



**OILTON PUBLIC SCHOOL  
SUPPORT STAFF HANDBOOK  
2019-2020**



**OILTON PUBLIC SCHOOLS  
P.O. BOX 130  
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**OILTON SCHOOL DISTRICT I-20**

**BOARD OF EDUCATION AND ADMINISTRATION**

**BOARD OF EDUCATION**

President.....Roy Cardwell  
Vice President..... Nathan Painter  
Clerk .....Jerry Rogers  
Member.....Stefanie Casey  
Member.....Mike Greasley

**ADMINISTRATION**

Superintendent.....Dr. Matt Posey  
Treasurer.....Tammy Huff  
Principal.....Daniel McEntire  
High School Secretary.....Traci Boudreau  
Elementary Secretary.....Teresa Humble

## SUPPORT STAFF

Traci Boudreau.....High School Secretary  
Debbie Bridwell .....Library Assistant  
Shiela Clawson .....Para-Professional  
Teressa Humble... .....Elementary Secretary  
April Melton.....Para- Professional  
Paul Stokes.....Head Maintenance  
Toni Stokes.....Custodial

## CERTIFIED STAFF

Jeremy Bowline.....Agriculture Education  
April Bridwell.....First Grade  
Wendy Dressler.....Kindergarten  
Buffy Graves.....Third Grade  
Acacia Hainsey.....Fourth Grade  
Craig Kennedy.....Secondary Math; Coach  
Naomi Moore.....Secondary Special Education  
Ryan Moore.....Social Studies; Coach  
Jennifer Purvis ... ..Elementary Special Education  
Leann Reagan.....Pre-Kindergarten  
Sarah Rickner.....Second Grade  
Donna Roberts.....Secondary English  
Caitlin Robinson.....MS Math  
Joe Rouintree.....Mathematics  
Lisa Sadler.....MS Reading; Language Arts  
Nicole Serner ... ..Secondary History  
Bri Shatz.....Fifth Grade  
Craig Swenty.....MS Math Intervention  
Shelley Travis .....Secondary Science

## **PURPOSE OF THIS MANUAL**

This manual has been prepared to provide some specific guidelines for all support personnel. It will be revised and updated as time demands. It should prove to be of assistance to each support personnel in understanding the primary objectives and expectations for each position, by establishing ways and means of providing better service, by establishing benefits, authorized leaves, vacation times, etc., by establishing a channel of communication, and by defining the state statute applying to suspension, demotion, and termination of support personnel.

Each support employee and each administrator should become familiar with this manual. Input on needed changes will be appreciated.

It is well that all of us remember that the specific purpose of all positions, all personnel, and the schools themselves is the educational opportunities provided young people. The enhancement will be an asset in this objective. My office, and the office of each principal, is always open for discussion with any employee. We will work with and attempt to assist you with any specific problems you may have.

Matt Posey  
Superintendent of Schools  
Oilton Public School



## **BOARD OF EDUCATION POLICY**

A copy of all board policies is available in the administration building, elementary and high school offices, and on the school website [www.oilton.k12.ok.us](http://www.oilton.k12.ok.us). New policies or policy revisions may be adopted throughout the year and not all sources may be updated. The hard copy of the board policy book in the superintendent's office supercedes any other copies of board policy.

## **INTRODUCTION & GENERAL PROVISIONS**

This handbook is designed to assist the support personnel of Oilton Public Schools in the performance of their assigned duties and responsibilities in the most efficient manner possible. It attempts to relate the policies, procedures, and major expectations of the respective jobs of each of the classifications of support personnel. It outlines the benefits, the time schedules, and the primary duties of each assignment. Expected duties and responsibilities recognized and performed by the respective personnel or directed by the administration.

It is the duty of each member of the staff to become fully acquainted with the contents of this handbook and to adhere to all policies and procedures of Oilton Schools.

A cooperative effort to provide the best performance in the accomplishment of every job is the basis of this handbook and the policies and regulations of the district.

## **PHILOSOPHY**

Support personnel constitute an important and necessary part of a school's operations. The respective jobs performed by the support personnel are an integrated part of the system's operations. The best possible performance of each and every assignment is very significant to a good operations and smooth functioning school system. It is expected that each support employee will take pride in their work and put forth the necessary efforts to assure the best performance.

Safety of the employee, those personnel working with and around him/her, and the students is of utmost importance. Safety rules and regulations and a high degree of common sense should be adhered to in the performance of each job.

Prompt, courteous, cooperative, and efficient service can, and should, be expected in all areas of a school's operations.

## **PERSONNEL GOALS AND OBJECTIVES**

The Board of Education recognizes that a dynamic and efficient support staff, dedicated to the best possible performance of their respective jobs, is necessary to maintain a constantly improving operation. The Board is committed to providing a coordinated staff of specially trained personnel in each respective position. Each of the respective positions and/or assignments is to be properly designed with a procedure for assessment of the overall performance of all personnel.

Additionally, the Board's specific goals are:

- to conduct an employee evaluation program that will contribute to the continuous improvement of staff performance.
- to provide, when feasible and necessary, specific training and direction that promise to improve performance, retention, and promotion.
- to recruit, select, and employ the best-qualified personnel to fill the respective support satisfaction.
- to develop the quality of human relationships necessary to obtain maximum staff performance and satisfaction.
- to deploy the available personnel and assure that they are utilized as effectively as possible within budgetary constraints.

### **NON-DISCRIMINATION STATEMENT**

The Oilton Public School does not discriminate on the basis of race, color, national origin, sex, age, qualified handicap or veteran.

### **STAFF INVOLVEMENT**

The support staff is encouraged to participate in the formulation of recommendations for the improvement of the district's operations in their respective areas. The superintendent may establish such committees or seek whatever information is necessary to recommend rules and regulations necessary for a properly functioning operation.

Support personnel that have recommendations concerning their specific assignments should make these known to their immediate supervisor and/or the superintendent. In no case should any recommendation, concern, or complaint be discussed with anyone other than the immediate supervisor and/or superintendent prior to presentation to them.

### **AGENDA PREPARATION AND DISSEMINATION**

The superintendent, in cooperation with the board president, will prepare the agenda for a meeting of the board of education. Patrons or staff members wishing to have an item placed on the agenda must contact the superintendent or the board president in writing no later than 24 hours before the board agenda must be posted.

The board agenda will be prepared according to state law and posted on the front door of the administration building at least 24 hours before the meeting. The posted agenda shall be visible outside during closed hours.

Written notice of the date, time, and place of the meeting will be mailed or delivered to each member of the board and to any newspaper or other media representative that has filed a written request for such notice. In addition, the agenda for each meeting will be posted on the school district's website in accordance with the provisions of 74 O.S. § 3106.2, S.L.O. § 533.1.

A schedule and information about the regularly scheduled meetings of the board shall be posted on the website. Also, names of members of the board will be posted on the website. When reasonably possible, information about special or emergency meetings shall be posted on the website.

### **PUBLIC PARTICIPATION AT SCHOOL BOARD MEETINGS**

All regular, special and emergency meetings of the board of education shall be open to the public. The board, in its efforts to learn the viewpoints and concerns of the patrons of the district, will provide opportunities for the patrons to give input to the board. A procedure developed to allow optimum efficiency of the school board meeting as well as extensive opportunity for patron input shall be in place at all times.

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

However, questions may be referred to the superintendent for a later report to the board. The board may also choose to place such items on the agenda of a later meeting.

The board will not hear personnel complaints unless proper legal and administrative procedures concerning complaints have been followed. No speeches for or against candidates for political office will be permitted.

## **PUBLIC COMPLAINTS**

The Oilton Board of Education welcomes comments and suggestions for improvement from the patrons whom it serves. Constructive criticism of the schools is welcome whenever it is motivated by a sincere desire to improve the quality of the educational program or to allow the schools to do their tasks more effectively. However, the board has confidence in its professional staff and desires to support their actions in order that they are free from unnecessary, spiteful, or negative criticism and complaint. Therefore, whenever a complaint is made directly to the board as a whole or to a board member as an individual, it will promptly be referred to the school administration for study and possible solution.

Since individual board members have no authority to resolve complaints, other than by formal board action, administrators are expected to follow up on all complaint referrals and to advise the board members of the nature of the complaint and the action(s) taken. The board expects that the administration will develop a procedure for receiving complaints courteously and that it will take steps to make a proper reply to the complainant. Follow-up shall be in the form of a written memorandum to the board members.

Anonymous complaints provide no avenue for response or redress of the complaint. Therefore, it will be the policy of the board that anonymous complaints shall not be pursued. An unsigned complaint will not be read or acted upon at any meeting of the board and anonymous telephone complaints will not be brought to the board by any individual board member, administrator, or other district employee. Further, the administration will not act on any anonymous complaint.

Complaints for which specific resolution procedures are provided shall be directed through those channels. This includes complaints about personnel, complaints about instructional materials, etc.

Complaints should be resolved at the lowest possible level of authority. If the complaint cannot be resolved at the building level, either party is encouraged to bring the matter to the attention of the superintendent of schools.

If all other remedies have been exhausted and a complaint cannot be satisfactorily resolved, the complaint may be appealed to the board of education. The board will hear no appeal and no charges or accusations against an employee will be investigated or acted upon unless the accusations are reduced to writing, signed by the party making the complaint, and presented to the board through the superintendent.

In addition to the above, the board will request written reports be provided to the board prior to the meeting from the following:

- The person against whom the complaint is made,
- The principal of the school involved,
- The superintendent, and
- The complainant.

Generally, all parties involved will be asked to attend the board meeting for the purposes of presenting any additional facts, making further explanations, and clarifying the issues.

The board will not consider or act upon complaints that have not been explored at the appropriate administrative level or complaints for which specific resolution procedures have been established that do not include board review. If the board decides to hear the complaint, the board shall make a decision, which shall be sent to all interested parties. The board's decision is final.

### **RESOLVING SCHOOL-RELATED CONFLICTS**

The board of education believes that the school district can operate most efficiently and can deal most effectively with problems that arise in personnel matters if the problems are resolved at the lowest level of administration possible.

Therefore, the board requests that problems, which parents or students have with an individual teacher or classroom situation, be taken to the individual teacher for resolution. If that resolution is not satisfactory, the parent or guardian of the student should contact the school principal for resolution. If the results of a meeting with the principal are not satisfactory, the problem should be taken to the superintendent. If all of these avenues of conflict resolution have failed to provide a satisfactory resolution of the issue, the parent or guardian should request to be heard by the board of education at a board meeting.

The school counselor may be involved at any level of the problem resolution process if circumstances dictate.

### **MAINTENANCE OF FACILITIES**

The board of education believes that a well-maintained facility is more conducive to learning and that budgeting can be more structured and predictable with a maintenance schedule. Preventive maintenance can also save money on postponed repairs.

Preventive and corrective maintenance procedures shall be developed and implemented to ensure that each site and building will be clean, in good repair and maintained with consideration for function and aesthetic value.

### **ASBESTOS INSPECTIONS**

The Asbestos Hazard Emergency Response Act of 1986 requires the inspection of all buildings in the school district for asbestos. The district has complied with this act. A management plan documenting these inspections is on file for public review. You may examine the plan, located in the Superintendent's office and at each campus, upon request. The Oilton Public School annually notifies all parents, teachers, and other employees by appropriate handbooks. Additionally, information regarding any asbestos related activities planned or in progress, will be disseminated by flyers, handouts, etc., when they arise. The asbestos identified in our management plan will be checked regularly by an asbestos company and our staff to scrutinize any changes in the material that could cause a health hazard. We will continue to monitor the asbestos as defined by EPA guidelines. If changes occur, our asbestos coordinator will notify the appropriate people as prescribed by law.

### **MAINTENANCE REQUESTS**

Maintenance request forms are utilized for the purpose of providing an orderly means of having specific projects and certain repairs of school equipment and property completed. It is not intended to be used for each and every job, as there are numerous jobs and repairs that will be made on a daily basis. It is to be used for specific jobs and repairs that required specific parts and items to be obtained and/or projects that are to be completed at a later date or as time permits. It can be used advantageously for small projects that could be overlooked during rushed times.

1. Maintenance request forms are located in the principals' offices or the superintendent's office.
2. All maintenance requests must be approved by either a principal or the superintendent. The superintendent's approval is required for requests that would change the configuration of a building or one that is expected to cost \$50 or more.
3. Maintenance requests will be placed in the maintenance mailboxes once approved. These boxes should be checked daily to pick up requests.
4. Once a maintenance request has been completed, it should be dated, signed, and returned to the superintendent.

## SCHOOL SAFETY

### Safety Program

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

The superintendent will establish procedures in an effort to offer reasonable protection for the safety of students, employees, visitors, and others present on school property or at school sponsored events.

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

Not later than October 1 of each school year, a Safe School Committee composed of at least six members including an equal number of teachers, parents of the children affected, and students. The committee will study and make recommendations to the principal concerning:

1. Unsafe conditions, possible strategies for students to avoid harm at school, student victimization, crime prevention, school violence, and other issues which prohibit the maintenance of a safe school;
2. Student harassment, intimidation, and bullying at school;
3. Professional development needs of faculty and staff to implement methods to decrease student harassment, intimidation, and bully; and
4. Methods to encourage the involvement of the community and students, the development of individual relationships between students and school staff, and use of problem-solving teams that include the school counselor.

### Safety Signs

In further compliance with state law, the administrator of each school site shall post a sign in the school building which reads as follows: "Felony charges may be filed against any person committing an aggravated assault or battery upon any school employee."

Employees who are victims of assault and/or battery while performing school duties shall notify the superintendent, the building administrator, or a member of the Safe School Committee of the incident within 30 days of the incident. The building administrator or committee member shall report such incidents to the superintendent. The superintendent shall determine the action to be taken as a result of the incident. The said victim of the assault and/or battery shall be informed of the action. If the employee is not satisfied with the action, he or she may ask to be heard by the Board of Education.

The superintendent shall notify the State Department of Education of all such incidents of the previous year on July 1 of each year. The report shall include a description of the battery or assault and the final disposition of each incident.

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Nothing in this policy shall be meant to prevent the school employee himself/herself from filing criminal charges.

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

### Safety Coordinator

1. A Safety Coordinator will be appointed and designated in writing. The coordinator will be responsible for administering the workplace safety program.
2. The coordinator will arrange for safety classes to be provided to all school district employees. Safety classes will be provided only during the school year. Certified personnel who are in compliance with federal OSHA occupational safety and health standards shall be exempt from such safety classes or instruction.
3. Special training for certain classes of employees, if any, designated by the Oklahoma Commissioner of Labor will be administered within the district or by Central Technology Center in conjunction with the district.
4. No employee of this school district shall discharge, discriminate, or take adverse personnel action against any other employee because such employee has filed any complaint, or instituted or caused to be instituted any proceeding under or associated with this policy.
5. Within 48 hours after the occurrence of an employment accident that is fatal to one or more employees or which results in the hospitalization of five or more employees, the Safety Coordinator, the superintendent, or other designated employee will report such accident in writing to the Oklahoma Department of Labor.
6. The Safety Coordinator or the superintendent or other designated person will prepare or cause to be prepared an annual report of employee workplace injuries. The report will be forwarded to the Oklahoma Department of Labor.
7. The Safety Coordinator will conduct liaison with the Oklahoma Department of Labor to ensure continuing compliance with any rules and regulations of that department.

### Responsibilities of the Maintenance Department

1. Maintain an overall safety program in maintenance and operation of buildings and grounds.
2. Provide specialized assistance as requested by building principals.

### Responsibilities of Building Principals

1. Schedule regular inspections.
2. Post required state and federal safety regulations and maintain appropriate safety records.
3. Arrange the correction of defects reported by employees in the building either by using building personnel or requesting assistance from the maintenance personnel.
4. Cooperate in the correction of defects reported by the district maintenance personnel or other governmental agencies.
5. Notify the fire department any time a fire, regardless of size, takes place in a building.
6. Designate smoking areas.

### Responsibilities of Teachers and Counselors

1. Help students to develop confidence in their ability to take care of themselves and to be of help to others.
2. Be prepared to provide leadership and activities for students during a period of enforced confinement.
3. Be familiar with the psychological basis for working with students under the stress of emergency situations.

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4. Be familiar with minimum first aid procedures.
5. Maintain good housekeeping practices to reduce hazards.
6. Help students to understand and interpret the emergency preparedness plan to parents.

### Responsibilities of Other Employees

1. Report promptly to the principal of the school or immediate supervisor any defects in buildings, grounds, or equipment that might prove injurious to the safety, health, or comfort of employees, pupils, or other persons.
2. Take reasonable precaution for the safe use of buildings, grounds, and equipment by students.

### Responsibilities of the Safe Schools Committee

1. Study unsafe conditions in the schools, student victimization, school violence, and other issues concerning school safety.
2. Make recommendations to the principal regarding possible strategies for students to avoid harm at school, crime prevention, professional development needs of the faculty and staff concerning school safety, and methods to encourage the involvement of the community members and students.
3. Review traditional and accepted harassment, intimidation, and bullying prevention programs utilized by other states, state agencies, or school districts. The State Department of Education will provide a list of research-based programs appropriate for the prevention of harassment, intimidation, and bullying of students at school. If the district implements a commercial bullying prevention program, it shall use a program listed by the State Department of Education.

### Responsibilities of Students

1. Do not abuse or misuse any safety equipment such as fire extinguishers, fire blankets, alarm systems, etc.
2. False setting off the fire alarm, misuse of the fire alarm system, fire extinguishers, or other fire protection equipment, or setting a fire in the building or on the school grounds shall be considered grounds for expulsion.

### Dissemination of Policy

A copy of this policy will be delivered to each school employee at the beginning of each year.

### **VANDALISM**

The board believes that the education of children is dependent upon many factors, including a proper physical environment that is safe, clean and attractive.

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

All persons who are aware of incidents of vandalism, breaking and entering, and/or theft of school property should report the facts at once to the superintendent. A written report shall be made when the superintendent deems it necessary.

No money is to be left in the buildings overnight. This information should be freely disseminated.

The superintendent is authorized to sign a criminal complaint and to press charges against perpetrators of vandalism to school property.

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### **SUPPLIES**

In so far as possible and practical, considering budget limitations and priorities, needed supplies and equipment for use in the performance of the duties of the respective support positions will be provided. Determining needs, ordering, purchasing, inventorying, etc. of all equipment and supplies will be done in accordance with the following procedures:

### **PURCHASE REQUISITIONS**

1. All equipment and supply items will be ordered from properly completed and approved purchase requisitions. Requisition forms are available in the principals' offices and/or the superintendent's office.
2. Purchase requisitions for specific building supplies will be turned into the building principal for review and approval or disapproval. Upon approval by the principal the requisition will be turned into the superintendent for review and ordering. Questions about whether or not to order will be referred to the superintendent. Requests that are incomplete, lacking support to justify needs, lack of priority, or is not within available budget will be denied. An explanation of the reason for denial will be written on the requisition and it will be returned to the person that submitted it.
3. Purchase requisitions for custodial/maintenance supplies will be submitted directly to the superintendent. Every day use items, such as toilet tissue, soaps, chemicals, waxes, polishes, etc., will be ordered, when possible, in bulk.
4. Purchase requisitions for all chemicals, soaps, cleaning items, etc., used in the lunchroom will be submitted to the superintendent. Whenever possible, these items will be ordered in bulk and/or with similar maintenance/custodial items.
5. Purchase requisitions for regularly used items should be made and submitted any time the supplies get low but not less than two (2) weeks before they will be needed. Regular use items should be grouped together on one requisition.
6. All purchase requisitions must have the superintendent's approval before ordering.
7. All purchase requisitions will be attached to invoice along with packing slips for audit trail.

### **DELIVERIES / STORAGE / INVENTORY**

1. The maintenance person will be responsible for checking all maintenance/custodial supplies and equipment delivered to the school, assuring that the amount received agrees with the packing slip, dating and initialing the packing slip and turning into the superintendent's office. In the absence of the maintenance person, one of the custodians will assume this responsibility. Deliveries made to the central office will be checked and signed for by either the superintendent or an administrative assistant. All items received by the school are to be checked and the packing slip dated and signed by employee who receives the delivery.
2. Custodial personnel will check out needed supplies from the supply storage for their respective buildings. Items (supplies) checked out for a specific building should be properly stored in that building.
3. The maintenance person will be responsible for keeping an inventory of all items in the central storage and requisitioning items as needed. All personnel that use items from the central storage are responsible for assisting with the effort by recording items and amounts moved to their building and/or workstations.



### USE OF SCHOOL SUPPLIES / EQUIPMENT

1. School supplies are purchased only for school use.
2. School equipment is purchased primarily for school use. Any school equipment that is loaned for use off school property shall be properly recorded and returned as per agreement. (A Loan of Equipment Form will be used for any equipment being so used.)
3. School supplies and equipment should be used in accordance with instructions, directions, and with the same, or better, care as if it was being paid for by the user. Waste and/or carelessness should not prevail in or around the school.
4. Equipment or supplies borrowed from some department by school employees or others are to be returned to that department. This will assist in the prevention of loss or misplacement of equipment/supplies.
5. Planning jobs to be performed and determining the supplies and materials needed to complete them saves time and money and generally results in a better job.

### SCHOOL VISITORS

It is the policy of the Oilton Board of Education that all visitors to any school facility obtain a visitor's pass at the building principal's office. Parents are requested not to send or allow siblings to visit students in the classroom.

Staff members are not normally expected to have personal visitors during the school day.

Agents or other persons shall not visit teachers during school hours for the purpose of selling books or other articles without written consent from the superintendent.

The superintendent or principal of any school shall have the authority to order any person<sup>1</sup> out of the school building and off the school property when it appears that the presence of such person is a threat to the peaceful conduct of school business, school activities, and/or school classes. Any person who refuses to leave the school building or grounds after being ordered to do so by the superintendent or principal, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$500.00 or by imprisonment in the county jail for not more than 90 days, or by both such fine and imprisonment.

Any person who is requested to leave the premises shall be unable to return to the premises without the written permission of the administration for a period of six months. A grievance or an appeal may be filed by the individual as per district policy.

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<sup>1</sup> Does not include students, officers, or employees of the district.

## **MEDIA RELATIONS AND NEWS RELEASES**

### Media Relations

The board of education recognizes the need for the district to be accessible to the media and charges the superintendent with the responsibility for the dissemination of information and informational materials to the news media. The superintendent shall develop procedures by which district employees and others shall channel information directly to the media or to the superintendent or his or her designee for release.

### News Releases

The board of education supports the right of the public to know about the programs and services of the district, and will encourage all efforts to disseminate appropriate information about the district, its people and programs. The superintendent or designee shall be responsible for preparing and disseminating frequent news releases about the district and its programs to the news media.

## **SOLICITATIONS AND ADVERTISING**

School personnel are not to permit solicitors or carriers of a petition on the school grounds for any purpose unless he carries a permit from the proper school authority. No employee is to permit advertising of any nature to be presented in the rooms or on the school grounds unless permission has been secured from proper school authority.

## **QUALIFICATIONS**

In keeping with the philosophy and goals of the Board of Education, the administration, and the school district, an attempt will be made to employ and retain support personnel with the best available qualifications for the assignments they are expected to fulfill. While there may not be specific technical skills required for some of the support positions, the more skills an employee possesses in relation to the work assignment, the better. All employees are expected to become more efficient as a result of their experience with the district. In addition to the skills required to perform the support positions, there are certain expected characteristics that are needed for all employees, including:

- A. A positive, cooperative attitude
- B. Promptness in arriving to work and in commencing the duties
- C. Regular attendance - as few absences as possible and then only in conformance with the established leave policies
- D. Work habits - most of the work time, outside an A.M. and P.M. break should be spent in the performance of needed productive tasks. There are very few times when there is not anything that needs to be done
- E. Ability to recognize jobs and tasks that should be done and to do same without having to be told
- F. Ability to take directions from the immediate supervisor and/or superintendent without objection and to follow through with the directed performance
- G. Ability and willingness to work with and assist other personnel when needed and time permits
- H. Tobacco in any form will be prohibited from school grounds between the hours of 7:00 a.m. to 4:00 p.m. during school session, or when class or any program established for students is in session.
- I. Accept changes in the operations in the best of spirit. All employees may discuss changes and/or proposed changes with the administrators but once they are made, they are to be adhered to.

## **LINE OF AUTHORITY**

The superintendent is ultimately responsible to the Oilton Board of Education for the performance, conduct, and supervision of all district employees. The supervisor of transportation/building/ grounds, the lunchroom supervisor and the building principals are responsible to the superintendent for the operation of their departments and the immediate supervision of all employees under their directions.

## Oilton Public Schools Support Personnel Handbook

### **STAFF COOPERATIVE EFFORTS**

The board of education believes that each individual employee should be highly skilled and that cooperative efforts among teachers and other employees will enhance the ability of each staff member and magnifies the effectiveness of the school district.

Staff members are expected to cooperate with all employees of the school district. Staff members should assist in efficiently operating the school district so that cooperative learning programs and activities are enhanced.

### **DUTY TIME / WORK HOURS**

The duty time for support personnel will vary in accordance with the type of position held and the performance required. Total daily hours required for each position will be established. The superintendent will, after consultation with the immediate supervisor and/or building principals, establish the duty time/work hours that best fit the needs of the district and, in so far as possible the desire of employees. The superintendent may change duty time and working hours whenever he/she determines such is needed for the benefit of the district.

### **SALARY SCHEDULE**

The board of education believes that staff personnel should be rewarded for their service. Therefore, the district will attempt to pay competitive salaries for the community in which the district is located and will make efforts to exceed those salaries whenever possible.

### **PAY PERIODS**

Pay periods are scheduled once per month. Checks will be distributed the second Tuesday of the month immediately following the regularly scheduled Board of Education the second Monday of each month.

### **CHANGE OF ADDRESS/TELEPHONE**

Employees will report any change of address or telephone number to the superintendent.

### **TELEPHONE USE**

Telephone messages will be placed in the employee's mailbox unless it is an emergency. If an employee is expecting an important phone call and will notify the office, every effort will be made to cooperate. The school telephones are to be used for SCHOOL BUSINESS ONLY.

### **CELL PHONE USE**

School employees will not operate cell phones while driving a school vehicle or personal vehicle when transporting students on a school activity.

### **COMMUNITY SERVICE**

Employees should make a special effort to create a good patron attitude toward the school program and other members of the school faculty. It is desired that each faculty member refuse to make any belittling statement about any other faculty member at any time or place.

### **TRAVEL AND EXPENSE REIMBURSEMENT**

Staff may be reimbursed for itemized and documented travel expenses provided such expenses are related to the employee's duties as expressed in the contract with the employee. However, if the employee attends such a conference on personal business leave or on leave without pay, then the school district shall not compensate the employee for travel or documented expenses.

The function and the cost to be reimbursed must be approved by the board prior to the event. Staff

## Oilton Public Schools Support Personnel Handbook

members shall submit in writing to the superintendent the need for reimbursement. Notice must be given in time for the superintendent to submit this to the board and the board to give approval. If sufficient time to notify the board is not available, the superintendent may give temporary approval.

Only those items for which there is itemized documentation may be reimbursed. Only the original purchase amount of any item(s) shall be reimbursed back to the employee excluding sales tax. However, at its discretion, the board may pay such expenses on a per-diem basis as long as such does not exceed the amount permitted for state employees. If the state travel reimbursement schedule is used, travel shall be reimbursed at forty eight and one-half cents per mile (See State Travel Reimbursement Act.) according to mileage indicated on an Oklahoma map.

Travel expenses and other related expenses of prospective employees for sponsored visits to the school district shall be paid at the discretion of the board under the same guidelines as those for school employees.

### **MEAL REIMBURSEMENT**

For the purpose of reimbursement of meal expenses of employees or members of the board of education during authorized travel, the board of education chooses to reimburse such employees or board members by requiring such expenses to be itemized and documented.

\*All meal expenses must be approved from the superintendent in advance for reimbursement.

### **FRINGE BENEFITS**

The board of education, understanding the benefits of providing fringe benefits in a cost-effective manner, provides a "cafeteria" plan for the purchase of such benefits by each employee. Health and accident insurance, cancer insurance and annuities are available on a payroll deduction plan. Also, retirement paid by the employer on behalf of the employee is made on a pre-tax basis.

The district will pay part of the cost of the district's health care plan for any staff member working six or more hours per day, 172 days per year, and who chooses to participate in the district's plan. If the staff member elects not to participate in the district's health care plan, he/she may choose to use the amount of money credited to his/her account for other benefits in the cafeteria plan or may, for the 1998-99 and 1999-2000 years only, take the money as taxable money.

Note #1: These said amounts continue to change as legislation changes; contact the Administration Office for the current dollar amount of flex paid.

### **SICK LEAVE**

Ten days sick leave shall be allowed each ten-month employee each year with cumulative time up to one hundred twenty (120) days. Those employees who are employed for twelve months will receive twelve days sick leave per year. Those employed eleven months each year shall be given eleven sick days annually. Employees will earn one (1) sick day per month over the term of their contract period. Sick leave is interpreted as the time when sickness keeps an employee from being present to conduct his or her regular daily work because of personal illness or illness of a spouse, parent of either spouse, child, or brother or sister of either spouse, grandchildren, or any other person whose relationship to the employee is such to justify the employee's absence. If for any reason the board of education or the superintendent believes this benefit is being abused, a statement of illness from a doctor may be required to justify granting of sick leave.

#### Unused Sick Leave

Unused sick leave may accumulate 60 days with any remainder days being banked for teacher

## Oilton Public Schools Support Personnel Handbook

retirement purposes.

Note: State law allows staff employees to accumulate 60 days of sick leave. A district may choose to allow employees to accumulate more than 60 days of sick leave.

### Transfer of Sick Leave

Employees may transfer up to a maximum of 60 sick leave days from another school district in Oklahoma. The transfer will be allowed after completion of one year of employment in this district. Transfers must be verified in writing by the district where leave was accumulated.

Note: State law allows employees to transfer a maximum of 60 days of sick leave from another school district in Oklahoma. A district may choose to allow employees to transfer more than 60 days of sick leave from another district.

### Retirement Credit for Unused Sick Leave

In accordance with state law and the regulations of the Oklahoma Teacher Retirement System, the total creditable service of a member who retires or terminates employment and elects a vested benefit shall include up to 120 days of unused sick leave.

Note: Retirement credit for unused sick leave is allowed by state law.

### **CHILD CARE LEAVE**

In accordance with state law and if approved by the board of education, an employee who takes no more than 90 days without pay to care for the employee's child during the first year of the child's life shall receive full credit toward retirement for those days missed. The employee shall also receive credit for those days in computing experience for salary.

### **PERSONAL LEAVE**

Each member of the staff shall receive three (3) personal days of leave each year. The superintendent shall approve all personal leave and has the authority to ask for a written or oral explanation of why the leave shall be classified as personal. The superintendent may approve or disapprove the request based on the reason given and/or the needs of the district.

### **EMERGENCY LEAVE**

Each member of the staff shall receive two (2) emergency days of leave each year. Emergency leave shall be defined as a situation or occurrence of a serious nature developing suddenly and unexpectedly, and demanding immediate attention such as death in the immediate family and/or major illness to spouse and/or children. The superintendent shall approve all emergency leave and has the authority to ask for a written or oral explanation of why the leave shall be classified as emergency. The superintendent may approve or disapprove the request based on the reason given.

### **JURY AND COURT LEAVE**

The school district shall grant a staff employee leave for jury service or as a witness subpoenaed in a criminal, civil or juvenile proceeding. When an employee serves on a jury or is called as a witness as described above, he or she will be paid the difference between the amount received for jury duty and the amount he or she would have earned at his or her regular rate of pay for each day served on the jury or as a witness. To receive pay for this duty, the employee must show a statement from the clerk of the court indicating the amount paid the employee.

### **MILITARY LEAVE**

Military leave will be granted in accordance with state law with tenure and retirement protected.

## Oilton Public Schools Support Personnel Handbook

### **PROFESSIONAL LEAVE**

When approved by the board, staff personnel will be allowed professional absences without loss of pay or other leave days.

### **VACATION**

A vacation schedule will be arranged for each staff member who qualifies for vacation time. Vacations are to be taken at a time, which is mutually agreeable with the superintendent and the employee. When a mutually agreeable time cannot be arranged, the needs of the school must receive first consideration in setting the day(s) of vacation.

After one year of continuous service prior to July 1, staff personnel who work twelve (12) months a year shall receive one week (5 working days) paid vacation; after two years staff personnel shall receive two weeks (10 working days); Vacation days may not be carried over from one year to the next.

Any employee who is paid for less than forty (40) hours in any pay period other than the first pay period of employment will not receive credit for that pay period in computing his/her vacation benefits at the end of the qualifying period of June 30.

### **HOLIDAYS**

Support personnel whose work year includes the following holidays, will receive pay for the stated holiday. Holidays recognized for this purpose include: Independence Day, Labor Day, Thanksgiving Day, Christmas Day, New Years Day, Easter, and Memorial Day.

At the discretion of the superintendent, additional days may be allowed during the time school is closed for these holidays. The condition of the facilities, grounds, and equipment, jobs to be performed and extra time that has been worked, etc., will all be considered when reviewing possible extra days off.

Certified staff professional days are not holidays and all support personnel, with exception of bus drivers and cooks, will be expected to be on duty.

### **APPROVAL OF LEAVE**

All types of leaves require notification and approval of the school administration. A "Request for Leave" form is provided for this purpose.

Support personnel will give their immediate supervisor and/or building principal as much advance notice as possible in all cases when they are going to be absent from their respective assignments. When an employee discovers in the A.M. that they will be unable to report to duty that day, they will call their immediate supervisor and/or their principal or the superintendent's office.

### **ABUSE OF LEAVE PROVISIONS**

Time missed for reasons other than those stipulated and/or without specific authorization will result in a full salary deduction. Continued unauthorized absences will result in disciplinary action.

Abuse of any of the leave provisions will result in disciplinary action.

## Oilton Public Schools Support Personnel Handbook

### **SUPPORT PERSONNEL SUSPENSION, DEMOTION OR TERMINATION**

The Oilton Board of Education has adopted the following procedure for the suspension, demotion, or termination of support personnel in accordance with Title 70 of the Oklahoma Statutes, Sections 6-101.40 through 6-101.47.

For the purposes of this policy a "support employee" means a full-time employee as determined by the standard period of labor which is customarily understood to constitute full-time employment for the type of services performed by the employee who is employed a minimum of one hundred seventy-two days and who provides those services which are not performed by certified teachers, principals, superintendents or administrators and which are necessary for the efficient and satisfactory functioning of a school district.

No support employee who has been employed in the school district for more than one year may be suspended, discharged, or non-renewed except within the provisions of this policy. However, this policy shall not be construed to prevent layoffs or reductions-in-force for lack of funds or work.

When the immediate suspension of a support employee is in the best interest of the school, the superintendent may suspend the employee with or without pay without a hearing. If an employee is suspended for a period exceeding 10 days, the superintendent shall initiate termination proceedings immediately upon the beginning of suspension. However, in a case involving a criminal charge, the suspension may be delayed until the case is adjudicated at trial. Nothing herein shall prevent proceeding against the employee for termination of employment during or after the suspension.

Prior to any demotion, termination, or non-renewal and after any suspension, the support employee shall receive notice of his or her right to a board hearing if so requested. Distribution of this policy to support personnel, verified by employee signature, shall serve as notice that such employees are entitled to a hearing before final termination of employment. Employees will be notified by certified mail of board actions to demote or terminate employment, and the support employee must request a hearing by certified mail to the board clerk within 10 working days of said notice or the employee shall be deemed to have waived his or her right to a hearing.

If a hearing is requested, the hearing shall be conducted at the next succeeding regular meeting of the board if the request is received by the board clerk at least 10 days prior to such meeting. However, a special meeting may be conducted if requested by the employee or at the discretion of the board of education, which special meeting shall be conducted no sooner than 10 days nor later than 30 days after receipt of the hearing request. The decision of the board shall be final.

The procedures of this policy only protect employees who have employed more than one year immediately preceding adverse employment action and are suspended or discharged during a contractual period of employment, or are non-renewed.

In accordance with Title 70 of Oklahoma Statutes Sections 6-101.40 through 6-101.47, the board hereby adopts the following causes for suspension, demotion, termination, or non-renewal of support personnel.

1. Leaving workstation without authorization prior to lunch periods or end of workday.
2. Excessive unexcused absenteeism.
3. Chronic absenteeism for any reason.
4. Excessive tardiness.
5. Persistently wasting time or distracting others during working hours.
6. Leaving work area during working hours without proper notification and permission.
7. Falsification of personnel or other records (personal or another employee's records).
8. Possession of weapons on the premises at any time.
9. Removing district property, records, or confidential information from premises without proper

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authority.

10. Willful abuse, misuse, defacing, or destruction of district property, including tools, equipment, or other property of other employees.
11. Theft or misappropriation of property of employees, students, or of this district.
12. Sabotage.
13. Refusal to follow instructions of supervisor.
14. Refusal or failure to do work assignment.
15. Unauthorized operation of vehicles, machines, tools, or equipment.
16. Threatening, intimidating, coercing or interfering with employees, supervisors, or students at any time.
17. The making or publishing of false, vicious, or malicious statements concerning any employee, supervisor, students, or the district.
18. Creating or contributing to unsanitary conditions.
19. Practical jokes injurious to employee's or district property.
20. Possession, consumption, distribution or reporting to work under the influence of alcohol, non-prescribed drugs, or controlled substances.
21. Creating disturbances on the premises at any time.
22. Disregard of known safety rules or common safety practices.
23. Unsafe operation of motor driven vehicles.
24. Operating machines or equipment without safety devices provided.
25. Participating in or witnessing gambling, lottery, or any other game of chance on district property.
26. Unauthorized distribution of literature, written, or printed matter of any description on district property.
27. Posting or removing notices, signs, or writing in any form on bulletin boards of district property at any time without specific authority of the administration.
28. Poor workmanship.
29. Immoral conduct or indecency including abusive and/or foul language.
30. Making or receiving personal telephone calls during working hours, except for emergencies
31. Walking off the job.
32. Continued poor or negative attitude while on the job, including poor relationship with other staff or students.
33. Smoking in unauthorized area or at unauthorized time.
34. Failure to dress appropriately for work assignment.
35. Refusal of job transfer within the district when transfer does not result in demotion.
36. Abuse of rest periods or meal period policies.
37. Inappropriate and/or unauthorized use of the school district's computer network or Internet connections.
38. Insubordination of any kind.
39. Racial discrimination, including racial slurs or other demeaning remarks concerning another person's race, ancestry, or country of origin and directed toward another employee, a student or a visitor.
40. Violation of any district rule or policy.
41. Violation of any administrative rule or order.
42. If it is in the best interest of the school district, any support person may be suspended, demoted, or terminated.

Violations of any of the above may lead to the suspension, demotion, or termination of the support employee.



## Oilton Public Schools Support Personnel Handbook

### **SUPPORT STAFF REDUCTION IN FORCE**

In the event it becomes necessary to reduce the support personnel staff because of diminished resources, decline in enrollment, consolidation of programs or positions, elimination of programs, or other circumstances determined by the board of education, the following philosophy will prevail:

"This school district exists to provide the very best quality of education possible for the student; therefore, the board of education will determine which staff members can best serve the needs of the student."

The position, or program, will be the determining factors for what will be eliminated. The board of education will attempt to reduce staff by normal attrition and, second, by the following:

1. Longevity of employment in the district.
2. Best-qualified employee for the position needed.
3. Re-employment of the above-indicated staff will be in reverse order of dismissal if that individual is available when needed.

**Oilton Public Schools (I020)**  
**Application to Participate in the Voluntary Incentive Plan**

Name: \_\_\_\_\_

Currently assigned to: \_\_\_\_\_  
(Position)

Your signature below indicates that you have read and understand the Voluntary Retirement Incentive Plan with the Oilton Board of Education and desire to participate in the plan beginning with the 2019-2020 fiscal school year. Your application to participate is non-revocable unless the requirements for participation are not met.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**Due Date: March 1, 2020, 4:00 p.m. in the Superintendent's Office.**

## **Oilton Public Schools Voluntary Retirement Incentive Plan (VRIP) Support Staff**

### **Purpose:**

The purpose of the voluntary retirement incentive plan is to mitigate the necessity to enact involuntary staff reductions due to a shortfall in state revenue.

### **Conditions for Participation:**

1. Applicants must be active support employees with a minimum of ten consecutive years of service as support employees of Oilton Public Schools, be at least fifty (50) years of age by June 30, 2020.
2. The request to participate in the program must be received by the Superintendent of Schools prior to 4:00 p.m. on March 1, 2020, for retirement at the end of the 2019-2020 contract year.
3. Following approval by the Board of Education, the request to retire and participate in the retirement incentive plan is irrevocable.
4. Retirement incentive benefits are not retroactive to any employee who has previously retired, and current employees should have no expectations that the program will be authorized in subsequent contract years.
5. In the event of death prior to the end of the maximum benefit period, the employee's beneficiary will be paid a lump sum of \$2000 or the amount remaining on the plan.
6. All benefits terminate at the end of 36 payments or three years or the death of the retiree, whichever comes first.
7. Nothing in the retirement incentive plan shall allow the creation of any unfunded liability on the part of the school district. During its existence, this benefit must be annually approved by the Board of Education and its funding encumbered on the current fiscal year basis. Nothing in this agreement with employees shall obligate the district to make payments to retirees in any fiscal year beyond the fiscal year in which the contract is first and subsequently approved by the Board of Education.
8. In the event that a court of competent jurisdiction should determine that this plan is unenforceable, neither party shall have any claim against the other, nor shall the participant be entitled to reinstatement.
9. PARTICIPANTS MUST WORK FOR THE DISTRICT FIVE (5) DAYS PER SCHOOL YEAR AS A SUBSTITUTE TEACHER OR IN A SUPPORT POSITION AS A CONDITION OF CONTINUED PARTICIPATION IN THE PROGRAM. FAILURE TO FULFILL THE SUBSTITUTE OBLIGATION WILL RESULT IN TERMINATION OF BENEFITS.
10. Workman's Compensation Insurance will be in effect while the participant is performing substitute duties.
11. Retirees that are accepted into the voluntary retirement program will be exempt from the

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felony check requirement, if permitted by law.

### **Benefits:**

#### **A. Payment:**

During the benefit period a monthly payment of \$150.00 will be made to the individual. All benefits after 36 payments or three years or the death of the retiree. Payments are to commence on the July payday in the first fiscal year.

All money paid under this plan will be reported to the participant through the use of a W-2.

#### **B. Tax Liability:**

The school district makes no representation of any kind whatsoever regarding tax consequences to participants of payments made herein under. Those individuals who choose to participate in the plan shall be responsible for their own taxes.

#### **C. Future Employment by the District:**

Retiree agrees that retiree will not be eligible for re-employment by District, except on a consultant or substitute or temporary basis as may be approved by the Superintendent of Schools of the District. Nothing in this agreement shall prevent the retiree from obtaining other employment and in the event of said employment, the retirement benefits hereunder shall not be reduced.

### **USE OF TOBACCO ON SCHOOL GROUNDS**

The board of education recognizes that tobacco use has been shown to be linked to illnesses and disability and tobacco use is particularly addictive to children and youth. Therefore, in compliance with state law, the following policy on smoking and tobacco use is adopted.

Students, staff and patrons will not be permitted to use tobacco products of any kind on or in any school property while in attendance at a school-sponsored event, or while in transport to or from school (or a school event) in school-authorized vehicles.

1. "School property" is defined as all property owned, leased, rented or otherwise used by any school in this district, including but not limited to the following:
  - a. All interior portions of any building or other structure used for instruction, administration, support services, maintenance or storage.
  - b. All school grounds over which the school exercises control including areas surrounding any building, playgrounds, athletic fields, recreation areas and parking areas.
  - c. All vehicles used by the district for transporting students, staff, visitors or other persons.
2. "Tobacco" is defined as cigarettes, cigars, pipe tobacco, snuff, chewing tobacco and all other kinds and forms of tobacco prepared in such manner to be suitable for chewing, smoking or both.
3. "Use" is defined as lighting, chewing, inhaling or smoking any tobacco as defined within this policy.

The following policy is adopted for patrons, employees and other adults. No smoking or other use of tobacco products shall be allowed in any educational facility by any individual twenty-four (24) hours per day, seven days per week.

The school district administration bears the responsibility for addressing complaints, including asking smokers to refrain from smoking.

Signs will be posted in prominent places on school property to notify the public that smoking is prohibited.

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

### **DRUG-FREE WORK PLACE**

In recognition of the clear danger resulting from drug abuse and in a good faith effort to promote the health, safety, and welfare to employees, students, and the community as a whole, it shall be the policy of the board of education to provide a drug-free workplace in compliance with the Drug-Free Schools and Communities Act Amendment of 1989 (P.L. 101-226).

Employees are hereby notified that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in all workstations in the school district. Such action is prohibited by any employee during that employee's work hours or in the performance of any duties for the school district.

Employees are further notified that, as a condition of their employment, they are required to abide by these requirements and that violation of any requirement will result in appropriate action, probation, suspension, or termination. Additionally, it shall be the responsibility of the employee to report to the district any and all convictions of a criminal drug statute violation occurring in the

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work place no later than five days following such conviction. Appropriate personnel action shall follow such disclosure within 30 days of such notice.

The board will not tolerate employees who use, possess, manufacture, distribute or make arrangements to distribute illegal drugs while at work or on school district property. Further, outside conduct of a substance abuse-related nature, which affects an employee's work, is prohibited. The board insists that all employees report to work without any alcohol or illegal or mind-altering substances in their systems.

Employees must inform their supervisor when they are legitimately taking medication, which may affect their ability to work, in order to avoid creating safety problems and violating the federal laws.

Because it is the policy of the board of education to promote prevention, information about a drug free awareness program will be made available to inform employees about (1) the dangers of drug abuse in the workplace, (2) the district policy of maintaining a drug-free workplace; (3) available drug counseling, rehabilitation and employee assistance programs, and (4) penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

It is a requirement of the board of education that each current employee shall be notified of this policy in writing and future employees shall be notified in writing upon employment. This statement shall be published in other appropriate documents for proper distribution and posted at appropriate work sites.

Compliance with standards of conduct as stated in this policy is mandatory.

### **USE OF DRUGS AND CONTROLLED SUBSTANCES BY EMPLOYEES**

Student and employee safety is of paramount concern to the Board of Education. Employees under the influence of alcohol, drugs or controlled substances are a serious risk to themselves, to students, and to other employees. Therefore, the Board of Education shall not tolerate the unlawful manufacture, use, possession, sale, distribution or being under the influence of drugs or controlled substances. Nor shall the Board tolerate the unlawful use of, or being under the influence of, alcohol (including 3.2 beer) by an on-duty employee. Any employee who violates this policy will be subject to disciplinary action, which may include employment termination.

Each employee of this school district is hereby notified that, as a condition of employment, the employee must abide by the terms of this policy, and will notify the superintendent of any criminal drug statute conviction for a violation occurring in or on the premises of this school district, or while engaged in regular employment. The employee must make such notification to the superintendent no later than five days after conviction. The superintendent will provide notice of such violation to the Impact Aid Program, United States Department of Education, or other appropriate government agency within ten days after the superintendent receives such notification.

Thirty days following receipt of the above notification, the district will take appropriate disciplinary action, which may include termination or require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program.

Each employee will attend a district drug-free awareness program at which employees will be informed about the dangers of drug abuse in the workplace; available drug counseling, rehabilitation, and employee assistance programs; and the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

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The Board of Education recognizes that employees who have a drug abuse problem should be encouraged to seek professional assistance. An employee who requests assistance shall be referred to treatment facility or agency.

When it is evident that a staff member has consumed alcoholic beverages or illegal drugs off school property and/or before a school activity, the staff member will not be allowed on school property or to participate in school activities. Staff members who violate this regulation will be subject to the same penalties as for possession or consumption on school property.

The Board of Education hereby commits itself to a continuing good faith effort to maintain a drug-free workplace.

This policy shall be communicated in writing to all present and future employees.

### **DRUG AND ALCOHOL TESTING PROGRAM - BUS DRIVERS**

Employees who operate school vehicles are subject to drug and alcohol testing if a commercial driver's license is required to operate a school vehicle which transports 16 or more persons, including the driver, or which weighs 26,001 pounds or more. For the purposes of this testing program, the term "employees" includes applicants who have been offered a position to operate a school vehicle.

Employees operating a school vehicle as described above are subject to pre-employment drug testing and random reasonable suspicion, post-accident, return-to-duty, and follow-up drug and alcohol testing. Employees operating school vehicles shall not perform a safety-sensitive function within four hours of using alcohol. Employees governed by this policy shall be subject to drug and alcohol testing beginning the first day they operate or are offered a position to operate school vehicles and will continue to be subject to drug and alcohol testing as long as they may be required to perform a safety-sensitive function as it is defined in administrative regulations. Employees with questions about the drug and alcohol-testing program may contact the superintendent.

Employees who violate the terms of this policy will be subject to discipline up to and including termination. Employees who violate this policy may be required to successfully participate in a substance abuse evaluation and, if recommended, a substance abuse treatment program. Employees required to participate in and who fail to or refuse to successfully participate in a substance abuse evaluation or recommended substance abuse treatment program will be subject to discipline up to and including termination.

It is the responsibility of the superintendent to develop administrative regulations to implement this policy. The superintendent shall also inform applicants of the requirement for drug and alcohol testing in notices or advertisements for employment, in the application form, and personally at the first interview with the applicant.

The superintendent shall also be responsible for publication and dissemination of this policy and its supporting administrative regulations to employees operating school vehicles. The superintendent shall also oversee a substance-free awareness program to educate employees about the dangers of substance abuse and notify them of available substance abuse treatment resources and programs.

### **REGULATION DRUG AND ALCOHOL TESTING PROGRAM - BUS DRIVERS**

The following administrative regulations support the drug and alcohol testing program policy of the board of education. It also establishes and explains the requirements of the district's drug and alcohol testing program required for employees operating school vehicles.

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Questions regarding the drug and alcohol testing program policy, these supporting regulations, or the drug and alcohol testing program may be directed to the superintendent, or designee, who will be the school district contact person. The contact person will answer questions from employees and others about the program, receive the test results, receive identification numbers of the drivers and will notify those drivers selected for random testing.

### Definitions

**Air Blank:** A reading by an evidentiary breath-testing device (EBT) of ambient air containing no alcohol.

**Alcohol:** The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol including methyl and isopropyl alcohols.

**Alcohol Concentration (or content):** The alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicted by an evidentiary breath test under the law.

**Alcohol Use:** The consumption of any beverage, mixture or preparation, including any medication, containing alcohol.

**Breath Alcohol Technician:** An individual who instructs and assists drivers in the alcohol testing process and operates an evidentiary breath-testing device.

**Canceled or Invalid Test:** In drug testing, it is a drug test that has been declared invalid by a Medical Review Officer or a specimen that has been rejected for testing by a laboratory. In alcohol testing, it is a test that is deemed to be invalid under the law. A canceled drug test or alcohol test is neither a positive nor a negative test.

**Chain of Custody:** Procedures to account for the integrity of each urine or blood specimen by tracking its handling and storage from point of specimen collection to final disposition of the specimen. With respect to drug testing, these procedures require that an appropriate drug testing custody form be used from time of collection to receipt by the laboratory and that upon receipt by the laboratory an appropriate laboratory chain of custody form(s) account(s) for the sample or sample aliquots within the laboratory.

**Collection Site:** A place where drivers present themselves for the purpose of providing body fluid or a tissue sample to be analyzed for specific drugs or breath alcohol concentration.

**Commercial Motor Vehicle:** A motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle 1) has a gross combination weight rating of 26,001 or more points inclusive of a towed unit with a gross vehicle weight of 10,000 or more pounds; or 2) has a gross vehicle weight rating of 26,001 or more pounds; or 3) is designed to transport 16 or more passengers, including the driver; or 4) is of any size used in the transportation of materials found to be hazardous for the purposes of the Hazardous Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials regulations.

**Confirmation Test:** For alcohol testing, it is a second test following a screening test with a result of 0.02 or greater breath alcohol concentration that provides quantitative data of alcohol concentration. For drug testing, it is a second analytical procedure (GC/MS) to identify the presence of a specific drug or metabolite which is independent of the initial test and which uses a different technique and chemical principle from that of the initial test in order to ensure reliability and accuracy.

**Controlled Substances/Drugs:** Marijuana, cocaine, opiates, amphetamines, phencyclidine.

**Driver:** Any person who operates a school vehicle. This includes, but is not limited to, full-time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to the school district or who operate a school vehicle at the direction of or with the consent of the school



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district. For the purposes of pre-employment/pre-duty testing only, the term “driver” includes applicants for drivers of school vehicles positions.

**Initial Test (or Screening Test):** In drug testing, it is an immunoassay screen to eliminate “negative” urine specimens from further consideration. In alcohol testing, it is an analytic procedure to determine whether a driver may have a prohibited concentration of alcohol in a breath specimen.

**Medical Review Officer (MRO):** A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by an employer’s drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate a driver’s confirmed positive test result together with the driver’s medical history and any other relevant bio-medical information.

**Non-suspicion-based Post-accident Testing:** Testing of a driver after an accident without regard to whether there is any reasonable suspicion of drug usage, reasonable cause to believe the driver has been operating the school vehicle while under the influence of drugs, or reasonable cause to believe the driver was at fault in the accident and drug usage may have been a factor.

**Performing a Safety-sensitive Function:** A driver is considered to be performing a safety-sensitive function during any period in which the driver is actually performing, ready to perform, or immediately available to perform any safety-sensitive function.

**Random Selection Process:** When drug tests are unannounced and every driver has an equal chance of being selected for testing.

**Reasonable Suspicion:** When the school district believes the appearance, behavior, speech or body odors of the driver are indicative of the use of drugs or alcohol.

**Refusal to Test:** When a driver (1) fails to provide adequate breath for alcohol testing without a valid medical explanation after he or she has received notice of the requirement for breath testing in accordance with the provisions of the law, (2) fails to provide adequate urine for drug testing without a valid medical explanation after he or she has received notice of the requirement for urine testing in accordance with the provisions of the law, or (3) engages in conduct that clearly obstructs the testing process. A refusal to test is treated as a positive drug test result or an alcohol test result of 0.04 or greater breath alcohol concentration.

**Safety-sensitive Function:** All time from the time when a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work. Safety sensitive functions shall include, but are not limited to:

1. All time at the district waiting to be dispatched.
2. All time inspecting equipment or otherwise servicing any commercial motor vehicle at any time.
3. All time spent at the driving controls of a commercial vehicle in operation.
4. All time in or on a commercial vehicle.
5. All time repairing, obtaining assistance, or remaining in attendance on a disabled vehicle.

**School Vehicle:** A vehicle owned, leased, and/or operated at the direction or with the consent of the school district which transports 16 or more persons, including the driver, or weighs over 26,001 pounds and requires the driver to have/possess a commercial driver’s license in order to operate the vehicle.

**Split Specimen/Split Sample:** The division of the urine specimen into thirty milliliters in a specimen bottle (the primary sample) and into at least fifteen milliliters in a second specimen bottle (the split sample).

**Stand-down:** Is prohibited by federal regulations and consists of temporarily removing an employee from the performance of safety-sensitive functions based only on a report from a laboratory to the MRO of a

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confirmed positive test for a drug or drug metabolite, an adulterated test, or a substituted test, before the MRO has completed verification of the test result.

**Substance Abuse Professional:** A licensed physician (medical doctor or doctor of osteopathy) or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of, and clinical experience in, the diagnosis and treatment of alcohol and controlled substances-related disorders.

**Verified Test:** A drug test or validity testing result from a federally certified laboratory that has undergone review and final determination by the MRO.

### Covered Drivers

1. The following requirements apply for a driver to be covered by the drug and alcohol testing program:
  - A. Drive a vehicle transporting 16 or more persons, including the driver, or drive a vehicle weighing over 26,001 pounds; and
  - B. Require a commercial driver's license to hold the driver position.
2. Covered drivers include:
  - A. Applicants seeking a position as a driver;
  - B. Full-time, regularly employed drivers;
  - C. Casual, intermittent, occasional or substitute drivers (including coaches, teachers, administrators, mechanics, etc.);
  - D. Leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to a school district or who operate a school vehicle at the direction of or with the consent of a school district.
3. Drivers are subject to the drug and alcohol testing program and its requirements throughout the year, including the times when school is not in session or when the driver is on leave.

### Prohibited Driver Conduct

1. Drivers shall not report to duty or remain on duty with a 0.04 or greater breath alcohol concentration.
2. Drivers shall not report for duty or remain on duty when using any drug except when a physician has advised the driver that the drug does not adversely affect the driver's ability to safely operate a school vehicle and the school district is informed in writing of the medication and doctor's opinion.
3. Drivers shall not use alcohol at least four hours prior to, or during the performance of, a safety-sensitive function.
4. Drivers shall not possess alcohol while on duty. This includes possessing prescriptions and over-the-counter medicines containing alcohol unless the packaging seal is unbroken.
5. Drivers required to take a post-accident alcohol test shall not use alcohol within eight hours following the accident or prior to undergoing a post-accident alcohol test; whichever comes first.
6. Drivers shall not refuse to submit to a drug or alcohol test. A refusal to test is considered a positive test result requiring the driver to undergo a substance abuse evaluation and subjecting the driver to discipline up to and including termination.
7. Drivers shall not report for duty or remain on duty performing a safety-sensitive function if the driver has a positive drug test result.

### Alcohol Breath Testing Procedures

1. Driver's breath is tested for alcohol.
2. Evidentiary breath testing devices are used to conduct the screening test and, if necessary, the

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confirmation alcohol test.

- a. The screening alcohol breath test determines whether the driver's breath alcohol concentration is less than 0.02.
    - i. A screening alcohol test result of less than 0.02 breath alcohol concentration allows the driver to continue to perform a safety-sensitive function.
    - ii. An initial alcohol test result of 0.02 breath alcohol concentration or greater requires a confirmation test.
  - b. The confirmation alcohol breath test determines whether the driver may continue to perform a safety-sensitive function.
    - i. A confirmation alcohol test result of less than 0.02-breath alcohol concentration allows the driver to continue to perform a safety-sensitive function.
    - ii. A confirmation alcohol test result of greater than 0.02 breath alcohol concentration but less than 0.04 breath alcohol concentration requires the driver to cease performing a safety-sensitive function for 24 hours.
    - iii. A confirmation alcohol test result of 0.04 or greater breath alcohol concentration requires the driver to cease performing a safety-sensitive function and undergo a substance abuse evaluation.
3. Alcohol testing is conducted at collections sites, which provide privacy to the driver and contain the necessary equipment, personnel and materials.
- a. Alcohol testing is conducted at a designated non-school district facility unless the situation requires another location.
  - b. In the event privacy cannot be assured, privacy will be provided to the extent practical.
4. Screening alcohol testing steps
- a. Once the driver is notified to submit to an alcohol test, the driver must complete the alcohol/drug test notification form and proceed immediately to the collection site. Collection site person will contact the superintendent or designated contact person immediately when a driver does not arrive at the specified time. Failure to arrive at the collection site in a timely manner is considered a refusal to test, absent an acceptable excuse.
  - b. Upon arrival, the driver must provide a photo identification. Failure of the driver to produce a photo identification is considered insubordination as well as a refusal to test.
  - c. The collection site person explains the testing procedure to the driver.
  - d. The collection site person, the breath alcohol technician and the driver complete and sign the appropriate sections of the alcohol testing form.
    - i. Refusal of the driver to sign the form prior to the screening alcohol test is considered a refusal to test.
    - ii. The school district is notified immediately of the driver's refusal to sign.

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- e. The driver forcefully blows into the evidentiary breath testing device mouthpiece for at least six seconds or until an adequate amount of breath has been obtained.
  - f. The initial test results are shared with the driver.
  - g. The driver and breath alcohol technician must sign the alcohol testing form following completion of the alcohol test. Failure to sign the form after the alcohol test is not considered a refusal to test. However, in the remarks section of the form, the breath alcohol technician notes the driver's refusal to sign.
  - h. Screening alcohol test results
    - i. An alcohol test result of less than 0.02-breath alcohol concentration is reported to the school district in a confidential manner and the driver may continue to perform a safety-sensitive function.
    - ii. An alcohol test result of 0.02 or more breath alcohol concentration requires a confirmation alcohol test between 15 and 20 minutes after the screening test.
    - iii. The breath alcohol technician provides the superintendent, or designated contact person, with a copy of the breath alcohol testing form if written communication was not used to report the test results.
  - i. Potentially incomplete or invalid breath alcohol tests are repeated with corrected procedures.
  - j. The breath alcohol test is stopped when the driver fails twice to provide an adequate amount of breath. In that case:
    - i. A physician analyzes the driver's inability to provide adequate breath.
    - ii. Failure to provide adequate breath is considered a refusal to test unless the physician determines a medical condition caused the failure to provide adequate breath.
    - iii. A refusal of the driver to try a second time to provide adequate breath is considered a refusal to test, unless a physician determines the driver is not physically capable of providing adequate breath.
5. Confirmation alcohol testing steps
- a. The confirmation alcohol test is done between 15 and 20 minutes after the screening alcohol test whether or not the driver followed the requirements to not eat, drink, put any object or substance in his or her mouth, and, to the extent possible, not belch during the 15-minute waiting period to avoid accumulation of mouth alcohol leading to an artificial high reading.
  - b. If a different collection site is used, the driver must be under the observation of the collection site personnel or school district personnel while in transit to the confirmation alcohol-testing site or while waiting for the confirmation alcohol test.
  - c. If a different collection site person is used for the confirmation alcohol test, the driver must again provide photo identification.
  - d. The collection site person explains the testing procedure to the driver.
  - e. The collection site person, a breath alcohol technician and the driver complete and sign the appropriate sections of the alcohol testing form.
    - i. Refusal of the driver to sign the form prior to the confirmation alcohol test is considered a refusal to test.
    - ii. The school district is notified immediately of the refusal to sign.
  - f. The driver forcefully blows into the evidentiary breath testing device mouthpiece for at least six seconds or until an adequate amount of breath has been obtained.
  - g. The confirmation alcohol test results, which are the final and official test results, are shared with the driver.
  - h. The driver and breath alcohol technician must sign the alcohol testing form following completion of the alcohol test. Failure to sign the form after the alcohol test is not considered a refusal to test. However, in the remarks section of the form, the breath alcohol technician notes the driver's refusal to sign.

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- i. The breath alcohol technician informs the superintendent, or designated contact person, of the results of the test in a confidential manner.
  - i. An alcohol test result of less than 0.02-breath alcohol concentration is reported to the school district in a confidential manner and the driver may continue to perform a safety-sensitive function.
  - ii. The breath alcohol technician notifies the superintendent, or designated contact person, immediately of confirmation of alcohol test results of 0.02 or more breath alcohol concentration.
  - iii. The collection site person provides the superintendent, or designated contact person, with a copy of the breath alcohol testing form if written communication was not used to report the test results.
- j. Potentially incomplete or invalid breath alcohol tests are repeated with corrected procedures.
- k. The breath alcohol test is stopped when the driver fails twice to provide an adequate amount of breath. In that case:
  - i. A physician analyzes the driver's inability to provide adequate breath.
  - ii. Failure to provide adequate breath is considered a refusal to test unless the physician determines a medical condition caused the failure to provide adequate breath.
  - iii. A refusal of the driver to try a second time to provide adequate breath is considered a refusal to test, unless a physician determines the driver is not physically capable of providing adequate breath.

### Drug Testing Procedures

1. Driver's urine is tested for marijuana, cocaine, opiates, amphetamines, phencyclidine, etc.
2. A split specimen urine drug test, often called "split sample test", is used to conduct the drug test.
  - a. A negative drug test result allows the driver to continue to perform a safety-sensitive function.
  - b. A positive drug test result on the primary sample requires the driver to be removed from performing a safety-sensitive function.
  - c. A positive drug test result on the primary sample allows the driver an opportunity to request the split sample be tested by another certified laboratory for the specific drug found in the primary sample. A negative drug test result on the split sample results in a negative drug test result.
  - d. A positive drug test result requires the driver to undergo a substance abuse evaluation.
3. Drivers taking medication at a doctor's direction may perform a safety-sensitive function if the doctor determines there is not an adverse affect on performing a safety-sensitive function and the school district is informed in writing of the medication and doctor's opinion.
4. Drug testing is conducted at collection sites, which provide privacy to the driver and where the necessary equipment, personnel and materials are located.
  - a. Drug testing is conducted at a designated non-school district facility unless the situation requires another location. Public restrooms can be used as collection sites in exceptional circumstances.
  - b. In the event privacy cannot be assured, privacy is provided to the extent practical. However, direct observation is allowed if:
    - i. Reasons exist to believe the driver may alter or substitute the specimen.
    - ii. The driver presents a specimen with a temperature outside the allowed range and does not provide an oral body temperature or the oral body temperature varies from the specimen provided.
    - iii. The last specimen provided by the driver was determined by the laboratory to not meet specific gravity and urine creatinine concentration criteria.

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- iv. The collection site person observes conduct of the driver to substitute or adulterate the specimen.
  - v. The driver has previously been determined to have used a drug without medical authorization and the particular test is for follow-up testing upon or after return to duty.
  - c. Direct observation is approved by the supervisor of the collection site person or the designated school district representative. Non-medical personnel performing direct observation must be of the same gender as the driver.
5. Drug testing steps
- a. Once the driver is notified to submit to a drug test, the driver must complete the alcohol/drug test notification form and proceed immediately to the collection site. The collection site person contacts the superintendent, or designated contact person, immediately when a driver does not arrive at the specified time. Failure to arrive at the collection site in a timely manner is considered a refusal to test, absent an acceptable excuse.
  - b. Upon arrival, the driver must provide photo identification. Failure of the driver to produce photo identification is considered insubordination as well as a refusal to test. The driver may require the collection site person to provide proof of identification.
  - c. The driver may keep his or her wallet but must remove any unnecessary outer garments, purses, briefcases and similar items at the request of the collection site person.
  - d. Immediately prior to providing a urine sample, the driver must wash his or her hands.
  - e. The driver must then provide 45 milliliters of urine and deliver it immediately to the collection site person.
    - i. A driver who cannot provide an adequate amount of urine will receive instructions for drinking water and trying again.
    - ii. The drug test is stopped when the driver fails twice to provide an adequate amount of urine.
    - iii. Failure to provide adequate urine is considered a refusal to test unless the physician determines a medical condition caused the failure to provide adequate urine.
  - f. The specimen is kept in view of the driver and the collection site person.
  - g. Upon receipt of the specimen, the collection site person immediately, and in no event later than four minutes from the time of urination, measures the temperature of the specimen.
  - h. The driver may volunteer to have his or her oral temperature taken to provide evidence against alteration or substitution if there is some question about the temperature of the specimen.
  - i. The collection site person inspects the specimen for color and other signs of contaminants and notes any unusual findings.
  - j. Another specimen is required as soon as possible under direct observation if the collection site person suspects adulteration or substitution.
  - k. The specimen is divided into the primary and the split specimen, sealed and labeled. The driver initials the label.
  - l. The driver is required to read and sign the statement on the chain of custody form certifying the specimens are the driver's.
  - m. The collection site person is required to note on the chain of custody form any unusual behavior or appearance of the driver and any failure to cooperate.
  - n. The collection site person completes the chain of custody form and the driver signs the form indicating the collection is complete.
  - o. The specimens are packaged for shipping to the laboratory and are shipped immediately or placed in secure storage until they can be shipped.
6. Laboratory
- a. The laboratory used by the school district's drug and alcohol-testing program is certified by

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- the U.S. Department of Health and Human Services. Certified laboratories meet the testing procedures, personnel and record keeping requirements of the law.
- b. Upon arrival of the specimen at the laboratory, the split specimen is stored and the primary specimen is tested.
    - i. A positive drug test result on the initial test of the primary specimen requires a confirmation drug test of the primary specimen.
    - ii. The split specimen is discarded if the primary specimen has a negative drug test result.
7. Medical Review Officer (MRO) reviews drug test results
- a. The MRO may release drug-testing records of a driver to unauthorized individuals only with the written consent of the driver.
  - b. The MRO keeps a record of negative drug test results and reports negative drug test results to the school district, usually within two working days.
  - c. The primary role of the MRO is to review and interpret positive drug test results to determine whether a legitimate explanation exists for the positive drug test result.
    - i. After reviewing the chain of custody form and laboratory drug test results, the MRO contacts the driver to discuss the positive drug test result prior to notifying the school district and to ask whether the driver requests a drug test of the split sample. The driver's request for a drug test of the split sample must be made within 72 hours of talking with the MRO.
    - ii. Upon request of the driver, the split specimen is sent to a second certified laboratory for drug testing.
    - iii. The MRO contacts the superintendent, or designated contact person, for assistance if the driver cannot be reached.
    - iv. The superintendent, or designated contact person, must confidentially inform the driver to contact the MRO.
    - v. Upon contacting the driver, the superintendent, or designated contact person, must inform the MRO that the driver was contacted.
    - vi. Drivers who cannot be contacted are placed in temporary medically unqualified status, sick leave, other available leave, or unpaid leave of absence.
  - d. The MRO may verify a positive drug test without talking to the driver if:
    - i. The driver declines the opportunity to discuss the positive drug test.
    - ii. The driver fails to contact the MRO within five days after the superintendent, or designated contact person, has contacted the driver.
    - iii. The driver can challenge MRO verification of positive drug test results under these circumstances if the driver presents the MRO with information documenting a serious illness, injury or other circumstances unavoidably preventing the driver from timely contacting the MRO. The MRO, based on this additional information, may find a legitimate explanation for the positive drug test result and declare the drug test negative.
  - e. The driver is notified of the drugs found in a positive drug test result by the MRO, the superintendent, or designated contact person, or by certified mail to the driver's last known address.
  - f. The school district receives a written report of the negative and positive drug test results from the MRO.

### Substance Abuse Professional

1. A substance abuse evaluation by a substance abuse professional is required when a driver has:
  - A. A positive drug test;
  - B. A positive alcohol test of 0.04 or greater breath alcohol concentration; or
  - C. Violated the drug and alcohol testing program policy, these supporting regulations, or the law.

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2. The substance abuse evaluation determines what assistance, if any, the driver needs in resolving problems with alcohol misuse and/or drug use.
3. A list of available substance abuse professionals to provide assistance to bus drivers is available through the superintendent, or designated contact person.

### Pre-employment Testing

1. Drivers shall submit to a drug test if a job offer is made. The job offer is contingent upon:
  - A. A negative drug test; and
  - B. A signed written statement authorizing former employers to release all information on the driver related to drugs and alcohol.

A pre-employment drug test may not need to be administered by the school district if the driver has participated in a drug testing program that meets the requirements of these regulations within the previous 30 days and while participating in that program, either was tested for drugs within the past six months from the date of application with the school district or participated in a random drug testing program for the previous 12 months from the date of application with the school district and the school district ensures that, to the school district's knowledge, no prior employer has records of violation of the regulations within the previous six months.

If the school district chooses not to administer a pre-employment alcohol and/or drug test, the school district must contact the alcohol and drug-testing program in which the driver participates or participated and obtain the following information:

- Name and address(es) of the program(s);
  - Verification that the driver participates or participated in the program(s);
- Verification that the program(s) conform(s) to these regulations;
- Verification that the driver is qualified under these regulations, including that the driver has not refused to be tested for alcohol or drugs;
  - The date the driver was last tested for alcohol or drugs;
  - The results of any tests taken within the previous six months and any other violation of the regulations.

For applicants that have had a positive drug or alcohol test result, based on information from a prior employer, the pre-employment test can serve as a return-to-duty test.

2. Prior to allowing a driver to perform a safety-sensitive function, and not later than 14 days after performing a safety-sensitive function, the following information must be obtained about the driver during the preceding two years from the date of the application.
  - A. Any alcohol test results of 0.04 or greater breath alcohol concentration;
  - B. Positive drug test results; and
  - C. Refusals to be tested.

The school district may obtain any information related to the driver from previous employers as long as the driver consents and the written consent regarding the requested information are presented to the previous employers. If this information is not obtained prior to the performance of a safety-sensitive function, the school district will document why the information was not obtained prior to the performance of the safety-sensitive function. The information may be obtained by the school district by personal interviews, telephone interviews, letter or other method, which ensures confidentiality. The school district will document the information received and will note that the information addresses only whether the driver can perform a safety-sensitive function and does not address the Americans with Disabilities Act considerations of alcohol and drug addiction.



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### Random Testing

1. Annually, 25% of the average number of drivers is selected for random alcohol tests and 50% of the average number of drivers is selected for random drug tests.
2. The driver's identification numbers are selected by a scientific method giving each driver an equal chance to be selected.
3. Random tests are unannounced and spread throughout the year.
4. Drivers selected for random alcohol testing are notified just before, during or just after performing a safety-sensitive function. The school district will document why some, if any, drivers were selected but not notified (i.e., illness, vacation, etc.).
5. Drivers selected for random drug testing are notified at any time. The school district will document why some, if any, drivers were selected but not notified (i.e., illness, vacation, etc.).
6. Once a driver is notified of being selected for a random test, the driver must proceed immediately to the collection site. However, drivers performing a safety-sensitive function must safely stop and proceed to the collection site as soon as possible.

### Reasonable Suspicion Testing

1. A driver may be required to submit to a reasonable suspicion drug test at any time.
2. A driver may be required to submit to a reasonable suspicion alcohol test just before, during, or just after the driver performs a safety-sensitive function or just before, during, or just after the time the driver is required to be in compliance with the drug and alcohol testing program policy, these supporting administrative regulations, or the law.
  - A. A reasonable suspicion alcohol test is performed within two hours and not later than eight hours of determining reasonable suspicion.
  - B. If the alcohol test is not given within two hours, the reasons for the delay must be documented.
  - C. If the alcohol test is not given within eight hours, attempts to test are stopped and the reason for not testing must be documented.
3. A reasonable suspicion test request is made by an employee who received training to determine reasonable suspicion. The reasons for the reasonable suspicion must be documented within 24 hours or prior to the release of the test results. If more than one employee trained to determine reasonable suspicion observed the driver, those employees must also document their reasons.

### Post-Accident Testing

1. Drivers are subject to both post-accident drug and alcohol testing as soon as possible after an accident in which:
  - A. The driver received a citation and
    - i. Bodily injury occurred to a person who, as a result of the injury, required immediate medical treatment away from the scene of the accident; or
    - ii. One or more motor vehicles incurred disabling damage as a result of the accident, requiring the vehicle(s) to be transported away from the scene by a tow truck or other vehicle; or
  - B. A fatality occurred.

If a citation is not issued against the driver within eight hours of the accident, no alcohol testing can be done. If the citation is issued prior to 32 hours, a drug test must be given. If the citation is issued too late for either the alcohol or drug test, the circumstances must be documented.

2. Drivers must remain readily available for post-accident testing.
  - A. Drivers who leave the scene or who do not remain readily available are deemed to have refused to test.

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- B. Necessary medical treatment cannot and should not be denied to a driver waiting to complete post-accident drug and alcohol tests.
- 3. Alcohol testing requirements
  - A. The alcohol test is administered within two hours and not later than eight hours after the accident.
  - B. The reasons for administering the test later than two hours after the accident must be documented.
  - C. The reasons for not administering the test within eight hours of the accident must be documented.
  - D. Drivers are prohibited from consuming alcohol for eight hours after the accident or until the alcohol test is completed.
- 4. Drug testing requirements
  - A. The drug test is administered as soon as possible and not later than 72 hours after the accident.
  - B. The reasons for not administering the test must be documented.
- 5. Results of drug or alcohol testing conducted by law enforcement officers or other officials on the scene with independent authority to conduct such tests are presumed valid if the testing conforms to the law. The school district must receive a copy of the results to use them.

### Return-to-duty/Follow-up Testing

- 1. Prior to returning to duty after a positive drug test, a positive alcohol test of 0.04 or greater breath alcohol concentration, or other violation of the drug and alcohol testing program policy, these regulations or the law:
  - A. The driver must be reevaluated by a substance abuse professional to determine that the driver has properly followed any treatment program prescribed.
  - B. The driver must submit to the tests required by the substance abuse professional. The substance abuse professional may require a return-to-duty test for drugs, alcohol, or both.
  - C. The return-to-duty test must have a negative drug test result and/or an alcohol test result of less than 0.02-breath alcohol concentration before the driver can return to duty and perform a safety-sensitive function.
- 2. After returning to duty, the driver is subject to a minimum of six unannounced follow-up tests within 12 months for alcohol, drugs, or both, as determined by the substance abuse professional.
  - A. The substance abuse professional can terminate the follow-up testing requirement after the first six tests have been completed or continue the follow-up testing for up to 60 months from the date of the driver's return to duty.
  - B. Alcohol follow-up testing is done just before, during, or just after performing a safety-sensitive function.

### School District Responsibilities

- 1. Drivers will be provided with information on the drug and alcohol testing requirements of the drug and alcohol testing program policy, these administrative regulations, and the law, including the driver's obligations. This information may be included in an employee handbook.
- 2. Supervisors of drivers or employees designated to determine reasonable suspicion must receive 60 minutes of training on alcohol misuse and 60 minutes of training on drug use. The training must address the physical, behavioral, speech and performance indicators of probably alcohol misuse and drug use.
- 3. Drivers will be provided with instructions prior to the driver operating a school vehicle to enable the driver to comply with the drug and alcohol testing requirements.
- 4. Drivers will not be allowed to report to work or perform a safety-sensitive function when the

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school district has actual knowledge of a driver's drug use, whether or not a drug test was conducted.

5. Drivers will not be allowed to report to work or perform a safety-sensitive function when the school district has actual knowledge of a driver with 0.02 or greater breath alcohol concentration, whether or not an alcohol test was conducted.
6. Through the school district's drug and alcohol testing program service provider, the school district will ensure that the quality assurance plan, developed by the manufacturer and approved by the National Highway Traffic Safety Administration for the evidentiary breath testing device used for alcohol testing of its drivers, describes the inspection, maintenance, and calibration requirements and intervals for the device.
7. Through the school district's drug and alcohol testing program service provider, the district will ensure that the collection site person using an evidentiary breath testing device is a certified breath alcohol technician.

### Consequences of Violating the Drug and Alcohol Testing Program Policy, These Administrative Regulations, or the Law

1. Each violation is dealt with based on the circumstances surrounding the violation. The following consequences may result from a violation:
  - A. Drivers may be disciplined up to and including termination.
  - B. Drivers may not be permitted to perform safety-sensitive functions.
  - C. Drivers may be advised of the resources available to them in evaluating and resolving problems associated with the misuse of alcohol or use of drugs.
  - D. Drivers may be required to undergo a substance abuse evaluation to determine what assistance, if any, the driver needs in resolving problems associated with the misuse of alcohol or use of drugs and be required to follow any recommended substance abuse treatment program.
  - E. Prior to returning to duty, the driver is required to have a negative drug test and/or alcohol test result and be subject to the follow-up drug and/or alcohol testing determined necessary based on the circumstances surrounding the incident.
  - F. Drivers refusing to submit to drug and/or alcohol testing are considered insubordinate and are subject to discipline up to and including termination.
  - G. Driver-applicants who refuse to submit to or cooperate with the drug and/or alcohol testing process and requirements shall be disqualified from further consideration.
2. Nothing in the drug and alcohol testing program policy, these administrative regulations, or the law relating to drug and alcohol testing limits, restricts the right of the board or superintendent to discipline, up to and including termination, a driver for conduct which violates the school district's policies, regulations, and procedures.

### Drug and Alcohol Testing Records

1. Drug and alcohol testing records are stored in locked files at limited access locations separate and apart from the driver's general personnel records.
2. The records are released only with the written consent of the driver. Only those records specifically authorized for release may be released. However:
  - A. Records may be released to appropriate government agencies without a written consent.
  - B. Records may be released to appropriate school district employees without written consent.
  - C. The school district may, without written consent, make a driver's drug and alcohol test records available to a decision-maker in a lawsuit, grievance or other proceeding initiated by or on behalf of the driver and arising from the result of an alcohol or drug test under the drug and alcohol testing program policy, these regulations, or the law, or from the school

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district's determination that the driver violated the drug and alcohol testing program, these regulations, or the law. Such proceedings may include, but are not limited to, workers' compensation, unemployment compensation, or other proceedings related to a benefit being sought by the driver and wrongful discharge or other termination matters.

3. With a written request, drivers may access and copy their drug and alcohol test records in accordance with the board policy related to employee records. A driver is not denied access to these records for failure to pay fees associated with other records. Drug and alcohol testing and related records shall include at least the following:
  - A. Drug and alcohol related information obtained from prior employers if the driver was hired after January 1, 1995, for school districts with 50 or more drivers and January 1, 1996, for school districts with less than 50 drivers;
  - B. A "sign off" sheet signed by the driver indicating receipt of the drug and alcohol testing program policy and related information and agreeing to participate in the drug and alcohol testing program;
  - C. The chain of custody form for each of the driver's drug tests;
  - D. The alcohol test form and results for each of the driver's alcohol tests;
  - E. Any accident information related to the driver;
  - F. MRO report of drug test results;
  - G. Any reasonable suspicion information related to the driver;
  - H. Any substance abuse professional evaluation and treatment information related to the driver; and
  - I. Any other information related to drug and alcohol testing particular to the driver.
4. The following records of the school district's drug and alcohol testing programs are maintained for the time period indicated:
  - A. One year:
    - i. Records of negative and canceled drug test results and alcohol test results of less than 0.02 breath alcohol concentration.
    - ii. Records related to the drug and alcohol testing process.
    - iii. Records related to a driver's test results.
    - iv. Records related to other violations of the law.
    - v. Records related to substance abuse evaluations.
    - vi. Records related to education and training.
  - B. Two years:
    - i. Records related to the alcohol and drug collection process, except calibration of evidentiary breath testing devices, and training.
  - C. Five years:
    - i. Alcohol test results of 0.02 and greater breath alcohol concentration.
    - ii. Verified positive drug test results.
    - iii. Documentation of refusals to take required alcohol and/or drug tests.
    - iv. Evidentiary breath testing device calibration documents.
    - v. Driver substance abuse evaluations and referrals.
  - D. Annual calendar year summary.

### **DRUG-FREE SCHOOLS**

It is the policy of the Oilton Board of Education that all students and employees of this school district be made aware of the Board's intention to maintain a drug-free environment.

As required by the Environmental Tobacco Smoke Act Section 143 Part C "Non-Smoking Policy for Children's Services" the Oilton Public Schools will continue to provide a tobacco-free school as required in Section 1043 (a) and Oklahoma House Bill 2529 enacted into law May 19,2000.

Chemical dependence is a contagious, progressive disease that does not disappear of its own accord. Because drugs have a destructive impact on the brain, regular users lose control over their behavior, and most of them find it extremely difficult to stop using drugs without outside intervention. Using a drug just "one time" predisposes a person to try it again because that person has apparently violated a taboo with impunity. For additional health hazards, associated with drug or alcohol use, please refer to the school district's drug education curriculum and to the district's drug prevention policy.

Any student or employee of this school district who believes that he/she may have a problem with drug abuse may be referred to appropriate local agencies for counseling, treatment, or rehabilitation. For additional information concerning assistance available, please refer to the school district's education curriculum or contact the superintendent's office.

### **DRUG EDUCATION/PREVENTION PROGRAM**

It is the policy of the Oilton Board of Education that a drug education/prevention program is instituted district wide for all district employees.

This program will contain the following provisions:

- A. Standards of conduct that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol on school premises or as a part of any school activity. (Ref: Board of Education Policy Å "Drug Free Workplace" and "Certified/Non Certified Handbook")
- B. A clear statement that disciplinary sanctions up to and including termination of employment and referral for prosecution will be imposed on employees who violate the standards of conduct and a description of those sanctions. (Ref: "Certified/Non Certified Handbook")
- C. Information about any drug and alcohol counseling and rehabilitation and reentry programs that are available to employees. (Ref: "Drug Free Workplace" and "Certified/Non Certified Employee Handbook")
- D. A requirement that employees be given a copy of the standards of conduct and the statement of disciplinary sanctions. (Ref: "Drug Free Workplace" and "Certified/Non Certified Handbook")
- E. A requirement that employees be notified that compliance with the standards of conduct is mandatory.

## **WEAPON-FREE SCHOOLS**

In order to provide a safe environment for students and staff of this school district, the board prohibits the possession of dangerous weapons and replicas or facsimiles of dangerous weapons.

### The Law

It shall be unlawful for any person, except a peace officer or other person authorized by the board, to have a firearm or weapon in his/her possession on any public school property or while in any school bus or vehicle used by the school for transportation of students or teachers.

A gun or knife designed for hunting or fishing purposes kept in a privately owned vehicle and properly displayed or stored as required by law shall not be in violation of the provisions of this policy, provided such vehicle containing said gun or knife is driven onto school property only to transport a student to and from school and such vehicle does not remain unattended on school property.

Any person violating the provisions of this law shall upon conviction be guilty of a felony punishable by a fine not to exceed five thousand dollars (\$5,000), and imprisonment for not more than two years. Students violating this policy may be subject to expulsion and/or reported to the county sheriff.

### Interpretation of the Law

Dangerous weapons, including but limited to firearms, are a threat to the safety of students and staff of this school 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 school. Possession by any student or employee of a dangerous weapon 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.

A dangerous weapon includes, but is not limited to, a pistol, revolver, rifle, shotgun, air gun or spring gun, BB gun, slingshot, blackjack, brass knuckles or artificial knuckles of any kind, nunchucks, dagger, Bowie knife, dirk knife, butterfly knife, any knife having a blade greater than three inches, any knife with a blade which can be opened by a flick of a button or pressure on the handle, any pocketknife where the blade is carried in a partially opened position, any pocketknife with blade shorter than three inches which can be locked in place, razor, dart, ice pick, explosive smoke bomb, incendiary device, sword cane, hand chains and any replica or facsimile thereof of any item which is used to threaten harm or is used to harm any person.

An exception to this policy may be granted for students or employees participating in an authorized curricular or extracurricular activity or team involving the use or demonstration of a dangerous weapon, or replica or facsimile of a dangerous weapon. For this exception, written prior approval by the principal, in consultation with the superintendent of schools is required.

Rights of due process for all students and rights of disabled students must be observed in accordance with applicable law.

### **REGULATION WEAPON-FREE SCHOOL**

Any student in possession of a dangerous weapon, or replica or facsimile of a dangerous weapon, in violation of this school district's policy 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 may be suspended from school and all activities for any period of time up to the maximum period authorized by law. Additionally, school administrators may seek to file criminal charges against the student.

Any employee in possession of a dangerous weapon, or replica or facsimile of a dangerous weapon, in violation of this school district's policy may, pursuant to applicable board policy, may be placed under immediate suspension from duties pending an investigation of the incident by the appropriate school or legal authorities and may be dismissed or subjected to or other disciplinary action as deemed appropriate by the superintendent or the board of education. In addition, these school district employees who willfully or negligently fail to enforce this policy are subject to disciplinary action, which may include dismissal. Any disciplinary action for any employee, including dismissal will be in accordance with any Board policy and any negotiated agreement, which is applicable to the employee.

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 such weapon or replica or facsimile of a dangerous weapon found if this can be accomplished without placing any students or staff in jeopardy. The teacher or employee 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 teacher or other school employee has reasonable suspicion to believe that any employee or other person is in possession of a dangerous weapon or replica or facsimile of a dangerous weapon in violation of school policy, he/she shall immediately report the matter to his/her immediate supervisor or the superintendent of schools or his designee.

If the principal or his designee learns that a student or employee is believed to be in possession of a dangerous weapon or replica or facsimile thereof, the principal or designee shall observe the following procedure.

Immediately investigate the matter and contact the police, if appropriate.

1. If not already confiscated by an employee of the school 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 thereof.
2. Notify the superintendent of school or his/her designee.
3. In case of a student, notify his/her parents/guardian.
4. Cooperate fully with the police.
5. Transfer confiscated weapon to the police department.

Except as may be required by law for disabled students, any student in possession of a dangerous weapon or replica or facsimile thereof shall not be eligible for placement in any alternative education program, intervention program or be eligible to transfer to another school district in lieu of suspension.

A student who has been suspended from another school district because of the possession of a dangerous weapon or replica or facsimile thereof shall not be accepted as a transfer student into this school district.

Rights of due process for all students and rights of disabled students will be observed in accordance with applicable law and the board of education policies.

## **HARASSMENT POLICY**

It is the policy of this school district that harassment of students by other students, personnel, or the public will not be tolerated. This policy is in effect while the students are on school grounds, in school transportation, or attending school-sponsored activities, and while away from school grounds if the misconduct directly affects the good order, efficient management, and welfare of the school district.

Harassment is intimidation by threats of or actual physical violence; the creation by whatever means of a climate of hostility or intimidation; or the use of language, conduct, or symbols in such manner as to be commonly understood to convey hatred, contempt, or prejudice or to have the effect of insulting or stigmatizing an individual. Harassment includes but is not limited to harassment on the basis of race, sex, creed, color, national origin, religion, marital status, or disability.

As used in the School Bullying Prevention Act, "harassment, intimidation, and bullying" means any gesture, written or verbal expression, or physical act that a reasonable person should know will harm another student, damage another student's property, place another student in reasonable fear of harm to the student's person or damage to the student's property, or insult or demean any student or group of students in such a way as to disrupt or interfere with the school's educational mission or the education of any student. Harassment, intimidation, and bullying included, but are not limited to, a gesture or written, verbal, or physical act. Such behavior is specifically prohibited.

Harassment set forth above may include, but is not limited to, the following:

1. Verbal, physical, or written harassment or abuse;
2. Repeated remarks of a demeaning nature;
3. Implied or explicit threats concerning one's grades, achievements, etc.;
4. Demeaning jokes, stories, or activities directed at the student;
5. Unwelcome physical contact.

The superintendent shall develop procedures providing for:

1. Prompt investigation of allegations of harassment;
2. The expeditious correction of the conditions causing such harassment;
3. Establishment of adequate measures to provide confidentiality in the complaint process;
4. Initiation of appropriate corrective actions;
5. Identification and enactment of methods to prevent reoccurrence of the harassment; and
6. A process where the provisions of this policy are disseminated in writing annually to all staff and students.

A copy of this policy will be furnished to each student and teacher in this school district.

## **SEXUAL HARASSMENT**

Employees and students of this school district have a right to be free from sexual harassment and a hostile environment. Sexual harassment violates Title VII of the 1964 Civil Rights Act, and amended by the Civil Rights Act of 1991. Any employee or student who is subjected to such harassment, including a hostile environment, or who has knowledge of such harassment, should report it to an administrator who is responsible for complaint investigation. The administrator will take steps for further action.

Employees must be free to carry out job duties and students must be free to learn in an environment, which treats them with respect and is not allowed to be fraught with sexual hostility. This sexual harassment can exist in overt sexual advances or in allusion through words, gestures, body positions, body proximity, writings, electronic mail or any other means of communication.

A hostile work environment is defined as an environment, which limits or precludes a reasonable employee or student from working to his/her maximum potential. The existence of a hostile work environment shall be decided only after a full review of all relevant circumstances; provided, it shall be



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a hostile work environment if any employee complains about behavior in writing and such behavior continues or is allowed to continue.

### **GRIEVANCE/COMPLAINT PROCEDURE**

The board of education wishes to make the school workplace as positive and productive for faculty and staff as possible. Therefore, the board hereby establishes a procedure for employees to have individual concerns or grievances relating to their terms and conditions of employment addressed in a professional and orderly fashion. This procedure is designed to solve individual problems on as low a level as reasonable and as quickly as feasible in an attempt to prevent minor problems from becoming major ones. The final authority in resolving such grievances is the board of education. -

Note: This policy covers all employees and related employment issues not already covered by the district's negotiated agreement with a teacher or support organization.

### **REGULATION GRIEVANCE/COMPLAINT PROCEDURE**

#### Purpose

The purpose of this procedure is to secure at the lowest possible level equitable solutions to issues that may arise with respect to an employee's terms and conditions of employment.

#### Definitions

1. A "grievance is a claim by an employee that there has been a violation, misinterpretation or misapplication of an established board policy or established district administrative regulation that has specifically affected that employee's terms and conditions of employment.
2. The "grievant" is the employee making the claim.
3. "Days" shall mean the days when the school district central office is open for business.

#### Procedure

1. Level I - Informal Resolution---Immediate Supervisor  
An employee with a grievance shall first discuss the concern individually with the immediate supervisor within ten (10) days of the alleged violation, citing the specific policy or regulation alleged to have been violated, with the objective of resolving the grievance informally. No written record will be made. However, a memo signed by both parties giving the date of the meeting shall be prepared.
2. Level II -- Formal Resolution---Immediate Supervisor
  - a. If the employee is not satisfied with the discussion of the grievance at Level I, the employee may file the grievance with the immediate supervisor in writing, using the official form which is a part of this procedure, within five (5) days of the Level I meeting.
  - b. The immediate supervisor shall schedule and hold a meeting with the grievant within five (5) days after receipt of the written grievance and shall transmit a written decision to the grievant within five (5) days of the meeting.
3. Level III - Formal Resolution---Superintendent
  - a. If the grievant is not satisfied with the disposition of the grievance at level II, he or she may file an appeal with the superintendent in writing, using the official grievance form which is a part of this procedure, within five (5) days of the Level II response.
  - b. The superintendent or the superintendent's designee shall schedule and hold a meeting with the grievant within ten (10) days after receipt of the appeal and shall transmit a written decision to the grievant within five (5) days of the meeting.
4. Level IV - Formal Resolution---Board of Education
  - a. If the grievant is not satisfied with the disposition of the grievance at Level III, he or she may file an appeal with the board of education in writing, using the official grievance form which is a part of this procedure, within five (5) days of the Level III response.

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- b. The board will hear the appeal at its next regularly scheduled meeting or a special meeting which has been called for that purpose within forty-five (45) days of the receipt of the appeal. The board shall transmit its written decision to the grievant within five (5) days of the meeting. The decision of the board shall be final and non-appealable.

### General Provisions

1. The grievant shall have sole responsibility for pursuing the grievance through all levels and within the time limits specified in these procedures.
2. Failure at any level of this procedure to appeal to the next level within the specified time limits shall be deemed to be acceptance by the grievant of the decision at that level.
3. Failure at any level of this procedure to respond to a grievance within the specific time limits shall permit the grievant to appeal to the next level.
4. Time limits at any level may be extended by mutual agreement, and such agreements shall be made in writing and placed in the record for that grievance.
5. A grievance that arises from an action of an authority above the level of immediate supervisor may be initiated at Level III of this procedure.
6. Evidence and testimony presented by the grievant at any level of this procedure shall be limited to that which was presented at previous levels.
7. Copies of official grievances, all documents, communications and records dealing with the processing of a grievance will be filed in a separate grievance file and will not be kept in the personnel files of the grievant.
8. No reprisals shall be taken against the grievant or other participants in the grievance procedure by reason of such participation.

### **COMPUTER USE**

The Oilton Board of Education believes that the availability of computers and computer technology will enhance the learning opportunities of our students and the teaching capabilities of our teachers. The board also believes that students and faculty members should be provided freedom in a safe and responsible manner to explore the world of technology and to benefit from the educational opportunities it provides. It is the policy of this board that equal access to educational opportunities be provided to all students and faculty. However, the privilege of using the district's computers may be revoked if any user is found to be in violation of the district's policies and regulations concerning proper computer use. The board recognizes that new technology also provides opportunities for some to violate the rights and privileges of others and such activity is strictly prohibited.

Technology shall include but not be limited to information technology, telecommunications technology, and implemental technology. Information technology shall include but not be limited to computers, computer hardware, scanners, multimedia material, facsimile, e-mail, computer software, CD ROM material or other magnetic media, computer simulations, video, the World Wide Web (WWW) or Internet, Listservs, multiuser domains and other technology used in distance learning or distance education. Telecommunications technology shall include but not be limited to local area networks and wide area networks. Implemental technology shall include but not be limited to implements, equipment, instruments, or devices that promote the technology education process and are employed in the science or study of the practical, industrial, or mechanical arts or applied sciences.

The board has directed the superintendent to develop rules, regulations, and procedures governing the use of computers and computer technology in this district.

Such rules and regulations are incorporated into this policy and are a part of this policy.

References to this policy shall include any rules and regulations attached to it or incorporated within it.

### **COMPUTER USE REGULATION**

In accordance with the policy of the board of education, this regulation governs the use of computers and computer technology in this school district.

Personal computers not owned by the school district shall not be brought to school or used in school except with permission of the superintendent of the superintendent's designee.

School district computers and computer accessories will be used only by students and faculty members. School district patrons may be permitted to use school equipment only under certain circumstances as determined by the board of education. Permission to use school computers or other school technology is granted as a privilege that may be withdrawn for violation of this policy or for failure to follow the verbal or written instructions and direction of school faculty or system operators.

All persons who use school district computers (users) will read and indicate understanding of any rules and procedures posted on classroom bulletin boards, computer bulletin boards, or computer operating procedures in either hardcopy (typed or written) or softcopy (recorded electronically within the computer or computer accessory) or specific class instructions.

Teachers or instructors of any class in which computers are used will establish written procedures for the use of computers and computer technology within the framework of that particular class and will insure that all members of the class read and understand such procedures.

Students and faculty using a school computer for the purpose of telecommunications with any other computer within the district or outside the district, private or commercial computer bulletin board, or any computer network such as Internet, will read and indicate an understanding of the rules and procedures governing such telecommunications and will adhere thereto.

Users will not upload or download any copyrighted material. It is the user's responsibility to determine if material is copyrighted. Failure to cite content accessed electronically is academic misconduct. Students or staff may be disciplined for failing to appropriately cite materials. Users will not copy school district computer software for any reason. Backup copies of computer software will be made only by authorized faculty members and will be maintained by the superintendent or the superintendent's designee.

Computer software will be installed into, or removed from, school district computers only by, or at the direction of, an authorized faculty member. No commercial software will be installed in or used on a district computer except in accordance with a user site license granted by the software developer. Students are prohibited from installing software of any kind or loading or reading personal data into a school district computer or computer system except as part of a class project or except as directed by authorized faculty members. Personally owned diskettes or tape cartridges or any other removable media will not be used in school computers except as authorized by a classroom teacher or other authorized school faculty member.

In addition to reading and adhering to any on-line rules and procedures, users will not use profanity or abusive language toward, or otherwise harass any other user or system operator of any bulletin board or telecommunications entity.

Telecommunications users will not log into any area that obviously contains pornographic material in any form. Users will not download any form of pornographic material. Students must obtain an Internet Access Conduct Agreement and have the form signed by the student's parent, legal guardian or other legal custodian before using any district computer that has telecommunication capabilities. It is the responsibility of the classroom teacher, instructor, or the appropriate faculty member to insure that such form is on file before a student is permitted to use computer

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telecommunications equipment.

It is unlawful for a person to send an electronic message if the return address has been altered in order to disguise the point of origin or if the message contains false, malicious, or misleading information that purposely or negligently injures a person.

The superintendent or designee shall have access to all materials loaded or stored in the district's computers. Accordingly, no user of the district's computers shall be deemed to have a privacy right in any programs, files or data, including contents of business or personal e-mail, loaded or stored on district computers.

Violations of this policy by an employee of the school district may result in disciplinary proceedings including the termination of employment.

Violations of this policy by students may result in disciplinary proceedings including suspension and the loss of user privileges.

Violations of this policy by school patrons may result in the loss of user privileges.

No legitimate expectation of privacy exists for users of the school district's Internet service or computers. Activity may be monitored at any time and disciplinary action taken for inappropriate use.

Students and staff have an affirmative duty to notify the administration of sites that were inappropriately accessed so that the computers may be checked and inappropriate materials removed from the hard drive.

### **INTERNET AND OTHER COMPUTER NETWORKS ACCEPTABLE USE AND INTERNET SAFETY POLICY**

The Oilton Public Schools district is pleased to make available to students and staff access to interconnected computer systems within the district and to the Internet, the worldwide network that provides access to significant educational materials and opportunities.

In order for the school district to ensure the continued accessibility of its computer network and the Internet, all students and staff must take responsibility for appropriate and lawful use of this access. Students and staff must understand that one person's misuse of the network and Internet access may jeopardize the ability of all students and staff to enjoy such access. While the school's teachers and other staff will make reasonable efforts to supervise student use of network and Internet access, they must have student cooperation in exercising and promoting responsible use of this access.

Below is the Acceptable Use and Internet Safety Policy ("policy") of the school district and the Data Acquisition Site that provides Internet access to the school district. Upon reviewing, signing, and returning this policy as directed, each student and staff member agrees to follow the policy and will be given the opportunity to enjoy Internet access at school. If a student is under 18 years of age, he or she must have his or her parent or guardian read and sign the policy. The school district shall not provide access to any student who, if 18 or older, fails to sign and submit the policy to the school as directed or, if under 18, does not return the policy as directed with the signatures of the student and his/her parent or guardian.

Listed below are the provisions of the agreement regarding computer network and Internet use. The district has designated a staff member to whom users may direct questions. If any user violates this policy, the user's access will be denied or withdrawn, and the user may be subject to additional disciplinary action.

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Personal Responsibility: By signing this policy, the user agrees not only to follow the rules in this policy, but also to report any misuse of the network to the person designated by the school for such reporting. Misuse means any violations of this policy or any other use that is not authorized under this policy, and having the effect of harming another or his or her property.

Term of the Permitted Use: A student or staff member who submits to the school, as directed a properly signed policy and follows the policy to which she or he has agreed will have computer network and Internet access during the course of the school year only. Students and staff will be asked to sign a new policy each year during which they are students or staff members in the school district before they are given an access account.

### Acceptable Uses

Educational Purposes Only. The school district is providing access to its computer networks and the Internet for educational purposes only. If the user has any doubt about whether a contemplated activity is educational, the user may consult with the person(s) designated by the school to help decide if a use is appropriate.

1. Unacceptable Uses of Network. Among the uses that are considered unacceptable and which constitute a violation of this policy are the following:
  - a. Uses that violate the law or encourage others to violate the law. Do not transmit offensive or harassing messages; offer for sale or use any substance the possession or use of which is prohibited by the school district's student discipline policy; view, transmit or download pornographic materials or materials that encourage others to violate the law; intrude into the networks or computers of others; and download or transmit confidential, trade secret information, or copyrighted materials. Even if materials on the networks are not marked with the copyright symbol, the user should assume that all materials are protected unless there is explicit permission on the materials to use them.
  - b. Uses that cause harm to others or damage to their property. For example, do not engage in defamation (harming another's reputation by lies); employ another's password or some other user identifier that misleads message recipients into believing that someone other than the user is communicating or otherwise using his/her access to the network or the Internet; upload a worm, virus, "Trojan horse", "time bomb", or other harmful form of programming or vandalism; participate in "hacking" activities or any form of unauthorized access to other computers, networks, or information systems.
  - c. Uses that jeopardize the security of student and staff access and of the computer network or other networks on the Internet. For example, do not disclose or share your password with others; do not impersonate another user.
  - d. Uses that are commercial transactions. Students, staff, and other users may not sell or buy anything over the Internet without prior permission from the Superintendent. The user should not give others private information about the user or others, including credit card numbers and social security numbers.
2. Netiquette. All users must abide by rules of network etiquette, which include the following:
  - a. Be polite. Use appropriate language. No swearing, vulgarities, suggestive, obscene, belligerent, or threatening language.
  - b. Avoid language and uses that may be offensive to other users. Do not use access to make, distribute, or redistribute jokes, stories, or other material that is based upon slurs or stereotypes relating to race, gender, ethnicity, nationality, religion, or sexual orientation.

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- c. Do not assume that a sender of e-mail is giving his or her permission for the user to forward or redistribute the message to third parties or to give his/her e-mail address to third parties. This should be done only with permission or when the user knows that the individual would have no objection.
- d. Be considerate when sending attachments with e-mail (where this is permitted). Be sure that the file is not too large to be accommodated by the recipient's system and is in a format that the recipient can open.

### Internet Safety

1. **General Warning; Individual Responsibility of Parents and Users.** All student users and their parents/guardians are advised that access to the electronic network may include the potential for access to materials inappropriate for school-aged students. Every user must take responsibility for his or her use of the computer network and Internet and stay away from these sites. Parents of minors are the best guides to materials to shun. If a student or staff member finds that other users are visiting offensive or harmful sites, he or she should report such use to the appropriate school designee.
2. **Personal Safety.** Be safe. In using the computer network and Internet, the user should not reveal personal information such as the user's home address or telephone number. The user should not use his/her real last name or any other information which might allow a person to locate the user without first obtaining the permission of a supervising teacher. Do not arrange a face-to-face meeting with someone "met" on the computer network or Internet without a parent's permission (if the user is under 18). Regardless of the user's age, the user should never agree to meet a person the user has only communicated with on the Internet in a secluded place or in a private setting.
3. **"Hacking" and Other Illegal Activities.** It is a violation of this policy to use the school's computer network or the Internet to gain unauthorized access to other computers or computer systems, or to attempt to gain such unauthorized access. Any use which violates state or federal law relating to copyright, trade secrets, the distribution of obscene or pornographic materials, or which violates any other applicable law or municipal ordinance, is strictly prohibited.
4. **Confidentiality of Student Information.** Personally identifiable information concerning students may not be disclosed or used in any way on the Internet without the permission of a parent or guardian or, if the student is 18 or over, the permission of the student. Users should never give out private or confidential information about themselves or others on the Internet, particularly credit card numbers and Social Security numbers. A supervising teacher or administrator may authorize the release of directory information, as defined by law, for internal administrative purposes or approved educational projects and activities.
5. **Active Restriction Measures.** The school, either by itself or in combination with the Data Acquisition Site providing Internet access, will utilize filtering software or other technologies to prevent users from accessing visual depictions that are (1) obscene, (2) pornographic, or (3) harmful to minors. The school will also monitor the online activities of users, through direct observation and/or technological means, to ensure that users are not accessing such depictions or any other material that is inappropriate for minors.

Internet filtering software or other technology-based protection systems may be disabled by a supervising teacher or school administrator, as necessary, for purposes of bona fide research or other educational projects being conducted by students age 17 and older.

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The term “harmful to minors” is defined by the Commission Act of 1934 (47 USC Section 254 [h] [7]), as meaning any picture, image, graphic image file, or other visual depiction that

- taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
- depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals;
- taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

### Privacy

Network and Internet access is provided as a tool for the user’s education. The school district reserves the right to monitor, inspect, copy, review and store at any time and without prior notice any and all usage of the computer network and Internet access and any and all information transmitted or received in connection with such usage. All such information files shall be and remain the property of the school district and no user shall have any expectation of privacy regarding such materials.

### Failure to Follow Policy

The user’s use of the computer network and Internet is a privilege, not a right. A user who violates this policy, shall at a minimum, have his or her access to the computer network and Internet terminated, which the school district may refuse to reinstate for the remainder of the student’s enrollment or the staff member’s employment in the school district. A user violates this policy by his or her own action or by failing to report any violations by other users that come to the attention of the user. Further, a user violates this policy if he or she permits another to use his or her account or password to access the computer network and Internet, including any user whose access has been denied or terminated. The school district may also take other disciplinary action in such circumstances.

### Warranties/Indemnification

The school district makes no warranties of any kind, either express or implied, in connection with its provision of access to and use of its computer networks and the Internet provided under this policy. It shall not be responsible for any claims, losses, damages, or costs (including attorney fees) of any kind suffered, directly or indirectly, by any user (or his or her parents or guardian) arising out of the user’s use of its computer networks or the Internet under this policy. By signing this policy, users are taking full responsibility for their own use, and the user who is 18 or older or the parent(s) or guardian(s) of a minor student are agreeing to indemnify and hold the school, the school district, the Data Acquisition Site that provides the computer and Internet access opportunity to the school district and all of their administrators, teachers, and staff harmless from any and all loss, costs, claims, or damages resulting from the user’s access to its computer network and the Internet, including but not limited to any fees or charges incurred through purchases of goods or services by the user. The user or the parent(s) or guardian(s) of a minor student agree to cooperate with the school in the event of the school’s initiating an investigation of a user’s use of his or her access to its computer network and the Internet, whether that use is on a school computer or on another computer outside the school district’s network.

### Updates

Users, and if appropriate, their parents/guardians, may be asked from time to time to provide new or additional registration and account information or to sign a new policy reflecting developments in the law or technology or changes in district policy. Such information must be provided by the user (or his/her parents or guardian) or such new policy must be signed if the user wishes to continue to receive service. If after account information is provided, some or all of the information changes, the user must notify the person designated by the school to receive such information.

## **CODE OF CONDUCT FOR INTERNET AND OTHER COMPUTER NETWORK ACCESS**

The purpose of providing Internet and other computer network access in this district is to promote the exchange of information and ideas with the global community. The following represents a guide to the acceptable use of the technology provided by this district. All network use must be consistent with the policies and goals of this school district. Inappropriate use of district technology will result in the loss of technology use, disciplinary action, and/or referral to legal authorities.

All Internet and other computer network users will be expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to, the following:

1. Be polite. Messages should not be abusive to others.
2. Take pride in communications. Check spelling and grammar.
3. Use appropriate language. Do not swear or use vulgarities or any other inappropriate language, symbols, or pictures.
4. Protect password confidentiality. Passwords are not to be shared with others. Using another user's account or password or allowing such access by another may be permitted only with the approval of the supervising teacher or system administrator.
5. Do not reveal your personal address or telephone number or those of other persons. No student information protected by FERPA should be electronically transmitted or otherwise disseminated through the network.
6. Do not disguise the point of origin or transmission of electronic mail.
7. Do not send messages that contain false, malicious, or misleading information that may be injurious to a person or a person's property.
8. Illegal activities are strictly prohibited; transferring offensive or harassing messages; offering for sale or use any substance the possession or use of which is prohibited by the school district's staff and student policies; viewing, transmitting, or downloading pornographic materials or materials that encourage others to violate the law; intruding into the networks or computers of others; and downloading or transmitting confidential, trade secret information, or copyrighted materials.
9. The district technology is not to be used for playing multi-user or other network intensive games, commercial ventures, Internet relay chat lines, or downloading excessively large files.
10. No charges for services, products, or information are to be incurred without appropriate permission.
11. Do not use the network in such a way that you would disrupt the use of the network by other users.
12. Users shall respect the privacy of others and not read the mail or files of others without their permission. Copyright and licensing laws will not be intentionally violated.
13. Vandalism will result in cancellation of privileges. Vandalism is defined as any malicious attempt to harm or destroy hardware, data of another user, Internet, or any other agencies or other networks that may be accessed. This includes, but is not limited to, the uploading or creation of computer viruses.
14. Report security problems to the supervising teacher or system administrator.
15. Violators of this policy shall hold the district, including its employees and agents, harmless against any and all causes of action, damages, or other liability resulting from the willful or negligent violation of this policy.



## **INTERNET FILTERING - REGULATION**

The Internet changes rapidly, making it impossible to filter all objectionable sites. Therefore, the staff role in supervising and monitoring student access to the Internet is critical. Additionally, staff members have the responsibility to monitor their own navigation on the Internet to avoid undesirable sites.

Filtering should be viewed as only one of a number of techniques used to manage student access to the Internet and encourage acceptable usage. Filtering should not be viewed as a foolproof approach to preventing access to inappropriate material and should be used in conjunction with:

- Educating students to be “net-smart”;
- Using recognized Internet gateways as a searching tool and/or homepage for students, in order to facilitate access to appropriate material;
- Using “Acceptable Use Agreements”;
- Using behavior management practices for which Internet access privileges can be earned or lost; and
- Appropriate supervision, either in person and/or electronically.

The placement of filters on district computers/computer systems is viewed as an exercise of the board’s ability to determine educational suitability of all material used in the schools.

Filters may be utilized with district schools to (1) block pre-selected sites, (2) block by word, (3) block entire categories like chat and newsgroups, and (4) through a pre-selected list of approved sites.

### Criteria for Filtering of Objectionable Sites

Anything that falls under at least one of the following categories shall be blocked. This list may be update/modified as required.

#### Nudity/Pornography

Prevailing U.S. standards for nudity (e.g., genitalia, female breasts)

- Provocative semi-nudity (e.g., lingerie models)
- Sites that contain pornography or links to pornographic sites
- Exceptions: Classical nudity (e.g., Michelangelo), swimsuit models

#### Sexuality

- Sites that contain material of a mature level (elementary/middle school levels)
- Images or descriptions of sexual aids
- Descriptions of sexual acts or techniques
- Sites that contain inappropriate personal ads

#### Violence

- Sites that promote violence
- Images or a description of graphically violent acts (rape, dismemberment, torture, etc.)
- Graphic autopsy or crime scene images

#### Crime

- Information on performing criminal acts (e.g., drug or bomb making, computer “hacking”)
- Illegal file archives (e.g., software piracy)

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### Drug Use

- Sites that promote the use of illegal drugs
- Material advocating the use of illegal drugs (e.g. marijuana, LSD) or abuse of any drug (e.g., drinking game rules)
- Exceptions: Material with valid educational use (e.g., drug use statistics)

### Tastelessness

- Images or descriptions of excretory acts (e.g., vomiting, urinating)
- Graphic medical images outside of a medical context
- Exception: Graphic medical images within a medical context

### Language/Profanity

- Passages/words too coarse to be softened by the word filter
- Profanity within images/sounds/multimedia files
- Sexually or racially tinged language
- Note: The focus is on American English, but profanity in other languages or dialects will be blocked if brought to our attention.

### Discrimination/Intolerance

- Material advocating discrimination (e.g., racial or religious intolerance)
- Sites that promote intolerance, hate, or discrimination

### Interactive Mail/Chat

- Sites that contain or allow inappropriate e-mail correspondence
- Sites that contain or allow inappropriate chat areas

### Inappropriate Banner Acts

- Advertisements containing inappropriate images

### Gambling

- Sites that allow or promote online gambling

### Weapons

- Sites that promote illegal weapons
- Sites that promote the use of illegal weapons

### Other Inappropriate Material

- Body modification: tattooing, branding, cutting, etc.

### Judgment Calls

- Whether a page is likely to have more questionable material in the future (e.g., sites under construction whose names indicate questionable material)

Procedure for Suggesting Sites be Blocked: If district staff members observe a site that they believe to contain inappropriate material according to the above criteria, they may request that the site (URL) be blocked. Education Technology staff will review the site for inappropriateness. If the site meets the criteria for filtering, steps will be taken to block the site.

### **ILLEGAL USE OF E-MAIL MESSAGING**

According to Oklahoma law, it shall be unlawful for a person to initiate an electronic mail message that the sender knows, or has reason to know, does any of the following:

- Misrepresents any information in identifying the point of origin or the transmission path of the electronic mail message
- Does not contain information identifying the point of origin or the transmission path of the electronic mail message or
- Contains false, malicious, or misleading information, which purposely or negligently injures a person.

It shall also be unlawful for any person to sell, give, or otherwise distribute or possess with the intent to sell, give, or distribute software, which is primarily designed as follows:

1. For the purpose of facilitating the falsification of electronic mail transmission information or other routing information
2. Has only limited commercially significant purpose or use other than to facilitate the falsification of e-mail transmission information or other routing information
3. Is marketed by that person or another acting with (and with the person's knowledge) for use in facilitating falsification of e-mail transmission information or other routing information.

### **TRANSFER AND RELEASE OF CONFIDENTIAL INFORMATION**

It shall be the policy of the board of education to comply with state and federal laws concerning the dissemination of confidential student information. Thus, no teacher shall reveal any information concerning any child obtained in his or her capacity as a teacher, except as may be required in the performance of his or her contractual duties. However, such information may be furnished to the child's parent or guardian upon request.

### **REPORTING CHILD ABUSE OR NEGLECT**

In compliance with state law, the board of education encourages every teacher or other employee of the school district to report promptly any suspected abuse or neglect of any student to the Department of Human Services. The report may be made by telephone, in writing, personally or any other means prescribed by the department. The employee shall also inform the principal or superintendent that the report was made.

In that state law provides that persons exercising good faith in the making of a report or allowing access to a child by persons authorized to investigate a report shall have immunity from liability, the board of education will grant its support to any employee making such good faith reports according to the requirements of the law.

### **REPORTING STUDENTS UNDER THE INFLUENCE OF INTOXICATING OR DANGEROUS SUBSTANCES**

It is the policy of the board that any teacher, administrator, or security personnel who has reasonable cause to suspect that a student may be under the influence of, or that said student has in his or her possession, alcoholic beverages, including low-point beer, or a controlled dangerous substance as defined by law shall immediately notify the superintendent of such suspicions. The superintendent will then notify a parent or guardian of the student concerning the policy violation.

Any search, seizure or subsequent disciplinary action shall be subject to any applicable school policy, regulation, and state law or student handbook rule.

Every teacher, administrator, or security personnel employed by the board who has reasonable cause to suspect that a student is under the influence of or has possession of alcoholic beverages, including low-point beer, or a controlled dangerous substance and who reports such information to appropriate school officials shall not be subject to civil liability.

## **USING COPYRIGHTED MATERIAL**

It is the intent of the Oilton 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 Oilton Public Schools that copyrighted materials, whether they are print or nonprint, 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 criteria to be balanced in considering questions of “fair use”:

1. The purpose and character of the use, including whether such is of a commercial nature or is for nonprofit educational purposes;
2. The nature of the copyrighted work;
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. The effect of the use upon 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:

1. All employees will be advised of this policy; and
2. 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.

## **REGULATION USING COPYRIGHTED MATERIAL**

In accordance with the policy of the board of education, the following regulation shall govern the use of copyrighted material by employees of this school district.

Employees are urged to follow these guidelines and to instruct students in the importance of observing copyright provisions.

### Television/Video and Audio

1. Off-air recordings of broadcast programs available to the general public without charge may be used once to meet instructional objectives in a classroom and repeated once for reinforcement during a 10-day period following the broadcast.  
If you are seeking written permission from the copyright owner to keep and use the program in teaching/learning activities, the recording may be retained an additional 35 days. If permission is not granted, the tape must be erased. Schools may not build library collections of off-air recordings without permission of copyright owners.
2. Programs recorded from pay television channels (HBO, Cinemax, Disney, etc.) do not qualify under “fair use” guidelines and may not be recorded or used in the classroom.
3. Teachers must file formal requests for off-air taping as principals and library media specialists may not make such requests on their behalf.
4. Off-air recordings of broadcast programs may be taped only once for or by a teacher, regardless of the number of rebroadcasts in the same or succeeding years.
5. Off-air recordings must meet the tests of spontaneity:
  - a. The copying is at the instance and inspiration of the individual teacher, and
  - b. The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

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6. A videotape marked "For Home Use Only" may be used in school only in a regular instructional situation by a classroom teacher in a face-to-face setting to meet an instructional objective. It may not be used for entertainment, filler, or any other purpose without prior permission of the copyright owner. Face-to-face teaching exemptions apply if all of the following requirements are met:
  - a. Performance must be given by an instructor or student;
  - b. Performance must take place at a non-profit educational institution;
  - c. Performance must be part of a regular instructional activity limited to when instructor and students are in a face-to-face situation;
  - d. Performance takes place in a classroom or in a similar place devoted to instruction;
  - e. Performance must utilize a lawfully made copy.
7. Audio and videotapes on preview must not be copied and must be returned or purchased after a reasonable evaluation period.
8. Audio and videotapes may not be borrowed from other school districts and used in the classroom.
9. It is not legal to make a "shelf" or archival copy of any audio/visual material or duplicate any material on another format without written permission from the copyright owner.

### Computer Software

1. All software purchased by the district for classroom, lab, media center, and office use remains the property of the district and may be used only in school-sponsored programs and activities. No employee or student may make a personal copy of any district-owned software.
2. Illegal copies of copyrighted software programs may not be made or used on school equipment.
3. Legal copies of copyrighted software programs must observe software licensing agreements of copyright holders and must be obtained and made by the Morrison Public Schools' authorized representative(s).
4. One archival, or backup, copy of copyrighted software purchased by or donated to the office may be made, unless an applicable licensing agreement prohibits copying for any purpose.
5. Multiple loading of software is prohibited unless written permission has been obtained or unless the software is advertised as multi-load.
6. Use of software on a networked computer system is prohibited unless written permission is obtained or unless the networked version is used. The district software curriculum committee must approve instructional software and the director of data processing must approve administrative software.
7. Installation of public domain software is prohibited on any district computer.
8. Computer software developed by Oilton Public Schools employees and students on equipment owned by the district and/or during the school day is the sole property of the district. Distribution of such software by the individual without written permission of the district is strictly prohibited.
9. Software on preview must not be copied and must be returned or purchased after a reasonable evaluation period.
10. The superintendent or designee may sign district duplication rights agreements or licenses for software for schools within the district.
11. Employees of the district shall not encourage or allow any student to surreptitiously or illegally duplicate computer software or access any database or electronic bulletin board.
12. The data processing department is solely responsible for the duplication of all computer software licensed for district-wide use.
13. The legal, ethical, and practical problems caused by software piracy will be taught in all schools in the district.

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14. A teacher or student may download to the printer bibliographic citations or full text of a document identified during a search of DIALOG, Wilsonline, etc., at the terms of the school's contract with the vendors specify. It is assumed that the user will require no more than 20-30 citations, will be using a legitimate password or subscription for invoice purposes, and has local approval to order, receive, and provide payment for a full-text document or citations.
15. Without the express consent of a database vendor, a teacher or student may not keep archival copies of downloaded works or make commercially available the downloaded material.

### Print/Graphics

No charge shall be made to the student beyond the actual cost of the photocopying.

1. Prohibited copying
  - a. The copyright law specifically prohibits the reproduction of copyrighted, consumable materials such as workbooks, exercises, activity sheets, standardized tests and test booklets, answer sheets, and other such materials. Once the ditto ink is depleted from a purchased ditto master, no further copies are to be made.
  - b. Copying shall not
    - i. Substitute for the purchase of books, publishers' updates or reprints, or periodicals;
    - ii. Be directed by higher authority.
  - c. Copyrighted comic strip or cartoon characters may not be reproduced or altered for use on bulletin boards, hallways, cafeteria walls, publications or school uniform/clothing.
  - d. Copying of the same item may not be repeated from term to term (school semester or school year).
2. Permissible copying
  - a. A single copy may be made of any of the following by or for a teacher for scholarly research, teaching, or preparation to teach a class:
    - i. A chapter from a book;
    - ii. An article from a periodical or newspaper;
    - iii. A short story, short essay, or short poem;
    - iv. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper.
  - b. One transparency for classroom instruction may be made from consumable materials such as workbooks, exercises, activity sheets, and other such materials.
  - c. Multiple copies of non-consumable materials for classroom use or discussion may be made by or for the teacher giving the course, provided that
    - i. The copying meets the tests of brevity, spontaneity, and cumulative effect as defined below;
    - ii. Each copy includes a notice of copyright; and
    - iii. No more than one copy per pupil in a course is made.

### Definitions

1. Brevity
  - a. Poetry: (1) a complete poem of less than 250 words and if printed on not more than two pages, or (2) from a longer poem, an excerpt of not more than 250 words. (Copying may be expanded to permit completion of a stanza.)
  - b. Prose: (1) either a complete article, story, or essay of less than 2,500 words, or (2) an excerpt from any prose work of not more than 1,000 words or 10% of the work, whichever is less, but in any event a minimum of 500 words. (Copying may be expanded to permit completion of an unfinished paragraph.)
  - c. Illustration: one chart, graph, diagram, drawing, cartoon, or picture per book or per periodical issue.

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- d. "Special" works (picture books and certain works in poetry and prose that combine language with illustrations and which are less than 2,500 words in their entirety): such "special" works may not be reproduced in their entirety; however, two of the published pages of such a special work may be reproduced.
2. Spontaneity
    - a. The copying is at the request and inspiration of the individual teacher, and
    - b. The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.
  3. Cumulative Effect
    - a. The copying of the material is for only one course in the school in which the copies are made.
    - b. Not more than one short poem, article, story, essay, or two excerpts may be copied from the same author, nor more than three from the same collective work or periodical volume during one class term (with the exclusion of current news periodicals, newspapers, and current news sections of other periodicals).
    - c. No more than nine instances of such multiple copying shall be made for one course during one class term (with the exclusion of current news periodicals, newspapers, and current news sections of other periodicals.)

### Facsimile Sharing of Prints and Graphics

1. Copyrighted material may be faxed to any person making a legal request.
2. After making a copy of a work and then faxing that copy, it must be destroyed. This complies with the regulation that only one copy of the original work may be in existence.
3. Any faxed material received can be used as resource/research sharing, but not as resource building. No additional copies of the received material may be made.
4. Received faxed material may not substitute for purchasing books or subscriptions.

### Music/Theatre

Royalties must be paid, as specified by the publisher, for the public performance of copyrighted plays or music.

1. Permissible copying
  - a. Sheet music or plays may be copied only if a purchase order for the materials has been issued but the materials have not yet been received. Once the purchase materials are received, all other copies must be destroyed.
  - b. For academic purpose other than performance, multiple copies of excerpts of works may be made provided that
    - i. Excerpts are not a performable unit (a section, movement, or aria) or more than 10% of the whole work;
    - ii. No more than one copy per pupil in the class is made; and
    - iii. The copyright notice appears on the printed copy.
  - c. For academic purposes other than performance, a single copy of an entire performable unit (a section, movement, or aria) may be made for the teacher for scholarly research or in preparation to teach a class provided that
    - i. The work is confirmed by the copyright holder to be out of print;
    - ii. The work is unavailable except in a larger work; and
    - iii. The copyright notice appears on the printed copy.
  - d. Printed copies that have been purchased may be edited or simplified provided that the fundamental character of the work is not distorted or the lyrics, if any, altered or lyrics added, if none exist.

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- e. A single copy of recordings of performances by students may be made for evaluation or rehearsal purposes and may be retained by the educational institution or individual teachers.
  - f. A single copy of a sound recording (tape, disc, or cassette) of copyrighted music may be made from sound recordings owned by an educational institution or an individual teacher for the purpose of constructing aural exercises or examinations and may be retained by the educational institution or individual teacher. (This pertains only to the copyright of the music itself and not to any copyright that may exist in the sound recording.)
  - g. Copyrighted music recordings may be used as background for a media presentation only if the presentation is required for instructional purposes, and not for entertainment.
2. Prohibited copying
- a. Copyrighted music recordings may not be reproduced from album to tape.
  - b. Music or plays may not be recorded from a broadcast.
  - c. Copying for the purpose of performance may not be done.

### Internet

- 1. The rights of the owner of copyrighted material on the Internet are exactly the same as the rights for the owner of traditional materials.
- 2. The rights of the copyright holder include:
  - a. The sole right to make copies;
  - b. The sole right to distribute copies;
  - c. The sole right to produce derivative copies;
  - d. The sole right to perform or display a work publicly.
- 3. All the criteria for “fair use” apply to works on the Internet just as they apply to other materials.

### Digital Transmission (Distance Education)

The Technology, Education, and Copyright Harmonization Act of 2001 (the TEACH Act) provides that it is not copyright infringement of teachers and students in an accredited, nonprofit educational institution to transmit performances and displays of copyrighted works as part of a course if certain conditions are met. If these conditions are not or cannot be met, use of the material will have to qualify as a fair use or permission from the copyright holder(s) must be obtained.

- 1. Teachers who want to incorporate works into digital transmission for instructional purposes must:
  - a. Avoid the use of commercial works that are sold or licensed for purposes of digital distance education.
  - b. Avoid the use of pirated works, or works where the teacher may otherwise have reason to know the copy was not lawfully made.
  - c. Generally limit the use of works to an amount and duration comparable to what would be displayed or performed in a live physical classroom setting.
  - d. Supervise the digital performance or display, make it an integral part of a class session, and make it part of a systematic mediated instructional activity. In other words, teachers should interactively use the copyrighted work as part of a class assignment in the distance education course. It should be made by, at the direction of, or under the supervision of the instructor; and directly related and of material assistance to the teaching content. It should not be an entertainment add-on or passive background/optional reading.
  - e. Use software tools provided by the district to limit access to the works to students enrolled in the course, to prevent downstream copying by those students, and to prevent the students from retaining the works for longer than a class session. The performance or display must be for, and technologically limited to, the students enrolled in the class.



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- f. Notify the students that the works may be subject to copyright protection and that they may not violate the legal rights of the copyright holder(s). A sample notice might read:  

The materials on this course Web site are only for the use of the students enrolled in this course for purposes associated with this course and may not be retained or further disseminated.
2. The TEACH Act permits the transmission of the following:
  - a. Performances of all of a nondramatic literary or musical work. Non-dramatic literary works, as defined in the Act, exclude audiovisual works; thus, examples of permitted performances in which the entire works may be displayed and performed might include poetry or short story reading. Nondramatic musical works would include all music other than opera, music videos (because they are audiovisual), and musicals.
  - b. Reasonable and limited portions of any other performance. This would include all audiovisual works such as films and videos of all types, and any dramatic musical works excluded above.
  - c. Displays of any work in amounts comparable to typical face-to-face displays. This would include still images of all kinds.  
Excluded from coverage are the uses of works primarily produced or marketed for in-class use in the digital distance education market; works the instructor knows or has reason to believe were not lawfully made or acquired; and textbooks, coursepacks, and other materials typically purchased by students individually.
3. Conversion from Analog to Digital  
The TEACH Act specifically authorizes the digitization of print or other works in analog format under the following conditions:
  - a. Only the amounts authorized to be performed or displayed may be digitized; and
  - b. There is not digital version available to the district; or
  - c. The digital version that is available to the district is technologically protected in a manner that prevents its use for authorized purposes.
  - d. Such copies are retained only by the district and used only for the activities authorized by copyright law.

### Permission for Use

Employees are encouraged to seek written permission for use of copyrighted materials which have instructional value but which cannot be purchased because of lack of funds or availability. A request for permission should include:

- ★ Specific description of the item to be copied (title, author, edition, page numbers, frames, excerpts, etc.);
- ★ Type of duplication and number of copies;
- ★ Plans for usage and distribution of copies and the frequency of use.

## COPYRIGHTED MATERIALS CHECKLISTS

### TEACH Act Checklist

- 1. The district is an accredited nonprofit educational institution or governmental body.
- 2. The district has an institutional policy that addresses the use of copyrighted materials and promotes compliance with U.S. copyright law.
- 3. The district provides educational materials/resources to faculty, students, and staff that accurately describe copyright rights and responsibilities.
- 4. The work is not a digital educational work produced or marketed primarily for performance/display as part of mediated instructional activities transmitted via digital networks.
- 5. The work is not a textbook, coursepack, electronic reserves, or similar material typically purchased individually by the students for independent review outside the classroom or class session.
- 6. The work is lawfully made and acquired. Would a reasonable evaluation indicate the origin of the work to be questionable?
- 7. The work is an integral part of the class session. The materials are specifically for students enrolled in the course.
- 8. The work is part of systematic mediated instructional activities, provided at the instructor's direction during the relevant lesson.
- 9. The work is directly related and of material assistance to the teaching content and is a part of the regular offerings of the district.
- 10. The work is (check one)
  - Nondramatic literary work (may use all)
  - Nondramatic musical (may use all)
  - Reasonable and limited portion of any other work (dramatic literary, musical, or audiovisual works) or
  - Display of any work in an amount similar to typical displays in face-to-face teaching in a live classroom setting.
- 11. The transmission of the work is limited, as technically feasible, to the students enrolled in the course.
- 12. Reasonable downstream controls have been instituted.
- Reasonable measures have been implemented to prevent retention of the works for longer than the class session.
- Reasonable measures have been implemented to prevent unauthorized dissemination in accessible form by the recipients.
- 13. Materials will be stored on a secure server and transmitted only as permitted by the TEACH Act.
- 14. Copies of the work will not be made other than the one needed to make the transmission.
- 15. For conversions of analog to digital
  - No digital version is available to the educational institution.
  - The digital version available is technologically protected to prevent TEACH uses. Yes: Conversion of analog to digital permitted.
  - No: Conversion of analog to digital not permitted.
- 16. There is a warning notice present on the work notifying students that the work may be protected by copyright.

## PERMISSIONS GUIDE

### 1. Does the proposed use require permission from the copyright holder?

#### A. Is the work subject to copyright?

- Is it an original work of authorship?
- Is it fixed in a tangible medium of expression?
- Is it not an "idea, procedure, process, system, method of operation, concept, principle, or discovery, regardless of the form in which it is described, explained, illustrated, or embodied" in a copyrighted work?
- Is it not a work produced by a U.S. government employee in the scope of employment?
- Is it not a work the author has expressly made available for unrestricted copying, distribution, etc., effectively dedicated to the public domain?
- Has the copyright expired?

#### B. Is there a legal basis for use without permission?

- Is it fair use? To enhance the fair use argument, especially for coursepacks and web-based teaching materials, (1) use excerpts that are short and qualitatively insubstantial; (2) limit access to students enrolled in the course; (3) end access after the course; (4) do not use the material repeatedly for a course; (5) include the copyright notice and appropriate attributions; (6) obtain permission if easy to do so (cost and timing perspective).
- Is it a performance and/or display of a work in a face-to-face teaching setting?
- Is it a transmission of a permission and/or display of limited works to a classroom setting for teaching purposes?

### 2. Obtaining permission to use copyrighted works:

- Identify the copyright holder (best to confirm by phone or e-mail before seeking permission). Send
- written request for permission to use.  
Allow several weeks lead-time.  
Can the district pay a licensing fee/royalty?
- If license fee is too much or there is no response, be prepared to use a limited amount that qualifies for fair use, or use alternative materials.
- Obtain legal review/contract review for any license agreements other than the district's permission forms.

**PERMISSION RELEASE FOR COPYRIGHTED MATERIALS**

Date \_\_\_\_\_  
Firm \_\_\_\_\_  
Address \_\_\_\_\_

School \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
Person Making Request \_\_\_\_\_

To Whom It May Concern:  
We would like to request permission to copy the following copyrighted materials:

Number of copies to be made \_\_\_\_\_  
Copy medium \_\_\_\_\_  
Use of copies \_\_\_\_\_

Thank you for your cooperation.

Sincerely,

\_\_\_\_\_



**Producer's Reply**

Permission is hereby  granted  denied

Details: (include fees, limitations, etc.)

\_\_\_\_\_  
\_\_\_\_\_

Signature \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

### **ACTIVITY FUND OVERSIGHT**

The board of education of the school district believes that the fiscal responsibility of governing a local school district, including oversight of all school funds, is a very important responsibility. Therefore, the board of education shall require that school activity organizations and associations have board of education oversight.

However, in compliance with state law, the board of education shall sanction exemptions of organizations for parent teacher organizations or associations, or organizations for student achievement under conditions as follow:

1. The organization shall submit written application for exemption to the board of education.
2. The application shall include the name and purpose of the organization, the name and address or the president and treasurer, the requirements for membership and a financial statement of the organization.
3. The board may require a fiscal and/or performance audit of the organization.
4. Exemptions shall be made for no longer than the current fiscal year.

The board of education shall exercise control over all revenue received or collected from student or other extracurricular activities conducted in the school district or other monies placed in the district's activity fund. At the beginning of each fiscal year, and if needed during the fiscal year, the board shall approve all school activity fund sub accounts and all sub account fund-raising activities.

### **HANDLING ACTIVITY FUND MONEY**

The board of education believes that a sound system of activity fund accounting will make possible an accurate determination of the cost of an activity, will facilitate auditing procedures, and will safeguard and protect both the funds and the persons responsible for handling the money. To that end, no collections; proceeds from any contract; proceeds from the sale, lease, or rental of property; or interest from student fund-raising shall be deposited or transferred to any sub account unless board approval has been given.

#### Activity Fund Drives

*Public Involvement:* The board shall assure that the public is informed concerning fund-raising activities through a public school board meeting and/or through other communication with the community.

*Student and Teacher Involvement:* All drives for funds in schools by school children and teachers shall be banned except for approved ticket sales and promotions. All drives for funds in the schools must be approved by the board of education.

*Special Collections and Funds:* Student and faculty will be allowed to take collections and solicit funds for flowers, or gifts, in such instances as the death of a student or a teacher. However, permission to take collections and/or solicit funds under such circumstances must be granted by the principal at the school site.

### **HANDLING SCHOOL ACTIVITY FUND MONEY**

The board of education believes that a sound system of activity fund accounting will make possible an accurate determination of the cost of an activity, will facilitate auditing procedures, and will safeguard and protect both the funds and the persons responsible for handling the money.

## **REGULATION - HANDLING SCHOOL ACTIVITY FUND MONEY**

### Introduction

1. The board of education shall exercise control over all activity funds in all sub accounts.
2. Disbursements shall be by check.
3. No funds in one sub account may be used to pay purchase orders from another account unless the board grants a transfer of funds.
4. No sub account may have a negative balance at any time.
5. Purchases from the activity account are payable only when a purchase order is obtained before the purchase and an invoice is presented after the purchase. Exceptions may be made
  - a. To refund money to an individual who uses personal funds when an invoice is presented and determination is made that a legal expense of the activity has been incurred.
  - b. To provide a sponsor of an activity advance travel expenses on behalf of the school district, with receipts for all expenditures submitted after the trip.
6. Sponsors shall be held responsible for the collection and expenditure of each organization's funds.
7. No money shall be kept outside the school office longer than the end of the first school day following the collection of the money.
8. In the event that money is collected during the school day, the money shall be turned in to the office at the end of the day.
9. Money shall be turned in daily for activities that take place over a period of time.

### Before an Activity

1. The sponsor of each organization shall be responsible to notify the activity fund secretary that change will be needed for a particular activity. Notification shall be made not later than 9:30 a.m. the day of the scheduled activity.
2. The secretary shall prepare a change box of \$20.00.
3. The sponsor shall sign a receipt for the change.

### During the Activity

1. The sponsor shall maintain supervision over each person handling activity funds.
2. The sponsor shall account for all admissions and products sold.
3. At the end of each activity the sponsor shall count the money and prepare it by wrapping coins and bills for bank deposit.

### After the Activity

1. On the first school day following an activity, the sponsor shall take all monies, including the initial change, to the office for deposit.
2. The sponsor and the secretary or principal shall count the money together.
3. The secretary or principal shall write a receipt and give a copy to the sponsor.
4. The secretary shall record entries to the proper ledgers and reconcile cash daily.
5. The secretary shall prepare deposit slips for bank deposits and make such deposits on a timely basis.

### Expenditure of Funds

1. Before a purchase is made, the sponsor shall determine if funds are available for the item(s) to be purchased. No expenditures may be made from an account without funds on hand.
2. The sponsor shall request by purchase order for funds to be encumbered for items to be purchased.
3. After the purchase order is approved, the sponsor may make the purchase and present the receipt to the activity fund secretary for payment.
4. The secretary receives and checks invoices, prepares requests for payment, mails checks, and posts withdrawals from accounts as they occur.

## **BLOODBORNE PATHOGENS**

The board recognizes that body fluids of any person may contain infectious or contagious bacteria or viruses, and that such bacterium or viruses may be spread from one person to another by accidental or careless handling of body fluids during sanitation or custodial work or the administration of emergency first aid.

The superintendent is directed to prepare regulations establishing proper procedures for handling body fluids during normal school day activities. Such procedures shall include methods for the handling and disposal of body fluids in school buildings and on school equipment and material. The district will make personal protective equipment available to employees for use in handling and disposing of body fluids.

The superintendent will also direct the identification of employees who could be reasonably anticipated as the result of their job duties to face contact with blood or other potentially infectious materials. Any employees so identified will be offered Hepatitis B vaccinations at district cost. Such vaccinations will be provided at a reasonable time and place, under the supervision of a licensed physician or health care professional and according to the latest recommendations of the U.S. Public Health Service.

School district employees who have had an exposure incident to body fluids will participate in a follow-up confidential medical evaluation documenting the circumstances of exposure, identifying and testing the source individual if feasible, testing the exposed employee's blood if the employee consents, post exposure prophylaxis, counseling and evaluation of reported illnesses. Health care professionals must be provided specified information to facilitate the evaluation and their written opinion on the need for Hepatitis B vaccination following exposure. Information such as employee's ability to receive the Hepatitis B vaccine must be supplied to the employer. All diagnoses must remain confidential.

## **REGULATION HANDLING BLOODBORNE PATHOGENS**

In accordance with the policy of the board of education, the following regulations and procedures contain guidelines for cleaning and disposal of body fluids. For the purpose of this regulation, the term "body fluids" shall include reference to blood, semen, feces, urine, and vomit, drainage from scrapes and cuts, and respiratory secretions such as nasal discharge.

1. Wear gloves. All personnel will wear disposable latex gloves during the cleanup and disposal of any of the body fluids listed above. When in doubt about material, assume it to be a body fluid. After any material is removed and disposed, the gloves should be destroyed or disposed.
2. If gloves are not available and contact with body fluids or open wounds is necessary, hands should be carefully washed as follows:
  - a. Use hot water and liquid soap with vigorous washing under running water for least 10 seconds.
  - b. Dry hands thoroughly with a paper towel. Use the paper towel to turn off the faucet and discard the towel in a proper container.
  - c. Use hand lotion if desired. CAUTION: Dry, cracked hands provide openings in the skin for bacteria to enter.
3. A 1 to 10 solution of household bleach and water may be stored in proper containers in areas where soap and water are not readily available. The solution may be used in cleaning body fluid spillage and hands if soap and water are not available following the cleanup.
4. Materials used in the cleanup of body fluids or suspected body fluids will be sealed in a plastic bag and discarded in appropriate trash containers. Soiled clothing articles, including sanitary napkins will be sealed in plastic bags and discarded. Other non-disposable cleaning items such as mops, towels, buckets and other items will be thoroughly rinsed in the bleach and water solution or carefully washed in hot, soapy water.
5. Personnel will use the same procedures for washing non-disposable cleaning equipment as for handling body fluids and soiled clothing or other personal apparel.
6. Sanitary absorbents may be used to clean spilled body fluids. The absorbent should be swept up

## Oilton Public Schools Support Personnel Handbook

or vacuumed. Carpets should be shampooed with a germicidal rug shampoo. Sweepings or used vacuumed bags should be sealed in a plastic bag for disposal. Brooms, dustpans and vacuum brushes should be washed in a solution of one part bleach to ten parts water.

7. Any liquid disinfectant used in cleaning floors, equipment or materials should be discarded in a suitable and appropriate sewage drain.
8. Clothing, towels and similar cleaning equipment or materials should be washed in hot, soapy water with one-half to one cup of bleach added to the wash water.
9. Custodians and sanitation personnel should wear latex disposable gloves during any cleaning operation where the possibility of encountering body fluid exists whether or not the fluid is touched.
10. Careful hand washing is the single most effective method of preventing the spread of contagious diseases. Hands should be washed in hot, soapy water before and after any cleanup operation.
11. A copy of these routine procedures for sanitation and hygiene when handling body fluids will be provided to each employee and must be followed when appropriate and necessary.

### **EMERGENCY PLANS AND FIRE DRILLS**

The principal and faculty members of each school building will develop and implement fire and emergency procedures for the orderly evacuation of all buildings upon the sounding of a distinctive audible signal designated as the fire alarm. Directions indicating where students are to go and the route to be taken should be posted in each classroom. These procedures will be developed to ensure the complete safety of children and other school personnel.

Fire and emergency drills will be practiced at least two times each semester of the school year. The first fire drill shall be conducted within the first 15 days of each semester. The second fire drill must occur after the first 30 days of each semester. All student and teachers shall participate.

Each drill shall be documented in writing at each school site. The records for each fire drill shall be preserved for at least three (3) years and made available to the State Fire Marshal or his designee upon request.

### **REGULATION EMERGENCY/EVACUATION PLAN**

#### Purpose

The purpose of this emergency/evacuation plan is to clearly establish authority and responsibility for administrative actions when it becomes necessary to close the school, evacuate students, cancel school activities, delay school openings, provide for early dismissal, or change transportation times and/or routes because of disasters, emergencies, inclement weather or other reasons.

#### Authority

The superintendent is responsible for administering the district emergency/evacuation plan. He/she will establish rules, regulations and procedures for administering and using the district's facilities, equipment, supplies and staff during an emergency or disaster. The superintendent shall be responsible for the general supervision and welfare of the students and staff of the school district. He/she is authorized to cancel or postpone social events, club meetings, sports events, adult programs and other activities that function in various buildings or grounds of the district. He/she is also authorized to work with other agencies as legally required or as necessary. In the superintendent's absence another person shall be delegated this authority.

#### District Protection

If an emergency occurs when school is in session, or at other times and under circumstances that would necessitate action by school district employees or that would involve the emergency use of school facilities, supplies or equipment, the superintendent is authorized to initiate the emergency/evacuation plan and to take other action required to protect the interests of the school district.



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### Legal Protection

The board shall provide liability insurance to include legal counsel to protect its agents, employees and board members for any liability resulting from supervision of students during an emergency.

### Guidelines

1. The superintendent shall assume responsibility for protection of students, employees, facilities and equipment. Police, health and other agencies may be used as necessary.
2. The emergency and evacuation plans shall function through the administrative chain of Command since emergencies require spontaneous decisions and immediate actions.
3. During a major emergency or disaster, deliver students to their homes as soon as such Delivery can be organized and carried out in an efficient, orderly and safe manner. A higher Authority (police or fire personnel) may direct all personnel to evacuate to a specific destination or to provide for mass care.
4. Students shall be released to parents as soon as such release can be made in an orderly, safe and non-disruptive manner in accordance with controlled release procedures.
5. The superintendents will provide for communication to the board president about the major Emergency or disaster at the earliest possible time. Minor emergencies caused by inclement weather, temporary flooding, loss of utilities, employee or student disturbances, fire and bomb threats, accidents and breakdown of building equipment may be communicated through board administration advisement procedures.
6. The superintendent will coordinate activities with other agencies affected by the emergency Through leadership, direction and communication.
7. Facilities and equipment will be maintained under district jurisdiction of school administrators until The primary responsibility of using them and the welfare of the students has been resolved.
8. Use district supplies, equipment, facilities and staff for the welfare of the students and staff. To The degree possible, a record should be kept for future accountability.
9. District responsibility for evacuation of students and employees of the district does not imply That district staff, facilities and equipment cannot be used in a cooperative effort with other Agencies after the primary responsibility is complete. District students attending other schools shall be evacuated in accordance with plans prepared by those agencies and will be the responsibilities of those agencies.
10. Communicate with employees, related agencies and the public through an established Emergency notification procedure.

## **INCLEMENT WEATHER PROCEDURES**

### Notification to Parents and Students

When conditions exist which may cause the dismissal of school, students and parents should not call teachers or other school-related personnel. News concerning the dismissal of schools for any reason will be broadcast over the following new and radio stations in addition to the One Call Now automated notification system and School Connect phone app.

Radio Stations: A.M 740

Television Stations: Channel 4 (Oklahoma City)	FOX 23 (Tulsa)
Channel 5 (Oklahoma City)	KOTV (Tulsa)
Channel 9 (Oklahoma City)	KJRH (Tulsa)

### Notification to School Personnel

When conditions exist which may endanger the health and safety of students and school personnel, the school district will close until such conditions have passed. The One Call Now automated phone system will be initiated by the Superintendent or his/her designee. Closings will be posted on the school district website and School Connect phone app.

**EMERGENCY PLANS AND BOMB THREATS**

The board of education takes very seriously any threat of violence to the school. Bomb threats of any kind will not be taken lightly. Quick and appropriate measures will be taken to deal with such circumstances. Appropriate discipline will be taken toward any student found to be responsible for such acts.

**REGULATION BOMB THREAT PROCEDURES**

In the event of a call or notice to the effect that a bomb has been placed anywhere on school grounds, the following procedures will be followed:

1. Immediate evacuation of the school and all buildings
2. If the fire and police departments do not receive the call originally, their immediate notification is required.
3. The fire department or the county sheriff's deputies shall conduct a search of the building and Premises.
4. If a thorough search has been conducted and nothing found, the administrator in charge will Notify the fire department personnel and sheriff deputies so that reentry will be permitted.
5. A request for investigation of the incident should be made to the county sheriff.

Any decisions concerning the dismissal of school and subsequent action after the above procedures Have been followed is the prerogative of the superintendent.

**REGULATION EMERGENCY TELEPHONE NUMBERS**

Police ... ..	918-862-3202
Sheriff.....	918-224-4964
Fire.....	918-862-3211
Ambulance .....	918-227-2233
Highway Patrol ... ..	918-762-3661
Hospital ... ..	918-382-2800
Telephone Company.....	800-431-1411
Gas Company... ..	800-664-5463
Electric Company ... ..	800-522-3230
Superintendent's Office.....	918-862-3954, ext. 1201, 1202
High School Office.....	918-862-3272, ext. 1200
Elementary Office.....	918-862-3215, ext. 1100, 1101

## Oilton Public Schools Support Personnel Handbook

### **FAIR LABOR STANDARDS ACT**

The Oilton Board of Education will comply fully with the Fair Labor Standards Act, its regulations, and relevant court decisions. This district will inform employees of the Act through proper posting of information as disseminated by the U.S. Department of Labor. The district will cooperate with all state agencies and maintain compliance.

The superintendent is directed to prepare a regulation supporting this policy and implementing the provisions of the Fair Labor Standards Act subject to approval of this board.

### **REGULATION FAIR LABOR STANDARDS ACT**

In accordance with the policy of the board of education, the following regulation shall insure compliance with the Fair Labor Standards Act within this school district.

1. This district will pay all nonexempt employees at least the federal minimum wage and time and A half for all hours worked which exceed 40 hours per week, or permit compensatory time off at the rate of one and one-half hours off duty for each overtime hour worked. Provided, however, that for any overtime hours to be credited for overtime pay such overtime hours must be approved in advance by that employee's designated superior.
2. This district will inform employees of the law by posting information disseminated by the U.S. Department of Labor.
3. This district shall establish, through separate administrative regulations, the process of time Keeping and procedurally complying with the Act.
4. The district establishes the following class guide for job classification of exempt and Nonexempt employees as defined in the Act.

Exempt Personnel:

- All personnel having certification from the State of Oklahoma. Nonexempt Personnel:
  - Bus Drivers
  - Cafeteria Employees
  - Custodians
  - Maintenance Personnel
  - Secretaries

## **FAIR LABOR STANDARDS ACT - PROCEDURES**

It is the intent of this school district to fully comply with the Fair Labor Standards Act (FLSA), its regulations, and relevant court decisions and to cooperate with state agencies in an effort to maintain compliance with the FLSA.

The following procedures and guidelines are to be followed in each department to ensure employees are properly compensated for approved hours worked in excess of the established workweek as required by the provisions of the FLSA.

### Definitions

“Overtime” is defined as authorized, compensable work time in excess of forty (40) hours per workweek.

A “work week” for full-time nonexempt employees is forty (40) hours during one consecutive seven-day period beginning at 12:01 a.m. on Saturday and ending at 12:00 midnight on the following Friday.

“Non-covered employees” are those who are excluded from the definition of “employee” within the meaning of 29 USCA §203(e) (Supp. 1990)

“Covered employees” are those who meet the definition of “employee” within the meaning of 29 USCA §203(e) (Supp. 1990). Covered employees will be either exempt or nonexempt employees.

An “exempt employee” is a covered employee who is exempt from FLSA by virtue of meeting one of the tests for exemption.

A “nonexempt employee” is a covered employee who does not meet one of the tests for exemption.

### Exemptions

The FLSA exempts certain groups of covered employees from coverage. The following categories of exemptions are established:

Executive:

- Superintendent
- Assistant Superintendent
- Treasurer

Professional:

- Teachers
- Career Counselors
- Guidance Counselors
- Registered School Nurse

### Record Keeping

Records as required by law will be kept for both exempt and nonexempt employees. Nonexempt employees will record time as follows:

1. Full-time and part-time nonexempt employees will record time by using the district time sheets.
2. Time sheet will be approved and signed by supervisor at the end of each pay period before payroll for time sheet is processed.

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### Overtime

1. **Work Week Adjustment.** Any supervisor who requires a nonexempt employee to work in excess of a regular eight hour work day may grant relief time later in the same week in order to avoid overtime. The amount of excess time worked in one day must be at least fifteen minutes for the employee to be awarded release time. Work time in excess of an eight hour day is not considered overtime, and a grant of release time in order to make a work week adjustment will not be made at one and one-half. Release time will not be considered in calculating the hours for which the employee is entitled to overtime compensation.
2. **Method of Overtime Compensation.** The school district has the option of compensating employees for overtime by payment of money or by grant of compensation time.
  - a. **Payment of Money.** Payment for overtime compensation will be made at one and one-half times the regular rate of pay of the employee to be compensated.
  - b. **Compensation Time.** The school district, at its discretion, may award compensation time in lieu of overtime compensation pay.

This portion of this policy shall be deemed to be incorporated as a part of each employee's employment agreement with the school district.

3. **Time of Payment.**
  - a. Overtime compensation in one week will be paid on the regular payday for the period in which the workweek ended as far as is practicable. When the amount of overtime is not determined, the school district will pay as soon after the regular payday as is possible, which in most cases will be the next payday.
  - b. When compensation time is awarded in lieu of overtime pay, compensation time must be used within a reasonable period and in no event later than the end of the next day period. A request for use of overtime compensation time will be granted if it is not unduly disruptive of operations.
4. **Termination of Employment.** If employment with the school district is terminated by either the school district or an employee, the employee will be compensated for any unused acquired compensation time. The monetary value of unused compensation time will be calculated according to one of the following methods:
  - a. The employee will be compensated at the average regular rate of pay received by the employee during the last three years of employment; or
  - b. The employee will be compensated at the final rate of pay.

The rate, which yields the most money for the employee, will be used.

### Compensable Overtime

An employee will be compensated for all authorized time spent in physical or mental exertion controlled or required by the school district and pursued necessarily and primarily for the benefit of the school district or its business. The following are examples of non-compensable time:

1. Absences (sick leave, holidays, vacations, funerals, and weather days).
2. Jury duty.
3. On call time where the employee is on call for the employer but is not restricted in activity.
4. Commuting time between home and job.
5. Training or school time where the employee on his or her own initiative attends school unrelated to regular duties and which involve no productive work.
6. Non-duty time when living in a residence provided by the school.
7. Scheduled time in between splits in shifts long enough to allow the employee to use for personal activities or work voluntarily substituting for another employee.
8. Meal periods lasting longer than one-half hour where the employee has no duties.

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9. Unauthorized overtime.