activities participant or parking permit holder in possession of a valid medical marijuana license shall not be considered in violation of this policy based on a positive drug test for marijuana or its metabolites. A student extracurricular activities participant or parking permit holder who is a medical marijuana license holder may be considered in violation of this policy if he or she uses, possesses, sells, distributes, purchases or is under the influence of medical marijuana or medical marijuana product while on District property or while participating in school activities.

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

1. Observation of any of the conduct or phenomenon described below:
   a. the smell of marijuana on or around the individual;
   b. Disorganized thinking;
   c. Paranoia and/or confusion;
   d. Bloodshot eyes;
   e. Increased heart rate;
   f. Increased appetite; or
   g. Loss of Coordination and

2. Any circumstance that would permit the school district to engage in "reasonable suspicion" drug or alcohol testing of the student under this policy.

Violations of Alcohol and Drug Testing Policy
Any student who is determined by observation or by alcohol or drug use tests to have violated this Policy shall be subject to the loss of the privilege to participate in extracurricular activities and/or loss of the privilege to park on School District property. Such student shall be offered educational and support assistance to stop using alcohol or illegal or performance enhancing drugs.

First Offense
Suspension from participation in all scheduled extracurricular activities (including all meetings, practices, performances and games/competitions) and suspension of the parking permit for 30 school days, which may be reduced by 15 school days (five school days reduced for professional drug/alcohol evaluation/ assessment and ten school days reduced for participating in and successfully completing at least four (4) outpatient counseling sessions when recommended by the provider conducting the assessment. If additional counseling is recommended outside of the initial four (4) outpatient sessions, the student must fulfill those recommendations. If outpatient counseling is not recommended by the provider, the student may satisfy the counseling requirement by attending four (4) hours of drug/alcohol education provided by the District.

An extracurricular activity participant (including athletes) must miss a minimum of 40% of the allowable number of regular season contests/performances which may be reduced to 20% upon completion of the assessment and substance abuse education counseling. If the student is not competing in an activity during any suspension period due to injury, academic ineligibility or the games, competitions, or performances are finished or have not begun for that school year and, therefore, does not miss a minimum of 40% of the games/competitions during the suspension period, then the student will be required to miss a minimum of 40% of the games/competitions/performances after he or she returns from the injury, becomes eligible or the games, competitions, or performances resume in the following school year or begin later in the same school year. These restrictions and requirements shall begin immediately following the determination of an observed violation or the reporting of the results of a positive alcohol or drug use test. Such suspension will extend into a succeeding competition season if necessary to fulfill the suspension.

Second Offense
Complete suspension from participation in all extracurricular activities including all meetings, practices, performances and competition and/or suspension of the parking permit for eighteen (18)

continuous and successive school weeks from the date of the determination of a violation or the reporting of the results of a positive alcohol or drug use test under this Policy. Such suspension will extend into a succeeding school year if necessary to fulfill the suspension. Offenses occurring during the seventh and eighth (7-8) grades shall be cumulative for the duration of the student's middle school career. Offenses occurring in grades nine through twelve (9-12) shall be cumulative throughout the student's high school career. Extracurricular activity participants will be required to miss a minimum of 40% of regular season contests/performances, whenever scheduled.

Self-Reporting: As an option to the consequences for a first offense only, a student may self-report to the principal, athletic director, athletic trainer or to a coach, director, or sponsor before being notified of a Policy violation or prior to being asked or required to submit to an alcohol or drug use test. A student who self-refers will be allowed to remain active in all extracurricular activities and retain his or her parking permit after the following conditions have been fulfilled: a conference has been held with the student, the principal, athletic director, athletic trainer, the sponsor, director, or coach, and the parent or custodial guardian of the student to discuss the Policy violation; an alcohol or drug use test is provided by the student that is not positive, and a participation commitment by the student and parent for four (4) hours of substance abuse education/counseling provided by the school or an outside agency. Documentation of successful completion of this commitment must be provided to the principal, athletic director, athletic trainer, or their designee by the student or parent. A student who self-refers will, however, be considered to have committed his/her first offense under this Policy. A self-referral may be used only once in a student's time in the School District.

Refusal to Submit to Alcohol or Drug Use Test
If a student refuses to submit to an alcohol or drug use test authorized under this Policy, such student shall not be eligible to participate in any extracurricular activities including all meetings, practice, performances and competition, or park on campus for eighteen (18) continuous and successive school weeks. Extracurricular activity participants will be required to miss a minimum of 40% of regular season contests, whenever scheduled. Such suspension will extend into a succeeding school year if necessary to fulfill the suspension.

Approved by the Board of Education May 2011
Revised June 2015
Revised June 2018
Revised June 2019
Revised May 2020
Revised May 2021

3.39 STUDENT BEHAVIOR

(See also Penalties to Parent for Child with Firearm at School, Harassment and Bullying)

A vast array of student disciplinary situations and penalties are mentioned in this Board Policy and student or parent/guardian handbooks that are distributed from the District's schools. It is recognized that it is impossible to identify all student actions that might require staff administered consequences. Therefore, disciplines may be administered for student actions that are, or possibly, are not described in the Board policies or student and parent/guardian handbooks.

Similarly, these policies, as well as the regulations included in the student and parent/guardian handbooks, should be considered to be general guidelines for the administration of student discipline…not rigid regulations which are automatically applied in all cases. Administrative discretion is encouraged and recommended in individual and/or unique situations. This includes the potential administration of penalties which are less or more than those penalties described in policy books and handbooks.

The Board of Education of the Jenks District adopts the following policy and procedures dealing with student behavior. The Board of Education recognizes that students do not surrender any rights of citizenship while in attendance at Jenks Schools. The school is a community with rules and regulations. Those who enjoy the rights and privileges it provides, must also accept the responsibilities that inclusion demands, including respect for and obedience to school rules.

The following behaviors at school, while in school vehicles or going to or from or attending school events will result in disciplinary action, up to and including school intervention options or out of school suspension. These behaviors may include but are not limited to the following:

1. Arson
2. Altering or attempting to alter another individual's food or beverage
3. Assault (whether physical or verbal) and/or battery
4. Attempting to incite or produce imminent violence directed against another person because of his or her race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information by (a) making or transmitting or causing or allowing to be transmitted, any telephonic, computerized, or electronic message or (b) broadcasting, publishing or distributing or causing or allowing to be broadcast, published or distributed, any message or material
5. Cheating
6. Conduct that threatens or jeopardizes the safety of others
7. Cutting class or sleeping, eating, or refusing to work in class
8. Disruption of the education process or operation of the school
9. Extortion
10. Failure to attend assigned detention, alternative school, or other disciplinary assignment without approval
11. Failure to comply with state immunization records
12. False reports, false calls, or misrepresentation of facts
13. Fighting
14. Forgery, fraud, or embezzlement
15. Gambling
16. Gang related activity, action, or attire
17. Harassment, intimidation, and bullying, including gestures, written or verbal expression, electronic communication, or physical acts
18. Hazing (whether involving initiations or not) in connection with any school activity, regardless of location
19. Immorality
20. Inappropriate attire, including violation of dress code
21. Inappropriate behavior or gestures

22. Indecent exposure
23. Intimidation or harassment because of race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information, including but not limited to: (a) assault and battery; (b) damage, destruction, vandalism, or defacing any real or personal property; or threatening, by word or act, the acts identified in (a) or (b)
24. Obscene language
25. Physical or verbal abuse
26. Plagiarism
27. Possession or distribution of a caustic substance
28. Possession, distribution, or viewing of obscene materials, including electronic possession, distribution or viewing (sexting)
29. Possession of synthetic urine, a warmer or any other item with the intent to use that item to tamper with a drug or alcohol test
30. Possession, threat or use of a dangerous weapon and related instrumentalities, i.e., bullets, shells, gun powder, pellets
31. Possession, claimed possession, use, manufacture, distribution, sale, purchase, conspiracy to sell, distribute, or possess or being in the chain of sale or distribution, or being under the influence of (a) alcoholic beverages, low-point beer (as defined by Oklahoma law, i.e., 3.2 beer) (b) any mind altering substance, except for medications taken for legitimate medical purposes pursuant to district policy, including but not limited to prescription medications for which the individual does not have a prescription, medications used outside their intended therapeutic purpose, or products containing cannabidiol (CBD), (c) paint, glue, aerosol sprays, salts, incense and other substances which may be used as an intoxicating substance, or (d) any substance believed or represented to be a prohibited substance, regardless of its actual content
32. Possession or claimed possession of illegal and/or drug related paraphernalia
33. Possession, claimed possession, distribution, or claimed distribution of supplements, prescription medicine, and/or non-prescription medicine while at school and school related functions without prior district approval
34. Profanity
35. Purchasing, selling, and/or attempting to purchase or sell prescription and non-prescription medicine while at school and school related functions
36. Sexual or other harassment of individuals including, but not limited to, students, school employees, volunteers
37. Theft
38. Threatening behavior (whether involving written, verbal, electronic, or physical actions)
39. Truancy
40. Use of bathroom different that student's gender
41. Use of a wireless telecommunications device without prior authorization
42. Use or possession of missing or stolen property if property is reasonably suspected to have been taken from a student, a school employee, or the school
43. Use, possession, claimed possession, distribution, or selling marijuana or marijuana related products in any form. "Marijuana" is defined as provided for in the District's policy on Medical Marijuana/ Cannabidiol (CBD) Products

44. Use, possession, claimed possession, distribution, or selling tobacco or tobacco related products in any form, including but not limited to cigarettes, cigars, loose tobacco, rolling papers, chewing tobacco, snuff, matches, lighters, e-cigarettes, personal vaporizers, electronic nicotine delivery systems, and any cartridge, container, or product designed to be used in conjunction with these delivery systems, regardless of the nicotine content of the product
45. Using racial, ethnic, sexual, gender, or disability-related epithets
46. Using skateboards, rollerblades, skate shoes, or scooters on school property or at school events
47. Vandalism
48. Violation of the Board of Education policies, rules or regulations or violation of school rules and regulations or violation of state statutes including but not limited to, disrespect, lingering in restrooms, running in halls, bringing unauthorized items to school, inappropriate or unauthorized use of cellular phones or other electronic media, name calling, destroying or defacing school property
49. Vulgarity
50. Willful damage to school property
51. Willful disobedience of a directive of any school official

In addition, conduct occurring outside of the normal school day or off school property that has a direct and immediate negative effect on the discipline or educational process or effectiveness of the school, will also result in disciplinary action, which may include in-school placement options or out-of-school suspension. This includes but is not limited to electronic communication, whether or not such communication originated at school or with school equipment, if the communication is specifically directed at students or school personnel and concerns harassment, intimidation or bullying at school.

Revised by the Board of Education June 2009
Revised May 2011
Revised December 2014
Revised June 2015
Revised May 2017
Revised June 2018
Revised May 2020
Revised May 2022

3.39.1 DISCIPLINARY OPTIONS

Instructor or Administrator Intervention
May include, but is not limited to: warning conference with student, parent conference, referral to counselor, behavioral contract, restriction of privileges, requirement of corrective action by student, changing student's seat or class assignment, involvement of local authorities or agencies, or other appropriate action as required or indicated by the circumstances.

Detention
Detention is a correctional measure used when it is deemed appropriate. Students are to report to the appropriate teacher/principal at the specified time with class work to be studied. Detention may be assigned on a weekday or on a Saturday, as deemed appropriate.

School Service
School service may be required of students when an administrator believes that it would allow the student to understand the logical consequences of his/her conduct. Examples include, but are not limited to, cleaning after vandalism or littering, helping a teacher after disrupting class, etc. School service will not be utilized to augment the district's workforce, in ways which are likely to endanger a student, or in a manner which is designed to unduly embarrass a student.

In-School Intervention
In-school intervention is an optional correctional measure that may be used by the school when deemed appropriate by a site administrator. It involves assignment to a school site, designated by the school, for a prescribed course of education as determined by school representatives and there shall be no grade penalty. In-school intervention is not considered by law to be out-of-school suspension and therefore is non-appealable. However, all in-school interventions of greater than 15 days, with the exception of those directed by Board policy, must be confirmed by the Superintendent or designee.

Alternative In-School Placement
Alternative in-school placement is an optional correctional measure that may be used by the school when deemed appropriate. It involves assignment to a school site, designated by the school, for a prescribed course of education as determined by school representatives. Any such placement will be made in accordance with applicable special education procedural safeguards.

Alternative Out Of School Placement
Alternative out-of-school placement is an optional correctional measure specifically authorized in cases when a student has made electronic communications intended to terrify, intimidate, harass, or threaten injury or harm to faculty or students. Any such placement will be made in accordance with applicable special education procedural safeguards.

Out of School Suspension
Students may be suspended out of school pursuant to the District's policy regarding student suspension.

Behavior or Conduct Which May Result in Suspension
Students who are guilty of any of the following acts may be suspended out of school by the administration of the school or the District for:

1. Violation of a school regulation;
2. Immorality;
3. Adjudication as a delinquent for an offense that is an exception to a non-violent offense. For the purposes of this section, "violent offense" shall include those offenses listed as the exceptions to the term "nonviolent offenses" as specified in OS Title 57, § 571, "Violent offense" shall include the offense of assault with a dangerous weapon but shall not include the offense of assault;
4. Possession of an intoxicating beverage, low-point beer, as defined by OS Title 37, § 163.2, 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; and

5. Possession of a dangerous weapon or a controlled dangerous substance, as defined in the Uniform Controlled Dangerous Substances Act. Possession of a firearm shall result in out of school suspension as provided in the District's policy related to Firearms.

In the event of a suspension for any of the reasons listed above, an education plan shall be applicable. However, no education plan shall be necessary for possession of a dangerous weapon or a controlled dangerous substance.
Students suspended for a violent offense directed toward a classroom teacher shall not be allowed to return to the teacher's classroom without the teacher's prior approval. Whether an offense is considered a violent offense, requiring an affected teacher's approval as a condition of return to a particular classroom, shall be based on applicable provisions of the Oklahoma school law regarding student suspension and applicable Oklahoma criminal law distinguishing between violent and nonviolent offenses.

Pre-Suspension Conference
Before the District recommends out of school suspension through its designated representatives, alternative in-school intervention including, but not limited to, placement in an alternative school setting, placement in an online program, reassignment to another classroom, placement in in-school detention, or other available disciplinary or correctional options shall be considered. These shall not be considered as an out of school suspension but shall be treated as disciplinary or correctional actions that may be used, if warranted, as an alternative to out of school suspension. Students identified as disabled under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 and who are suspended out of school or receive disciplinary removal from the classroom require additional procedural considerations.

Pre-Out of School Suspension Conferences
When a student violates Board policy or a school rule or regulation or has been adjudicated as a delinquent for an offense that is not a violent offense (as set out in OS Title 57, section 571), the principal will conduct an informal conference with the student.

At the conference with the student, the principal will read the policy, rule or regulation which the student is charged with having violated and will discuss the conduct of the student which is a violation of the policy, rule, or regulation.

The student will be asked whether he/she understands the policy, rule or regulation and be given a full opportunity to explain and discuss his/her conduct. If it is concluded that an out of school suspension is appropriate, the student will be advised that he/she is being suspended and the length of the out of school suspension.

The principal will immediately notify the parent/guardian by phone and in writing that the student is being suspended out of school and that alternative in-school intervention or other available options have been considered and rejected. The written notice should state what alternative in-school placement or other available options have been considered and why they were rejected. Elementary, intermediate, and middle school students will not be dismissed before the end of the school day without advance notice to parent/guardian.

Immediate Out of School Suspension Without a Pre-Out of School Suspension Conference
A student may be suspended out of school without the above pre-out of school suspension conference with the student only in situations where the conduct of the student reasonably indicates to the principal that the continued presence of the student in the building will constitute an immediate danger to the health or safety of the students, or school employees, or to school property, or a continued substantial disruption of the educational process.

In such cases, an out of school suspension conference with the student and the parent or guardian will be scheduled as soon as possible after the student has been removed from the building.

Conferences with Parents/Guardians
The principal will seek to hold a conference with the parent or guardian as soon as possible after the out of school suspension has been imposed. The parent/guardian should be advised of his/her right to a conference with the principal at the time he/she is notified that an out of school suspension has been imposed. The conference will be held during the regular school hours, Monday through Friday, with consideration given to special exceptions. At the conference, the principal will read the policy, rule or regulation which the student is charged with having violated and will briefly outline the conduct or behavior on the part of the student. The principal will also explain the basis for an out of school suspension rather than the use of alternative options. The parent/guardian should be asked by the principal if he/she understands the rule and the charges against the student.

At the conclusion of the conference, the principal will state whether he/she will terminate or modify the out of school suspension. In all cases the parent/guardian will be advised of his/her right to have the out of school suspension reviewed as provided by this policy.

Out of School Suspension Requirements
An out of school suspension shall be long-term or short-term. A long-term out of school suspension shall be an out of school suspension of eleven (11) or more school days. A short term out of school suspension shall be a period of ten (10) or fewer school days.

In no event should an out of school suspension extend beyond the current school semester and succeeding semester, except in the case of possession of a firearm in which case an out of school suspension for up to one (1) calendar year is appropriate. Out of school suspensions involving firearms are governed by the District's Gun-Free School Policy. Out of school suspensions should have a definite commencement and ending date: indefinite out of school suspensions are not permitted. It is recommended that out of school suspensions of eleven (11) or more days be imposed only in serious situations.

The principal may take previous conduct and previous disciplinary actions and out of school suspensions of the student into consideration. In some instances, students who commit infractions resulting in long-term suspensions may be offered the option of an online alternative program. The suspension will be reduced to ten (10) days, during which time the student will be required to complete and/or initiate any requisite screenings, assessments, contacts or other actions as determined by the appropriate administrator. After ten (10) school days, if documentation is

produced by the student indicating that the required actions have been completed, the student will be enrolled in the online education program.

Out of school suspensions until the student performs some remedial act are not permitted; however, the student may be advised that an out of school suspension of definite length will be terminated at an earlier date if he/she performs a prescribed remedial act or acts.

Out of school suspensions, in excess of five (5) days, shall include an Individualized Plan for Out of School Suspension ("Plan") which shall describe either a home-based school work assignment setting or other appropriate work assignment setting. The Plan shall be prepared by the principal with the assistance of other school employees as warranted by the circumstances of the out of school suspension.

The Plan shall provide for the core units in which the student is enrolled. Core units shall consist of the minimum English, Mathematics, Science, Social Studies and Fine Arts units required by the Oklahoma State Department of Education for grade completion in grades kindergarten through eight and for high school graduation in grades nine through twelve.

A copy of the Plan shall be provided to the student and parent or guardian. The parent or guardian shall be responsible for provision of a supervised, structured environment in which the parent or guardian shall place the student. The parent or guardian shall bear responsibility for monitoring the student's educational progress until the student is readmitted into school. The Plan shall set out the procedure for education and shall also address academic credit for work satisfactorily completed.

Records and Reports
The principal will keep written records of each out of school suspension conference containing the date of the conference, the names of the persons present, and the basis for rejection of alternative disciplinary options. Also, the principal shall maintain records related to the Education Plan and the student's and/or parent/guardian's compliance or non-compliance with the Plan.

Revised by the Board of Education June 2004
Revised July 2011
Revised June 2015
Revised May 2017

3.39.2 SHORT-TERM OUT OF SCHOOL SUSPENSIONS OF TEN (10) OR FEWER SCHOOL DAYS

The Board of Education recognizes that student out of school suspensions of ten (10) or fewer school days referred to as short-term out of school suspensions involve less stigma and require less formal due process procedures than are required for out of school suspensions of greater than ten (10) school days referred to as long-term out of school suspensions. Appellate rights in such instances are satisfied in an effective and expedient manner by giving the student the right to appeal the out of school suspension decision to a committee composed of administrators and/or teachers. The composition of the committee shall be reserved to the District's discretion.

Right of Appeal
A student who has been suspended out of school for a period of ten (10) or fewer school days is entitled to all pre-appeal rights presently accorded by District policy to students who have been suspended out of school for periods of eleven (11) or more school days. A student who has been given a short-term out of school suspension and that student's parent/guardian have a right to appeal an out of school suspension decision to a committee composed of administrators and/or teachers. A student with a short-term out of school suspension and his/her parent/guardian shall be informed by the principal of this right and the method of submitting an appeal.

Method of Appeal to the Site Committee
An appeal to a committee can be requested by letter to the school principal, which must be received within five (5) calendar days after the principal's out of school suspension decision is received by the student, or his/her parent/guardian. The out of school suspension decision will become final and non-appealable if a request is not timely submitted.

The Site Committee will be composed of the following members: an administrator not involved in the suspension; a site teacher of the student's choice and a teacher appointed by the site principal, neither of whom may be the student's present teacher.

Upon receipt of the request, the school principal shall confirm that the student's out of school suspension falls within the category of out of school suspensions to which an appeal to the committee is authorized. If the school principal determines that the period of out of school suspension is greater than eleven (11) school days, or if for any reason, the short-term out of school suspension is extended beyond ten (10) school days prior to the committee hearing, the procedures applicable to long-term out of school suspensions must be followed and the student must be given the opportunity to appeal any adverse decision to the Board of Education.

Method of Appeal to the Superintendent, Designee, or District Committee
An appeal can be presented by letter to the Superintendent. If no appeal is received within five (5) calendar days after the site committee's decision is received by the parent/guardian or student, the committee's out of school suspension decision will be final.

The Superintendent, designee, or District administrative committee should hold a conference with the parent or guardian as soon as possible after receipt of the appeal. The appeal will be held during the regular school hours, Monday through Friday, with consideration given to the hours of working parents/guardians whenever possible.

At the conference, the Superintendent or designee will read the policy, rule, or regulation which the student is charged with violating and will briefly outline the conduct on the part of the student. The parent/guardian should be asked by the Superintendent or designee if the rule and the charges against the student are understood. The Superintendent or designee will notify the parents/guardians of whether the school suspension will be sustained, rescinded, or modified. The decision of the committee shall be final and non-appealable.

Revised by the Board of Education May 2007

3.39.3 LONG-TERM OUT OF SCHOOL SUSPENSIONS OF ELEVEN (11) OR MORE SCHOOL DAYS

Right of Appeal
A parent/guardian or the student may appeal the out of school suspension decision to the Site Committee**,** Superintendent and the Board of Education.

Attendance at School Pending Appeal Hearing
Pending the appeal hearing of an out of school suspension, the student will have the right to attend school under such "In-School" restrictions as the principal deems proper (and this time may or may not count against the total penalty time), except that in the discretion of the principal, the student may be prohibited from attending school pending any appeal hearing if in the judgment of the principal:

1. The conduct for which the student was suspended out of school reasonably indicates that continued attendance by the student pending any appeal hearing would be dangerous to other students, staff members, or school property; or
2. The conduct for which the student was suspended out of school reasonably indicates that the continued presence of the student at the school pending any appeal hearing would substantially interfere with the educational process at the school.

Method of Appeal to the Site Committee
An appeal to a committee can be requested by letter to the school principal, which must be received within five (5) calendar days after the principal's out of school suspension decision is received by the student, or his/her parent/guardian.

The Site Committee will be composed of the following members: an administrator not involved in the suspension, a site teacher of the student's choice and a teacher appointed by the site principal, neither of whom may be the student's present teacher.

The out of school suspension decision will become final and non-appealable if a request is not submitted in a timely manner.

Method of Appeal to the Superintendent of Schools, Designee, or District Committee
An appeal can be presented by letter to the Superintendent. If no appeal is received within five (5) calendar days after the site committee's decision is received by the parent/guardian or student, the committee's out of school suspension decision will be final.

The Superintendent, designee, or District administrative committee should hold a conference with the parent or guardian as soon as possible after receipt of the appeal. The appeal will be held during the regular school hours, Monday through Friday, with consideration given to the hours of working parents/guardians whenever possible.

When a District administrative committee is utilized, the Superintendent or designee shall appoint an appeal committee consisting of no fewer than three (3) District administrators and shall designate a chairperson for the committee. No administrator is eligible to serve on the committee

who was a witness to the student's conduct. The principal who issued the out of school suspension decision shall attend the committee hearing.

At the conference, the Superintendent or designee will read the policy, rule, or regulation which the student is charged with having violated and will briefly outline the conduct on the part of the student. The parent/guardian should be asked by the Superintendent or designee if the rule and the charges against the student are understood. The Superintendent or designee will notify the parents/guardians of whether the out of school suspension will be sustained, rescinded, or modified. In any case where a long-term suspension continues to exist, the parent/guardian will be advised of his/her right to have the out of school suspension reviewed by the Board of Education.

Method of Appeal to the Board of Education
An appeal can be requested by letter to the Superintendent or to the Clerk of the Board of Education.

If no appeal is received within five (5) calendar days after the decision of the Superintendent, designee, or administrative committee is received by the parent/guardian or student, the decision will be final.

Hearing the Appeal
The Board will hear the appeal as soon as possible. The Board's decision is final and non-appealable. The parent/guardian and student will be notified of the date, time, and place of the hearing. The parent/guardian and student will have the right to an "open" or "closed" hearing, at their option. Reasonable efforts will be made to accommodate the work schedule of parents/guardians.

Each side will be told that they are required to hold their "total time" to one and one-half (1 1/2) hours. This should include opening statement, presentation of evidence, cross-examination, and closing statement. If the representative or attorney for either side indicates that additional time is required, the rationale for requesting that additional time will be presented by the requesting party(ies) at this time on the agenda. Both sides and individual Board members may address this issue. The Board will then consider the request and then will vote to set a reasonable time limit for each side based on the information provided by the parties and the totality of the circumstances. To the extent possible, the Board will seek to obtain an agreement from the parties as to a reasonable time limit.

Pursuant to Oklahoma School Laws, the parent/guardian/student may determine that the hearing be in open to the public or in executive session.

The Board may go into executive session to deliberate the finding of fact for the case. After returning to open session, the Board takes action to adopt a findings of fact and to affirm the suspension; to modify the suspension; or to revoke the suspension.

Revised by the Board of Education June 2009

3.39.4 STUDENT RESTRICTIONS DURING OUT OF SCHOOL SUSPENSION OR DURING OTHER DISCIPLINARY OR CORRECTIONAL MEASURES

Participation in the extracurricular activities of the school is a privilege and not a right. Accordingly, when a student's behavior results in a determination by the principal of an out of school suspension, the student immediately forfeits the privilege of participating in all extracurricular activities of the school, notwithstanding the filing of an appeal. In addition, when a principal determines to impose alternative in-school disciplinary or other correctional measures against a student, then the student will not be permitted to participate in any extracurricular activities offered by the school during the term of the discipline, unless, in the sole judgment of the principal, such participation is appropriate given the nature of the offense committed by the student. An exception may be made by the suspending principal in collaboration with the administrator supervising Community Education for the student to attend Community Education summer school classes.

"Extracurricular activities" includes, but is not limited to, all school sponsored teams, clubs, organizations, ceremonies, student government, band, orchestra, vocal music, athletics and all other school sponsored activities and organizations.

Revised by the Board of Education June 2003

3.39.5 EDUCATION PLAN FOR SUSPENDED STUDENTS

The education plan shall provide for the core units in which the student is enrolled. Core units shall consist of the minimum English, Mathematics, Science, Social Studies, and Fine Arts units required by the Oklahoma State Department of Education for grade completion in grades kindergarten through eight and for high school graduation in grades nine through twelve.

In the event of a suspension for any of the reasons listed above, an education plan shall be applicable. However, no education plan shall be necessary for possession of a dangerous weapon or a controlled dangerous substance.

A copy of the education plan shall be provided to the student and parent or guardian. The parent or guardian shall be responsible for provision of a supervised, structured environment in which the parent or guardian shall place the student. The parent or guardian shall bear responsibility for monitoring the student's educational progress until the student is readmitted into school. The education plan shall set out the procedure for education and shall also address academic credit for work satisfactorily completed.

It shall be the responsibility of the site principal or his/her designee to develop the education plan for the suspended student, inform the parents or guardians, and determine the components necessary to receive academic credit in the specified core units.

Students suspended for violent behaviors or who are considered to be dangerous to themselves or others (as determined by the principal) will not be permitted as part of the education plan to come on the campus to pick up academic work. The parent or guardian of these students should pick up and return the academic work.

Revised by the Board of Education May 2011

3.39.6 SUSPENSION OF STUDENTS WITH DISABILITIES

Short-Term Suspension
The District will follow the same policy and procedures for the suspension of students in conjunction with the short-term suspension of students without disabilities.

Long-Term Suspension
Before implementing the suspension of a student with a disability for more than ten (10) accumulated or consecutive school days, the District will notify the student's parent or guardian in writing of the proposed suspension and convene a meeting of the student's Individualized Education Plan (IEP) team or 504 accommodation plan team to discuss additional concerns and delivery of services during the suspension.

If the student poses an immediate threat to his/her own safety or to the safety of others, the District may immediately suspend the student for up to ten (10) school days. During the suspension period, the student's team will meet to determine whether the misbehavior is related to the student's disability and whether further evaluation is necessary.

Revised by the Board of Education May 2007
Revised June 2013

3.39.7 GUN-FREE SCHOOLS STUDENT SUSPENSION

It is the policy of the Jenks District that any student who is determined to have brought a weapon to a school under the jurisdiction of the District shall be suspended out of school for a period of not less than one (1) year.

Any out of school suspension imposed under this policy may be modified for any student on a case-by-case basis by the Superintendent or designee.

For the purposes of the Gun-Free Schools Student Suspension Policy the following definitions shall apply:

1. The term "weapon" means a firearm as such term is defined in Section 921 of Title 18 of the United States Code.
2. The term "chief administrative officer" means the Superintendent or the Board of Education of the District.
3. The term "determined to have brought a weapon to a school under the jurisdiction of the District" means any student being in possession or control of a weapon on property owned, leased or rented by the District, including, but not limited to, school buildings, parking lots, and motor vehicles and any student who is in possession or control of a weapon at any District sponsored function regardless of whether such function is conducted on District property.

Enforcement of this policy shall be consistent with state and federal laws dealing with discipline of students with disabilities.

It is the policy of the District to refer to the appropriate criminal justice or juvenile delinquency system any student who violates this policy. Any firearm seized from a student by any school employee shall immediately be delivered to a law enforcement authority for disposition pursuant to applicable law.

Any out of school suspension initiated pursuant to this policy shall be subject to the procedural safe-guards set forth in the District's policy for the out of school suspension of students.

Before the District, through its designated representatives, recommends out of school suspension, alternative in-school placements including, but not limited to: placement in an alternative school setting, reassignment to another classroom, placement in in-school intervention or other available disciplinary or correctional options shall be considered. These shall not be considered as an out of school suspension, but shall be treated as disciplinary or correctional actions that may be used, if warranted, as an alternative to out of school suspension and as a part of the chief administrative officer's case-by-case review of violations of this policy.

Consistent with Oklahoma law, for an out of school suspension under this policy, no education plan shall be implemented during the term of the suspension.

This policy applies to students determined to have brought a weapon to school under the jurisdiction of the District, as defined above; possessed a weapon within two thousand (2000) feet of a public school property; or possessed a weapon at a school event. Current District policy on student suspensions for non-weapon violations are unaffected by this policy.

Revised by the Board of Education June 2003
Revised June 2013
Revised December 2014

3.39.8 WEAPONS

In order to provide a safe environment for the students and staff of the Jenks District, the Board of Education adopts this policy prohibiting the possession and/or use of dangerous weapons, replicas or facsimiles of dangerous weapons and items or instrumentalities which are used to threaten harm or are used to harm any person.

Dangerous weapons are a threat to the safety of the students and staff of the District. In addition, possession of dangerous weapons, or replicas or facsimiles of dangerous weapons, disrupts the educational process and interferes with the normal operation of the District.

For the foregoing reasons and except as specifically provided, possession by any student of a dangerous weapon, as that term is defined in this policy, or a replica or facsimile of a dangerous weapon, while on school property, at a school-sponsored activity, or on a school bus or vehicle, is prohibited. Further, use of any item or instrumentality by a student to threaten harm to any person

or which is used to harm any person, while on school property, at a school-sponsored activity, or on a school bus or vehicle, is prohibited.

For purposes of this policy, "possession of a dangerous weapon" includes, but is not limited to, any person having a dangerous weapon: (1) on his person; (2) in his locker; (3) in his vehicle; (4) held by another person for his benefit; or (5) at any place on school property, a school bus or vehicle, or at a school activity.

A dangerous weapon includes, but is not limited to, firearms as defined in Section 922 of Title 18 of the United States Code; air gun or spring gun; BB gun; hand grenades; fireworks; slingshot; bludgeon; blackjack; brass knuckles or artificial knuckles of any kind; nun-chucks; dagger; bowie knife; dirk knife; butterfly knife; shotgun shell knife; any knife, regardless of the length or sharpness of the blade; any knife the blade of which can be opened by a flick of a button or pressure on the handle; any pocketknife, regardless of the length or sharpness of the blade; any pen knife; "credit card" knife; laser light; garrote; razor; dart; ice pick; explosive; smoke bomb; incendiary device; sword cane; hand chains; firearm shells or bullets and any replica or facsimiles of any the foregoing items; or any item or instrumentality which is used to threaten harm or is used to harm any person. The foregoing list of "dangerous weapons" is descriptive and by way of example only and is not to be considered an exclusive or limiting list of dangerous weapons.

Any student in possession of a dangerous weapon, or replica or facsimile of a dangerous weapon, in violation of this policy or who uses any item or instrumentality to threaten harm to any person or is used to harm any person may be placed under emergency suspension from school, pending an investigation of the incident by the appropriate school or legal authorities. Students who violate this policy will receive the minimum consequences as defined below up to the maximum suspension authorized by law.

Because the Jenks District has zero tolerance for weapons being brought, used, or possessed at school, on school property, or at school related functions an automatic minimum disciplinary consequence will be given to the following grade levels: elementary students (K-4) will be placed a minimum of one (1) day in the In-School Intervention Program, intermediate students (grades five [5] and six [6]) will be placed a minimum of two (2) days in the In-School Intervention Program, and middle school and high school students will be placed a minimum of three (3) days in the In-School Intervention Program. In cases where Jenks Public School District Police are notified, they will send a report to the District attorney's office who will then decide if charges will be filed.

If a teacher or other school employee has a reasonable suspicion to believe that a student is in possession of a dangerous weapon, or a replica or facsimile of a dangerous weapon, the teacher or employee shall immediately investigate the matter and shall confiscate any such weapon found if this can be accomplished without placing any students or staff in jeopardy, and shall immediately notify the principal or the principal's designee. If the teacher or employee does not believe that the weapon can be confiscated safely, the teacher or employee shall immediately notify the principal or the principal's designee of the situation.

If the principal or his designee learns that a student is believed to be in possession of a dangerous weapon or replica or facsimile thereof, the principal or designee shall observe the following procedure:

1. Immediately investigate the matter and contact the campus police, if appropriate.
2. If not already confiscated by an employee of the District and if it can be accomplished without risk of injury, the principal or designee should take possession of the dangerous weapon or replica or facsimile.
3. Notify the student's parents/guardians.
4. Cooperate fully with the District police.
5. Attempt to transfer confiscated weapon to the police department, if feasible.
6. Notify the Superintendent or designee.

A student who has been suspended from another District because of the possession of a dangerous weapon, or replica or facsimile of a dangerous weapon, shall not be accepted as a transfer student into the District.

An exception to this policy may be granted for students participating in an authorized curricular or extracurricular activity or team involving the use of demonstration of a dangerous weapon, or replica or facsimile of a dangerous weapon. For this exception, prior written approval by the principal, in consultation with the Superintendent, is required.

A student's inadvertent or unintentional possession of a dangerous weapon or replica or facsimile thereof on school property, a school bus, or vehicle, or at a school activity is no defense or excuse to compliance to this policy, but may be considered in determining the length or severity of any punishment for violation of this policy.

A student's previous discipline reports, student's history, parent/guardian and teacher input, and other relevant circumstances may be considered in determining disciplinary consequences.

Notwithstanding any of the foregoing provisions, rights of due process for all students and rights of disabled students must be observed in accordance with applicable law and school Board policies.

Consistent with Oklahoma law, for an out of school suspension, no education plan shall be implemented during the term of any suspension of a student possessing a dangerous weapon in violation of this policy.

Revised by the Board of Education May 2007
Revised June 2022

3.39.9 CONFISCATED PROPERTY

Confiscated property may be returned after proof of ownership is verified; and verification of no pending or possible criminal charges. District police will confiscate weapons pursuant to OS Title 21, § 1271.1

The confiscated property may be released to the parent or guardian after the conclusion of disciplinary action and/or criminal investigation. Criminal investigations will require prosecutor's office disclaimer and/or court order.

Revised by the Board of Education June 2004

3.40 STUDENT BULLYING

(*See also* Hazing, Non-Discrimination, Safe School Committees, Sexual Harassment, Bullying, Harassment and Intimidation – Employees)

Statement of Purpose

This policy is a result of the legislative mandate and public policy embodied in the *School Safety and Bullying Prevention Act*, 70 Okla. Stat. § 24-100.2 et seq. ("Act"). The District intends to comply with the mandates of the Act and expects students to refrain from bullying. Bullying is expressly forbidden and students who bully are subject to disciplinary consequences as outlined in the District's policy on student behavior. Students who bully may also be provided with assistance to end their unacceptable behavior, and targets of bullying behavior may be provided with assistance to overcome the negative effects of bullying.

Definition of Terms

A. Statutory definition of terms

- "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.

- "Threatening behavior" means any pattern of behavior or isolated action, whether or not it is directed at another person, that a reasonable person would believe indicates potential for future harm to students, school personnel, or school property.

- "Electronic communication" means the communication of any written, verbal, pictorial information or video content by means of an electronic device, including, but not limited to, a telephone, a mobile or cellular telephone or other wireless telecommunication device, or a computer.

Note: Bullying by electronic communication is prohibited whether or not such communication originated at school, or with school equipment, if the communication is specifically directed at students or school personnel and concerns bullying at school.

- "At school" means on school grounds, in school vehicles, at school-sponsored activities, or at school-sanctioned events.

B. The "Reasonable Person" Standard

In determining what a "reasonable person" should recognize as bullying, staff will consider the point of view of the intended target, including any characteristics unique to the intended target. Staff may also consider the discipline history and physical characteristics of the alleged bully.

C. Types of Bullying

- "Physical Bullying" includes harm or threatened harm to another's body or property, including but not limited to threats, tripping, hitting, pushing, pinching, pulling hair, kicking, biting, starting fights, daring others to fight, stealing or destroying property, extortion, assaults with a weapon, other violent acts, and homicide.

- "Emotional Bullying" includes the intentional infliction of harm to another's self-esteem, including but not limited to insulting or profane remarks or gestures, or harassing and frightening statements.

- "Social Bullying" includes harm to another's group acceptance, including but not limited to gossiping; spreading negative rumors to cause a targeted person to be socially excluded, ridiculed, or otherwise lose status; acts designed to publicly embarrass a targeted person, damage the target's current relationships, or deprive the target of self-confidence or the respect of peers.

- "Sexual Bullying" includes harm of a sexual nature, including but not limited to making unwelcome sexual comments or gestures to or about the targeted person; creating or distributing vulgar, profane or lewd words or images about the target; committing a sexual act at school, including touching private parts of the target's body; engaging in off-campus dating violence that adversely affects the target's education opportunities; making threatening sexual statements directed at or about the target; or gossiping about the target's sexuality or sex life. Such conduct may also constitute sexual harassment which is prohibited by the District.

Understanding and Preventing Bullying

A. Student and Staff Education and Training

A full copy of this policy will be posted on the District's website along with an annual notice of the availability of the policy. The policy will be included in all district handbooks and written notice of the policy will be posted at various places in all district school sites.

All staff will receive annual training regarding preventing, identifying, reporting, and managing bullying. The District's bullying coordinator and administrators and/or counselors will receive additional training regarding appropriate consequences and remedial action for

bullies, helping targets of bullies, and the District's strategy for counseling and referral for those affected by bullying.

Students will receive annual education regarding behavioral expectations, understanding bullying and its negative effects, disciplinary consequences for infractions, reporting methods, and consequences for those who knowingly make false reports. Parents and guardians may participate in a parent education component.

B. Safe School Committees

Each Safe School Committee has the responsibility of studying and making recommendations regarding unsafe conditions, strategies for students to avoid harm at school, student victimization, crime prevention, school violence, and other issues which interfere with and adversely affect school safety.

With respect to student bullying, each Committee shall assist the board in promoting a positive school climate through planning, implementing and evaluating effective prevention, readiness and response strategies.

Student Reporting
Students are encouraged to inform school personnel if they are the target of or a witness to bullying. To make a report, students should notify a teacher, counselor, or principal. The employee will give the student a bullying report form, and will help the student complete the form, if needed.

Students may make an anonymous report of bullying, and such report will be investigated as thoroughly as possible. However, it is often difficult to fully investigate claims which are made anonymously, and disciplinary action cannot be taken against a bully solely on the basis of an anonymous report.

Staff Reporting
Staff members will encourage students to report bullying. All employees are required to report acts of bullying to the school principal. Any staff member who witnesses, hears about, or suspects bullying is required to submit a report.

Bullying Investigators
The principal or designee will investigate bullying reports. These individuals will be identified in the site's student and staff handbooks, on the District's website, and in the bullying prevention education provided annually to students and staff. The District's anti-bullying program is coordinated at the District level by the Executive Director of Student Services, who provides oversight for the bullying coordinator, the District Student Assistance Program Coordinator.

Investigating Bullying Reports
When specific allegations of harassment of a sexual, racial, or religious nature, or due to a disability are filed, the Office of Human Resources will conduct a thorough investigation. For other alleged incidents of bullying reported to school officials, the principal or designee will investigate the alleged incident(s) and determine whether bullying occurred, the severity of the

incident(s), and the potential for future violence.

In conducting an investigation, the designated official shall interview relevant students and staff and review any documentation of the alleged incident(s). School officials may also work with outside professionals, such as local law enforcement, as deemed appropriate by the investigating official. In the event the investigator believes a criminal act may have been committed or there is a likelihood of violence, the investigator will immediately call local law enforcement and the superintendent.

At the conclusion of the investigation, the designated employee will document the steps taken to review the matter, the conclusions reached and any additional action taken, if applicable. Further, the investigator will notify the District's bullying coordinator that an investigation has occurred and the results of the investigation.

Upon completion of an investigation, the school may recommend that available community mental health care or substance abuse options be provided to a student, if appropriate. The school may provide a student with information about the types of support services available to the student bully, target, and any other students affected by the prohibited behavior. These resources will be provided to any individual who requests such assistance or will be provided if a school official believes the resource might be of assistance to the student/family. The District is not responsible for paying for these services. No school employee is expected to evaluate the appropriateness or the quality of the resource provided, nor is any employee required to provide an exhaustive list of resources available. All school employees will act in good faith.

The school may request the disclosure of information concerning students who have received substance abuse or mental health care (pursuant to the previous paragraph) if that information indicates an explicit threat to the safety of students or school personnel, provided the disclosure of the information does not violate the requirements and provisions of any applicable state or federal laws regarding the disclosure of confidential information. The school may request the disclosure of information when it is believed that the student may have posed a danger to him/herself and having such information will allow school officials to determine if it is safe for the student to return to the regular classroom or if alternative education arrangements are needed.

Parental Notification

The principal or designee will notify the parents of a target within one school day that a bullying report has been received. Within one school day of the conclusion of the investigation, the investigator will provide the parents of a target with the results of the investigation and any community resources deemed appropriate to the situation.

If the report of bullying is substantiated, within one school day of the conclusion of the investigation, the principal or designee will contact the parents of the bully to discuss disciplinary action and any community resources deemed appropriate to the situation.

The timelines in this parental notification section may be reasonably extended if individual circumstances warrant such an extension.

Parental Responsibilities
All parents/guardians will be informed in writing of the District's program to stop bullying and will be given a copy of this policy upon request. An administrative response to a reported act of bullying may involve certain actions to be taken by parents. Parents will be informed of the program and the means for students to report bullying acts toward them or other students. They will also be told that to help prevent bullying at school they should encourage their children to:

- Report bullying when it occurs;
- Take advantage of opportunities to talk to their children about bullying;
- Inform the school immediately if they think their child is being bullied or is bullying other students;
- Watch for symptoms that their child may be a target of bullying and report those symptoms; and
- Cooperate fully with school personnel in identifying and resolving incidents.

Student Transfers
Students who are victims of bullying, and who report the incident(s) to school administrators, may choose to transfer to another school district. Any application for transfer must be made in accordance with the receiving school district's transfer policy.

Approved by the Board of Education December 2013

3.41 STUDENT ENROLLMENT

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 (if offered) non-compulsory, early childhood program (Pre-K) free of charge.

No child shall be enrolled in Kindergarten unless the child has reached five (5) 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.

Reference: Okla. Stat. Tit. 70 § 1-114

Approved by the Board of Education February 2018

3.42 STUDENT (SECONDARY) EXTRA-CURRICULAR ACTIVITIES AND PARKING CONTRACT

(*See also* Student Alcohol and Drug Testing Policy for Participants in Extracurricular Activities and/or Parking on District Property)

To be eligible to participate in any extracurricular activity or receive a permit to park on campus, a student must read and sign a contract acknowledging his/her understanding of Jenks Public Schools' policies concerning the possession or use of alcohol and other illegal drugs, and agree to be bound by the provisions for violation. Students found to be in violation of an extracurricular activities contract or a parking contract at *any time* during the duration of the contract will be

subject to the restrictions of participation in activities, and/or the restrictions of any parking permit. These policies in their entirety may be found in the secondary student handbooks and Board Policies and Procedure Handbook.

Revised by the Board of Education May 2011

3.43 STUDENT POSSESSION, USE, OR DISTRIBUTION OF ALCOHOL AND ILLEGAL DRUGS

Possession, use, administration, distribution, sale, conspiracy to sell or possess or being in the chain of sale or distribution, or being under the influence of alcoholic beverages and/or controlled substances is illegal and will not be tolerated at Jenks Public Schools or at any school-related functions. Law enforcement agencies, parents, and/or guardians will be notified. Drug offenses occurring during the seventh and eighth grades shall be cumulative for the duration of the student's middle school career. Drug offenses occurring in grades nine through twelve (9-12) shall be cumulative throughout the student's high school career. Students in violation of this policy will receive suspension as follows:

Use, Possession, or Purchase
Any student purchasing or exhibiting evidence of use, possession, or purchase of a controlled or illegal drug, counterfeit or imitation drug, barbiturate, inhalant, alcoholic or low-point beer, any other abusable chemical substance or related paraphernalia will receive the following discipline.

First Offense
Ten (10) days of off-campus suspension, followed by twenty-five (25) days of In-House Intervention, which may be reduced by fifteen (15) days pending participation in Student Assistance Programs. Five (5) days reduced for professional drug/alcohol evaluation/assessment and an additional ten (10) days reduced for attending four (4) outpatient counseling sessions when recommended by the provider conducting the assessment. If outpatient counseling is not recommended by the provider, the student may satisfy the counseling requirement by attending four (4) hours of drug/alcohol education. The student or his/her parent/guardian must make arrangements to reduce the twenty-five (25) days of in-house intervention no more than five (5) days from the first day of in-house served. Otherwise, the full twenty-five (25) days will be served.

Student will be suspended from participation in all extracurricular activities (including meetings, practices, performances, games and competitions) during the time of in-school intervention. The District Student Athlete Contract is supplemental to this policy (an athlete will be required to miss a minimum of two (2) games or competitions.

High school students only – Student will lose his/her parking decal and parking privileges for the remainder of the current semester and/or the following semester. He/she will have the option of regaining parking privileges by undergoing two (2) successful, random drug tests at his/her own expense within sixty (60) days following the dates of suspension.

Second and Subsequent Offenses
Ninety (90) days off-campus suspensions, which may be reduced to sixty (60) school days pending participation in weekly drug/alcohol outpatient services beginning within two weeks of the

suspension and the production of a monthly, negative screen for alcohol and drugs. The student must produce a clean drug screen administered by a professional drug testing lab, as well as documentation from the outpatient counseling provider that the student has been in attendance at weekly sessions during the duration of the suspension, in order to re-enter school at the sixty (60) day mark.

Drug offenses occurring during the seventh and eighth grades shall be cumulative for the duration of the student's middle school career. Drug offenses occurring in grades nine through twelve (9-12) shall be cumulative throughout student's high school career.

In some cases, students may be offered the option of an online alternative program. The suspension will be reduced to ten (10) days, during which time the student will be required to complete and/or initiate any requisite screenings, assessments, contacts or other actions as determined by the appropriate administrator. After ten (10) school days, if documentation is produced by the student indicating that the required actions have been completed, the student will be enrolled in the online educational program.

Selling or Distributing
Any student found guilty of selling or distributing of a controlled or illegal drug, counterfeit or imitation drug, barbiturate, inhalant, alcoholic or low-point beer, any other abusable chemical substance or related paraphernalia will be suspended as follows:

First Offense
Suspension for the remainder of the current and/or following semester. In some cases, students may be offered the option of an online alternative program. The suspension will be reduced to ten (10) days, during which time the student will be required to complete and/or initiate any requisite screenings, assessments, contacts or other actions as determined by the appropriate administrator. After ten (10) school days, if documentation is produced by the student indicating that the required actions have been completed, the student will be enrolled in the online educational program.

Definitions related to drugs and alcohol:

- "School-related functions" include, but are not limited to, activities taking place before school, during the regular school day, after school, weekends and at any other school where Jenks students are participating in an activity.

- "Low-point beer" means and includes beverages containing more than one-half (1/2) of one (1) percent alcohol by volume, and not more than three and two-tenths (3.2) percent alcohol by weight.

- "Alcoholic beverage" means alcohol spirits, beer, and wine as those terms are defined herein and also includes every liquid or solid, patented or not, containing alcohol, spirits, wine, or beer and capable of being consumed as a beverage by human beings. "Abusable chemical" means drug, substance, or immediate precursor, included in but not limited to:

    1. opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters and ethers;
    2. any opium derivatives, their salts, isomers and salts of isomers;

3. any material, compound, mixture, or preparation which contains any quantity of any substance having a potential for abuse associated with a depressant or stimulant effect on the central nervous system.

NOTE: All controlled dangerous substances are listed in Schedules I through V of Article II of Okla. Stat. Tit. 63, Section 2-101.

Revised by the Board of Education June 2009
Revised July 2011
Revised August 2017

3.44 STUDENT RECORDS

(*See also* Notification of Rights under FERPA)

Student records may be inspected only according to provisions outlined in the law.

3.45 STUDENT RESIDENCY

(*See also* Transfer Policy)

The purpose of Jenks Public Schools is to serve the educational interests of students residing within the District boundaries. This includes homeless students, students who are not documented citizens, and students whose parents/guardians are not documented citizens. The District will not inquire into a student or parent/guardian's citizenship status as a part of enrollment and will only use information regarding a student's living situation to better serve the student.

Definitions

"Residence," "residency" and "legal residence" mean the student's present place of abode, provided that it is a place where important family activities (such as sleeping, eating, working, relaxing, and playing) take place during a significant part of each day. Mere presence alone is not sufficient to establish residency. Documentary evidence that may be submitted to establish residency is identified below.

Person having "legal custody" means a person who is legally responsible for the care of the child pursuant to the order of a court or placement by a governmental agency responsible for making custody determinations and/or placements.

As used in this policy, the phrase "permanent care and custody" means a person who has assumed the care and custody of the child on a continuous and ongoing basis with the intent not to relinquish such care and custody until the child reaches age 18.

Basic Residency Requirements

State law provides that a child's residence for school purposes is the District in which the (1) parents, (2) guardian, or (3) person having legal custody of the child holds legal residence. Children who are foster children are granted residency in the District if they attended the District prior to entering foster care, if their current/prior foster family is/was a resident of the District, or if another child in their current foster home attends school in the District pursuant to a transfer. The District does not permit students to establish residency based on the mere affidavit of a person who has

assumed permanent care and custody of the child under Okla. Stat. Tit. 70§ 1-113 or based on an attorney in fact affidavit under Okla. Stat. Tit. 10§ 700.

Procedures for Resolving Residency Disputes

The District recognizes there may be occasions when there is a dispute regarding residency. Upon enrollment in the school system the District will verify the student is a resident of the District or is otherwise entitled to attend school in the District for any reason authorized by law. As a part of this verification process, the District will obtain an address from each student or the student's parent, guardian, person having legal custody of the child. In providing an address to the District that is within the District's boundaries the student and student's parent, guardian, or person having legal custody of the child represent that this address is the student's residence. The District may also require, in order to verify residency, certified copies of court orders, guardianship documents, written agreements and any other information deemed relevant by the District.

If at any time an administrator of the District has a reasonable belief that the reported residence may not be the residence of the child for purposes of school attendance, the administrator shall notify the student's parent, guardian, or person having the care and custody of the child that there is a question regarding the legal residency of the student. The student's parent, guardian, or person having legal custody of the child shall be given an opportunity to submit information regarding the student's residency to the District's Residency Officer. All notices required by this policy shall be in writing. Additionally, reasonable alternative arrangements for documenting communications will be made for those persons who are visually impaired or otherwise unable to communicate in writing.

Information or documentation to prove student residency in the District shall include but not be limited to proof of provisions of utilities, payments of ad valorem taxes, local agreements or contracts for purchasing/leasing housing, driver's licenses, income tax returns, notes, mortgages, divorce decrees, contracts and any other source of proof which is not in conflict with statutory provisions relating to the residence of students.

Any question or dispute as to the residence of a student not deemed to be a "homeless student" shall be determined by the District Residency Officer, the Superintendent or designee, or the District's Board of Education pursuant to the following procedures:

1. The student's parent, guardian, or person having legal custody of the child must notify the District Residency Officer in writing of the review request within five (5) calendar days from the date of written denial of admittance or from the date of written notification that the student is considered not to be a resident of the District. Upon receipt of a request for review, the District Residency Officer shall allow the parent, guardian or person having legal custody to provide additional pertinent information in accordance with the District's criteria and the statutory provisions regarding residency. This information must be submitted with the request for review.

2. The District Residency Officer must render a decision and notify the student's parent, guardian, or person having legal custody of the child of the decision and reasoning therefore in writing within five (5) calendar days of the receipt of the request for review.

3. In the event the student's parent, guardian, or person having legal custody of the child disagrees with the District Residency Officer's decision, such person shall notify the District Residency Officer in writing within five (5) calendar-days of his or her receipt of the District Residency Officer's decision. The District Residency Officer will submit his/her findings and all documents reviewed to the Superintendent or designee. The Superintendent or designee will review the decision and the documents submitted on behalf of the District and the student and will render a decision within five (5) calendar-days of receipt of the documents. If the student's parent, guardian, or person having legal custody of the child disagrees with the Superintendent's decision, such person shall notify the Superintendent in writing within five (5) calendar days of his or her receipt of the Superintendent's decision. The Superintendent will submit his/her findings and all documents reviewed to the District's Board of Education. The Board of Education will review the decision and the documents submitted on behalf of the District and the student and will render a decision no later than the next regular Board meeting. The decision of the Board of Education shall be final.

4. In an effort to place students in school as quickly as possible, timelines shall be followed unless due to emergency circumstances both parties agree to an extension of timelines.

Other Policy Provisions

Hearings involving more than one (1) student where students are related or residing in the same household may, at the discretion of the District Residency Officer and the Board of Education, be consolidated.

In the event the residency dispute involves an eighteen (18) year old student, all notices will be delivered to the student because at eighteen (18) the student ceases to be a minor.

If already enrolled and attending school in the District, a student or students involved in a dispute related to the student's residency may remain in school until available appeals are exhausted, unless the appeal has not been filed in the manner and within the time permitted by this policy.

The District Residency Officer shall be in charge of maintaining the files related to a residency dispute, ensuring that the principals or others directly involved in such a dispute forward their records of the dispute following their involvement, and otherwise keeping all communications involving the dispute intact. The Residency Officer of the District is the Executive Director for Student Services.

The Board of Education understands that there may be some instances where residency may be established on a date other than the date the student was enrolled in the District. For any period during which a student is enrolled in the District, but is not a resident of the District, the District may charge tuition if it is established that the student's parent, guardian, or person having the care and custody of the child knew or should have known that the child or children who are the subject of the residency dispute were not residents of the District. The tuition shall be based on a per capita cost of educating a student in the District during the preceding year. This issue may be raised along with other issues related to the residency dispute and shall be heard in the same manner.

The District reserves the right to require reverification of student residency at the beginning of each school term.

A copy of this policy shall be provided to the student's parent, guardian, or person having legal custody of the child as soon as possible following the inception of any residency dispute.

A . Students in Foster Care

The District Foster Care Education Liaison will collaborate with child welfare agencies and tribal child welfare agencies to ensure stability in education for students in foster care as outlined in Title I of the Every Student Succeeds Act (ESSA). Students in foster care have the same access to free, appropriate public education as other children and that students in foster care are not separated from the mainstream school environment because of foster care placement.

Enrollment of Students in Foster Care

Foster care parents, social workers or other legal guardians will be allowed to immediately enroll children in the District. The District understands that all necessary paperwork (birth certificates, shot records, academic records, special education records, etc.) may not be immediately available and wants to provide a smooth transition for the student into the District. The District will contact the child's home school District for records and make adaptations as needed. The District will work with the Foster Care Liaison and the foster care parent/guardian to enroll the student.

B. Homeless Children and Youth

The *McKinney-Vento Homeless Assistance Act* (the "Act") applies to all children and youth who lack a fixed, regular, and adequate nighttime residence, such as a children living in homeless shelters, domestic violence shelters, runaway and homeless youth shelters, transitional living facilities, cars, campgrounds, motels or children and youth living doubled up, and homeless and migratory children.

The Act provides that homeless children and youth:

- do not need a permanent address to enroll in school;
- have a choice of school placement;
- cannot be denied school enrollment because school records or other enrollment documentation are not immediately available;
- have the right to participate in all federal, state, or local programs and activities for which they are eligible;
- cannot be isolated or separated from the mainstream school environment; and
- have the right to receive prompt resolution of any dispute regarding educational placement.

Therefore, in accordance with the Act, the District shall make reasonable efforts to identify homeless children, encourage their enrollment, and eliminate existing barriers to their education that may exist. The District will not stigmatize or segregate homeless students

and youth, and these students shall have access to the same public school programs available to other students of the District. The District will identify and provide equal access to secondary education and support systems for homeless students, runaway youths and youths separated from public schools. The District will also work to identify and remove those barriers which prevent youths from receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school.

Federal law provides that homeless children and youth, individually or through a parent or guardian, may choose to attend the school in the area in which they are currently living. The District's Homeless Liaison will determine whether a student is a homeless child or youth for purposes of establishing residency and promptly advise the parent, guardian or person having legal custody of the child of the decision, both orally and in writing, if possible. If there is no such person, the District's Residency Officer will advise the student. The District will enroll each homeless student and permit his or her full participation in all school programs, whether or not the student is accompanied by a parent, guardian or person having custody of the child, and without proof of residence, current immunizations and traditional enrollment documentation, such as school records and medical/immunization records. The District's Homeless Liaison may assist the student and school in obtaining those items. A parent, guardian or person having legal custody of the child who disagrees with the Homeless Liaison's determination may appeal the decision to the District Residency Officer under the procedure identified in this policy. If there is no parent, guardian or person having legal custody of the child available, the student may appeal the decision.

The District shall provide for educational services for homeless children to the extent required by Public Law 100-77, Title VII, Subsection B.

Appeals Procedures for Homeless Children and Youth
The District will make every effort to resolve disputes regarding homeless children at the lowest level possible by utilizing the following process:

1. At the time a homeless student seeks enrollment, the District will notify the student or his/her family of these procedures and provide the student/family with a copy of this policy.

2. The District will promptly notify the District's Homeless Liaison that a homeless student seeks enrollment, and will seek to involve the Homeless Liaison in decisions regarding the student's education.

3. Students/families who disagree with a decision regarding the student's education may meet with the Homeless Liaison for an informal resolution. The Homeless Liaison will notify the student/family that a written complaint may be submitted within five (5) calendar days (or longer if agreed upon by the parties).

4. If the Homeless Liaison receives a written complaint, the Homeless Liaison will prepare a decision (plan of action) and provide it to the student/family within five (5) calendar days of receipt of the written complaint. The Homeless Liaison will also notify the student/family of the right to appeal to the superintendent.

5. Students/families who are still dissatisfied with a decision regarding the student's education may file a written appeal with the Superintendent or designee within five (5) calendar days of receipt of the Homeless Liaison's plan. The Superintendent or designee will meet with the student/family within five (5) calendar days of receipt of the appeal. The Superintendent or designee will issue a decision within five calendar (5) days of the meeting with the student/family. The Superintendent or designee will also notify the student/family of the right to appeal to the board of education.

6. Students/families who are still dissatisfied with a decision regarding the student's education may file a written appeal with the board of education by submitting a written notice to the superintendent within five (5) days of the superintendent's decision. The appeal will be placed on the next agenda (or the following agenda, if the appeal is received after the agenda posting deadline) and the board's decision is final at the District level. Students/families who are still dissatisfied with a decision regarding the student's education may file an appeal with the Oklahoma State Department of Education utilizing the procedures established by the OSDE.

C. Students with Active-Duty Military Parents or Legal Guardians and Transitioning Military Children

Definitions:

"Children of military families" means a school-aged child(ren), enrolled in kindergarten through twelfth grade, in the household of an active duty member.

"In loco parentis" means an individual who assumes parental status and responsibilities for a person under the age of 18 without formally adopting that person.

"Active duty" means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Military Reserve on active duty orders pursuant to Title 10, Sections 1209 and 1211 of the United States Code.

"Military installation" means a base, camp, post, station, yard, center, homeport facility for any ship or other installation under the jurisdiction of the Department of Defense or the United States Coast Guard.

"Military student" means the child of a military family for whom the local education agency receives public funding and who is formally enrolled in kindergarten through twelfth grade.

"Transition" means (a) the formal and physical process of transferring from school to school or (b) the period of time in which a student moves from one school in the sending state to another school in the receiving state.

"Sending state" means the state from which a child of a military family is sent, brought, or caused to be sent or brought.

"Receiving state" means the state to which a child of a military family is sent, brought, or caused to be sent or brought.

"Uniformed service(s)" means the Army, Navy, Air Force, Marine Corps, Coast Guard as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration and Public Health Services.

Establishing Residency
A student shall be considered in compliance with residency provisions of this policy and state law if a student whose parent or legal guardian is transferred or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order. The parent or legal guardian of such a student must provide proof of residence in the school District within ten (10) days after the published arrival date provided on their official documentation. The following may be used to establish proof of residency:

1. a temporary on-base billeting facility,
2. a purchased or leased home or apartment, or
3. federal government or public-private venture off-base military housing.

State law provides that transitioning military children placed in the care of a noncustodial parent or other person standing in loco parentis, may attend school in the school district in which the noncustodial parent or person standing in loco parentis to the transitioning military child holds legal residence. Similarly, transitioning military children placed in the care of a noncustodial parent or other person standing in loco parentis may continue to attend the school in which the student was enrolled while residing with the custodial parent. A special power of attorney relating to the guardianship of a military child and executed under applicable law shall be sufficient for purposes of enrollment and all other actions requiring parental participation and consent.

Enrollment
For a student whose parent or legal guardian is transferred or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order, the District shall accept applications by electronic means, including enrollment in a specific school or program within the District and course registration. The District will promptly accept unofficial or "hand-carried" educational records and transcripts in lieu of official education records and transcripts for transitioning military children. Upon receipt of such records, the District will promptly enroll the transitioning military child. However, upon enrollment, the District will request official educational records and transcripts from the school in the sending state. The District's residency officer will determine whether a student is a transitioning military student for purposes of establishing residency and promptly advise the parent or other person standing in loco parentis of the decision, both orally and in writing, if possible. A parent or other person standing in loco parentis who disagrees with the residency officer's determination may appeal the decision to the Board of Education under the procedure identified above.

Grade Level Placement
Transitioning military children, including children entering kindergarten, shall be able to enroll in the same grade level in which they were enrolled in the sending state, regardless of age, time of transfer or age requirements of the receiving state.

Course Level and Educational Program Placement
To the extent that the District is in a receiving state, the District may subsequently perform course placement and educational program evaluations of a transitioning military student. However, the District will initially place the transitioning military student in courses and programs comparable to those in which the student was a participant while in the sending state.

Extracurricular Activities
When appropriate, the District will provide transitioning military children the opportunity to participate in extracurricular participation, regardless of application deadlines.

Immunizations
Transitioning military children shall have thirty (30) days from the date of enrollment to obtain any immunizations required by Oklahoma law. For a series of immunizations, such children must obtain initial vaccinations within thirty (30) days.

Tuition
The District may not charge tuition to a transitioning military child placed in the care of a noncustodial parent or other person standing in loco parentis who lives in a school district other than that of the custodial parent if the parent or other person standing in loco parentis lives within the boundaries of the District.

Reference: 42 U.S.C. §11301 et seq., Okla. Stat. Tit. 70 § 1-113, 70 Okla. Stat. §510.1., OKLA. STAT. tit.70, § 8-103.1

Revised by the Board of Education December 2009
Revised May 2011
Revised April 2016
Revised February 2018
Revised October 2021

3.46 STUDENT TRANSPORTATION

Jenks Public Schools provides transportation to and from designated bus stops. Students are expected to go to the designated stop closest to their home for transportation to school and exit at the designated stop closest to their home for afternoon transportation. The transportation department reserves the right to assign students to a specific bus stop as needed. Transfer students are not eligible for bus transportation services.

Students who ride a bus other than the one assigned to them must have a bus pass completed in full, signed by their principal. Bus passes will be issued for students for emergency reasons. Students will not be issued a bus pass to ride a bus to work, an activity, an appointment i.e., scouting groups, sporting practices or events, dentist, doctor, other types of appointments, day care, babysitters, or other similar reasons.

Using transportation service is a privilege granted to students. The District may suspend that privilege as a discipline for inappropriate student behavior when it is in the best interest of the

school and/or to insure the safety of students and staff. The decision to suspend transportation services is non-appealable.

Revised by the Board of Education May 2006
Revised June 2022

3.46.1 VIDEO/AUDIO RECORDINGS

(*See also* Video Surveillance)

School buses may be equipped with video/audio recorders which may be used as a tool for driver training and safety education. Video/audio recorders may also be used to help monitor school bus rides, to discourage and detect inappropriate behavior, and to help maintain a safe and orderly environment on the bus. Video/audio recordings will be considered "student records" and appropriate privacy practices will be observed.

Approved by the Board of Education January 2013
Revised May 2020

3.47 TESTING STUDENTS WITH REGARD TO THE USE OF ALCOHOL AND ILLEGAL CHEMICAL SUBSTANCES

(*See also* Student Behavior Policy – Drugs and Alcohol)

The Board of Education, with the intent that all students have notice and knowledge of the ramifications concerning alcohol and illegal chemical substance use, possession, purchase, sale or distribution when the student is on school property, at a school sponsored event, in school vehicles, or going to or from a school sponsored event hereby adopts the following policy.

Statement of Purpose and Intent

The safety of students and employees of the District is of paramount concern to the Board of Education. Students who are under the influence of alcohol or an illegal chemical substance when the student is on school property, at a school sponsored event, in school vehicles, or going to or from a school sponsored event pose serious safety risks to students, employees and the public.

The Board recognizes that all students have certain personal rights guaranteed by the Constitutions of the United States of America and the State of Oklahoma. This Policy will not infringe on those rights. However, due to the devastating impact that the use by students of alcohol and illegal chemical substances can have on the safety of students and employees and their adverse effect on a student's ability to perform as a student, the Board will not tolerate the behavior of students who use, possess, distribute, purchase, sell or are under the influence (as defined in the Policy) of alcohol or illegal chemical substances while on school property, at a school sponsored event, in school vehicles, or going to or from a school sponsored event.

This Policy will apply to all students of the District, and Violations of this Policy will subject the student to disciplinary action, including out-of-school suspension from school.

Definitions

"Illegal chemical substance" means any substance which an individual may not sell, possess, use, distribute or purchase under either Federal or Oklahoma law. "Illegal chemical substance" includes, but is not limited to, all scheduled drugs as defined by the Oklahoma Uniform Controlled Dangerous Substances Act, all prescription drugs obtained without authorization and all prescribed drugs and over the counter drugs being used for an abusive purpose. By way of example only, the drugs which may be tested for are: amphetamines, cannabinoids, cocaine, phencyclidine (PCP), hallucinogens, methaqualone, opiates, barbiturates, benzodiazepines, synthetic narcotics, designer drugs, or any metabolite of any of these substances.

- "Alcohol" means ethyl alcohol or ethanol and includes “low point” beer.
- "Under the influence" means any student of the District who has any alcohol or illegal chemical substance or the metabolites thereof present in the student's body in any amount which is considered to be "positive" for such alcohol or drug or drug metabolites using any scientifically substantiated alcohol or drug use screen test and alcohol or drug use confirm test.
- "Positive" when referring to an alcohol or drug use test administered under this Policy means a toxicological test result which is considered to demonstrate the presence of alcohol or an illegal chemical substance or the metabolites thereof using the cutoff standards or levels determined by the State Board of Health for drug or alcohol testing of students or in the absence of such State Board cutoff levels, the cutoff levels customarily established by the testing laboratory administering the alcohol or drug use test.
- "School property" means any property owned, leased or rented by the District, including but not limited to school buildings, parking lots and motor vehicles.
- "Drug or alcohol use test" means a chemical test administered for the purpose of determining the presence or absence of alcohol or illegal chemical substances or their metabolites in a student's blood, bodily tissue, fluids, products, urine, breath or hair.
- "Reasonable suspicion" means a belief that a student is using or has used alcohol or drugs in violation of this Policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in the light of experience, and may be based upon, among other things:

1. Observable phenomena, such as:
   a) the physical symptoms or manifestations of being under the influence of alcohol or a drug while on school property, at a school sponsored event, in school vehicles, or going to or from a school sponsored event, or
   b) the direct observation of alcohol or drug use while on school property, at a school sponsored event, in school vehicles, or going to or from a school sponsored event;
2. A report of drug or alcohol use while on school property, at a school sponsored event, in school vehicles, or going to or from a school sponsored event, provided by reliable and credible sources as determined by an administrator;
3. Evidence that a student has tampered with an alcohol or drug test;
4. Evidence that a student is involved in the use, possession, sale, administration, solicitation or transfer of alcohol or drugs while on school property, at a school sponsored event, in school vehicles, or going to or from a school sponsored event.

Procedures for Alcohol or Illegal Chemical Substance Testing
Any alcohol or drug use test administered under the terms of this Policy will be administered by or at the direction of a professional laboratory licensed by the Oklahoma State Department of Health and using scientifically validated toxicological methods that comply with rules promulgated by the State Department of Health. The professional laboratory shall be required to have detailed written specifications to assure chain of custody of the samples, proper labeling, proper laboratory control and scientific testing. All aspects of the alcohol and drug use testing program, including the taking of samples, will be conducted so as to safeguard the personal and privacy rights of students to the maximum degree possible and shall be conducted under reasonable sanitary conditions. The test sample shall be obtained in a manner which minimizes its intrusiveness.

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

If a student is determined to have tampered with any specimen or otherwise engaged in any conduct which disrupts the testing process of any student, then the student will be deemed to have violated this policy and will be subject to disciplinary action, including out-of-school suspension from school.

Each student shall be given a form on which the student may, but shall not be required to, list any medications he has taken or any other legitimate reasons for his having been in recent contact with alcohol or illegal chemical substances. If the initial drug use test is positive for the presence of an illegal chemical substance or the metabolites thereof, the initial test result will be subject to confirmation by a second and different test of the same sample. A student will not be subject to disciplinary procedures unless the second test is positive for the presence of illegal chemical substances or the metabolites thereof. If an initial alcohol use test is positive for the presence of alcohol, the initial test result will be subject to confirmation by a second test using any scientifically accepted method with rules and cutoff levels approved by the State Board of Health. Upon written request, the student will be furnished with a free copy of all test results performed under this Policy. All test records and results will be confidential and kept in files separate from the student's cumulative records. All tests required of a student by the District under this Policy shall be at District expense. Any student who is subject to disciplinary action as a result of being under the influence of alcohol or an illegal chemical substance while on school property, at a school sponsored event, in school vehicles or going to or from a school sponsored event will be given a reasonable opportunity, in confidence, to explain or rebut the alcohol or drug use test

results. If the student asserts that the positive test results are caused by something other than consumption of alcohol or an illegal chemical substance by the student, then the student will be given an opportunity to present evidence that the positive test result was produced by something other than consumption of alcohol or an illegal chemical substance. The District will rely on the opinion of the District's laboratory which performed the tests in determining whether the positive test result was produced by other than consumption of alcohol or an illegal chemical substance. The laboratory reports and results of alcohol and drug use testing will be maintained on a confidential basis except as otherwise required by law. The laboratory performing alcohol or drug use tests for the District will not report on or disclose to the District any physical or mental condition affecting a student which may be discovered in the examination of a sample other than the presence of alcohol or illegal chemical substances or the metabolites thereof. The use of samples to test for any other substances will not be permitted.

Student Alcohol and Drug Use Tests – When Required

Any student whose behavior while on school property, at a school sponsored event, in school vehicles, or going to or from a school sponsored event creates a reasonable individualized suspicion that the student is under the influence of alcohol or an illegal chemical substance may be required to take an alcohol and/or drug use test. Nothing in this policy shall require alcohol and/or drug use testing of any student nor prohibit the District from disciplining any student in the absence of an alcohol or drug use test of the student.

Any student who refuses to take an alcohol or drug use test when so required under the provisions of this policy will be deemed to have violated this policy and will be subject to disciplinary action including out-of-schools suspension from school to the same extent as if the student tested positive for the presence of alcohol or illegal chemical substances.

Medical Marijuana

1. Pursuant to Okla. Stat. Tit. 63, § 420 *et. seq.*, unless failure to do so would cause the school district to imminently lose a monetary or licensing related benefit under Federal law or regulations, the school district will not discriminate against a student in enrollment or otherwise penalize a student solely on the basis of the student's status as a medical marijuana holder.

2. The school district will not subject a student holding a valid medical marijuana license to disciplinary action based solely on a positive drug test for marijuana or the metabolites thereof. Students who use, possess, sell, distribute, purchase or are under the influence of medical marijuana or medical marijuana product may be subject to discipline pursuant to this policy regardless of license holder status.

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

    A. Observation of any of the conduct or phenomenon described below:

i. the smell of marijuana on around the individual;

ii. Disorganized thinking;

iii. Paranoia and/or confusion;

iv. Bloodshot eyes;

v. Increased heart rate;

vi. Increased appetite; or

vii. Loss of Coordination and

B. Any circumstance that would permit the school district to engage in "reasonable suspicion" drug or alcohol testing of the student under this policy.

Student use, sale, possession, distribution, purchase, or being under the influence of alcohol or illegal chemical substance.

Any student who possesses, uses, distributes, purchases, sells or is confirmed by alcohol or drug use tests to be under the influence (as defined by this policy) of alcohol or an illegal chemical substance while on school property, at a school sponsored event, in school vehicles, or going to or from a school sponsored event or as a result of alcohol or drug use tests conducted under this policy will be subject to disciplinary action, including out-of-school suspension from school.

Persons Authorized to Order Alcohol or Drug Testing
The Superintendent or designee(s) has the authority to require alcohol or drug use testing of students under this Policy:

Out-of-School Suspension Due Process Procedures
Any student who is subject to an out-of-school suspension for the violation of this Policy shall be afforded appropriate due process procedures allowed by the District's policy on student behavior.

Circulation of Policy
This policy shall be given broad circulation to all students of the District which shall include prominent posting at various places in the District.

Approved by the Board of Education May 2011
Revised June 2013
Revised June 2018
Revised May 2020

3.48 TOBACCO

Students are not permitted to possess or use any form of tobacco or tobacco paraphernalia on school property, including school buses, and at school-sponsored functions. This policy is in effect 24 hours a day, seven (7) days a week. "Tobacco" is defined as cigarettes, cigars, pipe tobacco,

snuff, chewing tobacco and all other kinds and forms of tobacco prepared in such a manner to be suitable for chewing, smoking or both, and includes e-cigarettes/vaping devices or any other product packaged for smoking or the simulation of smoking. Products will be confiscated and parents/guardians will be notified each time a student is found in violation of this policy. Violation of this policy may result in a report being filed with the Oklahoma Alcoholic Beverage Laws Enforcement (ABLE) Commission. Consequences associated with the filing of this report will be determined by the ABLE Commission, authorized by the Prevention of Youth Access to Tobacco Act: Oklahoma State Statute Title 37, Section 600.4A. Violation of this policy will also result in school disciplinary actions:

First Offense
Completion of Tobacco Education Program and three (3) days of in-school intervention. A letter will be mailed to the parent/guardian which explains the Tobacco Policy. Use of tobacco in the classroom and/or failure to attend the Tobacco Education Program may result in additional consequences.

The student will be suspended from participation in the next two (2) scheduled competitions, contests or performances for all extracurricular activities in which the student is currently involved.

Second Offense
Ten (10) days of in-school intervention. A letter will be mailed to the parent/guardian.

Students will be suspended from participation in all extracurricular activities (including meetings, practices, performances, games, and competitions) during the time of In-School Intervention. An athlete will be required to miss a minimum of two (2) games/competitions. The District Student Athlete Contract is supplemental to this policy.

Third Offense
Ten (10) day suspension from school.

Fourth Offense
Long-term suspension from school up to the remainder of the current semester and/or the following semester.

Revised by the Board of Education May 2011
Revised June 2013
Revised October 2013
Revised June 2018
Revised December 2018
Revised June 2019

3.49 THERAPY REQUESTS/FACILITY USE

The District receives frequent requests from persons and entities outside the District to provide non-educational services to District students during school hours on school property. The District strongly discourages such requests, as they cause students to miss educational instruction to receive services that could often be provided outside school hours at another site. Any District

employee presented with such a request will refer the matter to the site principal. The site principal will consider and recommend the request to the Superintendent, or his/her designee, only if circumstances establish to his/her satisfaction that the service cannot feasibly be provided outside of school hours at another site. Any person or agency who provides such a service to a student on District property will be required to enter into a contract with the Board of Education, establishing the applicable terms and conditions for his/her use of District property.

Approved by the Board of Education June 1997
Revised by the Board April 2016

3.50 TRANSFERS

(*See also* Intra-District Transfers; Student Residency; Student Bullying)

A request for a transfer into the District initiated by or on behalf of a nonresident student will be approved or denied in accordance with this policy.

Previous Transfers (approved prior to January 1, 2022)
Open and Emergency Transfers previously granted by the Jenks Board of Education will remain in effect unless action is taken to deny a future transfer based upon an annual review of discipline and attendance as addressed within this policy or if it is determined that the application contains fraudulent, intentional, or material misrepresentation.

Transfer Application Overview, Process, and Timeline
Transfer applications must be properly completed online to be considered. The District shall not accept or deny any transfer application based on the student's race, color, religion, sex, sexual orientation, gender expression, gender identify, genetic information, pregnancy, age, national origin, veteran status, disability, income level, proficiency in the English language, measure of achievement, aptitude, or athletic ability. Failure to be approved for a transfer as set forth in this policy shall not be deemed to be rejection for a discriminatory reason.

A.Transfer Application Requests

1. Applications for transfer shall be completed by the parent of a student on an application form specified by the State Board of Education. The term "parent" means the parent of a student or person having custody of the student as provided for in OKLA. STAT. tit. 70, § 1-113(A)(1). The District shall review applications in the order in which they are received. The application shall also be filed with the Superintendent or designee of the District if the receiving school district is within this state or with the Oklahoma State Board of Education for transfers to school districts in another state.

2. Subject to the special considerations applicable to a student on an Individualized Education Plan ("IEP") pursuant to the Individuals with Disabilities Education Act (20 U.S.C. §§ 1400 et seq.) ("IDEA") as set forth below, a transfer shall be automatically approved if a student's resident district does not offer the grade level the student is entitled to pursue.

3. A student shall be allowed to exceed capacity to transfer to Jenks Public Schools if a student's parent or legal guardian is employed in the District as defined by OKLA STAT. tit. 70, § 1-116. If the student is on an IEP, he/she will be subject to provisions in Section

B. In the event that an employee with a student on a transfer approved after January 1, 2022 is no longer employed within the District, the student may complete the current school year but will not be allowed to exceed capacity to continue on a transfer for the following school year. The student may apply for a continued transfer subject to meeting requirements for capacity, discipline, and attendance outlined in this policy.

4. A student who has attended Jenks Public Schools for three years or more, but then moves to another district, may continue enrollment in Jenks Public Schools on a transfer, regardless of capacity if the student meets attendance and discipline requirements.

5. Transfers will be approved on a student-by-student basis in the order in which they are received and in accordance with the policy provisions. Siblings must apply individually but may be granted a transfer regardless of capacity if the student meets attendance and discipline requirements. If the student is on an IEP, he/she will be subject to provisions in Section B.

6. If the grade a student is entitled to pursue is not offered in the district where the student resides, the transfer shall be approved.

7. A transferring student from another school district that offers the grade the student is entitled to pursue may seek a transfer to the same grade offered by the District. The transferring student will be allowed to attend a District school site that has not exceeded its capacity of the transferring student's grade level. If there are more than one District school sites available for the transferring student, the District retains the sole discretion to determine the school site the transferring student will attend.

8. A student shall not transfer more than two (2) times per school year to one (1) or more school districts in which the student does not reside, provided that the student may always return at any time to his or her school district of residence.

9. A sibling of a transferred student, who is in the custody of the Oklahoma Department of Human Services in foster care, may attend the District of the transferred student as long as the District has capacity and the sibling does not meet a basis for denial as set forth in this policy. Students in the custody of the Oklahoma Department of Human Services in foster care, may transfer more than two (2) times per school year to one or more school districts in which the student does not reside.

10. A student who is deaf or hard of hearing and who wishes to transfer to a school district with a specialized deaf education program may submit a transfer application at any time and may transfer to the receiving school district at any time during the school year.

11. The District will begin accepting applications for the next school year starting July 1 of the current school year. The District will not approve or deny transfers received for the next school year until after the July 1 capacity data is determined for each grade level and site within the District.

B. Special Considerations as to Transferring Student on an IEP

Prior to approving an application for a transfer student who is a child with a disability, as defined in 34 C.F.R. § 300.8, the District will establish (a) the availability of the appropriate program, staff, and services for the transferring student, and (b) conduct a joint conference with the IEP team at the transferring student's current school. The purpose of conducting these activities is to determine whether—at the time the transferring student's application is received—the District can provide the transferring student with a free appropriate public education in the least restrictive environment as required by the IDEA. In the event the District exceeds its capacity at all school sites for the grade level of a transferring child with a disability, the District shall "hold" a place for the transferring student in the order in which the transferring student submitted his or her properly completed application, pending the District's determination in this section.

C. Special Considerations as to Transferring Students who are Dependent Children of an Active U.S. Military Member

1. For purposes of this Section (C):

    a. "Active military duty" means full-time military duty status in the active uniformed service of the United States including members of the National Guard and Military Reserve on active duty orders; and

    b. "Military installation" means a base, camp, post, station, yard, center, homeport facility for any ship or other installation under the jurisdiction of the Department of Defense or the United States Coast Guard.

2. 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 reserve on active duty orders and for whom Oklahoma is the home of record, shall be approved for transfer into the District regardless of capacity 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 active duty orders, meaning the parent will be temporarily transferred in compliance with the 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 District or who will be living in the District within six (6) months of the filing of the application for the transfer.

3. A student is in compliance with the residency provisions of this policy if he or she is a student whose parent or legal guardian is transferred or is pending transfer to a military installation within Oklahoma while on active military duty pursuant to an official military order. A parent or legal guardian of such a student must provide proof of residency in the District within ten (10) days after the published arrival date provided on official documentation. A parent or legal guardian my may use the following addresses as proof of residence:

    a. A temporary on-base billeting facility,

    b. purchased or leased home or apartment, or

    c. Federal government or public-private venture off-base military housing.

D. Determination of Grade Level Capacity

The District has set capacities to plan for late summer enrollment and in-District growth, provide adequate staffing, and ensure that teachers' class sizes do not exceed limits set forth in 70 O.S. §18-113.2-3. Pre-kindergarten (PK) class size capacity is set at an average of 15 students per class. Kindergarten (K) class size capacity is set at an average of 17 students per class. For first through sixth-grade, class size capacity is set at an average of 20 students per class. For seventh through twelfth-grade classes, capacity limits are set based on enrollment in regular English Language Arts (ELA) courses. These capacity limits include space for any student enrolled in a specialized course study (alternative placement, concurrent enrollment, individualized education plans, virtual placement, etc.) who may transition to regular education courses during the school year. Class size averages in other core subjects (science, math, social studies) are significantly higher due to the specialized placement of students in ELA courses. For seventh and eighth-grade students, class size capacity limits are based upon a seven-period day and are set at an average of 22 students. For ninth through twelfth grade students, capacity limits are based upon a six-period day and set at an average of 25 students per class. Based on these criteria, the Jenks Public School's Board of Education has established the following grade level capacities:

PK-average class size of 15
K-average class size of 17
1st-4th grades-average class size of 20
5th-6th grades-average class size of 20
7th-8th grades-average of 22 in English classes
9th-12th grades-average of 25 in English classes

Prior to the first day of January, April, July, and October of each school year, the Jenks Public Schools Board of Education shall establish the number of transfer students the District has the capacity to accept in each grade level for each school site. The grade level capacity reflecting these dates will be published on the District's website and reported to the Oklahoma State Department of Education.

E. Approval of Transfer Request

1. If approved, a student transfer is granted for the existing school year and may continue for future years based on an annual review of capacity, discipline, and attendance. A

student may be granted a one-year transfer and may continue to attend the District each school year with the approval of the District. At the end of each school year, the District may deny the continued transfer of the student for the reasons outlined in OKLA. STAT. tit. 70, § 24-101.3(A)-(C) & (E), or if the student has ten or more absences in the last full school semester that are not excused due to illness or for the reasons provided for in OKLA. STAT. tit. 70, § 10-105(B).

1. If approved, parent(s)/guardian(s) will be required to provide transportation to and from school.

F. Denial of a Transfer Request

The denial of a transfer request from a student seeking a transfer shall be communicated in writing to the parent, as defined in OKLA. STAT. tit. 70, § 1-113(A)(1). Proof of the date of mailing or transmission of the denial by electronic means shall constitute proof of communication of the denial to the parent. A transfer request may be denied based on the following:

1. Capacity-

   a. A transferring student's application will be denied if the District does not have the capacity in the grade level at the school site(s).

   b. An IDEA qualified transferring student's application will be denied if—as of the time of the transferring student's application is received—the District determines that it cannot provide the transferring student with a free appropriate public education in the least restrictive environment as required by the IDEA.

2. Discipline-

   a. A transferring student's application will be denied if the transferring student is currently subject to discipline from the transferring student's current school for any of the acts and reasons outlined in OKLA. STAT. tit. 70, § 24-101.3(A)-(C) & (E).

   b. A transferring student's application shall be denied if the student has a disciplinary record which provides a reasonable basis to determine the applicant would present a discipline problem if enrolled. Such a reasonable basis will exist if school discipline or court records of the student, from any public or private school within or without the State of Oklahoma or any court within or without the State of Oklahoma, show the transferring student has been disciplined for any of the acts and reasons outlined in OKLA. STAT. tit. 70, § 24-101.3(A)-(C) & (E).

3. Attendance-

   A transferring student's application will be denied if the transferring student has ten or more absences in the last full school semester that are not excused due to illness or for the reasons provided for in OKLA. STAT. tit. 70, § 10-105(B).

4. Fraudulent Information-
   A transferring student's application will be denied at any point in the school year if the application contains fraudulent, intentional, or material misrepresentation.

G. District Level Transfer Denial and Appeal Process

A parent may appeal the denial of a transfer request to the clerk of the Jenks Public Schools Board of Education so long as the appeal is made within ten (10) calendar days of the notification of the written denial. If a timely appeal is made, the appeal shall be considered by the Jenks Public Schools Board of Education at its next regularly scheduled meeting. The appeal shall be considered by the Jenks Public Schools Board of Education only upon the written submissions of the District and the parent. Such written submissions shall state, at the minimum, the following in a statement not exceeding two pages in length:

1. The date of the parent/guardian's transfer request application;

2. The District's reason(s) for the denial of the transfer request;

3. The parent/guardian will provide the factual reason(s) why the parent/guardian believes the transfer request was denied;

4. The District will provide the factual reason(s) for the District's denial of the transfer; and

5. The criteria set forth in this policy as to propriety of the denial of the transfer request.

If the District denies the parent's appeal, the parent may appeal the Jenks Public Schools Board of Education's decision to the Oklahoma State Board of Education within ten (10) calendar days of notification of the denial. The parent shall submit to the State Board of Education and the Superintendent of Jenks Public Schools a notice of appeal on a form prescribed by the State Board of Education. The appeal shall be considered by the State Board of Education at its next regularly scheduled meeting, where the parent and a representative from the District may address the Board. The Oklahoma State Board of Education shall promulgate rules to establish the appeals process authorized by this subsection.

H. District Reporting to the Oklahoma State Department of Education

1. Prior to the first day of January, April, July and October of each school year, the District shall report to the Oklahoma State Department of Education the transfer capacity of the grade level of each District school site.

2. Prior to the first day of January, April, July and October of each school year, the District Superintendent or designee shall report to the Oklahoma State Department of Education a statement showing the names of the student(s) granted transfers to the District, the resident school district of the transferred student(s), and the grade level of the transfer student(s).

3. At the frequency required by the Oklahoma State Department of Education, the District shall also submit the number of student transfers approved and denied, and whether each denial was based on capacity, the acts and reasons outlined in OKLA. STAT. 70, § 24-101.3, or a history of absences in the last full school semester that were not excused due to illness or for the reasons provided for in OKLA. STAT. 70, § 10-105(B).

I. Athletic and Other Competitions

A transfer student granted enrollment in a school district in which the student is not a resident shall not be eligible to participate in school-related interscholastic competitions governed by the Oklahoma Secondary School Activities Association ("Association") for a period of one (1) year from the first day of attendance at the District, unless the transfer is from a school district not offering the grade the student is entitled to pursue. Whether a student granted a transfer under this policy will be eligible to participate in school-related interscholastic competitions shall be determined by the Association.

Reference: OKLA. STAT. tit. 70, §§ 8-101.1, 8-101.2, 8-103, 8-103.1, 8-103.2
OKLA. STAT. tit. 70, § 8-113
OKLA. STAT. tit. 70, § 13-103(B)

Revised by the Board of Education June 2009
Revised September 2013
Revised April 2016
Revised May 2020
Revised December 2021
Revised January 2022
Revised June 2022

3.51 UNDERAGE ENTRANCE

School entrance dates are governed by Oklahoma state law.

See Okla. Stat. Tit. 70, § 1-114, Paragraphs B and C.

Revised by the Board of Education July 1998
Revised May 2011

3.52 VIRTUAL, BLENDED, AND DISTANCE LEARNING

This policy may be used if students are unable to attend school or able to attend school only on a part-time basis for various health or safety reasons. Complete school closure is not a prerequisite to use of this policy.

When the District engages in virtual, blended, or distance learning, instruction can be delivered via a number of District-Approved Means and Mediums, but in all cases, instructional delivery methods will comply with requirements and guidance from the Oklahoma State Department of Education (OSDE). The school district will provide resources to ensure that all students have

access to virtual or distance learning programs, and all instruction will be provided in compliance with Oklahoma's Academic Standards. These methods can include, but are not limited to, means and mediums already implemented or may be implemented in the future by District administration which may or may not include use of technology. Although the child may not be on school grounds, "school" will continue, and the District shall continue to engage students with instruction and experiences that provide opportunities for continuous learning while allowing them to stay connected with their instructors and classmates.

Whether provided through virtual, blended, or distance instruction, the District shall, to the greatest extent practicable, provide its students with quality educational opportunities and continuity of instruction that is consistent with the District's vision and mission. When making decisions regarding the means and mediums utilized for virtual and distance learning, the District shall strive to bridge any equity gaps between those students with and without the technology and resources necessary to access virtual instruction. The District shall utilize all available funding sources and means to bridge these gaps in compliance with federal and state law.

Definitions

- **Virtual Learning:** Instruction provided via electronic means, utilizing the internet and computers as the primary tools for delivery of instruction, evaluation, and interaction. Instructional delivery may include video or audio means, online instructor interaction using District-Approved Means and Mediums (platforms, software, and resources, along with District social media, instructional television, video telecourses, or other District-approved means that require the internet and computer technology). Virtual instruction may be synchronous or asynchronous.
- **Distance Learning:** Instruction provided under the District's distance learning plan and including any means by which instruction will be delivered to students outside a traditional school setting. The distance learning plan must meet the requirements set forth in the state accreditation standards.
- **Blended Instruction:** Instruction provided utilizing the internet and computers and/or printed material using District-Approved Means and Mediums as well as in class instruction. Blended Instruction can be a mix of in-person classes and virtual learning, or a mix of in-person classes and distance learning.
- **District-Approved Means and Mediums:** Equipment and electronic programs and platforms that have been pre-approved by the District for instructional delivery and communication/interaction with students and their legal guardian(s) appropriate to the grade level and subject matter concerned.
- **Social Media:**
    - **Generally:** Online platforms, websites, or networks on which users share information, communications, or other content and includes, but is not limited to, sites used for media sharing and social networking (e.g., YouTube, Facebook, Twitter, Snapchat, Instagram, etc.).
    - **District Social Media:** Authorized District-related social media that is either school-based (e.g., approved, established and/or monitored by the building principal or designee) or District-based, District computer network-based, or subject area/department-based.

- **Personal Social Media:** Social media that is not District Social Media, which is established by a user for his/her personal or private use and objectives.
- **Non-District Social Media:** Social media that is not District Social Media, which is established by a third party or other organization.

Impact on Existing Policies, Rules, and Services
Once this policy is effectuated, though instruction will be provided via virtual, blended or distance learning, each is a continuation of the District's instructional program. Therefore, the rules and responsibilities of students, their legal guardian(s), and District personnel, unless otherwise expressly stated in this policy, are the same as if students were present at school during the instructional day. Unless specifically noted in this policy, existing provisions of the Student Handbook, "Acceptable Use" policies and agreements, and privacy policies shall remain in effect. For example, students shall attend scheduled online meetings or classes in a timely manner (attendance), prepare for class in advance of the day's lesson (homework), meaningfully and appropriately participate in instruction (class participation), and shall also adhere to all existing rules concerning behavioral (e.g., bullying, harassment, violations of the Acceptable Use Policy) and academic misconduct (e.g., cheating, unauthorized group work on individual assignments). When students are visible to District personnel or other students, they shall dress in conformance to the school dress code.

Attendance
Students must continue to meet all state-mandated compulsory attendance requirements and are not exempt from state truancy laws, except to the extent permitted or required by the OSDE. To the extent appropriate under the circumstances, District attendance policies shall remain in effect, and student attendance and participation shall be monitored and recorded as closely as possible to existing District policies. Attendance and participation shall be measured by means appropriate in a virtual, blended, or distance learning environment which may include, but are not limited to, District-approved-and-monitored chatrooms and message board posts, emails, submission of assignments, or other District-Approved Means and Mediums.

A student will not be considered absent from school if 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:

1. The student has completed instructional activities for no less than ninety (90%) of the time that services were provided in a virtual or distance learning format. Instructional activities may 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, or
2. The student is on pace for on-time completion of the course as required by the school district, or
3. The student has completed instructional activities that are equivalent to no fewer than 72 assignments per quarter within the time that services were provided in a virtual or distance learning format.

Teachers shall make contact with each of their students a minimum number of times per school week, as determined by District administration, and count these contacts as full-time attendance. These contacts may include, but are not limited to, student participation in virtual classes or virtual learning platforms, submissions or posts to approved message boards, instructor confirmation with a student's legal guardian(s) that the student did participate, and physical or electronic submission of assignments. Instructors shall log their contacts with each student. Records of student enrollment and attendance shall be maintained through the school's authorized student information system consistent with state accreditation standard requirements.

Grading, Class Rank, Promotion, and Retention

In conformance with guidance from the OSDE and to the extent reasonable and appropriate under the circumstances, all existing requirements related to student progression, including retention, promotion, and grade assignment shall remain in effect as if virtual, blended and/or distance learning had not replaced in-person instruction. Traditional letter grades shall continue to be issued in conformance with the District's grading scale. Appropriate efforts shall be made by all District personnel to ensure that the circumstances which effectuate this policy shall not negatively impact student grades.

Special Education

While this policy is in effect, when appropriate, each student's IEP instructor shall make contact with the student's legal guardian(s) to discuss the student's individualized plan for virtual, blended, or distance learning. Instructors and related service providers shall share learning resources with the student's legal guardian(s) that are appropriate for the student in order to provide a variety of activities and supports which may be utilized that promote continued progress toward the student's IEP goals. IEP meetings shall be conducted as needed via secure District-Approved Means and Mediums that are appropriate under the circumstances.

English Learners (EL)

EL students shall continue to receive EL services. Unless otherwise designated, each student's EL instructor shall be the primary contact for the student's legal guardian(s) while this policy is in effect. In conformance to guidance from the OSDE, the District shall be intentional in ensuring instructors are providing appropriate plans, modifications and accommodations for EL students. Nothing in this policy shall prevent EL students or their legal guardian(s) from directly contacting the student's teacher regarding their educational progress.

Gifted and Talented (GT)

GT students shall continue to receive GT services. Site gifted coordinators in conjunction with classroom teachers will provide opportunities for enrichment at the elementary and intermediate levels. Services for students in grades seven through twelve will continue to be provided through advanced coursework options in which GT students choose to enroll.

Instruction

Method and Means of Instructional Delivery

Depending on whether virtual, blended, and/or distance learning is employed by the District, the Superintendent or designee is directed to evaluate and select the means and mediums which shall

be authorized for instructional delivery and communication with students and their legal guardian(s): the "District-Approved Means and Mediums."

Lesson Plans
All instructors, including those who teach or coach electives, are responsible for developing lesson plans, recording attendance, and assigning and grading instructional activities. Instructors shall ensure that the maximum number of hours of work they assign conforms to OSDE guidance. Support for instructional planning and delivery will be provided by district and site administrators and teaching and learning specialists.

Office Hours
Every instructor and building administrator must be available during regular working hours to support instruction and student needs. District and building administrators shall develop and distribute a schedule for instructors to hold "office hours." During office hours, each instructor is required to be available to provide instruction or otherwise provide immediate feedback to students and their legal guardian(s) via District-Approved Means and Mediums. A portion of office hours may be utilized to conduct interactive virtual learning lessons with students in conformance with this policy or tutoring.

Communication with Students and Parents
Instructors are expected to communicate with students and their legal guardian(s) regularly. Electronic or telephonic messages left for instructors must be returned in a timely manner [within 24 hours, excluding weekends and holidays] via District-Approved Means and Media.
District personnel who communicate with students shall do so in conformance with this and all other District policies and may do so only via District-Approved Means and Mediums, except when expressly approved, in writing, by an immediate supervisor. Such communications shall be limited to discussions regarding classroom, school, and school-related activities only. At all times, District personnel shall exercise their best professional judgment and act with integrity and concern for their students' well-being.

Communication with students for the purpose of fraternization is strictly prohibited Contact or communications between District personnel and students via personal emails, personal social media accounts, and group messaging apps (that are not District-approved) is expressly prohibited. **Students, legal guardians, and District personnel shall have no expectation of privacy when communicating via District-Approved Means and Mediums.**

Intellectual Property
At no time shall either District personnel or students use, upload, post, mail, display, store, or otherwise transmit in any manner any such material that is protected by copyright, patent, trademark, service mark, or trade secret, or in violation of any Federal Communications Commission rules applicable to public broadcasts, except when such use or disclosure is properly authorized and bears the appropriate notations. District personnel shall consult guidance from the OSDE regarding compliance with applicable infringement laws, including fair use. Instructors shall use public domain resources when permission to use protected material cannot be obtained.

Privacy Laws and FERPA
In all cases of virtual, blended, or distance learning, but especially in an online learning environment, District personnel shall conform with FERPA requirements and other applicable privacy laws and District policies. The recording of classrooms (virtual or otherwise) and/or students by district personnel, students, or their legal guardian(s) is strictly prohibited. Under all circumstances the provision of FERPA apply to student data held or accessed by any public school or its contractors or agents, including any contracted provider of virtual instruction or other distance learning media.

Virtual Learning Instruction
All virtual learning instruction shall be delivered only via District-Approved Means and Mediums.

Blended Learning Instruction
All blended learning instruction shall be rendered in accordance with a mix of virtual and/or distance learning instruction and designated in-person instruction dates. The Virtual portion of the instruction shall be delivered only via District-Approved Means and Mediums. Only students who are enrolled in the District, either as resident students or transfer students, will be granted access to supplemental online courses.

Distance Learning Instruction
In the event of an emergency declared by a federal or state government entity that impacts the operation of public schools in Oklahoma, or upon an action taken by the State Board of Education declaring such an emergency that leads to the temporary emergency closure of school campus or otherwise significantly impairs the operation of public schools in Oklahoma, the District may implement distance learning plans which provide for distance learning that is accessible to all students.

The District may provide for short-term implementation of a distance learning plan due to a localized emergency such as a weather-related school closure or a localized public health emergency. In addition, the school calendar may include one or more days designated as distance learning days to be delivered through the distance learning plan.

Prior to the implementation of virtual or distance learning plans the District will survey parents and guardians regarding technology capabilities. After surveying parents and guardians, the District share make individualized determinations of which students would be able to access virtual instruction. Participation in the distance learning plan must be accessible to every student regardless of household resources. If the District delivers its home-based education program solely through virtual instruction, any participating student who does not already have access to the necessary connectivity and/or devices shall be provided the connectivity and devices necessary to access the instruction free of charge. If the District cannot provide connectivity and devices for all students due to limitations such as budget and/or geography, the distance learning plan must provide alternative methods to deliver equitably equivalent instruction to all students. All distance learning instruction shall be delivered only via District-Approved Means and Mediums.

Approved by the Board of Education August 2020

3.53 VISITORS

(*See also* Classroom Visitation)

To ensure the safety of students, all visitors must check in at the building office with appropriate identification and adhere to site and District procedures to receive a badge to wear while on campus. All visitors must check out prior to departure. When a request is made by a non-parent/guardian to visit on campus during the school day, it is the discretion of the administration whether or not to grant permission. Student visitors will not be permitted on school grounds.

Revised by the Board of Education May 2008
Revised May 2012