

**HARDING INDEPENDENCE CHARTER DISTRICT**  
**POLICY AND PROCEDURE MANUAL**

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## **PHILOSOPHY OF HARDING INDEPENDENCE CHARTER DISTRICT**

This policy and procedure manual is intended for the use of faculty, administrative personnel, parents, students and support staff. It is a guide that all may refer to in questions related to such matters as the day-to-day administration and operation of the schools, planning projects and programs, changing existing programs, or in employee and administration employment issues.

Parents who desired the best educational experiences for their children founded both Independence Charter Middle School (ICMS) and Harding Charter Preparatory High School (HCPHS). The educational philosophy of ICMS and HCPHS is that of a small school environment where the former prepares their students for a college-preparatory high school and the latter is a College Board, Advanced Placement Curriculum. A highly trained faculty aids in the implementation of our rigorous curriculum. The Harding Independence Charter District (HICD) faculty and administration employ a transitional philosophy from the environment of middle school to the rigors and demands of high school. ICMS and HCPHS are staffed by a committed group of professionals who provide the structure and environment to use the full range of their professional expertise in providing the best educational experiences for the children they serve. We believe in a collaborative environment where faculty and administration work together for the benefit of students.

Our principal interest is the welfare, educational experience and achievement of each student. Faculty, administration and parents hold high expectations for student academic achievement and have, therefore, designed a rigorous curriculum to prepare our students for the academic demands in both schools and in their studies beyond high school.

We believe an optimal educational environment is achievable through a secure and safe school experience. Parents will support the administration and faculty toward that goal. The highest standards of professional behavior and ethics are expected from our administration and staff. Parents will support the staff and administration in a mutually respectful manner.

We understand the design, administration, and governance of this district are unique. As with all new enterprises, we will strive to continuously improve our district and provide the very best for the children we serve.

## **STATEMENT BY HICD GOVERNANCE BOARD**

These policies and procedures may be changed or deleted, and new policies and/or procedures may be adopted at any time.

This manual and the policies and procedures set forth herein are not intended to create or constitute a contract between HICD and the faculty member or administrative staff member or to change the nature of the employment relationship between the faculty member or administrative staff member.

All policies, decisions and directives of the governance board shall be followed by the administration, faculty, staff, students, and parents/guardians of the students and guests. The governance board believes all students can learn and is committed to provide the best educational opportunities for students. They further believe instructional personnel must

maintain high expectations for students and provide opportunities for them to achieve educational excellence. The governance board recognizes the importance of the presence of a responsible caring adult in the life of a student and that student's ability to achieve academic excellence. It encourages all parents, guardians and mentors to become actively involved in the schools and in their child's education.

### **EQUITY POLICY**

The governance board is committed to creating, building, and sustaining an environment that embraces racial, ethnic, cultural, and socioeconomic diversity and provides equitable access to a high standard of educational success for all students with the intention of closing achievement gaps, particularly for student groups with the greatest academic needs in the district. The board recognizes equity does not mean equality, but rather the establishment of high standards for all students while providing the opportunities, support, settings, and resources needed, so all students receive a high-quality education.

### **NONDISCRIMINATION POLICY**

The governance board is committed to the policy that no person shall be unlawfully subjected to discrimination in, excluded from participation in, or denied the benefits of any educational program, extracurricular activity, or employment in the school on the basis of race, color, national origin, sex, disability, age, religion, sexual orientation, gender identity or expression, genetic information, alienage, veteran, parental, family and marital status.



## **SECTION A: GOVERNANCE BOARD, ADMINISTRATORS AND FACULTY/STAFF**

### **1. GOVERNANCE BOARD**

The governance board shall serve as the primary governing unit of the district. Its purpose is to ensure the educational needs of the students are met in keeping with the mission and goals of each school. The governance board sets policy and guidelines for the administration of the schools. It employs the superintendent and all faculty members. The governance board adopts a budget providing the management of all funds. Its not-for-profit corporation oversees all funds that come to the schools through grants and donations. The governance board is the final arbiter of all disputes and complaints presented by students, faculty, administrative personnel, and parents or any other entity or person. It has oversight responsibility over all aspects of the operations of the district. Governance board bylaws are available for review on the district's website.

### **2. SUPERINTENDENT**

The superintendent is appointed by the governance board as the chief executive officer to serve as the educational leader responsible for managing and developing policies, regulations, and procedures guiding the schools toward the district vision and mission. The superintendent shall abide by and comply with the district's policies and procedures. The superintendent will oversee and administer the use of all district facilities, property, and funds with a maximum of efficiency, minimum of waste, and ever-present, overriding concern for the impact on each student's education. Additionally, the superintendent will inform the board members of the state of the schools; lead in a fiscally sound way; communicate to principals the board's decisions; proactively promote and share the district's story to the public; be the public face of the district; represent the district in as many public venues as possible; be the liaison between authorizer and the schools; and fulfill reporting expectations. The superintendent must act with integrity; support HICD's organizational goals; demonstrate the ability to inspire, grow and motivate others; utilize feedback; drive for results; and commit to championing the needs of the students, employees, and the district overall.

The superintendent shall envision the district mission in concrete steps; create a district action plan to achieve the mission and vision; lead with integrity and clarity; and direct site leaders in foundational curriculum pedagogy. The superintendent will strive to inspire, lead, guide, and direct every school site in setting and achieving the highest standards of excellence, so each student enrolled in the district may be provided with a complete, valuable, meaningful, and personally rewarding education. Should the superintendent position be unfilled, then the chief academic officer shall assume all duties assigned to the superintendent until the governance board fills the position on an interim or permanent basis, and all references to superintendent, herein, shall mean chief academic officer.

**Reports to:** Governance Board

### GOALS

To envision the district mission in concrete steps; to create a district action plan to achieve the mission and vision; to lead with integrity and clarity; and to direct site leaders in foundational curriculum pedagogy.

To inspire, lead, guide, and direct every school site in setting and achieving the highest standards of excellence, so each student enrolled in the district may be provided with a complete, valuable, meaningful, and personally rewarding education.

### SUPERVISES

Supervises principals and district office staff with overall direction and oversight of all faculty, staff, and educational support personnel.

### QUALIFICATIONS

1. Minimum of an earned master's degree from an accredited institution.
2. Oklahoma certification as a secondary school administrator.
3. Oklahoma certification as a superintendent preferred.
4. Minimum of five years teaching experience preferred.
5. Minimum of five years of administration experience preferred.
6. Experience in curriculum planning, program implementation, and employee evaluation, with successful supervisory role in a district setting preferred.
7. Proven performance in educational program management and supervision of education in a district setting.
8. Effective public relations skills.

### DUTIES

1. Manage, evaluate and supervise effective and clear procedures for the operation and functioning consistent with the philosophy, mission, values, and goals of the district to ensure compliance with all laws, board policies, and civil regulations.
2. Select, hire and terminate all personnel subject to the approval of the board.
3. Supervise principals and district office staff with overall direction and oversight of all faculty, staff, and educational support personnel.
4. Establish procedures for evaluation and selection of instructional materials and equipment, with ultimate approval of all recommendations.
5. Present the governance board with a yearly budget and maintain standards to stay within the means of the budget.
6. Manage all budgetary decisions at the district level.
7. Manage state and federal reporting responsibilities.
8. Oversee student recruitment and overall enrollment.
9. Serve as the liaison between the district and the community.

10. Serve as the liaison between the district and the sponsoring district, to include managing all contract and lease issues.
11. Oversee both the state accreditation audit and the financial audit, ensuring all documentation is in place and all deadlines are met.
12. Report to the governance board at its monthly meetings the status of the district and communicate any issues which might arise between monthly meetings.
13. Satisfy all district, state and federal guidelines required to evaluate personnel.
14. Serve as the district Homeless Liaison and complete all necessary requirements and responsibilities.

### **3. CHIEF ACADEMIC OFFICER**

The chief academic officer is selected by the superintendent and approved by the governance board to perform the following primary responsibilities: Provide visionary leadership in the development and implementation of districtwide, research-based, culturally proficient and equity-based instructional programs and services that meet the diverse needs of all students, including English language learners, multilingual education and those students receiving special education services. Provide direction regarding academics to administrators, Special Education and related services, and English Learner Services. Manage, plan, direct, organize, coordinate, implement, monitor, and assess all districtwide educational and instructional programs, policies, accreditation and procedures for all grades. Oversee the services that meet the unique instructional needs or interests of students; special education, accelerated and enriched instruction; AP programs; career and technology education; interventions; and other related programs. Collaborate with others to strategically and organically integrate educational technology in all aspects of the curriculum and instructional program; and ensure the instructional resources reflect aligned assessment and accountability measures. Facilitate the planning, implementation, and evaluation of all related professional development. Establish a comprehensive student assessment program aligned with the curriculum to determine student learning levels. Administer multi-tiered systems of interventions to improve achievement of students who are not meeting grade-level expectations. Design innovative subject, classroom, and whole-school instructional programs to increase staff capacity and student learning.

**Reports to:** Superintendent

#### **DUTIES**

1. Manage, evaluate and supervise curriculum development, implementation, and assessment consistent with the philosophy, mission, values, and goals of the district.
2. Direct and evaluate academic divisions inclusive of instructional improvement, curriculum and instruction, professional development, gifted services, English as a second language, etc. and student support services.
3. Deliver written and oral presentations on academic accountability to various stakeholders (i.e., governance board, principals, teachers, parents and community groups).

4. Establish direction for school improvement efforts by monitoring the progress of school performance, student achievement objectives and academic excellence indicators to align strategies for school improvement.
5. Collaborate with schools to develop instructional programs and to implement reform models designed to improve achievement of all students; develops a two-way feedback loop from school sites to the Chief Academic Officer.
6. Support staff to develop, implement, and evaluate project plans and strategies to achieve goals and objectives.
7. Plan, develop and implement professional development activities for staff, ensuring a robust, systematic approach to meets student needs.
8. Monitor the coordination of all district professional development efforts and the implementation of new and existing educational programs using Professional Learning Communities (PLC's or also known as Impact Teams) as a vehicle to provide staff support.
9. Assist superintendent in completing state and federal reporting responsibilities.
10. Serve as the district testing coordinator and complete all necessary requirements and responsibilities.
11. Serve as the district Title IX director and complete all necessary requirements and responsibilities.
12. Represent the district in the community at the discretion of the superintendent.

#### QUALIFICATIONS

1. Minimum of an earned master's degree from an accredited institution.
2. Oklahoma certification as a secondary school administrator.
3. Oklahoma certification as a superintendent preferred.
4. Minimum of five years teaching experience preferred.
5. Minimum of five years of administration experience preferred.
6. Experience in curriculum planning and program implementation, with successful supervisory role in a district setting preferred.
7. Proven performance in educational program management and supervision of education in a district setting.
8. Effective public relations skills.

#### **4. PRINCIPALS**

The principal is selected by the superintendent and approved by the governance board to serve as the educational leader, responsible for enforcing district policies, regulations, and procedures to ensure all students are supervised in a safe and academically rigorous learning environment meeting the approved curricula and mission of the school. Achieving academic excellence requires the principal work collaboratively to direct and nurture all members of the school staff

hired by the governance board and communicate effectively with parents. Inherent in the position are the responsibilities for scheduling, curriculum development, extracurricular activities, implementation of emergency procedures, and facility operations. Should the principal position be unfilled or abolished then the assistant principal shall assume all duties formerly assigned to the principal, and all references to principal, herein, shall mean assistant principal.

**Reports to:** Superintendent

**QUALIFICATIONS:**

1. Minimum of an earned master's degree from an accredited institution.
2. Oklahoma certification as a secondary school administrator.
3. Minimum of five years teaching experience preferred.
4. Minimum of three years of administration experience preferred.
5. Experience in curriculum planning, implementation, and evaluation, with successful supervisory role in a school setting.
6. School site budget experience preferred.
7. Effective public relations skills.

**DUTIES:**

1. Establish the annual master schedule for instructional programs, ensuring sequential learning experiences for students consistent with the school's philosophy, mission statement, and instructional goals.
2. Manage, evaluate and supervise effective and clear procedures for the operations and functioning of the school consistent with the philosophy, mission, values, and goals of the district, including instructional programs, extracurricular activities, discipline systems to ensure a safe and orderly climate, building maintenance, program evaluation, personnel management, office operations, and emergency procedures. Ensure compliance with all laws, board policies, and civil regulations.
3. Manage the supervision of the school's instructional programs, evaluating lesson plans and observing classes on a regular basis to encourage the use of a variety of instructional strategies and materials consistent with research on learning and child growth and development.
4. Define the teaching and non-teaching professional faculty positions needed to implement the school's program and recruit highly effective teachers and staff to fill them, with oversight of superintendent.
5. Establish productive working conditions, discipline, and training and development of all professional staff, with oversight of superintendent.
6. Establish procedures for evaluation and selection of instructional materials and equipment, with oversight of superintendent.
7. Assist superintendent in completing state and federal reporting responsibilities.
8. Represent the school in the community at the direction of the superintendent.

9. Share recruitment responsibilities of incoming students with the Administrative Team: superintendent and other school administrators.
10. Ensure the school completes all necessary state testing requirements.
11. Satisfy all district, state and federal guidelines required to evaluate personnel.
12. Serve as the building testing coordinator and complete all necessary requirements and responsibilities.

## **5. ASSISTANT PRINCIPALS**

**Reports to:** Principal of School

### **QUALIFICATIONS:**

1. Minimum of an earned master's degree from an accredited institution preferred.
2. Oklahoma certification as a secondary school administrator preferred.
3. Minimum of five years teaching experience preferred.
4. Effective public relation skills.

### **DUTIES:**

1. Assist with the annual master schedule for instructional programs, ensuring sequential learning experiences for students consistent with the school's philosophy, mission statement, and instructional goals.
2. Share with the administrative team the supervision of the school's instructional programs, evaluating lesson plans and observing classes on a regular basis to encourage the use of a variety of instructional strategies and materials consistent with research on learning and child growth and development.
3. Encourage harmonious staff relations.
4. Provides a safe physical environment for pupils and staff. Responsible for student discipline and attendance, and will coordinate with the principal and counselor regarding student issues.
5. Share responsibilities of supervising extracurricular activities.
6. Share state reporting responsibilities with the principal.
7. Assist with promoting an environment that encourages parental and community involvement.
8. Satisfy all district, state and federal guidelines required to evaluate personnel.

## **6. EMPLOYMENT OF SUPERINTENDENT**

- A. Should the position become available, a search committee may be formed by the governance board and be composed of the following: selected members of the governance board, one or more faculty members from each school site, and – at the discretion of the governance board -- one or more members of the community. The

search committee chair will be the current president of the governance board, who will select the members of the search committee with input from the board.

- B. The district may use all methods that are practical to advertise the job vacancy.
- C. Resumes and applications will be reviewed by the search committee to ensure the applicants meet all employment requirements of the position.
- D. Interviews will be conducted by the search committee.
- E. The search committee will recommend one or more applicants to the governance board for consideration. The recommended applicant(s) will be invited to attend and observe the district when in session. The purpose of the visit is for the applicant(s) to observe the district, students and faculty in its day-to-day operations, and for the faculty to meet the applicant(s). The superintendent, principal or assistant principal will host the applicant(s) during the visit(s). The governance board may invite the applicant(s) to interview with the governance board.
- F. The results of each recommended applicant's interview process shall be evaluated in executive session at the following regularly scheduled governance board meeting or, if the need arises, at a special meeting. The board will vote on a motion to hire one of the applicants. The applicants will be notified of the board's decision. If the board votes to hire one of the applicants, the president of the board shall offer the applicant the position. If the applicant accepts the position, they shall submit to a background check conducted by the district, with the cost of the check borne by the district. Pending the results of the background check, salary and benefit negotiations will take place. The president of the board will conduct the negotiations. If the candidate accepts the terms of the negotiations and passes the background check, then a contract of employment will be formed and signed. The candidate will assume the duties of the superintendent by a date designated by the governance board.

## **7. EMPLOYMENT OF CHIEF ACADEMIC OFFICER**

- A. The district will use all methods that are practical to advertise the job vacancy.
- B. Resumes and applications will be reviewed by the superintendent to ensure the applicants meet all employment requirements of the position.
- C. Interviews will be conducted by the superintendent and appropriate staff at the discretion of the superintendent.
- D. The superintendent will recommend one or more applicants to the governance board for its consideration. The applicant(s) will be invited to attend and observe the district when in session. The purpose of the visit(s) is for the applicant(s) to observe the district schools, students and faculty during day-to-day operations, and for the faculty to meet the applicant(s). The superintendent will host the applicant(s) during the visit(s).
- E. The results of each recommended applicant's interview process shall be evaluated in executive session at the following regularly scheduled governance board meeting or, if the need arises, at a special meeting. The board will vote on a motion to hire the recommendation from the superintendent. The applicant will be notified of the board's decision. If the board votes to hire the applicant, the superintendent shall offer the

applicant the position. If the applicant accepts the position, they shall submit to a background check conducted by the district, with the cost of the check borne by the district. If the candidate accepts the position and passes the background check, then a contract of employment will be formed and signed. The candidate will assume the duties of the principal by a date designated by the superintendent.

## **8. EMPLOYMENT OF PRINCIPALS**

- A. The district will use all methods that are practical to advertise the job vacancy.
- B. Resumes and applications will be reviewed by the superintendent to ensure the applicants meet all employment requirements of the position.
- C. Interviews will be conducted by the superintendent and appropriate staff at the discretion of the superintendent.
- D. The superintendent will recommend one or more applicants to the governance board for its consideration. The applicant(s) will be invited to attend and observe the school when in session. The purpose of the visit(s) is for the applicant(s) to observe the school, students and faculty during day-to-day operations, and for the faculty to meet the applicant(s). The superintendent will host the applicant(s) during the visit(s).
- E. The results of each recommended applicant's interview process shall be evaluated in executive session at the following regularly scheduled governance board meeting or, if the need arises, at a special meeting. The board will vote on a motion to hire the recommendation from the superintendent. The applicant will be notified of the board's decision. If the board votes to hire the applicant, the superintendent shall offer the applicant the position. If the applicant accepts the position, they shall submit to a background check conducted by the district, with the cost of the check borne by the district. If the candidate accepts the position and passes the background check, then a contract of employment will be formed and signed. The candidate will assume the duties of the principal by a date designated by the superintendent.

## **9. EMPLOYMENT OF ASSISTANT PRINCIPALS, REGULAR FULL-TIME FACULTY, AND REGULAR PART-TIME FACULTY**

After a position vacancy has been declared, the procedure herein will be followed.

- A. The district will use all methods that are practical to advertise the job vacancy.
- B. Resumes and applications will be reviewed by the principal to ensure the applicants meet all employment requirements of the position.
- C. Interviews will be conducted by the principal and appropriate staff at the discretion of the principal. The superintendent may attend all interviews.
- D. The principal will recommend one or more applicants to the superintendent for consideration. The applicant(s) may be invited to attend and observe the school when in session. The purpose of the visit(s) is for the applicant(s) to observe the school, students and faculty during day-to-day operations, and for the faculty to meet the applicant(s). The principal – or his/her designee -- will host the applicant(s) during the visit.



- E. The board will vote on a motion to hire the recommendation from the superintendent. The applicant will be notified of the board's decision. If the board votes to hire the applicant, the principal, with input from the superintendent, shall offer the applicant the position. If the applicant accepts the position, they will submit to a background check conducted by the district, with the cost of the check borne by the district. If the candidate accepts the position and passes the background check, then a contract of employment will be formed and signed. The candidate will assume the duties as assigned by a date designated by the principal with oversight of the superintendent.

#### FACULTY VACANCIES

Vacancy, for purposes of this section, does not include a non-renewed contract position for the following school year. A non-renewed position can be filled by for the following school year by the appropriate administrator.

After a position vacancy has been declared, the procedure in Section B-3 will be followed with the following exception. If the position is to be filled, the superintendent will direct the principal to post the position internally first, and then file notice of the position vacancy if necessary. If the principal does not offer the vacancy to an existing faculty member, then the procedures in Section B-3 will be followed.

#### SUBSTITUTE FACULTY EMPLOYMENT

The district will try to provide a qualified substitute teacher to take the place of classroom teachers who are absent, whenever feasible and available. Whenever a substitute teacher is not available, students will be reassigned to alternative coverage by other faculty or an alternative educational program or enrichment will be provided.

If a parent of a student is qualified to be a substitute and wishes to serve for volunteer hours, that parent may serve as a substitute without compensation. If a qualified parent wishes to substitute with compensation, the district will provide compensation and no volunteer hours will be awarded. A qualified substitute is one who has an approved yearly background check on file with the site or district.

### **10. COMPENSATION**

#### COMPENSATION STEP SCHEDULES

The HICD Governance Board has adopted schedules for the base salary compensation of its principals, assistant principals, faculty and support staff. The schedules are based upon years of service and degrees attained. These schedules shall be effective beginning with the 2021-2022 school year and shall continue until such time as they are revised, in whole or part, by the governance board.

#### CLASSROOM COVERAGES DUE TO TEACHERS WHO ARE ABSENT

The HICD Governance Board recognizes those faculty and support staff that cover classrooms during their planning periods when other teachers are absent. In an effort to support the faculty and support staff, HICD will provide compensation of \$12.50 for each class period of more than 40 minutes covered by those faculty and support staff. This will be paid at the end of each semester.

### TUTORING FOR PAY

The governance board expects faculty and administration to instruct and provide assistance to their students in a manner allowing each student to reach his/her optimal performance and potential. Ideally, this occurs during normal school hours. However, the governance board also recognizes some students require tutoring to improve their learning potential.

Arrangement for services, pay for tutoring, and collection of compensation shall be the sole responsibility of the teacher and shall be arranged individually between the teacher and the individual compensating the teacher for tutoring, unless it is a district tutoring program. Teachers are prohibited from tutoring a student currently enrolled in the teachers' district classroom. The district assumes no responsibility for hiring and/or services provided and may not be held liable for tutoring fees.

### EXTRA-DUTY COMPENSATION FOR ADDITIONAL RESPONSIBILITY

Faculty and staff have an opportunity to earn extra-duty compensation for involvement in extracurricular activities and/or additional duties per the extra-duty compensation scale proposed by the superintendent and approved by the governance board. Sports activities will be compensated only if the head coach and assistant coach have completed all necessary requirements.

### BONUSES

Faculty may be paid bonuses at the sole discretion of the governance board as circumstances allow and are not a guarantee, regardless of how often paid in prior years. Bonuses are paid in the same manner as the compensation herein.

### ADVANCED DEGREE COMPENSATION

The governance board has established a salary schedule that allows administrators and faculty who have attained advanced degrees (i.e., Masters and Ph.D.) to be eligible to receive additional compensation in recognition of their advanced degree attainment. The administrator's and/or faculty member's failure to comply with the requirements outlined below will result in said administrator and/or faculty member not being entitled to receive said additional compensation, and their salary will follow the schedule as if the advanced degree was not earned. To qualify for this additional compensation, the following process **must** be followed.

1. The employee shall provide an official transcript verifying the degree has been conferred. If all of the requirements for a degree have been completed, but the degree has not yet been conferred, then the employee will be required to supply evidence from the university that requirements for the degree have been completed. This documentation must carry the embossed seal of the university.
2. The advanced degree compensation shall be effective upon approval by the governance board and said compensation shall only be payable from the date such procedures are completed and not retroactively to date first requested.

### COMPENSATION EQUALIZATION

The HICD Governance Board acknowledges that some employees are currently being compensated at an amount that exceeds the step level designated for their classification on the HICD Teacher Salary Schedule. Classification is based on a person's years of service as a certified employee and the academic degree attained. The governance board believes that employees of the same classification should be compensated at the same pay rate. However, the governance board does not believe that any employee should be penalized by having their compensation reduced to the appropriate step level. Therefore, the governance board has adopted the following policy to equalize all employee compensation over time: Any employee currently receiving compensation in excess of the appropriate step level classification shall not receive a step increase until such time as the appropriate step level compensation is reached.

### **11. EMPLOYMENT POLICIES**

It is the policy of the district to seek and employ the best-qualified personnel without regard to race, religion, color, creed, national origin, citizenship, age, sex, sexual orientation, or disability. It is further this organization's policy to ensure equal opportunity for the advancement of staff members and equal treatment in the areas of upgrading, training, promotion, transfer, layoff, and termination. This organization complies with all applicable equal opportunity laws and regulations administered by the U.S. Department of Education; the U.S. Department of Labor; the U.S. Equal Employment Opportunity Commission; and the Oklahoma Human Rights Commission.

### **12. EMPLOYMENT OF FACULTY AND ADMINISTRATION**

The employment qualifications as provided by an employee or prospective employee on an employment application or related information may be verified, and falsification of such information may jeopardize an employee's employment or prospective employee's likelihood of being hired with the district.

Upon employment, all employees are required to complete any and all necessary financial forms and benefit applications as deemed necessary by the district or its designee.

- A. Employees may be hired as regular full-time employees or regular part-time employees.
- B. Employees will be placed on payroll and are eligible for all benefits upon start date.
- C. Employees who are not regular full-time or regular part-time (such as adjuncts, speech pathologists, psychometrists, or aids) will be contracted on an individual basis.
- D. The district will perform all payroll services, which may be rendered through a payroll service.
- E. The district will administer the benefits package for each employee.
- F. Employment is contingent upon cooperating in obtaining the background check.

### **13. BACKGROUND CHECKS ON PROSPECTIVE EMPLOYEES**

Prospective new employees to the district, at the time of the offer of employment, shall submit to a background check. The cost of this background check shall be borne by the district.

### **14. PERFORMANCE REVIEWS**

The following criteria will be followed for performance reviews of faculty members.

Two performance reviews will be conducted each year for all non-administrative faculty members. One will be conducted in the fall, and one will be conducted in the spring by the same administrator. If the faculty member being reviewed is found to score below effective in overall score, the administrator who reviews the employee will establish a Plan for Improvement that clearly states performance goals and evaluation parameter(s) as well as a date of completion. If the Plan for Improvement is not completed to satisfaction or completed at all, then the administrator may determine disciplinary action be taken, including but not limited to reassignment of duties, demotion, suspension, termination of employment, or non-renewal for the following year. Faculty members have the same rights to due process only for suspension and termination of employment and to the Complaint Procedure, as does any other employee.

If the faculty member being reviewed is found to be below effective in any area during the fall evaluation, the administrator will clearly state performance goals and evaluation parameter(s) to be established for the spring evaluation. If the faculty member being reviewed is found to be below effective in any areas during the spring evaluation, then the administrator may determine disciplinary action be taken, including but not limited to reassignment of duties, demotion, suspension, termination of employment, or non-renewal for the following year. Faculty members have the same rights to due process only for suspension and termination of employment and to the Complaint Procedure, as does any other employee.

The superintendent will conduct annual performance reviews for the principals and chief academic officer.

If the principal or chief academic officer being reviewed is found to score below effective in any area, the superintendent who reviews the employee will establish a Plan for Improvement that clearly states performance goals and evaluation parameter(s) as well as a date of completion. If the Plan for Improvement is not completed to satisfaction or completed at all, then the superintendent may determine disciplinary action be taken, including but not limited to reassignment of duties, demotion, suspension, termination of employment, or non-renewal for the following year. Principals and chief academic officer have the same rights to due process only for suspension and termination of employment and to the Complaint Procedure, as does any other employee.

The job performance of the superintendent will be evaluated annually by the governance board. If the superintendent is found to have unsatisfactory performance in any area, then a strategy for improvement shall be established by the governance board and a date of completion shall be set. If the strategy for improvement is not completed to satisfaction or completed at all, then the governance board may determine disciplinary action not limited to reassignment of duties,

demotion, suspension, or termination of employment. The superintendent has the same rights to due process as does any other employee.

## **15. EMPLOYMENT RENEWAL STATUS**

Whenever any person shall enter into a contract with any school district in Oklahoma to teach in such school district, the contract shall be binding on the teacher and on the district until the teacher legally has been discharged from the teaching position or released by the district from the contract. Except as provided in Section 5-106A of this title, until such teacher has been thus discharged or released, the teacher shall not have authority to enter into a contract with any other board of education in Oklahoma for the same time covered by the original contract. If upon written complaint by the board of education in a district any teacher is reported to have failed to obey the terms of the contract previously made and to have entered into a contract with another board of education without having been released from the former contract except as provided in Section 5-106A of this title, the teacher, upon being found guilty of such charge at a hearing held before the State Board of Education, shall have such teacher's certificate suspended for the remainder of the term for which the contract was made.

A board of education shall have authority to enter into written contracts with teachers for the ensuing fiscal year prior to the beginning of such year. If, prior to the first Monday in June, a board of education has not entered into a written contract with a regularly employed teacher or notified the teacher in writing by registered or certified mail that a recommendation has been made not to reemploy the teacher for the ensuing fiscal year, and if, by fifteen (15) days after the first Monday in June, such teacher has not notified the board of education in writing by registered or certified mail that such teacher does not desire to be reemployed in such school district for the ensuing year, such teacher shall be considered as employed on a continuing contract basis and on the same salary schedule used for other teachers in the school district for the ensuing fiscal year, and such employment and continuing contract shall be binding on the teacher and on the school district.

## **16. RESIGNATIONS OF EMPLOYEES**

In the event an employee finds it necessary to resign during the school term, the employee shall give written notice to the principal with a copy thereof to the superintendent not less than two weeks before the effective date of the resignation, unless the governance board makes an exception. In the event such involves district staff, principal shall be replaced with superintendent above. In the event the resignation of employment is prior to the end of an employment contract, the employee shall only be entitled to the prorated salary and benefits earned through the last date of employment.

## **17. ALCOHOL-AND DRUG-FREE WORKPLACE**

The governance board is committed to maintaining a work environment that is safe for all employees while achieving the highest possible level of performance and quality by employees. The abuse of alcohol, controlled substances, and/or any unauthorized drug or substances can impair the ability of employees to perform critical tasks, increases the potential for accidents and reduces the reliability, stability, and good judgment of employees.

In addition to being concerned about employees' well-being, there is equal concern that HICD's reputation and image is not compromised in any way. HICD's policy concerning drug and alcohol use and abuse is as follows:

Employees must report to work in a fit condition to perform assigned duties. Being under the influence of drugs or alcohol is not acceptable. It is a violation of HICD policy on drugs and alcohol for an employee to:

1. Operate any vehicle in the course of employment while under the influence of drugs or alcohol;
2. Be in possession of alcohol or illegal drugs while on the premises or on duty;
3. Sell or distribute alcohol or illegal drugs on or off the job; or
4. Work while under the influence of drugs or alcohol, or with either in one's system.

The governance board shall ensure, where possible, that employees and affiliated personnel are free from alcohol and other unauthorized drugs and substances which would adversely affect good judgment or impair the safe and efficient performance of their job duties. The superintendent is charged by the governance board to develop programs and procedures to ensure the intent of this policy is implemented. Contractors, suppliers, and/or vendors who have employees working on the school premises or job site shall be notified their employees are expected to abide by the district's Drug-Free Workplace policies, hereinabove. These contractors, suppliers, and/or vendors shall normally be notified through contract documents and in not then in writing.

No employee engaged in work for HICD or in connection with a federal, state or local grant administered by the district shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of, while on or in the workplace, any narcotic drug, hallucinogenic drug, amphetamine, barbiturate or any other controlled substance, as defined in schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 CFR 1300.11 through 1300.15, or dispense, possess, use or be under the influence of marijuana or any alcoholic beverage while on or in the workplace.

***"Workplace" is defined to mean the site for the performance of any work done in connection with HICD, or under a federal, state or local grant. This includes any school building or any school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event or function, where students are under the jurisdiction of the school district."***

As a condition of employment with the district, each employee shall abide by the terms of the policy respecting a drug-free workplace. At the discretion of the district, all employees shall submit to drug testing at the expense of the district.

Discipline shall be imposed against any employee who violates the terms of this policy. Discipline may range from not having his/her contract of employment renewed for the following school term to his/her employment being suspended or terminated, pursuant to employee disciplinary policies and procedures.

Any employee taking physician-prescribed medication must notify his/her supervisor if there is likelihood that such medication could affect job performance and/or safety. However, employees are not required to give specific details about their medical condition. Additionally, all such information will be maintained in the strictest confidence, pursuant to HIPAA.

HICD reserves the right to test employees for drug or alcohol impairment on a random basis or based on a reasonable suspicion that an employee is impaired. Violations of this policy will result in appropriate discipline, up to and including discharge.

## **18. PERSONNEL PROTECTION AGAINST RETRIBUTION AND RETALIATION**

No employee shall retaliate or seek retribution against another for:

1. Refusing to act in violation of an established and well-defined public policy or for performing an act consistent with a clear and compelling public policy;
2. Reporting a violation of the Constitution or laws of the United States, the Constitution or laws of the State of Oklahoma, and reporting violations of the ordinances of the City of Oklahoma City;
3. Reporting violations of governance board policy(ies) or regulation(s);
4. Reporting intentional misuse or destruction of the assets of this district;
5. Reporting inappropriate conduct of any employee toward students, patrons, or employees of this district;
6. Reporting information without giving prior notice to the employee's supervisor or anyone else in the employee's chain of command.

This policy shall not be construed to protect any employee from appropriate disciplinary action who is otherwise engaged in misconduct or is unwilling to perform his/her duties. It should also not be construed to protect employees who report information they know or reasonably suspect to be false or information which is confidential pursuant to law. This provision is not meant or intended to prevent anyone from being a whistleblower.

## **19. WHISTLEBLOWER PROTECTION**

### **A. Protection from Retaliation**

The district encourages its employees to report improper activities in the workplace and will protect employees from retaliation for making any such report in good faith. It is the intent of this policy to encourage employees to report fraudulent or illegal activities and there shall be no retaliation for any reports made pursuant to this policy. Any employee who believes they have been retaliated against for whistleblowing may file a complaint with either the superintendent or the governance board president. Any complaint of

retaliation will be promptly investigated and remedial action taken when warranted. This protection from retaliation is not intended to prohibit managers or supervisors from taking action, including disciplinary action, in the ordinary course of business based on valid performance-related factors. The district's legal counsel will conduct the investigation and report to the governance board.

## B. Employees' Rights

Employees have the right to report, without suffering retaliation, any activity by HICD or any of its employees that the employee reasonably believes: 1) violates any state or federal law; 2) violates or amounts to noncompliance with a state or federal rule or regulation; 3) violates fiduciary responsibilities by a nonprofit corporation; or 4) violates HICD policies. In addition, employees can refuse to participate in an activity that would result in a violation of state or federal statutes, or a violation or noncompliance with a state or federal rule or regulation.

1. Employees are also protected from retaliation for having exercised any of these rights in any former employment. Any employee aggrieved under the Personnel Protection Against Retribution and Retaliation section of this policy may submit a complaint pursuant to the complaint process outlined in this section.
2. HICD shall not prohibit or take disciplinary action against employees for:
  - a. Disclosing public information to correct what the employee reasonably believes evidences a violation of the Oklahoma Constitution or law or a rule or regulation promulgated pursuant to law;
  - b. Reporting a violation of the Oklahoma Constitution or state or federal law; or
  - c. Taking any of the above actions without giving prior notice to the employee's supervisor or anyone else in the employee's chain of command.

## C. Where to Report

Employees have the duty to comply with all applicable laws and to assist HICD to ensure legal compliance. An employee who suspects a problem with legal compliance is required to report the situation(s).

For the purposes of this policy, "reporting" means providing a spoken or written account to a supervising teacher, administrator, school board member, representative from the State Department of Education, law enforcement official, district attorney and/or parent or legal guardian of a student directly impacted by the actions.

## D. Postings

HICD shall prominently post or publish a copy of this section in locations where it can reasonably be expected to come to the attention of all employees.

## E. FERPA

Nothing in this policy shall be construed to allow an employee to violate students' or parents' rights to confidentiality and protection under the Family Educational Rights and Privacy Act (FERPA).



## **20. FACULTY ORIENTATION**

An orientation program shall be formulated by the superintendent and principals which will be conducted for new employees. The program will provide general orientation concerning the district schools, their mission and goals the district's governance structure, as well as its policies and procedures.

## **21. PROFESSIONAL DEVELOPMENT**

Professional development opportunities shall be selected by the superintendent and/or his/her designee with principals and will be conducted for all employees. The professional development opportunities will provide growth regarding the district mission and goals and will include all training required by Oklahoma law including, but not limited to, Alcohol & Drug Awareness, Bloodborne Pathogens, Bullying & Harassment Prevention, Child Abuse and Neglect, Diabetes Management, Digital Teaching and Learning, Dyslexia Awareness, ELL Basics, Parental Outreach, FERPA, Hazardous Communications, Human Trafficking, Student Mental Health, Racial & Ethnic Education, Suicide Awareness, Title IX, Family Homelessness, Workplace Safety, and Autism. All employees are required to participate up to thirty (30) hours in all professional development opportunities per year.

## **22. BEFORE SCHOOL, AFTER SCHOOL AND LUNCH DUTY**

Faculty may be assigned before school, after school, or lunch duty on a rotating basis by the principal as the principal determines the need for such duty. Duty will include such tasks as supervision of students before/after school and/or during lunch sessions.

## **23. CODE OF CONDUCT FOR FACULTY**

Faculty are expected to conduct themselves at all times in a manner consistent with the highest standards of personal character and professionalism, with students, parents, prospective parents, co-workers, administrators, staff, and community stakeholders.

### **CODE OF CONDUCT**

I understand that I have chosen to be a teacher in a unique educational environment. Therefore, I am committed to abide by and respect the entirety of this Code of Conduct. With that I commit:

- to teach in a manner conducive to a positive learning environment.
- to regularly communicate with all parents/guardians.
- to treat myself, students, parents, peers, staff members, administrators and school grounds and property with respect.
- to refrain from profanity in speech and written language while on school property, in the presence of students, during school-sponsored events or activities.
- to abide by all district policies while on the school grounds, any school-sponsored activity, and when representing the school in any capacity.
- to support parent/student continuing education.

- to recognize students learn at different paces and in different ways, and to strive to see each become academically successful.
- to provide a variety of instructional techniques.
- to serve as a positive adult role model for students.
- to represent the school through positive and appropriate personal conduct at all times.
- to dress in a professional manner at all times unless indicated by administration for a special occasion.
- to follow the Code of Conduct on school grounds and at school-sponsored activities.

#### **24. PROHIBITION AGAINST RACISM, BIGOTRY, GENDER BIAS AND SEXUAL ORIENTATION BIAS**

HICD recognizes that racism, bigotry, gender bias and sexual orientation bias are not conducive to learning and the educational experience. They will not be tolerated and are explicitly prohibited while on school grounds, in school vehicles, at school-sponsored activities or at school-sanctioned events. All persons are to be treated with respect and addressed by their announced preference.

Any employee of HICD who is found to have violated this policy through their conduct; statements; treatment of other employees, students and/or guests; assignments; grading; and/or any other manner shall be subject to discipline ranging from a verbal reprimand to termination. All reprimands will be documented in the employee's personnel file. The type and extent of the discipline will depend on the severity of the violation.

Any person who is on school grounds, in school vehicles, at school-sponsored activities or at school-sanctioned events shall abide by this policy and, if found in violation thereof, will face removal from the facility or activity/event and may be barred from the school campus and all school-related activities and events.

#### **25. REDUCTION IN FORCE**

There may be times when the district must take steps to reduce the number of its employees. As a part of that process, the governance board believes that the needs of the students of the school should be given first consideration in any reduction in force decisions. Other factors that will be considered are course(s) taught by the employee(s) and the training, experience, special qualifications, and evaluations of the affected employee(s).

#### **26. DISCIPLINE, SUSPENSION AND/OR DISMISSAL OF AN EMPLOYEE**

Discipline may range from a verbal warning to termination. The matter may also be resolved by implementation of a Plan for Improvement. The employee shall be advised verbally and in writing of the discipline being imposed and the basis for the discipline. The employee shall have the opportunity to be heard, to present a written response, and to present witnesses in their support before any discipline is imposed. The principal shall render a decision as to whether any discipline is to be imposed, and to what extent, only upon full review of all facts and information

pertinent to the matter, which shall include the written response of the employee, the oral statements of witnesses, including the employee, and any other pertinent information. Upon the conclusion of this review, the principal shall render his/her decision. The principal's decision shall be in writing and provided to the employee. The employee shall sign and date a copy of the decision acknowledging their receipt of the decision.- In the event such involves the principal or district staff, principal shall be replaced with superintendent above.

If it is the opinion of the superintendent the employee presents a direct threat to the safety and/or welfare of any student, the district, any district employee, the property of the district, or any person, the superintendent may immediately suspend the employee with pay and arrange for a hearing before the governance board, where the procedures herein shall be followed as soon as is practicable. In such cases, the employee will be immediately escorted off the school's premises and grounds.

All disciplinary actions, suspensions, and/or dismissals of an employee may adhere to the employee complaint procedure.

## **27. EMPLOYEE COMPLAINT PROCEDURE**

The governance board is committed to providing a process by which employees may have a procedure for addressing complaints concerning their employment issues and/or policy implementation issues, excluding an employee not being rehired for the subsequent school year.

The governance board and superintendent aim to do whatever is practicable to provide the proper environment for the positive resolution of employee concerns. In the event of a dispute involving employment matters and/or the implementation of policies affecting the employee, as stated above, the employee may submit a complaint by following the procedures outlined below.

**Failure to follow the procedures and timelines below constitutes a waiver of the employee's right to complain. It is recommended that all parties familiarize themselves with these procedures.**

- A. The complaint process shall begin with the affected employee submitting a written statement to the principal stating the nature of their complaint and their position for resolution of the complaint. All pertinent facts and details shall be provided in this statement – including the identification of any witnesses and/or supporting documents – in order to provide full details of the matter and assist the principal in his/her determination. The employee may provide the principal with witness statements, which must be based on the witnesses' personal knowledge. The complaint shall be signed and dated by the employee. The complaint must be submitted to the principal no later than ten (10) working days of the alleged event. The principal shall provide the employee with a written and dated acknowledgment of receipt of the complaint. This acknowledgement shall include the date and time when the employee is to meet with the principal. The principal shall meet with the employee to discuss the complaint no later than ten (10) working days after the receipt of the complaint.
- B. After discussing the complaint with the employee, reviewing the information provided and conducting an investigation, if any, the principal shall make a determination concerning the complaint and shall submit a written decision, which may contain a plan

of action required to resolve the complaint, if appropriate, to the employee no later than ten (10) working days after the meeting between the principal and the employee. The employee shall sign a copy of the decision acknowledging the date of their receipt of such.

- C. If the employee does not agree with the decision of the principal, the employee may appeal that decision to the superintendent by providing a written notice of appeal to the superintendent no later than ten (10) working days from the date the employee received the principal's decision. The appeal shall contain a copy of the written statements from the original complaint and a copy of the principal's written decision. The superintendent shall sign a copy of the notice of appeal acknowledging the date of their receipt of such.
1. Upon receipt of the appeal notice, the superintendent shall schedule a meeting with the principal and the employee to discuss the issues in the appeal. The superintendent's review shall be limited to the evidence reviewed by the principal, the meeting with the principal and employee and any written statement(s) provided by the principal and/or employee supporting their respective positions.
  2. Upon the superintendent's review of the evidence, the meeting with the principal and any written statement(s) provided by the principal and/or employee, if submitted, the superintendent shall make a decision concerning the complaint.
  3. The superintendent shall provide their decision, in writing, to the employee and principal no later than ten (10) working days after the employee provides the notice of appeal to the superintendent.
  4. The employee shall sign a copy of the superintendent's decision, acknowledging the date of their receipt of such. If the employee refuses to sign the acknowledgement, then such shall be noted and dated on the decision in the presence of the principal. The superintendent shall confirm by email to the employee their refusal to sign the acknowledgement.
  5. The superintendent may either uphold or overturn, in whole or in part, the principal's decision. If the superintendent overturns, in whole or in part, the principal's decision, they may, in their discretion, determine that an alternate decision is appropriate, in which case the superintendent's alternate decision shall supersede the decision of the principal. If the superintendent overturns the principal's decision in part but does not enter an alternate decision, then the remaining part(s) of the principal's decision which was/were not overturned shall remain in full force and effect.
- D. In a situation involving a complaint regarding the superintendent, the employee may submit a complaint by following the procedures outlined below.

Failure to follow the procedures and timelines below constitutes a waiver of the employee's right to complain. It is recommended that all parties familiarize themselves with these procedures.

1. The complaint process shall begin with the affected employee submitting a written statement to the superintendent stating the nature of their complaint and their position for resolution of the complaint. All pertinent facts and details shall be provided in this statement – including the identification of any witnesses and/or supporting documents – in order to provide full details of the matter and assist the superintendent in his/her

- determination. The employee may provide the superintendent with witness statements, which must be based on the witnesses' personal knowledge. The complaint shall be signed and dated by the employee. The complaint must be submitted to the superintendent no later than ten (10) working days of the alleged event. The superintendent shall provide the employee with a written and dated acknowledgment of receipt of the complaint. This acknowledgement shall include the date and time when the employee is to meet with the superintendent. The superintendent shall meet with the employee to discuss the complaint no later than ten (10) working days after the receipt of the complaint.
2. After discussing the complaint with the employee, reviewing the information provided and conducting an investigation, if any, the superintendent shall make a determination concerning the complaint and shall submit a written decision, which may contain a plan of action required to resolve the complaint, if appropriate, to the employee no later than ten (10) working days after the meeting between the superintendent and the employee. The employee shall sign a copy of the decision acknowledging the date of their receipt of such.
  3. If the employee does not agree with the decision of the superintendent the employee may appeal that decision to the Governance Board by providing a written notice of appeal to the Governance Board President no later than ten (10) working days from the date the employee received the superintendent's decision. The appeal shall contain a copy of the written statements from the original complaint and a copy of the superintendent's written decision. The president shall sign a copy of the notice of appeal acknowledging the date of their receipt of such.
  4. The governance board may either uphold or overturn, in whole or in part, the superintendent's decision. If the governance board overturns, in whole or in part, the superintendent's decision, the remaining part(s) of the superintendent's decision which was/were not overturned shall remain in full force and effect.
  5. This procedure shall be followed only when the superintendent is the principal or initial administrator rendering the decision from which the complaint derives.

## **28. OTHER PERSONNEL-RELATED MATTERS**

### **CONFIDENTIALITY**

Employees of the district shall not, in any way, release any information about the district, its school, its students, its activities, or the activities of its personnel not legally permissible or required by law or their duties or as expressly permitted by the governance board or its designee for a period of two (2) years from their last day of employment. No employee shall publish, disclose, use, or authorize anyone else to publish, disclose, use, or in any way cause to be published, disclosed, or used, any private or proprietary information which such employee may in any way acquire, learn, develop, or create by reason of employment with the district, unless otherwise permitted by the governance board or its designee, for a period of five (5) years after their last day of employment. Any document or other material, which is the property of either school, the district, or the governance board, is required to be returned to the district upon an employee's termination or resignation.

### PERSONNEL INQUIRIES

No one other than the superintendent or a duly-designated individual is authorized to respond either verbally or in writing to personnel inquiries of any type about any school employee (other than themselves), student, matter or incident involving either school.

All inquiries from any person or entity concerning the schools, their staff, students, policies, administration or any matter involving such are to be referred to the superintendent. No one else is authorized to speak on behalf of the schools/district unless expressly permitted to do so in writing, which said authorization shall be limited to the specific matter at hand, from the superintendent or governance board. Permitting another to speak on behalf of the schools in one incidence does not grant authorization to do so as to other incidences. Any inquiries should be vetted with the district's legal counsel before a response is made.

### RETURN OF MATERIALS

Immediately upon termination or upon the effective date of employee's resignation, the employee must return all office and room keys, identification, security cards and codes, office materials and supplies, including classroom supplies in said employee's possession, to the district. Any costs to replace any of the foregoing will be borne by the employee and such costs will be deducted from the employee's final paycheck or billed to the employee if final paycheck has already been received. This includes any such items which are located other than in the employee's classroom, including their vehicles or residences, or which are stored at other locations.

### EXAMINATION OF PERSONNEL FILES

Any employee may examine his/her personnel file(s) during regular school hours and only in the presence of the superintendent, the president of the governance board, or their designees. Such employee may make copies of or take written notes about the contents of the file and may add comments for inclusion in the file at any time. Any such additions will be made on a separate sheet(s) of paper. The employee must provide at least 24 hours advance notice, excluding weekends and holidays, of the intent to review and/or make copies of their file. No personnel file is to be removed from the office or campus grounds unless expressly provided for in writing by the superintendent, the president of the governance board, or their designee. No employee may make copies of any document that may be confidential under state or federal FERPA-related laws or other applicable laws or regulations. The employee must sign an acknowledgement verifying that they received all the documentation from their file that they requested.

### COPYRIGHTS

Copyrights, payments and/or royalties which occur as a result of a project of any employee or employees of the district which are derived, constructed, developed or otherwise generated as a result of their employment with HICD shall remain the property of the district. The governance board may assign copyrights, royalties, or other payments to the author or authors or project participants at its sole discretion.

### BINDING THE SCHOOL

No employee, other than the superintendent, is authorized to bind or speak for or on behalf of the district, the administration or the governance board unless specifically, and in writing, given such

authority by the governance board. This does not apply to statements made by district's attorney in any legal or administrative proceedings or contractual negotiations.

### **29. EQUAL OPPORTUNITY/AFFIRMATIVE ACTION**

The district complies with all applicable federal and state equal opportunity laws and regulations administered by the U.S. Department of Education; the U.S. Department of Labor; the U.S. Equal Employment Opportunity Commission; and the Oklahoma Human Rights Commission. In accordance with this policy, this institution does not discriminate on the basis of race, color, sex, sexual orientation, religion, age, national origin, handicap, disability, veteran, parental, family or marital status in admission or access to or treatment of employment in its programs and activities. Should federal or state law or regulations add other bases to the aforementioned list, then such shall also be included herein, by reference. Qualified disabled individuals will not be excluded from the participation in, be denied the benefits of, or subjected to discrimination under any program or activity operated by or through the district solely by reason of disability. Administrators will make reasonable accommodations to the known physical or mental limitations of otherwise qualified disabled applicants or employees unless such accommodations impose undue hardship on the operation of district's programs and activities.

### **30. PROHIBITION ON OTHER REMUNERATION OR WORK**

- A. Employees may not receive remuneration from other sources for work they perform during their regular duty days or duty hours.
- B. Employees cannot be paid twice by the district for services performed during their regular duty day or duty hours except as provided in their employment contract.
- C. Employees may receive remuneration from other sources for services they perform outside of their regular duty days or duty hours that are not a part of their job responsibilities and duties.
- D. Employees may not use personal leave days or pooled school-leave days, disability leave days, or workers' compensation days to provide services for remuneration from other sources.
- E. This regulation will not apply when employees are directed to participate in Reserve or U.S. Armed Forces Activities or state or federal jury duties in accordance with federal and state statutes.

### **31. PARTICIPATION IN POLITICAL ACTIVITIES**

The governance board recognizes employees of the district have the same civic responsibilities and privileges as other citizens. Among these are campaigning for and holding public office. Employees' political activities shall not interfere with their job duties. Involvement in such activities shall be at the discretion of individual employees and shall not involve the educational programs of the school/district. Employees shall not use district time, equipment, supplies or facilities for solicitation of funds for or in support of any campaign purposes, political or otherwise. Employees shall not hold any political office that conflicts or interferes with their employment with the district.

### **32. WORKERS' COMPENSATION**

All employees of the district will be covered by Workers' Compensation Insurance for any accident while on official duty acting in the course and scope of employment on or off school property. Employees will report any accident, however slight, in which they are involved. The superintendent or his/her designee is responsible for submitting reports in accordance with the district's procedures and the Worker's Compensation Laws of the State of Oklahoma under the Oklahoma Employment Security Act.

Employees who have filed for Workers' Compensation may be required by the superintendent or his/her designee to submit to medical tests or examinations as determined by a licensed physician appointed or hired by the district.

### **33. HEALTH INSURANCE BENEFITS**

HICD's health insurance plans provided through the Education Employees Group Insurance provides employees access to medical, dental, and vision insurance benefits effective their first day of employment. In an effort to support the district employees, a medical, dental, vision, and life insurance package shall be provided and paid by the district for each employee, but not for additional beneficiaries. However, if such employee desires more than what is offered by the district, the employee will pay the difference between coverages.

If such employee desires to not partake in the district health insurance, the employee will be provided a payment in lieu of insurance as stated in the district salary schedule. No payment in lieu of insurance will be provided for dental or vision insurance.

### **34. LIFE INSURANCE**

In an effort to support employees and their families, a life insurance policy selected by the district shall be provided and paid by the district for each employee. However, if an employee desires more than what is offered by the district, the employee will pay the difference between coverages.

### **35. EMPLOYEE RETIREMENT**

It shall be the policy of the HICD Governance Board to adhere to the state law concerning the Oklahoma Teachers' Retirement System. Therefore, employees shall become members of the retirement system as a condition of their employment.

Contributions to the Teachers' Retirement System shall be deducted from the employee's salary at the currently established rate, less any amount contributed by the school district.

### **36. LEAVE**

The governance board respects the individual needs of employees to have access to proper amounts of leave time. Leave time will be provided for employees to be absent when necessary. To protect employees against loss of salary due to certain absences, employees are eligible for paid absences as set out herein. Employees shall complete the appropriate leave form prior to



taking said leave unless prevented by an emergency, in which case they are to complete the form as soon as possible.

Employees should make requests sufficiently in advance of the need for the leave, unless circumstances prevent such, to provide the school reasonable time to cover the employees' duties.

Employees' leave days will be calculated based on contractual hours.

The following is how the district will administer its leave policy.

- A. The superintendent or his/her designee will administer leave policy for district positions.
- B. The principal will administer leave policy for their respective site.
- C. The district business manager will document all leave requests.
- D. The following is a list of the leave provided by the district:
  1. Family Leave (FMLA)
  2. Sick Leave
  3. Personal Leave
  4. Emergency Medical Leave
  5. Emergency Leave
  6. Bereavement Leave
  7. Military Leave
  8. Legal Leave

The governance board further would like to express its confidence in the faculty for their expression of professionalism and judicious use of leave time. If the superintendent and/or principal has cause to find the reason for leave has not been substantiated, they will inform the employee and superintendent of their concern. The principal shall initiate an investigation of the matter. In conducting such, the employee may be required to submit appropriate evidence concerning the cause of his/her absence in order to qualify for the leave benefits.

If necessary, a hearing before the governance board shall be scheduled for consideration of disciplinary action against the employee. Abuse of leave is cause for and will result in disciplinary action which can range from a verbal warning to termination. Verbal warnings will be noted in the employee's file. Any discipline to be imposed will be pursuant to the school's discipline policy herein. The following are examples of abuse of leave, which may lead to disciplinary action:

(1) a pattern of taking leave on Fridays and the Mondays; (2) a pattern of taking leave on the day before or after a holiday; (3) misrepresenting the actual reason for the need of the leave; (4) exceeding the days allowed for the leave when the leave has been exhausted; (5) a pattern of taking the leave the day after payday; and/or (6) working elsewhere during the leave.

Leave may be denied by the superintendent or principal if they believe the student population will be underserved.

Immediate family, for leave purposes, shall be defined as spouse, parent, guardian, child, ward, brother, sister, grandparent, grandchild, or each similar relationship established by marriage. Family is defined differently for purposes of the Family and Medical Leave Act (FMLA) which is described therein.

### **37. FAMILY AND MEDICAL LEAVE ACT (FMLA)**

FMLA leave runs concurrently with paid time off and workers' compensation benefits. Employees are required to exhaust paid FMLA leave (e.g., sick leave, emergency leave, emergency medical leave, and personal leave) before taking unpaid FMLA leave.

#### **ELIGIBILITY**

To be eligible for FMLA leave, an employee must have:

1. Worked at least 12 months for HICD (need not be consecutive); and
2. Worked at least 1,250 hours during the 12 months preceding the need for leave. Paid time off and unpaid leave are not included in determining hours actually worked.

#### **QUALIFYING REASONS**

FMLA leave may be taken for more than one qualifying reason but is limited to a total of 12 weeks in a 12-month period. The eligibility requirement must be verified with the first FMLA leave request and for each new qualifying reason during the rolling calendar year.

Qualifying reasons for FMLA leave:

1. Birth of a child and to care for a newborn child of the employee or spouse\*
2. Placement with the employee of a child for adoption or foster care\*\*
3. Care for the employee's spouse, child, or parent with a serious health condition.
4. A serious health condition that makes an employee unable to perform the functions of the employee's job.

\* For the purpose of parental bonding with a newborn, the employee is entitled to 12 weeks of job protected leave. Sick leave can only cover the portion of illness or disability for the employee or child which would typically be 6 weeks for a normal vaginal childbirth and 8 weeks for a C-section birth. To support employees due to the inability for cumulative leave, maternity leave will be awarded of 6 weeks paid leave and paternity leave will be awarded of 3 weeks paid leave, not including school leave provided. Employees wanting to extend such leave may utilize personal leave, emergency leave, and sick leave.

\*\* For the purpose of parental bonding adopted or foster child, the employee is entitled to 12 weeks of job protected leave. To support employees due to the inability for cumulative leave, maternity leave will be awarded of 6 weeks paid leave and paternity leave will be awarded of 3

weeks paid leave, not including school leave provided. Employees wanting to extend such leave may utilize personal leave, emergency leave, and sick leave.

#### QUALIFYING EXIGENCY LEAVE AND MILITARY CAREGIVER LEAVE

Active-duty service members qualifying exigency may use up to 26 weeks in a 12-month period. Covered active duty means duty during deployment to a foreign country.

1. A qualifying exigency arising out of the employee's spouse, child, or parent's covered active duty or call to active duty in support of a contingency operation. Qualifying exigency leave is a FMLA-qualifying reason for which an eligible employee may use his/her entitlement for up to 12 work weeks of FMLA leave each year. An eligible employee may take 12 weeks of leave for both qualifying exigencies leave and leave for a serious health condition.
2. Care for a covered service member, current member of the Armed Forces, including Regular National Guard or Reserves, with a serious injury or illness incurred in the line of active duty if the employee is the spouse, child, parent, or next of kin of the service member.

#### DEFINITION OF FAMILY MEMBER

Family Medical Leave Act (FMLA) leave can be used to care for a family member with a serious health condition. Documentation (birth certificate, court document) may be requested to confirm the family relationship and age of child.

The federal FMLA defines family member as:

1. Spouse – husband or wife, including those in same-sex marriages
2. Own Parent (not parent “in-laws”)
3. Child – biological, adopted or foster child, stepchild, legal ward, or a child of a person standing “in loco parentis” who is either under the age of 18, or 18 or older and incapable of self-care because of mental or physical disability
4. Covered service member.

#### SERIOUS HEALTH CONDITIONS

1. Inpatient Care – requiring overnight hospitalization and subsequent treatment
2. Continuing Treatment
3. A period of incapacity of more than three full consecutive calendar days
4. An in-person visit to a health care provider within 7 days of the first day of incapacity and a second in-person visit within 30 days of the first day of incapacity or
5. An in-person visit to a health care provider within 7 days of the first day of incapacity followed by a regimen of continuing treatment such as a course of medication or physical therapy
6. Chronic conditions continuing over an extended period of time (e.g., asthma, diabetes, migraine headaches)

7. Any period of incapacity (inability to perform essential duties of job or perform other regular daily activities)
8. May cause episodic rather than continuous incapacity
9. Requires at least two visits annually to the health care provider
10. Permanent or long-term conditions (e.g., Alzheimer's, stroke, terminal diseases)
11. Requires continuing supervision by a health care provider
12. Conditions requiring multiple treatments (e.g., chemotherapy, dialysis, physical therapy)
13. Restorative surgery or conditions, if left untreated, would result in incapacity of more than 3 full consecutive calendar days

#### INTERMITTENT/REDUCED SCHEDULE LEAVE

1. The FMLA permits employees to take leave on an intermittent basis or to work a reduced schedule under certain circumstances.
2. Intermittent/reduced schedule leave may be taken when medically necessary, as provided on FMLA certification, to care for a seriously ill family member, or because of the employee's serious health condition.
3. Intermittent/reduced schedule leave may not be taken to care for a newborn or newly placed adopted or foster care child. Only with approval by the principal will an exception be made.

Only the amount of leave actually taken while on intermittent/reduced schedule leave will be charged against employee's FMLA leave. Employees may not be required to take more FMLA leave than necessary to address the circumstances that cause the need for leave.

Employees needing intermittent/reduced schedule leave for foreseeable medical treatment must work with the site principal to schedule the leave so as not to unduly disrupt the school/department's operations, subject to the approval of the employee's health care provider. In such cases, the employee may be transferred temporarily to an alternative job with equivalent pay and benefits that accommodate the recurring periods of leave better than the employee's regular job.

#### SPECIAL RULES FOR SCHOOLS

Congress recognized there could be a substantial disruption to the educational process from instructional employees taking leave at certain times during the academic year or for certain intervals. As a result, there are special rules in the FMLA regulations regarding "instructional employees" of public and private elementary and secondary schools. "Instructional employees" are those whose principal function is to teach and instruct students in a class, small group, or individual setting. Thus, "instructional employees" includes not only teachers in the school, but also athletic coaches and special education assistants. For "instructional employees," the following rules apply:

1. With regard to intermittent or reduced schedule leave, the school may require the employee to choose:

- a. To take leave of a particular duration not to exceed the duration of the planned leave (the entire period of leave is counted as FMLA leave); or
- b. To temporarily transfer to another position, so long as such position has equivalent pay and benefits and is a position for which they are qualified. The position also has to better accommodate the employee's intermittent leave.

If leave is requested near the end of the term, the following rules apply regarding job restoration:

1. Leave within last 3 weeks of the end of the academic term – for a purpose other than the instructional employee's own serious health condition, district may require continuous leave until the end of the term if the period of leave lasts more than 5 working days.
2. Leave within last 5 weeks of the academic term for a purpose other than the instructional employee's own serious health condition, district may require continuous leave until the end of the term if the period of leave is longer than 2 weeks; and if the return to work would occur within 2 weeks of the end of the academic term.
3. Leave more than 5 weeks PRIOR to the end of the academic term – The district may require continuous leave until the end of the term if the period of leave is at least 3 weeks; and the return to work would occur during the last 3 weeks of the academic term.

In these cases, only the period of leave taken until the employee is ready to return to work may be charged against the instructional employee's 12 weeks of FMLA.

When counting 1250 hours worked, teachers can use work time before and after school to determine hours worked. As a benchmark, teachers physically working 9 months of the year would meet the 1250 benchmark if they worked 35 hours a week.

#### RETURNING FROM FMLA

The employee shall notify the principal of their fit for duty/return to work three (3) business days in advance of the return work date. Principal will evaluate the notification to verify there are no restrictions that will cause the employee not to be able to perform the essential duties of his/her job. If there are no restrictions or minor restrictions below what is required for the job, employee will return to work with any restrictions that might be needed. If there are restrictions that do not allow the employee to perform the essential duties of their job, the employee will not be allowed to return to work until the principal and employee have time to meet and discuss if reasonable accommodations can be made.

The employee is expected to be at work on the date indicated by the principal. If the employee does not come back to work that day, the employee will have an unexcused absence. An employee who is returning from an approved FMLA absence will be returned to the same position held at the time the leave began or to an equivalent position. An employee on FMLA leave whose position is affected by a reduction in force or reassignment, may not be reinstated if it can be demonstrated the reduction in force or reassignment would have occurred had the employee been working and not on FMLA leave.

Key employees (employees who are among the highest 10% compensated) may be an exception to the reinstatement rule if reinstatement would result in "substantial and grievous economic injury" to the district. If circumstances allow, the principal will notify the key employee before

the FMLA leave begins that reinstatement might not be available when they are ready to return to work.

#### *SUBSTITUTION OF ACCRUED LEAVE*

All time missed in a work day due to FMLA leave is charged to available leave accruals, starting with sick leave (if the leave qualifies to use sick leave), and personal (if eligible). If an employee is to be gone for an FMLA eligible reason, that time off shall be charged to FMLA. This time off shall be charged to non-exempt (hourly paid) and exempt employees (salaried, including instructional and professional exempt staff). When on FMLA leave and all paid time-off accruals have been exhausted, FMLA leave will convert to unpaid FMLA leave status. As previously stated, employees are required to exhaust all available paid leave before taking unpaid FMLA leave.

#### *MAINTENANCE OF HEALTH BENEFITS*

When an employee is on FMLA leave and all paid time-off accruals have been exhausted, the employee will go into FMLA leave without pay status. The employee, in this unpaid status, will continue to have the employer paid health benefits while on FMLA; however, the employee will need to make arrangements to pay for any employee paid (optional) benefit deductions (i.e., dental insurance, dependent medical insurance) when going out on FMLA leave. The coverage will be dropped if payment is more than 30 days late. Other benefits, including board paid contribution (if eligible) and cash payments chosen by the employee instead of group health insurance coverage, will not be maintained during the period of unpaid FMLA leave. Accrued paid leave, such as personal leave, will not continue to accrue during the period of unpaid leave, including FMLA.

#### *NOTICE OF NEED*

Eligible employees seeking to use FMLA leave need to provide a 30-day advance notice of the need to the principal, or as soon as practicable when the need is not foreseeable.

#### *SUBMITTING TIME OFF FOR FMLA*

Employees are required to submit their leave in the same way they would for any other leave request in their department.

1. Teachers need to submit their leave requests, requesting a substitute as well as through any other method requested by their Building Administrator.
2. Support employees need to submit their leave requests through the pre-established channels to their supervisor.
3. Employees should keep in contact with their immediate supervisor periodically during the FMLA leave to let them know if the employee is on track for returning on the date listed on the request.
4. If the employee is unavailable to enter their time due to the severity of their illness, the supervisor must enter the time on the employee's behalf.
5. All FMLA time off should be entered and accounted for by the administration.

### RECERTIFICATION OF FMLA

- A. Generally, an employer may request recertification for leave taken because of any employee's own serious health condition or the serious health condition of a family member no more than every 30 days and only in connections with an absence by the employee.
- B. If the medical certification indicates that the minimum duration of the condition is more than 30 days, an employer must wait until the minimum durations expires before requesting recertification, unless subsection C applies. In all cases, an employer may request a recertification of a medical condition every six months in connections with an absence by the employee. Accordingly, even if the medical certification indicates that the employee will need intermittent or reduced schedule leave for a period in excess of six months (e.g., for lifetime condition), the employer would be permitted to request recertification every six months in connection with an absence.
- C. An employer may request recertification in less than 30 days if:
  1. The employee requests an extension of leave;
  2. Circumstances described by the previous certification have changed significantly, (e.g., the duration or frequency of the absence, the nature or severity of the illness, complications).
  3. The employer receives information that casts doubt upon the employee's stated reason for the absence or the continuing validity of the certification.

The employee must provide the requested recertification to the employer within the time frame requested by the employer, which must allow at least 15 days after the employer's request, unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts.

The employer may ask for the same information when obtaining recertification as that permitted for the original certification. The employee has the same obligations to participate and cooperate (including providing a complete and sufficient certification or adequate authorization to the health care provider) in the recertification process as in the initial certification process. As part of the information allowed to be obtained on recertification for leave taken because of a serious health condition, the employer may provide the health care provider with a record of the employee's absence pattern and ask the health care provider if the serious health condition and need for leave is consistent with such a pattern.

Any recertification requested by the employer shall be at the employee's expense unless the employer provides otherwise. No second or third opinion on recertification may be required.

### **38. SICK LEAVE**

- A. Employees may be absent from duty because of personal accidental injury, illness or pregnancy, or illness in their immediate family without loss of salary not to exceed ten (10) days during each school year. The right to sick leave shall be vested at the beginning of the school year.

- B. Unused sick leave shall be cumulative starting in 2022-2023 for the use of Emergency Medical Leave only. This cumulative leave is eliminated if the charter district no longer exists or if the employee leaves the district.
- C. If, after exhausting all sick leave, a teacher is absent from his/her duties due to personal accidental injury, illness or pregnancy, or illness in their immediate family, the teacher shall receive for a period not to exceed twenty (20) days his/her full contract salary less the amount:
  - 1. actually paid a certified substitute teacher for his/her position if a certified substitute teacher is hired; or
  - 6. normally paid a certified substitute teacher for his/her position if a certified substitute teacher is not hired.
- D. If, after exhausting all twenty (20) days of additional sick leave, then the superintendent may determine disciplinary action be taken, including but not limited to reassignment of duties, demotion, suspension, termination of employment, or non-renewal for the following year.
- E. Sick leave may run concurrently with FMLA time.

### **39. PERSONAL LEAVE**

- A. The board shall provide for up to three (3) days of personal leave for each employee per school year.
- B. If, after exhausting all personal leave, a teacher is absent due to personal reasons, the teacher shall receive an additional three (3) days of unpaid personal leave.
- C. If, after exhausting all three (3) days of additional personal leave, then the superintendent may determine disciplinary action be taken, including but not limited to reassignment of duties, demotion, suspension, termination of employment, or non-renewal for the following year.
- D. Personal leave is not cumulative. Any requested personal days immediately preceding or following a school holiday will be denied. Any requested personal days the first three student days of school and last three student days of school will be denied. For any requested personal days during parent/teacher conferences, the teacher must reschedule all appointments with those parents after school hours.
- E. Unused personal leave will be converted to unused sick leave at the end of the fiscal year.

### **40. EMERGENCY MEDICAL LEAVE**

The board shall provide an opportunity for employees to use cumulative sick leave earned in the district each school year. The term emergency medical leave shall be construed to mean a serious health condition that makes an employee unable to perform the functions of the employee's job. In order for emergency medical leave to be used, the employee must be eligible for FMLA under Qualifying Reason four (4), and properly signed FMLA documentation by a medical practitioner must be provided stating that the employee is unable to perform their duties.



#### **41. EMERGENCY LEAVE**

The board shall provide for not more than three (3) days of emergency leave per school year. The term emergency shall be construed to mean a situation or occurrence of a serious nature, developing suddenly and unexpectedly and demanding attention within 24 hours of the request for emergency leave. This does not include emergency medical leave. Emergency leave is not cumulative and does not accrue. Request for emergency leave shall be made in writing and in advance, if possible. If an advance request is not possible, the written request shall be filed within one (1) day after returning to work.

Leave may be granted, not to exceed ten (10) working days per school year, to an employee who is affected by state or federally declared disaster in Oklahoma if:

- The employee suffered a physical injury as a result of the disaster; or
- An immediate family member or household member of the employee suffered a severe physical injury or died as a result of the disaster; or
- The domicile of the employee or the domicile of an immediate family member of the employee was destroyed as a result of the disaster.
- Additional time may be allowed if circumstances warrant.

#### **42. BEREAVEMENT LEAVE**

Employees shall be provided with up to five (5) total days of bereavement leave following the death of a member of their immediate family. Immediate family shall be defined as the employee's spouse, parent or guardian, child, brother, sister, aunt, uncle, grandparent, grandchild, first-cousin or each similar relationship as established by marriage, or a person residing in the same household as the employee.

#### **43. MILITARY LEAVE**

Military leave shall be granted to qualified employees to perform a variety of military duties under this regulation. Such military duties include leaves of absence taken by members of the uniformed services, including Reservists, National Guard members for training, periods of active military service, and funeral honors duty, as well as time spent being examined to determine fitness to perform such service. Nothing in this regulation shall supersede, nullify or diminish any federal or state law (including any local law or ordinance), that provides guidance for this matter. Refer to the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), enacted October 13, 1994 (Title 38 U.S. Code, Chapter 43, Sections 4301-4333, Public Law 103-353) for guidance. Human Resources (HR), and/or the Employer Support of the Guard and Reserve (ESGR), can be contacted for clarity or items not in this regulation.

Employees shall provide advance notice of military service unless military necessity prevents such notice or unless notice is otherwise impossible or unreasonable. Such oral or written notice can be provided by the employee or by an appropriate Officer, Non-Commissioned Officer or Non-Commissioned Officer in Charge (NCO or NCOIC) of the service branch. All employee documents and leave request(s) will be submitted to administration. Employees will be entitled to 30 paid days of military leave for teachers and 20 paid days of military leave for all other

employees, and will be entitled to reinstatement without loss of status, efficiency rating and benefits to the extent allowed by law. Military leave may be used for all activations, active duty and non-active duty training or duty. Once the military leave is exhausted, the employees will be placed on unpaid military leave and personal business leave may not be used.

#### REEMPLOYMENT RIGHTS

Employees who volunteer or are called to military service may have reinstatement rights to their employment upon their discharge from active service or their return from short-term assignments, such as weekly drills, weekend drills, summer encampments, or cruises, consistent with USERRA. In order to qualify for reemployment rights, the employee must be qualified as set forth in these regulations and USERRA and must have been employed on a regular basis. The employee cannot be absent for a period greater than 5 years unless the employee qualifies for an exception as set forth by USERRA. The employee must be or have been separated from the service under honorable conditions. Employees who are employed as temporary employees for a definite, nonrecurring period of time are not eligible.

Reemployment rights regarding seniority, status, career path, benefits, insurance coverage etc., will all be in accordance with USERRA, and the district will defer to USERRA in situations not covered by this regulation.

#### MILITARY CAREGIVER LEAVE

Employees who are the covered relation or next of kin of a covered service member and are needed to provide care for that covered service member may be eligible to take up to a total of 26 weeks of Military caregiver Leave within a single 12-month period and be restored to the same or an Equivalent Position upon returning to work, provided the employee meets the eligibility requirements. See the FMLA Regulation for further guidance.

#### **44. LEGAL LEAVE**

Legal leave shall be granted to employees who have been summoned for jury duty or subpoenaed as a witness in any civil, criminal, administrative or juvenile proceedings. Jury duty leave shall only be for the actual number of days of jury duty for which the employee is paid by the court.

#### **45. EDUCATION EMPLOYEE INJURED BY ASSAULT OR BATTERY LEAVE**

An education employee who is injured as a result of an assault or battery upon the person of the employee while the employee is in the performance of any duties as an education employee shall be entitled to a leave of absence from employment with the school without a loss of leave benefits.

#### **46. DRESS/APPEARANCE**

All employees are expected to dress appropriately in business casual attire and to conduct themselves responsibly. The image they portray as HICD employees through day-to-day contact with the public and with colleagues has a direct bearing on student success, employee effectiveness, and the public's perception of the school and district. Cleanliness and personal grooming are important and expected.

Principals and supervisors have the authority to correct inappropriate dress on an individual basis. Principals and supervisors may approve variations in the dress code for special situations and for those individuals whose responsibilities may necessitate an alternate form of dress.

#### **47. LACTATION ACCOMMODATION**

Upon notification by the employee to their principal, HICD shall provide any employee who is lactating reasonable paid break time each day to use a designated lactation room. If the employee does not have access to her own private office space, she will be provided a private, secure and sanitary room or other location, other than a toilet stall, where the employee can express her milk or breastfeed her child. If the employee has her own private office, that room shall be her designated room.

### **SECTION B: ADMINISTRATIVE MATTERS**

#### **1. SCHOOL CALENDAR**

Superintendent shall present a calendar each year which includes the starting and ending dates of the school year. The calendar will meet the correct number of instructional hours mandated by the Oklahoma State Department of Education. The superintendent may seek suggestions from school employees and parents in the development of the calendar.

#### **2. SCHOOL DAY**

State school law prescribes a school day of a minimum of 6.5 instructional hours (exclusive of lunch hour). School hours established for HICD schools shall meet the requirements, rules and regulations of the State Board of Education. The superintendent may make changes, consistent with state law, to provide a program of instruction to accommodate the needs of the individual students. The established times for the regular school day of ICMS are 7:45 a.m. to 2:45 p.m. and 8:00 a.m. to 3:00 p.m. for HCPHS. The superintendent is authorized to change established times during periods of severe weather (including hot weather) or for national or state declared emergencies as allowed by law. Should state law change the minimum hours of instruction, then the district will comply by providing no less than the required minimum.

#### **3. SCHEDULING OF ALL STUDENTS**

It is the responsibility of the district to establish a proper academic program for all students. The goal of scheduling is to address the individual strengths and weaknesses of all students and to develop a plan for all students that is within the framework of practical school operation. All students will be enrolled in a minimum of seven periods of rigorous instruction.

#### **4. FORWARDING AND DISCLOSURE OF RECORDS**

- A. When a student is enrolled or is in the process of enrolling, HICD may request the student's education records from any school district in which the student was formerly

enrolled to ascertain safety issues with incoming students and ensure full disclosure. A district that receives a request for the education records of a student who formerly was enrolled in the district shall forward the records within three (3) business days of receipt of the request. The records shall include the student's disciplinary records. Disciplinary records shall include but not be limited to all information that relates to a student assaulting, carrying weapons, possessing illegal drugs, including alcohol, and any incident that poses a potentially dangerous threat to students or school personnel. The forwarding and disclosure of disciplinary records or other education records to a school district in which a student seeks or intends to enroll shall be in accordance with the annual notification requirements and provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

- B. HICD shall be required to release nondirectory educational records to the agencies listed in Section 620.3 of Title 10 of the Oklahoma Statutes. The release of any records shall be in accordance with the provisions of FERPA. The term "nondirectory educational records" shall be those records maintained by the school regarding a child who is or has been a student at the school which are categorized as private or confidential records pursuant to FERPA.

## **5. PUPIL RECORDS, STORING OF PUPIL RECORDS, TIME REQUIREMENT AND EXCEPTION POLICY**

- A. HICD shall compile and maintain both temporary and permanent records of students enrolled in the district and regulate access, disclosure or communication of information contained in the student records in a manner consistent with state and federal law.
- B. HICD may store all documents and information in student records either electronically or in paper format, and either in a single- or multiple-file format. Records shall be stored, backed up and secured in accordance with standards and protocol developed by the State Board of Education.
- C. The transcript of a student shall be maintained by the school district for not less than eighty (80) years following the graduation, transfer or withdrawal from the district of the student. "Transcript" means the permanent academic record of a student and shall include the name, address, telephone listing and date and place of birth of the student, an inventory of courses taken, all grades received, grade-point averages and/or class rank, and may include all academic and extracurricular honors and awards received, all degrees conferred and extracurricular or after-school activities.
- D. Except for the transcript records as defined in paragraph C of this section, HICD shall dispose of information in a student record at a time selected by the district that is between five (5) years and seven (7) years after the student has graduated, transferred or withdrawn from the district. HICD shall follow the State Board of Education rules regarding notification to parents or guardians of a student or the student if they are eighteen (18) years of age or older of destruction of the records.

## **6. PROHIBITION OF RACE & SEX DISCRIMINATION IN CURRICULUM & COMPLAINT PROCESS**

In compliance with the Oklahoma State Department of Education, the governance board directs that neither the district, nor any employee of the district, shall teach or include in a course for students or employees the following discriminatory principles:

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

A "course" shall include any forum where instruction or activities tied to the instruction are provided, including training, seminars, professional development, lectures, sessions, coaching, tutoring, or any other class.

Any individual may file a complaint alleging that a violation has occurred of enumerated items 1-8 above. In order for a complaint to be accepted for investigation, it must:

- A. Be submitted in writing, signed and dated by the complainant, including complaints submitted through electronic mail that include electronic signatures;
- B. Identify the dates the alleged discriminatory act occurred;
- C. Explain the alleged violation and/or discriminatory conduct and how enumerated items 1-8 above have been violated;
- D. Include relevant information that would enable a public school to investigate the alleged violation; and
- E. Identify witnesses the school may interview. The school will not dismiss a complaint for failure to identify witnesses.

The district hereby designates the superintendent as the employee responsible for receiving complaints. Complaints may be provided via email to the superintendent. The contact information is accessible on the school district's website.

Upon receipt of a complaint, the complainant shall receive notification from the designated employee that the complaint has been received and whether it will be investigated within ten (10) days of receipt.

The school district shall investigate all legally sufficient complaints and decide as to whether a violation occurred. The school district shall receive, process and investigate complaints in the same manner as all other complaints of discrimination. The investigation process shall be completed within ninety (90) days of receipt of a claim. Within thirty (30) days of resolution of the complaint, the designated employee shall report the resolution to the State Department of Education.

No individual shall be retaliated against for (1) filing a complaint; or (2) the purpose of interfering with any right or privilege secured by federal civil rights laws and regulations. Any school employee who retaliates against a complainant may be subject to disciplinary action by the school district or by the State Board of Education.

Any teacher who files a complaint or otherwise discloses information that the teacher reasonably believes is a violation of the prohibited concepts listed above shall be entitled to Whistleblower Protections.

Any teacher or other school employee who, willfully, knowingly, and without probable cause makes a false report may be subject to disciplinary action by the school district or by the State Board of Education.

## **7. CURRICULUM AND MATERIALS USED IN SEX EDUCATION CLASS**

- A. All curriculum and materials including supplementary materials which will be used to teach or will be used for or in connection with a sex education class or program which is designed for the exclusive purpose of discussing sexual behavior or attitudes, or any test, survey or questionnaire whose primary purpose is to elicit responses on sexual behavior or attitudes shall be available through the superintendent or a designee of the school district for inspection by parents and guardians of the student who will be involved with the class, program or test, survey or questionnaire. Such curriculum, materials, classes, programs, tests, surveys or questionnaires shall include information about consent and shall have as one of its primary purposes the teaching of or informing students about the practice of abstinence. For the purposes of this section, "consent" shall have the same meaning as that provided by 21 O.S. sec. 113. The superintendent or a designee of the school district shall provide prior written notification to the parents or guardians of the students involved of their right to inspect the curriculum and material and of their obligation to notify the school in writing if they do not want their child to participate in the class, program, test, survey or questionnaire. Each local board of education shall determine the means of providing written notification to the parents and guardian which will ensure effective notice in an efficient and appropriate manner. No student shall be required to participate in a sex education class or program which discusses sexual behavior or attitudes if a parent or guardian of the student objects in writing to such participation. If the type of program referred to in this section is a part of or is taught

during a credit course, a student may be required to enroll in the course but shall not be required to receive instruction in or participate in the program if a parent or guardian objects in writing.

- B. The superintendent or a designee of a school district in which sex education is taught or a program is offered which is designed for the exclusive purpose of discussing sexual behavior or attitudes shall approve all curriculum and materials which will be used for such education and any test, survey or questionnaire whose primary purpose is to elicit responses on sexual behavior or attitudes used in the school prior to their use in the classroom or school. The teacher involved in the class, program, testing or survey shall submit the curriculum, materials, tests or surveys to the superintendent or a designee for approval prior to their use in the classroom or school. This section shall not apply to those students enrolled in classes, programs, testings or surveys offered through an alternative education program.

### **Definition of Consent**

The term "consent" means the affirmative, unambiguous and voluntary agreement to engage in a specific sexual activity during a sexual encounter which can be revoked at any time. Consent cannot be:

1. Given by an individual who:
  - a. is asleep or is mentally or physically incapacitated either through the effect of drugs or alcohol or for any other reason, or
  - b. is under duress, threat, coercion or force; or
2. Inferred under circumstances in which consent is not clear including, but not limited to:
  - a. the absence of an individual saying "no" or "stop", or
  - b. the existence of a prior or current relationship or sexual activity.

### **8. DISPLAY OF CHILD ABUSE OR NEGLECT REPORTING TELEPHONE NUMBER**

HICD shall post in a clearly visible location in a public area of each school that is readily accessible to students a sign in English and Spanish that contains the toll-free telephone number operated by the Department of Human Services.

## **SECTION C: STUDENTS AND PARENTS**

### **1. CHARACTER EDUCATION**

It is the goal of the governance board, administration, faculty, and staff to serve others by helping instill values of good character, citizenship, and moral living to our students. Our endeavor is to prepare our students to make appropriate choices for their future, so they can achieve their full potential. It is our continued goal to motivate positive behavior in students and help them develop critical thinking skills, core values, and productive choices in their lives.

## **2. PROGRAMS FOR STUDENTS WITH DISABILITIES**

The governance board believes education services for all young people should be provided in the normal environment of the school and in the least restrictive environment appropriate for meeting their educational needs. The administration and faculty will work together in evaluating students referred for testing to determine what is the least restrictive environment for that student, so each student may receive a free and appropriate public education in compliance with federal and state law. All students' confidential records will be securely stored at each school site to maintain privacy.

## **3. PROGRAMS FOR STUDENTS EXPERIENCING HOMELESSNESS**

In compliance with the McKinney-Vento Homeless Education Assistance Act, HICD shall disseminate the following Homeless Policy:

**Homeless Definition:** The federal definition of homelessness used by all public schools in the United States includes children and youth who lack a fixed, regular, and adequate nighttime residence. This definition specifically includes children and youth living in shelters, transitional housing, cars, campgrounds, motels, and sharing the housing of others temporarily due to loss of housing, economic hardship, or similar reasons. This is the same definition of homelessness used by Head Start, special education, child nutrition, and other federal family and youth programs.

**The Rights of Homeless Students:** Students who meet the definition of "Homeless" and are identified or identify themselves as such have the right to:

- Receive a free, appropriate public education;
- Enroll in school immediately, even if they lack documents normally required for enrollment (i.e., birth certificates, transcripts, vaccinations, etc.);
- Enroll in school and attend classes while the school works with the family/student to gather the needed documents;
- Enroll in the local school; or continue attending the school they last attended, if that is their preference and is possible. If the district believes that the school chosen is not in the student's best interest, a written explanation will be provided and the student has the right to appeal this decision;
- Receive transportation to and from the school of origin, if requested; and,
- Receive educational services comparable to those provided to other students, according to the student's needs.

**Identification:** Students are primarily identified at enrollment or through the school counselor. Families or students who believe that they are homeless, should identify themselves as such to the school counselor.

**Dispute Process:** If a dispute arises over school selection or enrollment, the established district dispute process shall be followed. Children have the right of enrollment until such time as there is a final resolution to the dispute.

Parents/Guardians/Students who feel that their request to enroll has been incorrectly denied or wish to contest their child's placement should be encouraged to contact the Homeless Director



for consultation. If the dispute is not resolved at this stage, they will be asked to submit their case in writing to the superintendent.

Should the final result of the district dispute process be unsatisfactory to the parent/guardian/student, they may appeal the district's final decision by contacting the State Homeless Liaison at the Oklahoma State Department of Education.

If the dispute is not resolved in a satisfactory manner at the school district level, the complaint may be brought to the OSDE. Complaints made under this process must be made in writing and signed by the complainant.

The following steps are to be taken:

- Address the complaint to the State Homeless Coordinator, Oklahoma State Department of Education, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105.
  - Include in the complaint:
  - A detailed description of the dispute
  - The name(s) and age(s) of the children involved
  - The name(s) of involved school district personnel and the district(s) they represent
  - A description of attempts that were made to resolve the issue at the school district level
- The Team Leader of the Office of Grants Planning will inform the involved school district(s) of the complaint. The team leader or team leader's designee will gather needed information including documentation and statements of the parties and may conduct an independent investigation through an on-site visit if necessary.
- Within thirty (30) days after receiving a complaint and investigating the complaint, the team leader will make a determination regarding the allegations on the complaint and will inform the parties, in writing, of the decision. The parties may mutually agree on an extension; however, every effort should be made to resolve the complaint in the shortest possible time.
- If a complainant disagrees with the decision, the complainant may, within ten (10) working days, appeal the decision to the Deputy State Superintendent of Public Instruction. This appeal must be in writing and state the reasons why the complainant disagrees with the decision.
- Within thirty (30) days after receiving the appeal, the Deputy State Superintendent of Public Instruction will render a final decision and notify the complainant and all other interested parties in writing. Although the standard procedure allows thirty (30) days for a response, every effort will be made to resolve the complaint in the shortest possible time.
- While the dispute is ongoing, the child(ren) in question must be enrolled in and attending school. If the dispute revolves around which school is the school of best interest for the child, the child shall remain in the school they currently attend until the dispute is resolved, unless arrangements already implemented allow the child to attend the school of origin.

**Homeless Liaison:** HICD's homeless liaison's duties involve training school staff in identification procedures, serving as an advocate for homeless students, assuring those homeless children are not stigmatized or segregated, ensuring transportation to/from school, removing barriers to academic and extra-curricular activities, arranging for services and arbitrating disputes that may arise.

#### **4. PROGRAMS FOR MIGRATORY STUDENTS**

HICD shall provide migratory students with appropriate educational services that address their unique needs in a coordinated and efficient manner. "Migratory child" shall mean a child who is, or whose parent(s) or spouse is a migratory agricultural worker, including a migratory dairy worker, or a migratory fisher, and who, in the preceding thirty-six (36) months, in order to obtain, or accompany such parent or spouse, in order to obtain temporary or seasonal employment in agricultural or fishing work has moved from one school district to another.

Priority for services shall be provided to those migratory children who:

1. Are failing or are at risk of failing to meet the Oklahoma Academic Standards; and
2. Whose education has been interrupted during the regular school year.

Continuation of services shall be provided by the school district to:

1. A child who ceases to be a migratory child during a school term for the remainder of the school year.
2. A child who is no longer a migratory child may continue to receive services for one (1) additional school year if comparable services are not available through other programs; and
3. Secondary school students who were eligible for services in secondary school may continue to be served through credit accrual programs until graduation.

HICD shall comply with all state and federal requirements in the implementation and expenditure of federal funds designated for the education of migratory children. Migratory children who qualify for special education services shall be provided a free, appropriate education in accordance with federal law.

#### **5. PROGRAMS FOR STUDENTS IN FOSTER CARE**

HICD is committed to provide all students with sound educational experiences. We recognize that foster children are at an increased risk of grade retention, gaps in academic achievement, low high school graduation rates, and postsecondary enrollment. These provisions promote greater stability for children in foster care so that they can continue their education without disruption, maintain important relationships with peers and adults, and have the opportunity to achieve college- and career readiness.

The educational stability includes assurances that (1) a child in foster care will remain in the child's school of origin, unless a determination is made that it is not in the child's best interest in that school and (2) if a determination is made that it is not in the child's best interest to remain in the school of origin, the child will be immediately enrolled in the school of residence, even if the child is unable to produce records normally required for enrollment.

### LEA ASSURANCES

Each placement of the child in foster care takes into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement.

The state child welfare agency will coordinate with appropriate local educational agencies to ensure that the child remains in the school in which the child is enrolled at the time of placement.

If it is not in the best interest of the child to return to the resident school, the child will immediately be provided the appropriate enrollment to HICD.

HICD will gather and maintain educational records and promptly send them to any district where the student moves.

### FOSTER CARE CHILD LIAISON (POC)

HICD will assign at least one person to serve as a Foster Care Child Liaison, or Point of Contact (POC). The name of this person will be submitted annually to the OSDE through the online Grants Management System by September 30th of each year. If additional staff members are needed to meet the requirements, the district will make assignments as deemed necessary. The Foster Child Liaison will work in the best interest of the child to ensure that all educational requirements are being met. The liaison that is assigned to the position will have access available training and materials to keep them informed of any changes in the Foster Care Regulations. The liaison will work closely with state and tribal child welfare agencies to:

- Coordinating with the corresponding child welfare agency,
- Leading the development of a process for making the best interest determination,
- Documenting the best interest determination,
- Facilitating the transfer of records and immediate enrollment,
- Facilitating data sharing with the child welfare agencies, consistent with FERPA and other privacy protocols,
- Developing and coordinating local transportation procedures,
- Managing best interest determinations and transportation cost disputes,
- Ensuring that children in foster care are enrolled in and regularly attending school, and
- Providing professional development and training to school staff on the Title I provisions and educational needs of children in foster care.

### COMMITTEE

A committee will meet to determine the appropriate placement of each foster care child. The committee will comprise of the site administrator or LEA representative, the Foster Care Liaison, and a member of the CWA. In emergency circumstances the CWA has the authority to make an immediate decision regarding the school placement, and then consult with HICD and revisit the best interest determination of the child. The determining factors that may be evaluated include:

- Proximity of the resource family home to the child's present school;
- Safety considerations;
- Age and grade level of the child as it relates to the other best interests factors;
- Needs of the child, including social adjustment and well-being;

- Child’s performance, continuity of education and engagement in the school the child presently attends;
- Child’s special educational programming if the child is classified;
- Point of time in the year;
- Child’s permanency goal and likelihood of reunification;
- Anticipated duration of the placement;
- Preferences of the child;
- Preferences of the child’s parent(s) or educational decision maker(s)
- The child’s attachment to the school, including meaningful relationships with staff and peers;
- Placement of the child’s sibling(s);
- Influence of the school climate on the child, including safety;
- Availability and quality of the services in the school to meet the child’s educational and socioemotional needs;
- History of school transfers and how they have impacted the child;
- How the length of the commute would impact the child, based on the child’s developmental stage;
- Whether the child is a student with a disability under the IDEA who is receiving special education and related services or a student with a disability under Section 504 who is receiving special education or related aids and services and, if so the availability of those required services in a school other than the school of origin; and
- Whether the child is an EL and is receiving language services, and if so, the availability of those required services in a school other than the school of origin.
- Transportation costs will not be considered when determining a child’s best interests.

In the event of a disagreement regarding school placement for a child in foster care, the child welfare agency should be considered the final decision maker in making the best interest determination. The child welfare agency is uniquely positioned to assess vital non-educational factors such as safety, sibling placements, the child’s permanency goal, and other components of the case plan. The child welfare agency also has the authority, capacity, and responsibility to collaborate with and gain information from multiple parties including parents, children, schools and the court in making these decisions.

### ENROLLMENT OF STUDENTS

Foster care parents, social workers or other legal guardians will be allowed to immediately enroll children in HICD. We understand that all necessary paperwork (birth certificates, shot records, academic records, special education records, etc.) may not be immediately available and want to provide a smooth transition for the student into our district. We will contact the home school district for the records and make adaptations as needed. After enrollment the following guardianship or legal custody documents shall be provided for verification by the foster family or CWA:

- Power of attorney
- Affidavit
- Court Order

### IDEA STUDENTS

The IDEA, Part B directs school districts must make a Free Appropriate Public Education (FAPE) available to all eligible children with disabilities in the Least Restrictive Environment (LRE). FAPE under IDEA includes the provision of special education and related services at no cost to the parents in accordance with a properly developed Individualized Education Program (IEP). Each child's placement decision must be made by a group of knowledgeable persons. HICD will operate in accordance with all state and federal laws regarding special education students. Special education services will be provided to foster care students as they are to all students following the guidelines below.

- Educational placement will be determined annually and will be based on the child's IEP in accordance with the child's individual needs
- The child will be placed in the least restrictive environment and unless they require some other arrangement, they will attend the school that they would attend if not disabled.
- Timely and expedited evaluations and eligibility determinations for highly mobile children with disabilities will be made when possible.
- Children in foster care will have access to related aids and services that are designed to meet their educational needs.
- Children will have access to comparable services including summer and extended school year services if applicable.
- Children in foster care will not be discriminated against and are considered a protected group.

### EL STUDENTS

HICD will ensure that EL students in foster care will participate meaningfully and equally in educational programs by doing the following:

- Identifying and assessing all potential EL students in a timely, valid and reliable manner;
- Provide EL students with a language assistance program that is educationally sound and proven successful;
- Sufficiently staff and support the language assistance programs for EL students;
- Ensure that EL students have equal opportunities to meaningfully participate in all curricular and extra-curricular activities;
- Avoid unnecessary segregation of EL students;
- Ensure that EL students with disabilities are evaluated in a timely and appropriate manner for special education and disability-related services and that their language needs are considered in these evaluations and delivery of services;
- Meet the needs of EL students who opt out of language assistance programs;
- Monitor and evaluate EL students in language assistance programs following federal guidelines;
- Continue to evaluate the effectiveness of school districts language assistance program and progress of each student;
- Ensure meaningful communication with the parents of the students.

### TRANSPORTATION

HICD will collaborate with the CWA to develop and implement clear written procedures governing how transportation is provided to maintain children in foster care in their schools of

origin. HICD will also work with the CWA to reach an agreement in regards to covering the transportation costs. The agreement will cover how the transportation will be provided, arranged, and funded for the duration of the child's time in foster care. Each agreement can/will vary greatly because the needs of each child should be considered in making the decision on transportation.

The regular transportation policies approved by HICD will be followed in transporting foster care students. Drivers will be appropriately licensed, certified, and with the required DMV and background checks. Various public school vehicles may be used to transport students depending on the circumstances. Students that must be transported out of state will be school board approved as required by Oklahoma law.

### STUDENT RECORDS

HICD will share education records with the CWA that are allowed by the Family Educational Rights and Privacy Act (FERPA). This allows educational agencies to disclose without parental consent educational records, including IDEA, of students in foster care to State and Tribal agencies.

## **6. PROGRAMS FOR GIFTED AND TALENTED STUDENTS**

The governance board recognizes that educational programs are necessary for gifted children as defined in Oklahoma Statutes. Therefore, it is the policy of the governance board to cooperate fully with the Oklahoma State Department of Education in identifying gifted children and in implementing appropriate educational programs. The parents or guardians of children so identified will be advised in writing of that fact and will be provided an overview of the gifted student educational programs offered at HICD. The Gifted and Talented Committee will meet a minimum of once per year.

- A. It shall be the duty of each school district to provide gifted child educational programs and to serve those children, as defined in Section 1210.301 of this title, who reside in that school district. This duty may be satisfied by:
  1. The district directly providing gifted child educational programs for such children;
  2. The district joining in a cooperative program with another district or districts to provide gifted child educational programs for such children;
  3. The district joining in a cooperative program with a private or public institution within such district; or
  4. The district transferring identified gifted and talented children to other school districts which provide the appropriate gifted child educational programs, provided, no transfer shall be made without the consent of the board of education of the receiving school district. The district in which the child resides shall provide transportation for the transferred student and pay an amount of tuition equal to the proportion of the operating costs of the program to the receiving district. Transfers authorized by this section shall be made under such rules and regulations as the State Board of Education may prescribe.

- B. Each district shall, regardless of the method used for accomplishing the duty set forth in subsection A of this section, notify in writing the parents of each child identified as gifted of the fact that the child has been so identified. The district shall also provide each such parent a summary of the program to be offered such child.
- C. Beginning with the 1994-95 school year, and each year thereafter, each board of education shall submit a plan for gifted child educational programs as defined in Section 1210.301 of this title to the State Department of Education which shall include:
  - 1. A written policy statement which specifies a process for selection and assessment of children for placement in gifted and talented programs that is consistent for grades one through twelve;
  - 2. A description of curriculum for the gifted child educational program. Such description shall demonstrate that the curriculum is differentiated from the normal curriculum in pace and/or depth and that it has scope and sequence;
  - 3. Criteria for evaluation of the gifted child educational program;
  - 4. Evidence of participation by the local advisory committee on education for gifted and talented children in planning, child identification process and program evaluation;
  - 5. Required competencies and duties of gifted child educational program staff;
  - 6. Number and percentage of students identified by the district as gifted children pursuant to subparagraph g of paragraph 2 of subsection B of Section 18-201 of this title; and
  - 7. A budget for the district gifted child educational programs.
- D. The board of education of each school district shall prepare a report which outlines the expenditures made by the district during that year for gifted child educational programs pursuant to the Oklahoma Cost Accounting System, as adopted by the State Board of Education pursuant to Section 5-135 of this title.
- E. The State Department of Education shall, after each school year, report to the President Pro Tempore of the Senate and the Speaker of the House of Representatives concerning the number of children identified for the programs, number of children served by the programs, type of programs provided, type of screening procedures utilized, cost analysis of the programs and the estimated number of gifted and talented children unserved by the programs.

## **7. PROGRAMS FOR INDIVIDUAL CAREER & ACADEMIC PLAN (ICAP)**

The governance board recognizes that educational programs are necessary for all young people to provide a plan of study to guide students through the coursework and activities for achieving personal career goals, post-secondary planning and providing individual pathway options. Therefore, it is the policy of the governance board to cooperate fully with the Oklahoma State Department of Education to provide appropriate educational programs to all students.

## **8. PROGRAMS FOR ENGLISH LANGUAGE LEARNER STUDENTS**

The governance board recognizes that educational programs are necessary for English Language Learner (ELL) students as defined in Oklahoma Statutes. Therefore, it is the policy of the governance board to cooperate fully with the Oklahoma State Department of Education in identifying ELL students and in implementing appropriate educational programs. The parents or guardians of children so identified will be advised and will be provided an overview of the ELL programs offered at HICD and appropriate accommodations based on an English Learner Academic Plan (ELAP). All students enrolling in the district will be required to have a current Home Language Survey on file.

## **9. STUDENT COUNCIL**

In order to encourage student participation in the various activities of school life and to provide an opportunity for training in democratic processes, the district authorizes the formation of a Student Council per site. This council shall not have authority to make policies or regulations for the district. The council may make recommendations to the principal on any topic of student concern. The Student Council shall not have any disciplinary authority. The administration and the Student Council shall keep channels of communication open, not only between themselves but also between all students and the council. The council is urged to choose a representative who will communicate with the principal on matters pertinent to the betterment of the school system and improvement of the educational process.

## **10. EXTRACURRICULAR ACTIVITIES**

The governance board believes each student's educational experience can be enriched, and they can be engaged in the educational process more fully by offering additional activities to their schedule after the core day. These voluntary activities will be designed to meet the varying interests of the students and will include such activities as competitive sports, academic competitions, performing and fine arts activities, and special interest clubs. The principal, with the assistance of parents and with oversight of the superintendent, shall design and ensure adequate staffing for after-school activities. All extracurricular activities are subject to the Drug Test Policy.

## **11. SCHOOL SOCIAL ACTIVITIES**

Adolescent development includes the acquisition of acceptable social skills. The governance board believes students should have the opportunity to take part in appropriate social activities with adequate parental supervision. Such activities include but are not limited to using proper dinner placement settings, social graces, interview skills, etc. The principal, with the assistance of parents and with oversight of the superintendent, shall design and ensure adequate staffing for school social activities.

## **12. FIELD TRIPS AND EXCURSIONS**

The governance board believes field trips, designed to stimulate student interest and inquiry and to provide opportunities for social growth and development, are considered appropriate extensions of the classroom. Field trips are authorized to the extent that they provide an effective



means for accomplishing general curriculum objectives of the district. Permission for trips shall be obtained from the principal with oversight of the superintendent, unless those trips are outside Oklahoma. If any such trip is outside the state of Oklahoma, the HICD Governance Board must provide permission beforehand. Students will be required to furnish a Parent's Permission Form before each trip. All students must wear their school uniforms on field trips unless faculty notifies the students that they may be out of uniform. Field Trip Permission form will be completed by the student's parent/guardian.

### **13. GUIDANCE PROGRAM**

Each site will provide a developmental guidance program, which is designed to assist students with making appropriate personal, educational, and/or vocational decisions. Parents desiring more information should contact the school counselor.

### **14. GRADING PRACTICES**

The governance board believes grades should be awarded on the basis of the achievement of the student. Grading practices should be administered in a fair, equitable, and consistent manner to students. The end result of grading practices, the grade, should reflect the cumulative achievement demonstrated by students to acquire knowledge and skills relative to a particular subject. It is the sole responsibility of the classroom teacher to assign a grade for a particular course unless that child is following an Individual Education Program (IEP). In this event, the classroom teacher, in conjunction with the special education teacher, shall assign the grade. The governance board believes criteria for grading practices should be communicated clearly to students and parents at the beginning of the course of study. The schools' grading systems can be found in their respective Student Handbooks.

### **15. STUDENT ADMISSIONS**

Admission to district's schools is on a first-come, first-served basis, subject to the priority rankings, until such time as it is required to accept applications by lottery. Regardless of priority rankings, all applications for admission must be submitted by the deadline to be considered. The priority rankings are as follows:

1. Applicants with siblings currently enrolled in ICMS or HCP and/or current ICMS students applying to HCP (pursuant to HICD's charter with OKCPS)
2. Applicants residing within the Oklahoma City Public School District (a student with an approved transfer shall be considered a student of the district)
3. Applicants residing outside of the Oklahoma City Public School District

A lottery will not affect these rankings.

Applications will be available at each school, on the district's website, and at any other designated location. They must be returned to the office of the school to which the student is applying. When the application is received, it will be given a number; the date and time it was received shall be noted on the application, and it will be photocopied.

The parent will be notified of reception of the application and if there are any deficiencies on the application; applications with deficiencies are considered incomplete. The correct priority ranking shall be noted on the application, and all information shall be entered on the database.

Applications will be accepted beginning Oct. 1 of the year prior to admission through the first Friday of the following March at 4:30 p.m. Any application received after 4:30 p.m. shall be considered late and put on a second waiting list. Should a lottery be necessary, it shall take place on the Monday following the first Friday in March for HCP and the Tuesday following the first Friday in March for ICMS (closing date of applications). The location, date, and time of any lottery shall be announced at the appropriate time.

Once a student has been enrolled in the district, that student will automatically be enrolled for each succeeding school year, provided they have complied with all application and enrollment requirements.

If a lottery is in effect, parents will be notified of their child's/ward's lottery number. The lottery number does not guarantee a seat in the class until such time as the lottery is held and that number selected. Any lottery required to be held will be conducted as follows:

1. Applicants with siblings currently enrolled in ICMS or HCP and/or current ICMS students applying to HCP will be placed in one container and drawn first.
2. Applicants residing within the Oklahoma City Public School District will be placed in a separate container and drawn second (a student with an approved transfer shall be considered a student of the district);
3. Applicants residing outside of the Oklahoma City Public School District will be placed in a third container and drawn third.

Each applicant would have received a lottery number at the time their application was received. The lottery number will be deposited into the appropriate container. Lottery numbers will be drawn by a neutral individual. All lottery numbers will be drawn so that each application will be given a numerical ranking and a waiting list may be established.

The lottery drawing will be open to the public.

The drawing will be overseen by the governance board and superintendent.

An acceptance letter will be sent to the parent of each child whose lottery number has been selected. Each parent who receives an acceptance letter for his/her child/ward will have two weeks to accept or reject an enrollment appointment in the district. Failure to respond by the deadline shall be considered a rejection; the seat will be assigned to the next child in the lottery. That child's parent will receive an acceptance letter for his/her child/ward and have two weeks to accept or reject a seat and complete enrollment in the district. Failure to respond by the deadline shall be considered a rejection; the seat will be assigned to the next child in the lottery. The process shall continue in like manner until all seats are filled. If a parent does not complete the enrollment process after accepting the seat, then such shall be considered a forfeiture of that seat and the next child in the lottery will be offered the seat. This process shall apply to each child

whose parent has accepted a seat but has not completed enrollment as required. If a lottery is not in place, then an acceptance letter will likewise be sent out for all applicants.

The fifth (5<sup>th</sup>) grade class of ICMS shall to the best of our ability be limited to 110 total students.

The ninth (9<sup>th</sup>) grade class of HCP shall to the best of our ability be limited to 160 total students.

The governance board may, in its discretion, change the student number for any grade at any duly called meeting of the board. The total number of students for all grades shall be limited only by applicable fire codes or law.

## **16. OPEN TRANSFERS**

Open Transfers shall be admitted after an opportunity has been extended to all students who are eligible as set forth in the Student Admissions section and positions in the school remain open. Open transfers may be submitted any time by completing the school application and student transfer application. A student may only complete two out-of-district transfers per school year. This limit does not include re-enrolling in your district of residence.

### **A. Acceptance of Open Transfers**

1. The school district will not accept or deny a transfer based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language, measure of achievement, aptitude or athletic ability.
2. By the first day of January, April, July and October, the governance board shall establish the number of transfer students the district has the capacity to accept in each grade level for each school site within the district.
  - a. After establishing the number of transfer students the district has the capacity to accept in each grade level for each school site within the district, it shall publish in a prominent place on the district's website the number of transfer students for each grade level for each school site within the district which the district has the capacity to accept; and
  - b. Report to the State Department of Education the number of transfer students for each grade level for each school site within a school district which the school district has the capacity to accept.
3. The school district will begin accepting applications for the next school year starting July. Receipt of applications will be documented by the district so that the district may review those applications in the order submitted for purposes of capacity limitations. The administration will not approve or deny transfers received for the next school year until after the July 1 capacity data is determined for each grade level and site within the school district.

The school district shall enroll transfer students in the order in which they submit their applications. If the number of student transfer applications exceeds the capacity of a receiving school district, as determined by subsection A (2) of this policy, the district shall select transfer students in the order in which the district received the student transfer applications.

B. Denial of Transfer can be based upon:

1. The acts and reasons outlined in Section 24-101.3 of this title;
2. A history of absence. For the purposes of this section, “history of absences” means ten or more absences in one semester that are not excused for the reasons provided for in subsection B of Section 10-105 of this title or due to illness.
3. This subsection shall be publicly posted on the school district website.

C. Transfers that have previously been approved by the school district will remain in effect for future school years unless the district denies such for reasons stated in subsection D below. The district will not require guardians to submit a new application each school year and will advance the previous application of an enrolled student amending only the grade placement of the student.

D. A student may be granted a one-year transfer and may continue to attend the school each school year to which the student transferred with the approval of the receiving district. At the end of each school year, a school district may deny continued transfer of the student for the reasons outlined in paragraphs 1 and 2 of subsection B above. Any brother or sister of a student who transfers may attend the school district to which the student transferred, if the school district gives a preference to sibling transfers regardless of capacity, as long as the school district has capacity and the brother or sister of the transferred student does not meet a basis for denial as outlined in paragraphs 1 and 2 of subsection B above.

E. If the district denies a transfer, the parent or legal guardian of the student has ten (10) days to appeal the denial to the HICD governance board. The board must consider the appeal at its next regular scheduled board meeting. If the board upholds the denial of the transfer, the parent or legal guardian may appeal the denial to the state Board of Education within ten (10) days of receiving notice of the board’s decision. The parent shall submit to the State Board of Education and HICD’s superintendent a notice of appeal on a form prescribed by the State Board of Education. The state Board of Education must consider the appeal at its next meeting, where the parent and a representative of HICD may address the Board.

F. A student who does not reside in the OKCPS boundaries and enrolls in the district will not be eligible to participate in school-related athletic competitions governed by the Oklahoma Secondary School Activities Association (OSSAA) for a period of one (1) year from the first day of attendance at the receiving school unless the transfer is from a school district which does not offer the grade the student is entitled to pursue.

If the student enrolls pursuant to the Education Open Transfer Act and qualifies for a hardship waiver pursuant to the rules of the Oklahoma Secondary School Activities Association, eligibility to participate in school-related extramural athletic competition shall be determined by the Oklahoma Secondary School Activities Association.

G. Students who receive special consideration when applying for a transfer:

1. Students with disabilities: Prior to the approval of the transfer of a child on an individualized education program (IEP), a joint IEP conference must be conducted between the district of residence and the receiving district. The receiving district must establish the availability of the appropriate staff and services prior to approving the transfer.
2. Military dependent students: A student who applies for a transfer and whose parent/guardian is an active member of the military or a member of the military reserve on active duty cannot be denied a transfer because of capacity limits.
3. Students of Teachers: A child of a parent/legal guardian employed as a “teacher” in a district may transfer into that district regardless of capacity. Teachers is defined as teachers, nurses, librarians, counselors, and administrators who are certified employees.
4. Students in foster care: Any student in foster care currently placed in a home of another student enrolled in a district may transfer to said district regardless of capacity. Additionally, students in foster care may complete any number of transfers in a given school year.
5. If the grade a student is entitled to pursue is not offered in the district where the student resides, the transfer shall be automatically approved.

## **17. ADMISSION OF STUDENTS AFTER THE BEGINNING OF THE SCHOOL YEAR**

The district offers an aggressive and challenging curriculum in all subject areas. It is the desire of the governance board to maintain consistency of instruction in all subject areas for each student. Some students who seek admission to our school after the start of the school term may find themselves at a disadvantage academically due to the inability to meet graduation requirements.

## **18. ATTENDANCE AND TARDY STATUS**

School attendance is important to the student's success. Poor attendance often results in poor achievement. Students are expected and required by Oklahoma law to attend school every day the school is in session, except on those occasions when the school has been notified the child is ill, has a family emergency, or the absence has been pre-arranged with school officials. It is the responsibility of the student to make up any work that has been missed because of an absence or tardy. One-day make-up time is allowed for each day of absence unless each teacher has made other arrangements. Excused absences may be granted to a student by the school upon request of the parent for the following reasons: illness, accident, injury, medical or dental appointments, death in the family, religious holidays, and emergency situations. A student with eight (8) absences occurring in one school semester per class - either excused or unexcused - does not receive credit for that class. Thus, the class must be repeated in a credit-recovery program.

### **ILLNESS AND EMERGENCY ABSENCES**

When a child is absent from school, the parent shall call the school to document such as an excused absence and provide a signed note on the day of the absence within five school days to be labeled as a medical, judicial, or family emergency absence.

### PLANNED ABSENCES

The attendance secretary shall be given notice from the parent in writing as far in advance as possible for absences involving religious holidays, medical or dental appointments, or family trips.

### TARDY STATUS

Students shall be charged with a tardy if they arrive to any class one (1) to five (5) minutes late or leave any class one (1) to five (5) minutes early. Leaving class one (1) to five (5) minutes early will be treated the same as being one (1) to five (5) minutes late. Failure to comply with the district's tardy policy may subject the student to discipline as reflected in the student handbook.

## **19. CODE OF CONDUCT FOR STUDENTS**

I understand that I choose my own actions and reactions to others and to situations. I also understand every choice has a positive or negative consequence. With that, I promise to the best of my ability:

- to treat myself, teachers, peers, and the school grounds and property with respect.
- to obey classroom rules set by teachers.
- to maintain a healthy lifestyle by avoiding harmful substances and behaviors.
- to refrain from profanity in speech, personal conduct, and written language while on campus or at school-sponsored events and/or activities, including travel to and from each event/activity.
- to not endanger myself or others by bringing any form of a weapon onto the school grounds or to any school-related event or activity.
- to refrain from vandalizing or misusing any school property (i.e., books, lockers, and equipment) or the facility.
- to keep my hands, feet, and objects to myself at all times.
- to take responsibility for my own education by arriving at school on time, coming to class prepared, and completing homework or assigned projects on time.
- to not engage in any form of sexual harassment activities.
- to not participate in secret societies (i.e., gangs or occult activities) on school grounds or at school-sponsored events/activities.
- to strive to exhibit behaviors that earn the respect of teachers, peers, and parents.
- to follow the school dress code.
- to follow the Code of Conduct on school grounds and at all school-sponsored events and activities.

Furthermore, I understand all consequences for misconduct are unique to students who choose to attend the district schools and this Code of Conduct may be modified by the governance board.

## **20. CODE OF CONDUCT FOR PARENTS/GUARDIANS**

I understand the district's reputation has been built, in part, on a community of caring adults and students. To maintain this level of community, we ask our families to do their best to meet these expectations. With that, I promise:

- to do my best to complete the expected hours of service to the school per academic year.
- to see that my student completes the expected hours of service to the community per academic year.
- to be a positive role model for my child(ren).
- to support my student's education via regular communication with teachers and administrators.
- to monitor my student's study habits and the completion of my student's homework and assigned projects.
- to conduct myself in a responsible and mature manner in my interactions with teachers, administrators, staff members, and students.
- to support classroom rules set by teachers.
- to refrain from profanity in speech and written language on school grounds and/or at school activities.
- to abide by school policy regarding dangerous weapons on school grounds.
- to be financially responsible for the restoration of school or district property caused by defacing, destruction, or loss of said property by my student.
- to enforce the student dress code for my student.
- to participate in parent/student continuing education when offered by the school.
- to follow the Code of Conduct while on school grounds and at school-sponsored events and activities.
- to encourage and support all academic assignments.
- to provide a quality academic environment for student to be most successful.
- to communicate to administrators any concerns about a curriculum issue or a teacher.
- to encourage my student to become his/her own self-advocate when dealing with teachers, grades, and assignments.
- to ensure my student follows all the policies and procedures of the district.

I have read the material pertinent to the vision, philosophy, and mission of the district. I understand the focus of the district is to provide an academically challenging curriculum to prepare students for post-secondary success. I agree to be a vital part of my student's education as an adult role model. I understand I have made the choice for my child to attend HICD, and the Code of Conduct may be modified by the governance board of the school.

## **21. CONSEQUENCES FOR VIOLATIONS OF CODES OF CONDUCT**

Consequences for violations, which are found in the Student Handbook, will be handled as stated in each site's handbook.

### **STUDENTS**

In developing the guidelines for consequences for violation of the Code of Conduct, it is the desire of the board to recognize the professional expertise and judgment of the administrative staff and faculty in handling violations of the Code of Conduct by students. While the board recognizes not all violations occur with malicious intent, neither should they be ignored. It is the board's desire to establish a system that underscores the board's firm belief in appropriate and positive conduct yet provides the faculty the flexibility to respond appropriately to each violation while maintaining consistency. The decision of the governance board concerning the student is final.

The following features are set forth to be utilized by the principal:

Each student is provided a copy of the Student Handbook and is expected to familiarize themselves with its contents and thereby acknowledges there exists a firm, fair, consistent and progressive disciplinary plan used by faculty to address student misbehavior inside and outside the classroom. The disciplinary code applies at all times within the school day and any school-sponsored events outside the school day. Failure to read and familiarize themselves with the handbook's provisions does not excuse any violations of or noncompliance with those provisions.)

### **PARENTS/GUARDIANS**

The ultimate success of HICD relies, to a large degree, on the continued cooperation of parents and their participation in those activities that support the school. It is also our belief the parent must support their child educationally and maintain high expectations for their child's academic achievement.

Violations of the Code of Conduct will be dealt with as follows:

1. Discussion with the principal concerning the problem.
2. Referral of the parent to the superintendent by the principal where the superintendent discusses the problem and provides one of the below offenses.
3. The parent may choose to disagree with the superintendent and be provided Due Process with the governance board in which the superintendent or his/her designee discusses the problem and the parent has an opportunity to respond. The decision of the governance board is final. The penalties do not bar the parent from the school campus or activities and events if their presence is required for a conference or emergency involving their child. The governance board may impose the following penalties for violations.

### **FIRST OFFENSE**

Parent may be barred from the school campus and all school-related activities and events for up to ten (10) school days.



### SECOND OFFENSE

Parent may be barred from the school campus and all school-related activities and events for up to thirty (30) days.

### THIRD OFFENSE

Parent may be barred from the school campus and all school-related activities and events for the remainder of the semester. If there are less than thirty (30) days left in the semester, then the ban shall include the following semester.

### FOURTH OFFENSE

Parent may be barred from the school campus and all school-related activities and events for the remainder of the school year. If there are less than thirty (30) days left in the school year then the ban shall include the following semester.

## **22. STUDENT RELEASE FROM SCHOOL**

A request for the release of a student from school during the school day will only be honored for persons authorized to seek the student's release. Students are only released to the custodial parent and the non-custodial parent with written authorization by the custodial parent and presentation of a certified copy of a legal document providing relationship to the student or certified copy of a court order or certified copy of a Department of Human Services custodial order or the custodial parent's designee. It is the responsibility of the custodial parent to notify the school of restrictions related to the release of a child. This includes, but is not limited to, divorce decrees that limit or deny access to school information. The non-custodial parent is responsible for providing a mailing address to the school. The school shall be provided, by the custodial or primary custodial parent, a certified copy of any domestic-relations separation order, domestic-relations temporary order, decree of dissolution of marriage (divorce decree) and/or victim protection order or protection order (VPO/PO) or Department of Human Services Order, dealing with custody of the child(ren), which has been filed in any Court which deals with the custodial or visitation status of the non-custodial or joint custodial parent, if not the primary custodial parent. If the court or agency order does not specify a primary custodian, then both parents must provide a copy of the order. The school will abide by the terms of said order or decree. It is the custodial parent's responsibility to provide the school with a list of authorized persons to whom their child(ren) may be released and to keep said list current. The list shall include the name, current address and telephone number of each person therein. For purposes of this section, the word parent shall encompass the words guardian and foster-parent.

## **23. STUDENT TRANSPORTATION**

It is the philosophy of the governance board to utilize state appropriated funds for expenses that directly impact student academic achievement. The district will provide reimbursement of local transit Oklahoma City bus service to any students in need of transportation to and from school. Students with a handicapping condition, and who have it stipulated in their IEP they must receive bus service, will be accommodated.

## **24. STUDENT TRANSPORTATION IN PRIVATE VEHICLES**

When students are transported to school-sponsored activities, properly inspected, registered, and insured private vehicles may be used with licensed drivers. The district will not be held responsible for the welfare of students while being transported in private vehicles. Insurance coverage is the responsibility of the owner of the private vehicle. It is the responsibility of the parent to ensure that transportation for their child(ren) is being provided in a safe and responsible fashion in the private vehicle, and the owner of the vehicle has the appropriate insurance to cover injury to passengers.

## **25. UNIFORM DRESS CODE**

The governance board embraces the philosophy that wearing a school uniform enables students to focus their attention on academics and the learning process. The governance board requires all students to wear a school-approved uniform while on school grounds and while on school field trips, unless an exception has been made. Parents are provided with a copy of the school's dress code at enrollment, and the dress code is in the Student Handbook.

## **26. OUT-OF-UNIFORM DAYS**

Periodically during the school year, students will be allowed to deviate from the uniform guidelines and wear appropriate regular clothes. The principal will determine the dates of these out-of-uniform days. Parents are provided with a copy of the school's out-of-uniform guidelines, which are found in the Student Handbook.

## **27. FRATERNITIES, SORORITIES AND SECRET SOCIETIES**

- A. HICD shall have full power and authority to regulate, control or prohibit any fraternity, sorority, secret society, club or group composed in whole or in part of students enrolled in the school district if it deems it advisable and in the best interest of the school program to do so.
- B. HICD will annually notify parents or guardians of students about clubs and organizations sponsored by or under the direction and control of the district. The annual notification about clubs and organizations shall be by means of the student handbook and by posting on HICD's website. The annual notification shall include, but is not limited to, the following information about each club or organization:
  1. Name;
  2. Mission or purpose; and
  3. Name of the faculty advisor, if known.
- C. If clubs or organizations are created or formed after the annual notification is distributed, HICD shall send additional notification to the parents or guardians containing information about the additional clubs or organizations consistent with the requirements set forth in subsection B of this policy.
- D. HICD shall provide parents or guardians of students with an opportunity to notify school administration that the parent or guardian is withholding permission for a student to join

or participate in one or more clubs or organizations. The policy shall only apply to participation in clubs and organizations that are extracurricular and shall not apply to participation in clubs and organizations that are necessary for a required class of instruction. Parents or guardians shall be responsible for preventing their student from participating in a club or organization in which permission is withheld. Parents or guardians shall also be responsible for retrieving their student from attendance at a club or organization in which permission is withheld. Nothing in this subsection shall prevent a club or organization from meeting when a student who is not authorized to be in the club or organization is present at such meeting.

E. For purposes of this policy:

1. "Clubs and organizations" means a club or organization comprised of students that is organized and meets for common goals, objectives, or purposes, and that is directly under the sponsorship, direction, and control of the school; and
2. "Competitive interscholastic activity or event" means activities held under the auspices or sponsorship of a school district that involves students enrolled in that school district competing against individuals or groups of students representing other school districts.

## **28. SEARCH OF STUDENTS, STUDENT LOCKERS AND STUDENT PROPERTY, AND SCHOOLWIDE SEARCHES**

The governance board recognizes its responsibility for the safety and welfare of the students and faculty. A search of an individual student, student property, lockers or schoolwide searches may be conducted to safeguard the educational process, preserve discipline and order, and promote the safety and security of persons and their property. A student or student's property may be searched when the student is reasonably suspected of having violated a school policy or a criminal statute or ordinance. The principal may authorize schoolwide searches, including the use of metal detection devices and drug or weapons sniffing dogs, after making the determination a schoolwide search is necessary to detect the presence of dangerous weapons, contraband or to deter potential school violence. School officials may search school property, including, but not limited to, desks and lockers, at any time. In view of the fact students do not have privacy rights on school property, lockers and desks and book bags/backpacks may be searched when there exists reasonable suspicion a violation of local, state or federal law or school policy has occurred. Items that violate local, state or federal law or school policy shall not be stored in lockers or desks. At least one witness must be present during the search of student property, locker or desk. Group or individual searches of students may be made when a student is on school premises, upon entering district property, while in transit under the authority of the school, or while in attendance of any function sponsored or authorized by the district. A person of the same gender as the student being searched shall conduct the search of an individual student. At least one witness must be present during individual student searches and the witness must be of the same gender as the person being searched. Any type of search must have appropriate authorization and be conducted by an administrator, an administrator's designee or law enforcement personnel so as to assure parents that safeguards are employed to protect the well-being and privacy of students. The students' constitutional rights will be protected in any type of search conducted.

## **29. STUDENT AND PARENT COMPLAINTS**

The governance board believes procedures should be established for student or parent complaints or concerns to be heard in a fair and equitable manner. When registering a complaint or concern, the governance board reminds all concerned that the Codes of Conduct for Parents, Faculty, and Students shall be enforced. This procedure does not include issues involving disciplinary actions. Parties are referred to the Student Handbook on the handling of disciplinary issues.

In the event of a dispute, the student and/or parent may submit a complaint by following the procedures outlined below. **Failure to follow the procedures and timelines below constitutes a waiver of the student's and/or parent's right to complain. It is recommended that all parties familiarize themselves with these procedures.**

- A. The complaint process shall begin with the affected student and/or parent submitting a written statement to the principal stating the nature of their complaint and their position for resolution of the complaint. All pertinent facts and details shall be provided in this statement – including the identification of any witnesses and/or supporting documents – in order to provide full details of the matter and assist the principal in his/her determination. The student and/or parent may provide the principal with witness statements, which must be based on the witnesses' personal knowledge. The complaint shall be signed and dated by the student and/or parent. The complaint must be submitted to the principal no later than ten (10) working days of the alleged event. The principal shall provide the student and/or parent with a written and dated acknowledgment of receipt of the complaint. This acknowledgement shall include the date and time when the student and/or parent is to meet with the principal. The principal shall meet with the student and/or parent to discuss the complaint no later than ten (10) working days after the receipt of the complaint.
- B. After discussing the complaint with the student and/or parent, reviewing the information provided and conducting an investigation, if any, the principal shall make a determination concerning the complaint and shall submit a written decision, which may contain a plan of action required to resolve the complaint, if appropriate, to the student and/or parent no later than ten (10) working days after the meeting between the principal and the student and/or parent.
- C. If the student and/or parent does not agree with the decision of the principal, the student and/or parent may appeal that decision to the superintendent by providing a written notice of appeal to the superintendent no later than ten (10) working days from the date the student and/or parent received the principal's decision. The appeal shall contain a copy of the written statements from the original complaint and a copy of the principal's written decision. The superintendent shall sign a copy of the notice of appeal acknowledging the date of their receipt of such.
  1. Upon receipt of the appeal notice, the superintendent shall schedule a meeting with the principal and the student and/or parent to discuss the issues in the appeal. The superintendent's review shall be limited to the evidence reviewed by the principal, the meeting with the principal and student and/or parent and any written statement(s)

- provided by the principal and/or student and/or parent supporting their respective positions.
2. Upon the superintendent's review of the evidence, the meeting with the principal and any written statement(s) provided by the principal and/or student and/or parent, if submitted, the superintendent shall make a decision concerning the complaint.
  3. The superintendent shall provide their decision, in writing, to the student and/or parent and principal no later than ten (10) working days after the student and/or parent provides the notice of appeal to the superintendent.
  4. The student and/or parent shall acknowledge the receipt of the superintendent's decision, acknowledging the date of their receipt of such. If the student and/or parent refuses to sign the acknowledgement, then such shall be noted. The superintendent shall confirm by email to the student and/or parent their refusal to sign the acknowledgement.
  5. The superintendent may either uphold or overturn, in whole or in part, the principal's decision. If the superintendent overturns, in whole or in part, the principal's decision, they may, in their discretion, determine that an alternate decision is appropriate, in which case the superintendent's alternate decision shall supersede the decision of the principal. If the superintendent overturns the principal's decision in part but does not enter an alternate decision, then the remaining part(s) of the principal's decision which was/were not overturned shall remain in full force and effect.

NOTE: The only exception to this process is in the case of a complaint regarding the superintendent. In that situation, the same procedures and timelines must be followed but with the following changes to the text: the word "principal" shall be replaced with "superintendent" and the word "superintendent" shall be replaced with "governance board" or "governance board president" as appropriate.

#### GOVERNANCE BOARD

If the parent/guardian and superintendent are not able to reach a resolution of the complaint or grievance, then in that event the parent/guardian shall have the right to present their complaint or grievance to the governance board for its review and decision. The parent/guardian and superintendent shall reduce their inability to resolve the complaint or grievance to writing which they will sign and date.

In order to effectuate their right to present their complaint or grievance to the governance board, they shall notify the president of the board of their request to do so within ten (10) days of the date of the above signed and dated writing that the complaint or grievance was not resolved. Failure to do so will result in a waiver of their right to present their complaint or grievance to the governance board, in which case the decision of the superintendent shall become final, unless good cause is shown for the failure to comply with the notification requirement.

Upon the board president's receipt of the parent's/guardian's notification, the board will review all of the information or documentation presented by the parent/guardian to the superintendent

during their meeting and any information or documentation relied upon by the superintendent in response to the complaint or grievance. The parent/guardian shall be given the opportunity to address the board and have witnesses testify on their behalf as to the issues contained in the complaint or grievance. The superintendent may testify as to the issues contained in the complaint or grievance and have witnesses testify on their behalf. The governance board may question the parent/guardian, witnesses, and /or superintendent to clarify facts and information.

Upon the close of all testimony and evidence, the governance board shall excuse the parent, student, witnesses, and superintendent and proceed to discuss the matter and review the information and testimony in executive session, if such need complies with the Oklahoma Open Meetings Act and, if not, such discussion shall be in open session. The board shall vote on the disposition of the issues in open session. The decision of the board shall be final.

#### **DISPOSITION OF EVIDENCE NOT PRESENTED TO THE SUPERINTENDENT**

The governance board will only review the evidence which was presented to the superintendent, and no new evidence shall be considered unless good cause is shown for the failure to include such during the meeting with the superintendent. If new evidence is accepted for submission by the board, then the other party shall be given a reasonable amount of time to present evidence on their behalf before the board renders its decision.

### **30. COMMUNITY SERVICE PROGRAMS**

The governance board views the community service component of our students' education as a means of developing awareness by our students of their role in the community. While at ICMS, students will participate in schoolwide community service projects and at HCP the service component will be expanded to be individualized for each student. This requirement of a designated number of hours of approved community service or completion of a student-designed and faculty-approved project providing some service or assistance to a member or members of the Oklahoma City community expected to satisfy the district high school graduation requirements. The Board hopes to instill an attitude of responsibility toward their community and a sense of ownership in that community. Community service is one method of developing skills in collaborative work, strategic planning, assessment of outcomes, negotiating skills, and communication skills. Therefore, the governance board believes age-appropriate community service projects are an asset to the curriculum. The governance board believes students must be aware they are representatives of and ambassadors for their school as they work in the community. Students must be capable of carrying out the community service without endangering their academic achievement. Students will be expected to maintain their grades, attend classes and recognize the activity to which they are volunteering their services is secondary to their primary goal of receiving an education. Failure to comply with the school's volunteer policy may subject the student to discipline as reflected in the Student Handbook.

### **31. PARENT VOLUNTEER PROGRAM**

The governance board believes a parent's participation in the education of their child is one of the most important aspects of a child's educational success. Parental participation in the education process is at the core of our school's foundation. Therefore, the governance board has established a Parent Volunteer Program to provide parents with various activities and projects to

assist the school, to support their child's education, and to reduce the overall operational costs of the school. Participation in the Parent Volunteer Program is expected for each family who enrolls a child in the school.

Each family is encouraged to complete parent hours of volunteer time per school year that is noted in the Student Handbook. The principal shall outline the awarding of volunteer hours for tasks. It is the duty of the parent to maintain his/her own records. The office shall have available for each family "time sheets" to write down the type of task performed, the time involved in completing the activity or to indicate the money spent on purchasing items to complete the activity or to aid in the classroom. If a family member or other relative, other than the student, wishes to participate in a volunteer activity on behalf of the parent, then those hours of volunteer time shall be counted toward the family's volunteer time. A parent shall receive one hour of volunteer credit for the expenditure of \$20.00 towards materials used in completing a volunteer task.

### **32. PARENT ORGANIZATIONS**

The governance board recognizes the establishment of a parent organization per school site is necessary to serve the needs of the district, the faculty, and the administration. School parent organizations shall be responsible for establishing any necessary committees with the approval of the principal. No such organizations may be formed or established until it is approved by the governance board.

### **33. STUDENT PUBLICATIONS**

Publications sponsored or funded by each school shall be known as student publications and exist as a laboratory tool to teach writing and journalistic skills. Newspapers represent the entire school community and should present various points of view and follow the recommended newspaper code for schools. It shall be the duty of the sponsoring teacher, as the principal's representative, to review material and to make editorial decisions regarding the appropriateness of each item.

## **SECTION D: COMPETITIVE SPORTS AND ACTIVITIES**

### **1. SPORTS AND ACTIVITIES**

The governance board recognizes the role that competitive sports and activities play in the physical and social development of the high school student. In order to foster school spirit, physical development, self-esteem, a competitive and team spirit, as well as positive attitudes toward healthy lifestyles, students at the district are encouraged to take part in many of these activities offered by the district. All coaching staff shall be in compliance with OSSAA guidelines and all required trainings that include Care and Prevention, Concussions, and Sudden Cardiac Arrest. Although we seek to participate in OSSAA competitions, it is recognized that some games for some sports may have to be scheduled outside of OSSAA member schools. All students participating in these sports or activities shall have a permission form on file, signed by

their parent, as well as a current physical evaluation form on file. The district shall not be liable for any injuries, losses, or damages resulting from participation in any of these activities.

1. Dates for practices and games shall be set in accordance with OSSAA Guidelines. Students who wish to participate in any sport or activity shall submit to a grade check on a weekly basis pursuant to OSSAA guidelines. If the student is ineligible to play or participate, as a result of the grade check then the student shall be held out for the game/activity in question. The student will be readmitted to participate in the next game or activity if the principal has determined the student has improved his/her grades to a satisfactory level according to the Student Handbook.
2. Students on academic or behavior probation shall not participate in games or activities while on probation.
3. Students that have missed more than half of the academic day shall not participate in games or activities until the following academic day if the absence was unexcused.
4. Students may not miss more than ten days for school-sponsored activities. Each sponsored activity may only schedule a maximum of five days for activities during the school's normal operational hours, unless OSSAA regional and/or state activities.
5. Parents agree to bear the additional costs of equipment and/or uniforms or other costs the activity may require.
6. Faculty may receive additional compensation for coaching in accordance with OSSAA rules.

## **2. PRACTICE SCHEDULING**

Practices for various sports or activities should be scheduled so as not to interfere or disrupt the learning process.

- A. Students who are involved in tutoring or other after school educational counseling shall not be penalized for missing or being late to practice. However, the student is required to notify the coach of their absence in advance.
- B. Parents are responsible for student transportation to practices off campus and to pick students up immediately after each practice.
- C. A schedule of practices shall be posted as soon as possible by the coach/faculty.

## **3. TRANSPORTATION TO PRACTICES, GAMES AND EVENTS**

The governance board reminds parents of their obligation to provide transportation for their child both to and from practices and games.

- A. Parents may form carpools to provide transportation to and from practices and games.
- B. The district shall not be held liable for the welfare of students while being transported to and from practices and games in private vehicles.



- C. Consistent failure to pick up a student immediately after a practice may result in that child being declared ineligible for play or practice.

#### **4. SPORTS-RELATED HEAD INJURIES**

It is the policy of the district that any student-athlete who is removed from a sporting competition or event, including practices, by a referee or member of the coaching staff due to a head trauma, resulting in a possible concussion, must obtain a release from a medical doctor before being allowed to participate in any practices or games, including the game from which they were removed. The exception to this policy is if a licensed medical practitioner, such as a medical or osteopathic doctor, is present at said sporting event and can clear (which shall be in writing) the player during the contest, then said player may continue his/her participation.

A. As defined in this act:

1. "Athlete" means a secondary-school-age individual who is participating in a sport which is individual- and/or team-based, outside of school or within school and either competitive or in an organized practice; and
2. "Health care provider" means an individual who is registered, certified, licensed or otherwise recognized by the state to provide medical or psychological treatment and who is trained and experienced in the evaluation, management and care of concussions.

B. The State Department of Health shall create a concussion management section on its website to provide the guidelines necessary for each school district board of education and youth sports organization to develop their own policies and procedures pertaining to, but not limited to:

1. A concussion and head injury information sheet for game officials, team officials, athletes, parents or guardians and other persons having care or charge of athletes of the signs and symptoms of concussion or head injury and the risk of continuing to practice or compete in an athletic event or activity after sustaining a concussion or head injury;
2. "Return to Learn" guidelines for teachers and relevant school personnel pertaining to athletes who are returning to the classroom after sustaining a concussion or head injury;
3. "Graduated Stepwise Return to Athletic Participation" guidelines for team officials pertaining to athletes returning to practice or competition after a concussion or head injury; and
4. Links to one or more free online concussion training programs as provided by the Centers for Disease Control and Prevention (CDC), the National Federation of State High School Associations (NFHS) or a comparable program or resource.

The Department shall periodically review the guidelines and update it accordingly.

C. Each school district board of education and youth sports organization or association shall develop policies and procedures pursuant to subsection B of this section to inform and educate their respective coaches, game officials, team officials, athletes and their parents

or guardians of the nature and risk of concussion and head injury, including continuing to play after concussion or head injury. On an annual basis, information regarding concussion and head injuries shall be disseminated to the athlete and his/her parent or guardian. Acknowledgment and understanding of the information shall be completed by the athlete and the athlete's parent or guardian and maintained by the school or the youth sports organization or association prior to the athlete's participation in practice or competition.

1. On an annual basis, game officials and team officials shall undergo concussion training provided by the CDC, the NFHS or a comparable program or resource. A record of completion of the training course shall be readily available upon request.
  2. If any game official or team official responsible for the care and safety of an athlete in an athletic event becomes aware or suspects an athlete is exhibiting signs, symptoms or behaviors consistent with having sustained a concussion or head injury, they shall remove the athlete from the practice or competition.
  3. If an athlete is removed from practice or competition as provided in paragraph 2 of this subsection, the athlete shall not, on the same day the athlete is removed, be permitted to return to that practice or competition or to participate in any other practice or competition, unless deemed eligible pursuant to the provisions of paragraph 4 of this subsection.
  4. An athlete who has been removed from participation as provided in paragraph 2 of this subsection may not participate until the athlete is evaluated by a health care provider and receives written clearance to return to participation from that health care provider. The health care provider may be a volunteer. A health care provider, game official or team official, whether volunteer or employee, shall not be liable for civil damages for injury, death or loss to person or property allegedly arising from any act or omission in providing services or performing duties unless the acts or omissions constituting gross negligence or willful or wanton misconduct.
- D. Respective governing boards shall establish the following minimum penalties for a violation of paragraph 2 of subsection C of this section for those individuals set forth in paragraph 1 of subsection C of this section:
1. First violation shall be additional concussion recognition and management education as predetermined by the governing board;
  2. Second violation shall be suspension from the sport until appearance before the governing board; and
  3. Monetary fines shall not be considered as a penalty.
- E. The Department shall promulgate rules necessary to implement the provisions of this act.

## **5. SUDDEN CARDIAC ARREST PREVENTION**

- A. As used in this policy activity" means any sport sanctioned and offered in grades seven through twelve by a school district.

- B. HICD shall post on its publicly accessible websites guidelines and other relevant materials to inform and educate students participating in or desiring to participate in an athletic activity, their parents and their coaches about the nature and warning signs of sudden cardiac arrest, including the risks associated with continuing to play or practice after experiencing one or more symptoms of sudden cardiac arrest, including unexplained fainting, difficulty breathing, chest pains, dizziness and abnormal racing heart rate.
- C. A student participating in or desiring to participate in an athletic activity and the student's parent or guardian shall, each school year and prior to participation by the student in an athletic activity, sign and return to HICD an acknowledgement of receipt and review of a sudden cardiac arrest symptoms and warning signs information sheet.
- D. HICD may hold an informational meeting prior to the start of each athletic season for all ages of competitors regarding the symptoms and warning signs of sudden cardiac arrest. In addition to students, parents, coaches and other school officials, informational meetings may include physicians, pediatric cardiologists and athletic trainers.
- E. A student who collapses or faints without a concurrent head injury while participating in an athletic activity shall be removed by the coach from participation at that time.
- F. A student removed or prevented from participating in an athletic activity pursuant to paragraph E, herein, shall not return to participation until the student is evaluated and cleared for return to participation in writing by a health care provider defined as a person who is licensed, certified, or otherwise authorized by the laws of this state to practice a health care or healing arts profession or who administers health care in the ordinary course of business.
- G. Once each year, a coach of an athletic activity shall complete the sudden cardiac arrest training course offered by a provider approved by the State Department of Health. A coach of an athletic activity shall not coach the athletic activity until the coach completes the training course required under this subsection.
- H. Nothing in this policy shall be construed to create, establish, expand, reduce, contract or eliminate any civil liability on the part of any school or school employee.

## **6. VEHICLE USAGE**

If the school provides a bus for transportation to events, the individual who will be driving the bus must be a school employee or recognized school coach with a current Commercial Driver's License (CDL) with P & S endorsements and who is listed on the school's insurance as a designated driver.

If the school provides a vehicle for transportation to events, the individual who will be driving the bus must be a school employee or recognized school coach who is listed on the school's insurance as a designated driver.

Any school activity which seeks to use a school provided bus or vehicle must complete the Field Trip Permission Form. Priority for usage will be given by date and time the Vehicle Usage Form is returned to the school office. The principal and/or designee is the only person authorized to permit use of the bus or vehicle. The parties who check out the bus or vehicle will be responsible

for following all of the school bus or vehicle checklist posted inside of the bus or vehicle before and after usage. It is understood the bus or vehicle fuel tank will always be full, and each party checking it out is responsible to return with a full tank. Such expense will be reimbursed by the appropriate activity account. Students and all persons utilizing the bus or vehicle are expected to follow the school discipline code while in transit.

## **7. RILEY BOATWRIGHT ACT (RILEY'S RULE)**

It is the policy of the district to coordinate with the emergency medical services provider that serves the area in which the school district is located to develop a plan for emergency medical services at athletic events or activities held at the school district facilities. The governance board gives authority to the superintendent to establish and create such plan to serve for each individual school site.

- A. The Emergency Action Plan shall:
  - 1. Include maps and directions with appropriate contact information for emergency medical services;
  - 2. Assign a medical administrator who is a current school employee such as a coach, administrator or athletic director;
  - 3. Define responsibilities and personnel on-site, both medical and school officials;
  - 4. Include a list of medical equipment available and location of the nearest automated external defibrillator, if available;
  - 5. Be posted in each facility;
  - 6. Be distributed to all school officials involved in athletic practices, events or activities held at school district facilities; and
  - 7. Specify documentation actions after any emergency to evaluate for debriefing purposes and to determine if there are necessary changes to the Emergency Action Plan.
- B. The Emergency Action Plan shall be reviewed, updated and rehearsed annually with school officials and local emergency medical services providers, and placed on file with the school district and the emergency medical services provider. The Emergency Action Plan shall be updated to reflect any potential significant change that would affect implementation of the plan.
- C. Prior to each athletic event or activity where there are athletes participating from visiting schools, the Emergency Action Plan shall be digitally transmitted to the visiting school administrator or coach or posted on the school's website.

## **SECTION E: HEALTH AND SAFETY**

### **1. SAFETY**

It is the policy of the district to provide the students and staff with a safe and worry-free environment. Safety awareness and the prevention of accidents are important goals of the district.

Attention will be given to the following areas:

1. Supervision of students in school buildings and on school grounds.
2. A safe school environment.
3. Observation of safe practices, including activities which may consist of special hazards.

Faculty and staff will monitor students for a safe and secure school atmosphere. Students will follow the rules and procedures that specifically address safety of themselves and others.

Students are to remain on school grounds before and after school, unless specified by faculty and/or parents. Written permission or notification from a parent or guardian is necessary for students to leave the school grounds during the school day. A parent must be present before a student will be allowed to leave school property. A parent may designate another individual to be present, provided the parent provides the name, address and telephone information of said individual in writing to the school and completes the appropriate permission form.

Students who do not have their own vehicles shall be picked up from the school no later than thirty minutes after the school day has concluded, unless they are participating in or watching a school-sponsored event or activity on the school grounds, in which case the students shall be picked up immediately upon the conclusion of the event or activity.

Students who have their own vehicles shall leave the school grounds no later than thirty minutes after the school day has concluded, unless they are participating in or watching a school-sponsored event or activity, in which case they shall leave the school grounds immediately upon the conclusion of the event or activity. The intent is that no students, in normal circumstances, shall remain on the school's grounds longer than thirty minutes after school unless attending a school event or activity, including academic assistance.

### **2. SAFE AND HEALTHY SCHOOL COMMITTEE**

A goal of HICD is to maintain emotionally and physically safe and healthy environments for students, employees and visitors to the district. Specific governance board policies address the various issues involved in creating and sustaining safe and healthy environments. The focus of this policy is upon 1) Healthy and Fit School Advisory and Safe School Committees (referred to as the Safe/Healthy School Committee) and 2) Communications with faculty with regard to students with a history of violence.

*SAFE/HEALTHY SCHOOL COMMITTEE.*

- A. In accordance with state law, HICD has established that each school site shall select a single committee to perform the functions of both the Healthy and Fit School Advisory Committee and the Safe School Committee.
- B. The Committee will have at least seven members and shall be composed of teachers, parents of enrolled students, health care professionals\*, administrators\*, business community representative\*, and a school official who participates in the investigation of reports of bullying.
- C. The Committee will be selected no later than September 1 of each school year and meet at least one time prior to October 1.
- D. The committee will shall assist the school board in promoting a positive school climate through planning, implementing and evaluating effective prevention, readiness and response strategies, including the required policy stated in the Student Bullying Discipline Policy Requirements section, herein, and study and make written recommendations to the school principal with regard to:
  - 1. Health Issues
  - 2. Health education
  - 3. Physical education and physical activity
  - 4. Nutrition and health services
  - 5. Safety Issues
  - 6. Unsafe conditions, possible strategies for students, faculty and staff to avoid physical and emotional harm at school, student victimization, crime prevention, school violence, and other issues that prohibit the maintenance of a safe school;
  - 7. Student harassment, intimidation, and bullying at school;
  - 8. Professional development needs of faculty and staff to implement methods to decrease student harassment, intimidation, and bullying.
  - 9. Methods to encourage the involvement of the community and students, the development of individual relationships between students and school staff, and use of problem-solving teams and resources that include counselors and other behavioral health and suicide resources within or outside the school's system; and/or school psychologists.; and
  - 10. Professional development needs of faculty and staff to recognize and report suspected human trafficking.
- E. In its considerations, the Safe School Committee shall review the district policy for the prevention of bullying and the list of research-based programs appropriate for the prevention of bullying of students at school compiled by the State Department of Education. In addition, the Committee may review traditional and accepted bullying prevention programs utilized by other states, state agencies, or school districts.
- F. The Safe School Committee may study and make recommendations to the school district board of education regarding the development of a rape or sexual assault response program that may be implemented at the school site.

- G. Each committee team is to forward a copy of its committee report to the principal and superintendent. The superintendent's administrative team will examine site-level committee reports as a source of input for the review and revision of district plans and procedures and/or recommendations for policy or other specific governance board action.

### **3. STUDENT BULLYING DISCIPLINE POLICY REQUIREMENTS**

- A. This policy is for the discipline of all students attending school in the district, and for the investigation of reported incidents of bullying. The policy shall:
1. Specifically address bullying by students at school and by electronic communication, if the communication is specifically directed at students or school personnel and concerns bullying at school;
  2. Contain a procedure for reporting an act of bullying to a school official or law enforcement agency, including a provision that permits a person to report an act anonymously. No formal disciplinary action shall be taken solely on the basis of an anonymous report;
  3. Contain a requirement that any school employee that has reliable information that would lead a reasonable person to suspect that a person is a target of bullying shall immediately report it to the principal or a designee of the principal;
  4. Contain a statement of how the policy is to be publicized including a requirement that:
    - a. an annual written notice of the policy be provided to parents, guardians, staff, volunteers and students, with age-appropriate language for students,
    - b. notice of the policy be posted at various locations within each school site, including but not limited to cafeterias, school bulletin boards, and administration offices,
    - c. the policy be posted on the website for the school district and each school site that has a website, and
    - d. the policy be included in all student and employee handbooks;
  5. Require that appropriate school district personnel involved in investigating reports of bullying make a determination regarding whether the conduct is actually occurring;
  6. Contain a procedure for providing timely notification to the parents or guardians of a victim of documented and verified bullying and to the parents or guardians of the perpetrator of the documented and verified bullying;
  7. Identify by job title the school official responsible for enforcing the policy;
  8. Contain procedures for reporting to law enforcement all documented and verified acts of bullying which may constitute criminal activity or reasonably have the potential to endanger school safety;

9. Require annual training for administrators and school employees as developed and provided by the State Department of Education in preventing, identifying, responding to and reporting incidents of bullying;
  10. Provide for an educational program as designed and developed by the State Department of Education and in consultation with the Office of Juvenile Affairs for students and parents in preventing, identifying, responding to and reporting incidents of bullying;
  11. Establish a procedure for referral of a person who commits an act of bullying to a delinquency prevention and diversion program administered by the Office of Juvenile Affairs;
  12. Address prevention by providing:
    - a. consequences and remedial action for a person who commits an act of bullying,
    - b. consequences and remedial action for a student found to have falsely accused another as a means of retaliation, reprisal or as a means of bullying, and
    - c. a strategy for providing counseling or referral to appropriate services, including guidance, academic intervention, and other protection for students, both targets and perpetrators, and family members affected by bullying, as necessary;
  13. Establish a procedure for:
    - a. the investigation, determination and documentation of all incidents of bullying reported to school officials,
    - b. identifying the principal or a designee of the principal as the person responsible for investigating incidents of bullying,
    - c. reporting the number of incidents of bullying, and
    - d. determining the severity of the incidents and their potential to result in future violence;
  14. Establish a procedure whereby, upon completing an investigation of bullying, a school may recommend that available community mental health care, substance abuse or other counseling options be provided to the student, if appropriate; and
  15. Establish a procedure whereby a school may request the disclosure of any information concerning students who have received mental health, substance abuse, or other care pursuant to paragraph 14 herein that indicates an explicit threat to the safety of students or school personnel, provided the disclosure of the information does not violate the requirements and provisions of the Family Educational Rights and Privacy Act of 1974, the Health Insurance Portability and Accountability Act of 1996, of Title 12 of the Oklahoma Statutes, of Title 59 of the Oklahoma Statutes, or any other state or federal laws regarding the disclosure of confidential information.
- B. In developing the policy, the governance board shall make an effort to involve the teachers, parents, administrators, school staff, school volunteers, community representatives, local law enforcement agencies and students. The students, teachers, and parents or guardian of every child residing within the district shall be notified by the



governance board of its adoption of the policy and shall receive a copy upon request. The district policy shall be implemented in a manner that is ongoing throughout the school year and is integrated with other violence prevention efforts.

- C. The teacher of a child attending a HICD shall have the same right as a parent or guardian to control and discipline such child according to district policies during the time the child is in attendance or in transit to or from the school or any other school function authorized by the district or classroom presided over by the teacher.
- D. Except concerning students on individualized education plans (IEP) pursuant to the Individuals with Disabilities Education Act (IDEA), P.L. No. 101-476, the State Board of Education shall not have authority to prescribe student disciplinary policies for HICD or to proscribe corporal punishment in HICD. The State Board of Education shall not have authority to require HICD to file student disciplinary action reports more often than once each year and shall not use disciplinary action reports in determining a HICD's or its school site's eligibility for program assistance including competitive grants.
- E. The governance board shall have the option of adopting a dress code for students enrolled in the school district. The governance board shall also have the option of adopting a dress code which includes school uniforms.
- F. The governance board shall have the option of adopting a procedure that requires students to perform campus-site service for violating the district's policy.
- G. The State Board of Education shall:
  - 1. Promulgate rules for periodically monitoring school districts for compliance with this section and providing sanctions for noncompliance with this section;
  - 2. Establish and maintain a central repository for the collection of information regarding documented and verified incidents of bullying; and
  - 3. Publish a report annually on the State Department of Education website regarding the number of documented and verified incidents of bullying in the public schools in the state.

#### **4. HARASSMENT**

It is the policy of the district to prohibit harassment upon the basis of religion, race, ethnicity, gender, sexual orientation, or disability, handicap, sex, color, national origin or age from occurring in the workplace or any other place where a sponsored event takes place. The purpose of this policy is not to regulate personal morality, or to encroach on employees' personal lives, but to demonstrate the district's commitment to maintaining a workplace environment that is free of harassment of and by its employees. It is the responsibility of all management and all employees to ensure this policy is understood, implemented, and adhered to without exception.

##### **DEFINING HARASSMENT**

Unwelcome verbal, physical, or visual conduct may constitute harassment when:

- A. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment with the district;

- B. Submission to or rejection of such conduct by an employee is used as the basis for an employment decision affecting that employee;
- C. Such conduct has the purpose or the effect of unreasonably interfering with an employee's work performance, or of creating an intimidating, hostile, or offensive work environment;
- D. It demeans, embarrasses, or humiliates, regardless of reason or purpose.

Harassment may include such actions as: repeated offensive or unwelcome verbal comments, jokes, or innuendo, words or gestures used to describe a person or depict a situation, or the display of offensive objects or pictures.

#### HARASSMENT INVESTIGATION AND REMEDIATION

If an employee believes they have experienced harassment, or believes they have witnessed harassment, that employee shall immediately notify an administrator or governance board member with whom the employee feels most comfortable in discussing the matter. If the matter is in regards to the superintendent, the governance board member will direct the information to the governance board president.

A designee of the administration or governance board will promptly investigate all reports of harassment. This information will be kept confidential by the investigator and will only be reported to the governance board or its legal representative if needed.

If an investigation confirms that harassment has occurred, the governance board will take appropriate corrective action which may include but not be limited to, a verbal reprimand, an official memorandum in an employee's personnel file, salary adjustment, suspension with or without pay, or termination of the offending employee.

No employee shall be subject to employment-based retaliation, intimidation, or discipline as a result of making a complaint of harassment. However, disciplinary action up to and including termination also may be taken against anyone who knowingly makes a false, meritless, or malicious claim of harassment.

### **5. PROGRAMS FOR CPR TRAINING**

The governance board recognizes that educational programs are necessary for students to receive instruction in CPR incorporating psychomotor skills training and awareness of the purpose of an AED at least once in high school as defined in Oklahoma Statutes. Therefore, it is the policy of the governance board to cooperate fully with the Oklahoma State Department of Education to provide such training to all high school students before graduation. Students may be opted out of such requirement only if written consent is provided by the guardian.

### **6. CPR CERTIFIED STAFF MEMBERS**

The governance board recognizes the importance of training staff members in CPR and Heimlich maneuver as defined in Oklahoma Statutes. Therefore, it is the policy of the governance board to cooperate fully with the Oklahoma State Department of Education in ensuring each school site

has at least one certified staff member and one noncertified staff member fully trained and certified in CPR and the Heimlich maneuver.

## **7. PROHIBITION OF TOBACCO, VAPING AND NICOTINE PRODUCTS**

The governance board recognizes the use of tobacco, vapor and nicotine products is harmful to health. All students and employees have the right to freedom from tobacco, vapor and nicotine products and their use. In order to provide a safer school environment for students and employees, the use of a tobacco, vapor and/or nicotine products shall be prohibited in or on HICD property, school vehicles, and at district sponsored or sanctioned events or activities at all times.

As used in this policy:

1. "Chewing tobacco" means any Cavendish, twist, plug, scrap, and any other kinds and forms of tobacco suitable for chewing;
2. "Educational facility" shall mean any property, building, permanent structure, facility, auditorium, stadium, arena or recreational facility owned, leased or under the control of a public school district or private school located in the state. For purposes of this act, a public school district shall not include a technology center school district;
3. "School vehicle" means any transportation equipment or auxiliary transportation equipment as defined in the Oklahoma Statutes;
4. "Smoking tobacco" shall mean any granulated, plug cut, crimp cut, ready rubbed, and any other kinds and forms of tobacco suitable for smoking in a pipe or cigarette;
5. "Tobacco product" shall mean any bidis, cigars, cheroots, stogies, smoking tobacco and chewing tobacco, however prepared. Tobacco products shall include any other articles or products made of tobacco or any substitute thereof; and
6. "Vapor product" shall mean noncombustible products, that may or may not contain nicotine, that employ a mechanical heating element, battery, electronic circuit or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form. "Vapor products" shall include any vapor cartridge or other container with or without nicotine or other form that is intended to be used with an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or similar product or device and any vapor cartridge or other container of a solution, that may or may not contain nicotine, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo or electronic device. "Vapor products" do not include any products regulated by the United States Food and Drug Administration under Chapter V of the Food, Drug and Cosmetic Act.

## **8. USE OF MEDICAL MARIJUANA**

The district will not regulate or take any adverse action against an employee for holding a medical marijuana license. The school district may take action against an employee who possesses a medical marijuana license if the employee uses or possesses marijuana while at school or during the hours of employment.

Students whose medical condition requires the use of medical marijuana are allowed to access and utilize marijuana in accordance with state law. School personnel are not legally permitted to administer medical marijuana to students. The district will provide a private location for a caregiver to administer medical marijuana to students at school. Oklahoma law limits who may act as a caregiver and any caregiver will have a medical marijuana license designating them to act on behalf of a student. The caregiver is responsible for bringing the medical marijuana to the qualifying student and promptly removing the medical marijuana from the premises after consumption or use.

Upon arriving at school, the caregiver will follow district protocol with regard to check in and departure.

There will be no smoking on school premises of any substance 24/7 in accordance with the state's no smoking act. At no time will marijuana be grown or stored on school premises.

School employees will not under any circumstances:

- a. Assist students in obtaining or using medical marijuana;
- b. Store medical marijuana for students;
- c. Take and/or use a student's medical marijuana;
- d. Serve as a student's designated caregiver, unless the student is the child or in the legal custody of the employee.

The district reserves the right to discipline employees or students who fail to adhere to Oklahoma law and/or the requirements of this policy. Such disciplinary action will be addressed in accordance with the student discipline code and/or the standards of conduct for employees. Employees may be subject to termination or non-reemployment.

If a student has specific procedures regarding medical marijuana that are written into the student's Individualized Education Program (IEP) and such procedures are consistent with state and federal law, those provisions will take precedence over this policy.

Should the federal government declare that federal funds provided to the district are jeopardized by this policy or asks the district to cease and desist the implementation of this policy, this policy shall be suspended immediately and the district will comply with any federal guidance and/or directives related to this policy.

## **9. REPORTING OF STUDENTS UNDER THE INFLUENCE OF CERTAIN PROHIBITED SUBSTANCES AND WRITTEN POLICY PROVIDED TO TEACHERS**

- A. Whenever it appears to any teacher that a student may be under the influence of low-point beer, alcoholic beverages or a controlled dangerous substance, that teacher shall report the matter, upon recognition, to the school principal or their designee. The principal or designee shall immediately notify the superintendent or his/her designee and a parent or legal guardian of the student of the matter.

- B. No officer or employee of the district or member of the governance board shall be subject to any civil liability for any statement, report, or action taken in assisting or referring for assistance to any medical treatment, social service agency or facility or any substance abuse prevention and treatment program any student reasonably believed to be abusing or incapacitated by the use of low-point beer, alcoholic beverages or a controlled dangerous substance unless such assistance or referral was made in bad faith or with malicious purpose. No such officer or employee of the district, member of the governance board, or school shall be responsible for any treatment costs incurred by a student as a result of any such assistance or referral to any medical treatment, social service agency or facility, or substance abuse prevention and treatment program.
- C. HICD shall deliver to each classroom teacher a written policy that such teachers shall follow if they have a student who appears to be under the influence of low-point beer, alcoholic beverages or a controlled dangerous substance in their classroom. The written policy shall be developed by the superintendent and adopted by the governance board. The provisions of paragraph A of this-policy shall be the minimum requirements of such written policy.

## **10. MEDICAL EMERGENCIES**

Any medical emergency that may occur on school property will be dealt with in the most sensitive manner and with the welfare of the individual in mind. Outside emergency treatment will be summoned if necessary, and parents will be notified using the emergency numbers they have provided. Parents are highly encouraged to provide three (3) emergency telephone numbers in case a student becomes ill or has an accident or injury at school or at school events and/or activities, regardless of location. The designated person will provide first aid and attempt to notify a parent as soon as possible. If the school cannot reach a parent in an extreme medical emergency, emergency medical services shall be called. Expenses for the emergency care will be the responsibility of the parent. The district strongly urges all parents to immediately update notification numbers when a change occurs. Parents shall provide, in writing, a list of individuals to contact if they are not available and who are permitted to make medical decisions on behalf of their child.

Parents shall provide the school with all necessary information about their child, including but not limited to notification of any allergy conditions, food or otherwise.

Parents shall provide the school with the proper and legal HIPAA release of medical information documents permitting school personnel to discuss their child's medical/health issues with necessary parties, including those persons the parent includes on the above-referenced list.

## **11. DISASTER/CRISIS PLANS**

In order to maintain a calm and secure environment for students and employees when faced with a crisis or disaster, the district has established the following policies and procedures.

### **PHILOSOPHY**

The superintendent shall formulate a school/crisis plan that is to be presented to faculty and employees and shared with parents. There will be periodically scheduled drills to practice

procedures and to evaluate response times. Modification to the procedures will be made when deemed necessary. The plan will include a description of each anticipated crisis or disaster. The main goal of the plan will be to provide for the safety and welfare of the students.

### MAJOR CRISIS

A major crisis involves multiple numbers of persons and affects the welfare of the student(s). The crisis intervention team will manage a major crisis with school personnel as well as with community agency volunteers. The crisis intervention team shall be composed of staff from the school, including administrators, designated faculty, and the school nurse or designee, and city emergency personnel. The school will handle any information to the media.

### MINOR CRISIS

A minor crisis involves few persons and does not present an immediate threat to the students. Appropriate members of the crisis intervention team will manage a minor crisis. If deemed necessary, school personnel will be called for assistance.

### GOALS OF THE DISASTER/CRISIS INTERVENTION PLAN

1. To facilitate a cooperative effort among all employees when a crisis occurs.
2. To promote the following: sharing of resources, knowledge, and personnel during a crisis, awareness of the impact of a crisis on persons involved, recognition of children/persons who may be at risk from the emotional stress of crisis or trauma, and education of school personnel regarding management of crisis problems in order to minimize negative impact.

### ESSENTIAL RESPONSIBILITIES OF DISTRICT PERSONNEL

1. To plan how the crisis will be handled. These responsibilities can be shared with other building personnel, as assigned. Teachers will have the responsibility of structuring the response within the classroom.
2. To understand and cope with student reactions. These responsibilities can be shared with parents, administrators, counselors, and mental health professionals.
3. To debrief personnel after the crisis and provide follow-up plans.

The superintendent will lead the crisis intervention team. They will consult with appropriate school personnel.

Crisis intervention training will be provided at the beginning of each school year.

### CRISIS/DISASTER INTERVENTION TEAM ACTION PLAN

1. Initial response to the crisis/disaster takes place within the classrooms to ensure the safety of students.
2. Where appropriate, the classroom teacher or building administrator will notify emergency personnel.
3. The district personnel will assemble and activate the crisis intervention team as soon as possible. The specific response plan will be activated.
4. Appropriate school personnel will be notified as soon as is practicable.

### CRISIS INTERVENTION TEAM MEMBERSHIP

1. Superintendent
2. Principals
3. Assistant principals
4. Designated faculty
5. Support personnel

### FOLLOW-UP TREATMENT

After a crisis, some students may require additional sessions with counselors or other appropriate personnel. It is the goal of the district to address the needs of these students. The governance board directs the superintendent and/or principal to determine if follow-up care is needed at the school. Evaluations should take place at the end of the first day and approximately one week following the crisis. The principal, in consultation with the parents and counselors, will determine which students require counseling and will arrange for services to be provided to them in a fashion that is appropriate to best meet the needs of that student.

## **12. HANDLING OF HAZARDOUS MATERIALS**

HICD complies with the OSHA Hazard Communication Standard.

## **13. PERSONAL SAFETY**

The district recognizes the need to maintain a safe work and educational environment for employees and students as well as their parents. Threats of violence to any person will not be tolerated. Any threat, whether by electronic means, through social networking sites, verbal, written, or physical, including hazing or bullying by a student, will be acted upon immediately by the principal with disciplinary action, which may include suspension from school. Any threat of violence by an employee to another employee or by an employee to a student shall be grounds for immediate disciplinary action as determined by the principal and may result in suspension without pay and/or termination of employment.

## **14. FIRE, TORNADO, LOCKDOWN AND LOCKOUT DRILLS**

All drills will be executed in the safest manner possible. Drills for separate events shall not be held at the same time.

### FIRE DRILLS

1. Will be held once per semester at minimum, one being within the first 15 days of instruction.
2. Students will practice within each classroom as to the safest and quickest exit path.
3. When the fire warning sounds, faculty will direct students to the established exit and exit the building in a safe and orderly manner. Each classroom will have a designated area outside the building.

4. Students will exit in a quiet, orderly manner.
5. Faculty will take roll upon reaching the outside destination.
6. All restroom areas will be checked by the appropriate employee.

#### TORNADO DRILLS

1. Will be held a minimum of once per semester, one in September and one in March.
2. Students will practice within each classroom as to the place students will proceed to during a tornado. Students will also be taught the optimum position they must assume that will result in the best protection for their body.
3. Upon arrival to the designated locations, students will kneel on the floor, assume a protective posture, and remain quiet until the administrator has given the all clear signal.

At all times, the faculty and staff will project an air of calm and control. Faculty is to maintain contact with and keep track of the location of all of the students in their charge.

#### LOCKDOWN DRILLS

1. Will be held a minimum of four times per year, one of which being held within the first 15 days of each semester.
2. Students will practice within each classroom to remain quiet at all times in a designated area selected by the teacher.
3. Faculty members will proceed to turn off classroom lights, lock all doors, and cover windows.
4. No faculty member shall open any doors or give instruction until given all clear from school administration.

#### LOCKOUT DRILLS

1. Will be held a minimum of two times per year, one of which being held each semester.
2. Designated administration will proceed to locking down all exterior doors from entrance or exit.
3. Faculty members will proceed to cover windows.
4. No faculty member shall open any doors or give instruction until given all clear from school administration.

### **15. REPORTING CHILD ABUSE**

It is the intent of the district to comply with state statutes related to mandatory reporting of suspected child abuse and/or neglect.

- A. Every school employee having reason to believe that a student under the age of eighteen (18) years is a victim of abuse or neglect shall report the matter immediately to the Department of Human Services and local law enforcement. Reports to the Department shall be made to the hotline, which is 1-800-522-3511. The line is open 24 hours a day.



Any allegation of abuse or neglect reported in any manner to a county office shall immediately be referred to the hotline by the Department.

- B. Every school employee having reason to believe that a student aged eighteen (18) years or older is a victim of abuse or neglect shall report the matter immediately to local law enforcement.
- C. In reports required by subsection A or B of this section, local law enforcement shall keep confidential and redact any information identifying the reporting school employee unless otherwise ordered by the court. A school employee with knowledge of a report required by this section shall not disclose information identifying the reporting school employee unless otherwise ordered by the court or as part of an investigation by local law enforcement or the Department.
- D. The employee who submits a report to the Department of Human Services will also advise the school counselor that DHS was contacted and provide the date and time of the call and the name of the Department of Human Services worker or law enforcement personnel with whom the counselor spoke.
- E. No employee is to contact the child's family or any other person for any reason, including to determine the cause of the suspected abuse or neglect. Any such contact is strictly prohibited. Any employee who violates this prohibition will be subject to discipline.
- F. School officials or employees shall not reveal any information regarding the suspected abuse or neglect to any parties other than the Department of Human Services and the appropriate law enforcement personnel. It is not the responsibility of the school official or employee to prove the child has been abused or neglected.
- G. Any person who knowingly and willfully fails to promptly report suspected child abuse or neglect or who interferes with the prompt reporting of suspected child abuse or neglect may be reported to local law enforcement for criminal investigation and, upon conviction thereof, shall be guilty of a misdemeanor. Any person with prolonged knowledge of ongoing child abuse or neglect who knowingly and willfully fails to promptly report such knowledge may be reported to local law enforcement for criminal investigation and, upon conviction thereof, shall be guilty of a felony. For the purposes of this paragraph, "prolonged knowledge" shall mean knowledge of at least six (6) months of child abuse or neglect.
- H. Any person who knowingly and willfully makes a false report pursuant to the provisions of this section or a report that the person knows lacks factual foundation may be reported to local law enforcement for criminal investigation and, upon conviction thereof, shall be guilty of a misdemeanor.

If a court determines that an accusation of child abuse or neglect made during a child custody proceeding is false and the person making the accusation knew it to be false at the time the accusation was made, the court may impose a fine, not to exceed Five Thousand Dollars (\$5,000.00) and reasonable attorney fees incurred in recovering the sanctions, against the person making the accusation. The remedy provided by this paragraph is in addition to paragraph 1 of this subsection or to any other remedy provided by law.

- I. Nothing contained in this section shall be construed to exempt or prohibit any person from reporting any suspected child abuse or neglect pursuant to subsection B of this section.
- J. All parties concerned shall treat the reports in a confidential manner. In no case should the child be subject to undue pressure in order to validate or not validate the suspicion of abuse. Validation of suspected child abuse is the responsibility of the Department of Human Services and law enforcement.

## **16. DANGEROUS WEAPONS**

The district recognizes its responsibility for the safety of the students and staff. Therefore, it is the policy of HICD to absolutely prohibit the use and/or possession of dangerous weapons and/or firearms on school premises or at school functions and /or sponsored activities regardless of where such are taking place by students, employees, parents, or others. This policy applies whether the prohibited item is found either in any vehicle or about the person while on school/district property, at a school-sponsored activity or event, or on a school bus. This policy includes all weapons, including any object which is considered dangerous or capable of inflicting bodily harm. Dangerous weapons also include all instruments which could not be considered dangerous weapons when used in the manner intended by the manufacturer, but which are used by an employee, student, or other person in a way which is dangerous or capable of inflicting serious bodily harm.

### **STUDENTS**

If a faculty member or other school employee is found to be in violation of this policy then the employee shall immediately secure the safety of the other students and notify the principal. If safety permits, the prohibited item should be confiscated. The principal or an appropriate supervisor shall notify the Oklahoma City Police Department immediately. If it is not possible to confiscate the prohibited item, then all students and employees should be evacuated to a safe area as quickly as is practicable. Any student violating this policy or any student who knowingly aids, accompanies, assists, or participates with another student in the violation of this policy shall be subject to the discipline set forth hereinabove and in the Student Handbook.

### **EMPLOYEES**

Employees found in violation of this policy shall be subject to disciplinary action which includes but is not limited to a letter of reprimand, short-term suspension without pay, long-term suspension without pay, or immediate termination of employment depending upon the severity of the violation. Disciplinary action will be independent of any resultant criminal proceeding. If any employee finds another employee in violation of this policy, he/she shall immediately notify the principal or, if necessary, the Oklahoma City Police Department. Any firearms and /or dangerous weapons that are confiscated shall be turned over to the Oklahoma City Police Department.

## **17. SAFE AND HEALTHY SCHOOL BUILDING OPERATION PLAN**

A goal of the district is to maintain an emotionally and physically safe and healthy environment for students, employees and visitors to the district while on school grounds or attending school events/activities. Specific board policies address the various issues involved in creating and

sustaining a safe and healthy environment. To ensure the health of all stakeholders, the safety and health policies and procedures will be followed. The governance board may give authority to the current superintendent to change protocol of an emergency situation.

### **18. STUDENT SELF-ADMINISTRATION OF SUNSCREEN**

HICD shall permit a student to possess and self-apply sunscreen that is regulated by the Food and Drug Administration without the written authorization of a parent, legal guardian or physician.

As used in this policy section, "sunscreen" means a compound topically applied to prevent sunburn.

### **19. VACCINATION PROHIBITION**

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

### **20. ADMINISTRATION OF MEDICATIONS / ASTHMA - ANAPHYLAXIS - EPINEPHRINE**

HICD shall permit the self-administration of inhaled asthma medication by a student for treatment of asthma, the self-administration of anaphylaxis medication by a student for treatment of anaphylaxis and the self-administration of replacement pancreatic enzymes by a student for treatment of cystic fibrosis.

HICD's policy requires:

- A. The parent or guardian of the student may authorize, which shall be in writing, the student's self-administration of medication and, should such authorization be provided, the following shall be required:
  1. The parent or guardian of the student shall provide to the school a written statement from the physician treating the student that the student has asthma, anaphylaxis or cystic fibrosis and is capable of, and has been instructed in the proper method of, self-administration of medication.
  2. The parent or guardian of the student shall provide to the school an emergency supply of the student's medication to be administered by the school should the student, for whatever reasons, not have access to their medication. The parent or guardian shall sign an acknowledgement that the medication has been provided to the school for such use.
  3. The school district shall inform the parent or guardian of the student, in writing, that the school district and its employees and agents shall incur no liability as a result of any injury arising from the self-administration of medication by the student; and

4. The parent or guardian of the student shall sign a statement acknowledging that the school district shall incur no liability as a result of any injury arising from the self-administration of medication by the student.
- B. The school district and its employees and agents shall incur no liability as a result of any injury arising pursuant to the discharge or non-discharge of the powers provided for pursuant to subparagraph a of paragraphs 1 and 2 of subsection B of this section.
  - C. In the event a student is believed to be having an anaphylactic reaction or respiratory distress, a school employee shall contact 911 as soon as possible.
  - D. As used in this section:
    1. "Medication" means a metered dose inhaler or a dry powder inhaler to alleviate asthmatic symptoms, prescribed by a physician and having an individual label, an anaphylaxis medication used to treat anaphylaxis including but not limited to Epinephrine injectors prescribed by a physician and having an individual label, or replacement pancreatic enzymes prescribed by a physician and having an individual label; and
    2. "School district" shall mean HICD.
    3. "Self-administration" means a student's use of medication pursuant to prescription or written direction from a physician.
    4. "Respiratory distress" means the perceived or actual presence of coughing, wheezing or shortness of breath; and
    5. "Inhaler" means a device that delivers a bronchodilator to alleviate symptoms of respiratory distress that is manufactured in the form of a metered-dose inhaler or dry-powder inhaler and that may include a spacer or holding chamber that attaches to the inhaler to improve the delivery of the bronchodilator.
  - E. The permission for self-administration of asthma, anaphylaxis or replacement pancreatic enzyme medication is effective for the school year for which it is granted and shall be renewed each subsequent school year upon fulfillment of the requirements of this policy.
  - F. A student who is permitted to self-administer asthma, anaphylaxis or replacement pancreatic enzyme medication pursuant to this section shall be permitted to possess and use a prescribed inhaler, anaphylaxis medication including but not limited to an Epinephrine injector, or replacement pancreatic enzyme medication at all times.

## **21. REPORTING ASSAULT AND BATTERY OF SCHOOL EMPLOYEE**

- A. Any school employee, defined as a teacher, principal, or any duly appointed person employed by a school system or employees of a firm contracting with a school system for any purpose, including any personnel not directly related to the teaching process and school board members during school board meetings, upon whom an assault, battery, assault and battery, or aggravated battery or aggravated assault and battery is committed while in the performance of any duties as a school employee shall notify either the superintendent, respective principal, or one member of HICD's Safe School Committee. The member of the Safe School Committee shall notify the superintendent or respective

principal of the assault, battery, assault and battery, aggravated battery or aggravated assault and battery.

- B. The superintendent shall notify the State Department of Education of all incidents described in subsection A of this section for the previous year on July 1 of each year. The report shall include a description of the battery or assault and battery, and the final disposition of each incident.
- C. No school employee shall be subject to any civil liability for any statement, report, or action taken in reporting or assisting in reporting a battery or assault and battery which is committed upon the school employee while in the performance of any duties unless such report or assistance was made in bad faith or with malicious purpose.
- D. HICD shall deliver to each school employee a written policy that such employee shall follow if an assault, battery or assault and battery is committed upon the school employee while in the performance of any school duties.
- E. For purposes of this section, "assault", "battery", "aggravated assault and battery" shall be defined as (1) Assault is any willful and unlawful attempt or offer with force or violence to do a corporal hurt to another; (2) Battery is any willful and unlawful use of force or violence upon the person of another; (3) Assault and Battery becomes aggravated when committed under any of the following circumstances:
  - 1. When great bodily injury is inflicted upon the person assaulted; or
  - 7. When committed by a person of robust health or strength upon one who is aged, decrepit, or incapacitated.
- F. For purposes of this section "great bodily injury" means bone fracture, protracted and obvious disfigurement, protracted loss or impairment of the function of a body part, organ or mental faculty, or substantial risk of death.

## **22. DEVELOPMENT AND AVAILABILITY OF MENTAL HEALTH INFORMATION & TRAINING PROGRAM FOR TEACHERS**

- A. HICD shall require teachers to take part in a training program which shall emphasize the importance of recognizing and addressing the mental health needs of students. The program shall be completed the first year a certified teacher is employed by HICD, and then once every third academic year.
- B. The information made available to teachers shall include but not be limited to:
  - 1. Information about the services provided by community-based organizations related to mental health, substance abuse and trauma;
  - 2. Information about the impact trauma and adverse childhood experiences can have on a student's ability to learn;
  - 3. The availability of mental health evaluation and treatment available by telemedicine; and
  - 4. Information about evidence-based strategies for prevention of at-risk behaviors.

### **23. AIDS PREVENTION EDUCATION PROGRAM**

The governance board recognizes that educational programs are offered to students regarding AIDS Prevention as defined in Oklahoma Statutes. Therefore, it is the policy of the governance board to cooperate fully with the Oklahoma State Department of Education in providing all high school students in the district a required health course that will consist of a unit in regards to AIDS and sexual education.

- A. Acquired immune deficiency syndrome (AIDS) prevention education shall be taught in HICD. AIDS prevention education shall be limited to the discussion of the disease AIDS and its spread and prevention. Students shall receive such education:
  - 1. At the option of HICD a minimum of once during the period from grade five through grade six;
  - 2. A minimum of once during the period from grade seven through grade nine; and
  - 3. A minimum of once during the period from grade ten through grade twelve.
- B. HICD may develop its own AIDS prevention education curriculum and materials or utilize The State Department of Education 's curriculum and materials. Any curriculum and materials developed for use by HICD shall be approved for medical accuracy by the State Department of Health.
- C. HICD shall make the curriculum and materials that will be used to teach AIDS prevention education available for inspection by the parents and guardians of the students that will be involved with the curriculum and materials. Furthermore, the curriculum shall be limited in time frame to deal only with factual medical information for AIDS prevention. HICD, at least one (1) month prior to teaching AIDS prevention education in any classroom, shall conduct for the parents and guardians of the students involved during weekend and evening hours at least one presentation concerning the curriculum and materials that will be used for such education. No student shall be required to participate in AIDS prevention education if a parent or guardian of the student objects in writing to such participation.
- D. AIDS prevention education shall specifically teach students that:
  - 1. engaging in homosexual activity, promiscuous sexual activity, intravenous drug use or contact with contaminated blood products is now known to be primarily responsible for contact with the AIDS virus;
  - 2. avoiding the activities specified in paragraph 1 of this subsection is the only method of preventing the spread of the virus;
  - 3. sexual intercourse, with or without condoms, with any person testing positive for human immunodeficiency virus (HIV) antibodies, or any other person infected with HIV, places that individual in a high-risk category for developing AIDS.
- E. The program of AIDS prevention education shall teach that abstinence from sexual activity is the only certain means for the prevention of the spread or contraction of the AIDS virus through sexual contact. It shall also teach that artificial means of birth control are not a certain means of preventing the spread of the AIDS virus and reliance on such methods puts a person at risk for exposure to the disease.

## **24. AIDS MULTIDISCIPLINARY ADVISORY COMMITTEE AND CONFIDENTIALITY**

HICD adheres to the following guidelines, upon the recommendation by the Oklahoma State Health Department, in the event a student is diagnosed as having Acquired Immune Deficiency Syndrome (AIDS).

- A. When a child in the public schools is diagnosed as having AIDS, the State Health Department must be contacted.
- B. Determinations regarding the location of an AIDS student's educational program will be made on a case-by-case basis by a team composed in each instance of the child's parent or guardian, the child's physician, the local superintendent, a representative of the State Health Department, and a representative of the State Department of Education.
- C. The team will meet and make a decision as to whether the child in question should be in attendance in the public schools. Such decision will then be recommended to the local board of education.
- D. In making a recommendation as to the child's attendance in a public school, the team will utilize the guidelines published by the Centers for Disease Control.
- E. For any medically-related questions, contact the Oklahoma State Health Department Sexually Transmitted Disease Division.
- F. Each member of the team shall be responsible for protecting the confidentiality of the student and any information made available to such person as a member of the team. The multidisciplinary team shall be exempt from the requirements of Sections 301 through 314 of Title 25 of the Oklahoma Statutes and Sections 24A.1 through 24A.19 of Title 51 of the Oklahoma Statutes.

## **25. HEALTH EDUCATION AND CERTIFICATION**

- A. HICD shall teach health education which shall include but is not limited to physical health, mental health, social and emotional health and intellectual health.
- B. By the 2023-2024 school year, HICD shall provide instruction addressing all health education subject matter standards, as adopted by the State Board of Education. Health education may be integrated into one or more existing subjects or provided as an addition to existing coursework.
- C. Teachers assigned to teach health education as a stand-alone course shall be certified in physical and health education.

## **26. BULLYING PREVENTION**

HICD believes that bullying, harassment, threats and/or intimidation has a negative effect on the environment of its schools, creates a climate of fear among its students and staff, inhibits the ability to learn, and leads to antisocial behavior. Therefore, bullying, harassment, threatening behavior and/intimidation will not be tolerated by HICD.

Every person, in any way associated with HICD, is prohibited from bullying, harassing, threatening, or intimidating any other person, while in or on HICD property, and/or at HICD-

sponsored events or activities. Any such person, if found to have bullied, harassed, threatened or intimidated another person or persons, shall be subject to discipline pursuant to the relevant discipline policy.

- A. If any person is aware of, observes, has reliable information that would lead a reasonable person to suspect that a person is a target or victim, including themselves, of bullying, harassing, threatening, or intimidating behavior or communications, such person must report the behavior or communication to the school principal or assistant principal if the principal is not available.
- B. The principal or assistant principal will conduct an investigation by gathering information deemed necessary to evaluate the incident to determine the severity of the incident and the potential for future violence.
- C. After completing any necessary investigation, the principal shall determine if the accusation of bullying, harassing, threatening, or intimidating behavior or communications is substantiated and, if so, shall determine the appropriate discipline.
- D. Parents and guardians, if applicable, of both victims and perpetrator of verified bullying will be notified by site administration regarding the situation and steps taken to rectify the actions of the persons involved.
- E. During the pendency of the investigation, the principal may take appropriate action to ensure the safety of all students or school personnel involved.
- F. If warranted, the principal shall notify law enforcement of the reported incident and cooperate with any law enforcement investigation.

Steps for the Bullying Policy, with regard to students, can be found in the school Student Handbook.

Information from this regulation shall be posted on/in areas deemed appropriate by school principal and will be included in all student and faculty handbooks.

The principal will conduct an annual training regarding the preventing, identifying, responding and reporting of incidents of bullying with their faculty and staff. The principal will also provide for an educational program for students and parents in preventing, identifying, responding to and reporting incidents of bullying.

**Definitions/Terms of this regulation:**

- “Bullying” means any behavior, physical acts, verbal or electronic communication directed toward a student or group of students that results in or is reasonably perceived as being done with the intent to cause negative educational or physical results for the targeted individual or group and is communicated in such a way as to disrupt or interfere with the school’s educational mission or the education of any student.
- “At school” means on school grounds, in school vehicles, at school-sponsored activities or at school-sanctioned events.
- “Electronic communication” means the communication of any written, verbal, pictorial or video content by means of an electronic device, including, but not limited to, a telephone,



or mobile or cellular telephone or other wireless telecommunication device or a computing device.

- “Threatening behavior” means any pattern or behavior or isolated action, whether or not it is directed at another person, that a reasonable person would believe indicates potential for future harm to students, school personnel, or school property.
- Appropriate school personnel consist of site administration (principal, assistant principals and/or administrative interns), counselors, and/or teachers.

## **27. SEPARATION OF VICTIM AND OFFENDER**

- A. Students who have been victims of certain felony offenses by other students, as well as the siblings of the student victims, have the right to be kept separated from the student offender both at school and during school transportation.
- B. Notwithstanding any provision of law prohibiting the disclosure of the identity of a minor, within thirty (30) days of the time of the adjudication or withholding of adjudication of any juvenile offender for any offense subject to the Juvenile Sex Offender Registration Act, either the juvenile bureau in counties which have juvenile bureaus or the Office of Juvenile Affairs in all other counties shall notify the superintendent of HICD if the juvenile offender is enrolled or intends to enroll of the adjudication and the offense for which the child was adjudicated. Upon receipt of such notice, the superintendent shall notify the victim and parent or guardian of the victim of their right to request to be separated from the offender at school and during school transportation. If the victim requests to be separated from the offender, HICD shall take appropriate action to effectuate the provisions of subsection C of this section. The decision of the victim shall be final and not reversible.
- C. Any offender described in subsection B of this section shall, upon the request of the victim, not attend any school attended by the victim or a sibling of the victim or ride on a school vehicle on which the victim or a sibling of the victim is riding. The offender shall be permitted by HICD to attend another school within the district in which the offender resides, provided the other school is not attended by the victim or sibling of the victim. If the offender is unable to attend another school in the district in which the offender resides, the offender shall transfer to another school district pursuant to the provisions of the Education Open Transfer Act.
- D. The offender or the parents of the offender, if the offender is a juvenile, shall be responsible for arranging and paying for transportation and any other cost associated with or required for the offender to attend another school or that is required as a consequence of the prohibition against attending a school or riding on a school vehicle on which the victim or a sibling of the victim is attending or riding. However, the offender or the parents of the offender shall not be charged for existing modes of transportation that can be used by the offender at no additional cost to HICD.

## **28. SUICIDE AWARENESS AND PREVENTION**

- A. HICD shall provide district-wide training to all staff on a biennial basis addressing suicide awareness and prevention, with the curriculum provided by The Department of

Mental Health and Substance Abuse Services which addresses suicide awareness and prevention. The course outline for the curriculum shall be made available to the public online through the school district website. HICD shall:

1. Provide a suicide prevention training program which includes as core elements evidence-based approaches;
  2. Provide the curriculum made available by the Department of Mental Health and Substance Abuse Services; or
  3. Provide a suicide prevention training program that is selected by the school district from a list maintained by the Department of Mental Health and Substance Abuse Services to school district staff that addresses suicide awareness and prevention. The training program may be combined with any other training provided by the school district addressing bullying prevention.
- B. Beginning with the 2022-2023 school year, the district may provide training to address suicide awareness and prevention to students in grades seven through twelve.
- C. Teachers, counselors, principals, administrators and other school personnel shall be immune from employment discipline and any civil liability for:
1. Calling the 911 emergency telephone number, law enforcement or the Department of Human Services if they believe a student poses a threat to themselves or others or if a student has committed or been the victim of a violent act or threat of a violent act;
  2. Providing referral, emergency medical care or other assistance offered in good faith to a student or other youth; or
  3. Communicating information in good faith concerning drug or alcohol abuse or a potential safety threat by or to any student to the parents or legal guardians of the student, law enforcement officers or health care providers.
- D. No person shall have a cause of action for any loss or damage caused by any act or omission resulting from the implementation of this policy or resulting from any training, or lack thereof, required by this policy, unless the loss or damage was caused by willful or wanton misconduct.
- E. The training required pursuant to this policy, or the lack thereof, shall not be construed to impose any specific duty of care.
- F. The governance board may enter into agreements with designated Youth Services Agencies for the provision of intervention and prevention services.
- G. Teachers, counselors, principals, administrators or other school personnel, upon determining that a student is at risk of attempting suicide, shall notify the parents or legal guardians of the student immediately upon determining that such risk exists

## **29. MENINGOCOCCAL MENINGITIS**

At the beginning of each school year, when the district provides information on immunizations, infectious disease, medications, or other school health issues to parents and guardians of students in grades six through twelve, it shall include information about meningococcal meningitis. The information shall include at least the causes and symptoms of meningococcal meningitis, how it

is spread, sources for additional information about meningococcal meningitis, and the availability, effectiveness, and risks of vaccination against the disease.

### **30. DIABETES MEDICAL MANAGEMENT PLAN**

A diabetes medical management plan shall be developed for each student with diabetes who will seek care for diabetes while at school or while participating in a school activity. The plan shall be developed by the personal health care team of each student. The personal health care team shall consist of the principal or designee of the principal, the school nurse, if a school nurse is assigned to the school, the parent or guardian of the student, and to the extent practicable, the physician responsible for the diabetes treatment of the student. A copy of the plan will be placed in the student's file and any disclosure of the plan is subject to HIPAA.

In accordance with the diabetes medical management plan of a student, HICD shall permit the student to attend to the management and care of the diabetes of the student, which may include:

1. Performing blood glucose level checks;
2. Administering insulin through the insulin delivery system used by the student;
3. Treating hypoglycemia and hyperglycemia;
4. Possessing on the person of the student at any time any supplies or equipment necessary to monitor and care for the diabetes of the student; and
5. Otherwise attending to the management and care of the diabetes of the student in the classroom, in any area of the school or school grounds, or at any school-related activity.

HICD shall provide a private area where the student may attend to the management and care of the student's diabetes.

Definitions used in this policy:

- "Diabetes medical management plan" means a document developed by the personal health care team of a student that sets out the health services that may be needed by the student at school and is signed by the personal health care team and the parent or guardian of the student;
- "School" means a public elementary or secondary school. The term shall not include a charter school established pursuant to Section 3-132 of Title 70 of the Oklahoma Statutes;
- "School nurse" means a certified school nurse as defined in Section 1-116 of Title 70 of the Oklahoma Statutes, a registered nurse contracting with the school to provide school health services, or a public health nurse; and
- "Volunteer diabetes care assistant" means a school employee who has volunteered to be a diabetes care assistant and who has successfully completed the training required by Section 6 of this act.

### **31. CPR AND HEIMLICH MANEUVER INSTRUCTIONS**

- A. HICD shall provide all students instruction in cardiopulmonary resuscitation and awareness of the purpose of an automated external defibrillator, in accordance with paragraph C of this section, at least once between ninth grade and graduation from high school. The instruction may be provided as a part of any course. The superintendent may waive the curriculum requirement required herein for an eligible student who has a disability. A student shall not be required to meet the requirement herein if a parent or guardian of the student objects in writing. All students enrolled in physical education classes in grades nine through twelve may receive instruction in the techniques of the Heimlich maneuver.
- B. Instruction in cardiopulmonary resuscitation shall incorporate psychomotor skills training and shall be based upon an instructional program which is nationally recognized and is based upon the most current national evidence-based Emergency Cardiovascular Care guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator.
- C. A minimum of one certified teacher and one noncertified staff member at each school site shall receive training in cardiopulmonary resuscitation and the Heimlich maneuver each year.
- D. The school districts may use state funds allocated to the district for professional development to pay for or to reimburse teachers and support personnel for training in the administration of first aid and techniques of cardiopulmonary resuscitation and the Heimlich maneuver.
- E. Nothing in this policy shall be construed to impose liability on any school district or school district employee for injury or death of any student, teacher, or other person resulting from any cardiopulmonary or choking incident or to absolve any school district or school employee of liability that might otherwise exist under The Governmental Tort Claims Act.
- F. For purposes of this section, "psychomotor skills" means the use of hands-on practice to support cognitive learning.
- G. The district may use emergency medical technicians, paramedics, police officers, firefighters, teachers, other school employees or other similarly qualified individuals or organizations to provide the instruction prescribed by this section. The district may enter into an interlocal or multidistrict cooperative agreement with other school districts for the purpose of jointly and comparatively fulfilling the requirements of this section. Instruction provided pursuant to this section is not required to result in certification in cardiopulmonary resuscitation. If instruction is intended to result in certification in cardiopulmonary resuscitation, the course instructor shall be authorized by an instructional program which is nationally recognized and is based upon the most current national evidence-based Emergency Cardiovascular Care guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator or a similar nationally recognized association to provide the instruction.

### **32. USE OF AUTOMATED EXTERNAL DEFIBRILLATORS**

- A. Contingent upon the availability of federal funding or donations from private organizations or persons made for this purpose, the district shall make automated external defibrillators, defined as herein, available at each school site in the district. The school district may also make automated external defibrillators available at each high school athletic practice or competition in the district.
- B. The district shall be immune from civil liability for personal injury which results from the use of automated external defibrillators available in its schools or on school district property, except for acts of gross negligence or willful wanton misconduct in accordance with 76 O.S. section 5A.
- C. The district may make use of a list of private organizations or persons willing to make donations or that have resources available to schools for this purpose, federal programs or grants, and any other source of funding that school districts may use to purchase automated external defibrillators, which is developed by The State Department of Education. The district shall also provide public recognition for private organizations or persons that provide funding to school districts for the purpose of purchasing automated external defibrillators.
- D. "Automated external defibrillator" means a medical device consisting of a heart monitor and defibrillator which:
  - 1. has received approval of its premarket notification, filed pursuant to 21 U.S.C., Section 360(k), from the United States Food and Drug Administration,
  - 8. is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia, and is capable of determining, without intervention by an operator, whether defibrillation should be performed, and
  - 9. upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to an individual's heart.

### **33. THREATENING BEHAVIOR, NOTIFICATION OF LAW ENFORCEMENT, GOOD FAITH IMMUNITY FROM DISCIPLINE**

- A. As used in this policy, "threatening behavior" means any verbal threat or threatening behavior, whether or not it is directed at another person, which indicates potential for future harm to students, school personnel or school property.
- B. An officer or employee of the district or member of the governance board shall notify law enforcement of any verbal threat or act of threatening behavior which reasonably may have the potential to endanger students, school personnel or school property.
- C. Officers or employees of the district or members of the governance board shall be immune from employment discipline and any civil liability for communicating information pursuant to subsection B of this section in good faith if they reasonably believe a person is making verbal threats or is exhibiting threatening behavior.
- D. Nothing in A-C shall be construed to impose a specific liability on any school district.

### **34. DUTY TO REPORT UNAUTHORIZED FIREARM AND TO DELIVER SEIZED WEAPON TO LAW ENFORCEMENT**

- A. Pursuant to the requirements of Section 1271.1 of Title 21 of the Oklahoma Statutes, every school authority shall immediately report the discovery of a firearm not otherwise authorized by law to be possessed to a law enforcement authority and deliver any weapon or firearm, removed or otherwise seized from any minor, to a law enforcement authority for appropriate disposition.
- B. Every school authority shall also immediately report to a law enforcement authority the discovery of a firearm upon a student that is not a minor or upon any other person not otherwise authorized by law to possess a firearm on school property pursuant to Section 1280.1 of Title 21 of the Oklahoma Statutes and deliver any weapon or firearm that is removed or seized to a law enforcement authority for disposition pursuant to Section 1271.1 of Title 21 of the Oklahoma Statutes.

### **35. PSYCHIATRIC OR PSYCHOLOGICAL EXAMINATION, TESTING OR TREATMENT AND ELICITING OF CERTAIN PERSONAL INFORMATION PROHIBITED WITHOUT PARENTAL CONSENT**

Without the prior written consent of the parent or guardian, no student who is an unemancipated minor shall be required, as part of any applicable program, to submit to psychiatric or psychological examination, testing or treatment; nor may any teacher or staff personnel without such consent elicit by written survey or written examination from any student information of a personal or private nature concerning any of the following areas:

1. Religious beliefs;
2. Mental or psychological problems potentially embarrassing to the student or his family;
3. Sexual behavior and attitudes;
4. Critical appraisals of other individuals with whom the student has a close family relationship;
5. Legally recognized privileged communication.

### **36. BATHROOM/CHANGING AREA USE BASED ON SEX**

In compliance with the Oklahoma State Department of Education and SB 615 (70 O.S. § 1-125), the governance board has promulgated the following policy and procedures with regard to the use of its restrooms or changing areas in its school facilities.

- A. Definitions
  1. “Sex” means the physical condition of being male or female based on genetics and physiology, as identified on the individual’s original birth certificate.
  2. “Multiple occupancy restroom or changing area” means an area in a public school or public charter school building designed or designated to be used by more than one individual at a time, where individuals may be in various stages of undress in the presence of other individuals. The term may include but is not limited to a school restroom, locker room, changing room, or shower room.

B. Policy

1. To ensure privacy and safety, Harding Independence Charter District shall require every multiple occupancy restroom or changing area be designated as follows:
  - a. For the exclusive use of the male sex; or
  - b. For the exclusive use of the female sex.
2. Each school within Harding Independence Charter District shall provide a reasonable accommodation to any individual who does not wish to comply with the provisions of subsection B of this section. A reasonable accommodation shall be access to a single-occupancy restroom or changing room.
3. The provisions of this section shall not apply to individuals entering a multiple occupancy restroom or changing area designated for use by the opposite sex when entering in any of the following circumstances:
  - a. For custodial, maintenance, or inspection purposes; or
  - b. To render emergency medical assistance.
4. Violations of this rule will result in the following disciplinary action:

**FIRST OFFENSE:** Meeting with administrator and counselor if requested

**SECOND OFFENSE:** Parent contact by an administrator  
One (1) day of administrative detention

**SUBSEQUENT OFFENSES:** Parent contact by an administrator  
Two (2) days of administrative detention

**SECTION F: SECURITY**

**1. BUILDING AND GROUNDS SECURITY**

Building and grounds security shall mean maintenance of a secure, locked building; protection from fire hazards; faulty equipment; and safe practices in the use of electrical, plumbing, and heating equipment. The principal shall designate one or more area(s) in each building for secure storage of records, audiovisual equipment, computing devices, and other items of school property. The principal, who is responsible for school-owned property, shall develop and implement sign-out, sign-in procedures. The person checking out an item of equipment will be held strictly accountable for its security, and failure to return it at the designated time will result in disciplinary action and payment of any costs incurred. No employee is permitted to use or operate school-owned equipment for his/her own benefit or to generate income outside of the employee's contract with the district without the express permission of the superintendent.

Access to school buildings and grounds outside of regular school hours shall be limited to personnel whose work requires it. The principal shall determine exactly what areas of the building to which each employee needs access and issue only the necessary keys. Employees are prohibited from having their keys copied or giving their keys to an unauthorized person. If an employee is found in possession of an unauthorized key, the principal, superintendent, or a

member of the governance board may confiscate it, and the employee will be subject to disciplinary procedures. An adequate key and security alarm code number system shall be established to implement this policy. All keys shall be returned by the end of the school year, or no longer than needed thereafter if permitted by the principal or their designee. Such permission shall be in writing. If keys are lost or stolen, the cost of replacing the keys and re-keying any doors will be borne by the person who was responsible for them.

## **2. VANDALISM**

The superintendent and/or principals are authorized to sign a criminal complaint and to press charges against the perpetrators and parents or guardians of perpetrators of vandalism against school property. In addition, they is authorized to pursue legal action against the perpetrators and parents of perpetrators to recover expenses incurred in the repair, renovation or replacement of vandalized property. Perpetrators of vandalism, if students, will be sent to the principal to determine what, if any, disciplinary action should be taken.

## **3. AUTHORITY TO ORDER PERSONS TO LEAVE SCHOOL BUILDINGS/GROUNDS**

The superintendent of HICD or principal of either of its schools shall have the authority to order any person out of the school buildings and off the school property when it appears that the presence of such person is a threat to the peaceful conduct of school business and school classes. This authority shall extend to the removal of any individual attending an official school activity or field trip where students are present, including an activity or field trip not on school property, when the superintendent or principal determines that a threat to the peaceful conduct of students exists. Any person who refuses to leave after being ordered to do so by the superintendent or principal shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for not more than ninety (90) days, or by both such fine and imprisonment.

## **4. AUTHORITY TO ORDER PERSONS TO LEAVE DISTRICT PREMISES DURING ATHLETIC EVENTS**

- A. The superintendent or his/her designee, to maintain order at either of HICD's schools, shall have the authority and power to direct any person to leave the premises of either of its schools who, during the period of a sanctioned athletic event, after having been personally and specifically warned by the superintendent or the designee to refrain from such conduct, commits an act which materially and substantially interferes with the peaceful conduct of a sanctioned athletic event, including:
1. Projecting in any manner an object which could cause bodily harm to another person;
  2. Entering the physical boundaries designated for the conduct of a sanctioned athletic event for the purpose of materially and substantially disrupting or interfering with the event;
  3. Threatening to kill or do bodily harm to any person with apparent ability to carry out that threat during the period of a sanctioned athletic event; or



4. Using violent, obscene, indecent, or profane language in a manner which materially and substantially interferes with the peaceful conduct of a sanctioned athletic event.
- B. Any person who fails to leave the premises as directed, may, upon application by HICD, be enjoined from entering upon or remaining upon the premises during the period of a sanctioned athletic event for the remainder of the school year or for so long as the court may provide.
- C. Any person who knowingly and willfully fails to obey a direction to leave the premises of the secondary school shall be guilty of a misdemeanor.
- D. This policy shall not apply to competitors in a sanctioned athletic event, their coaches, or officials, accredited by the Oklahoma Secondary School Activities Association, who are participating in the event.

## **5. ENERGY CONSERVATION**

The district believes the implementation of an energy conservation program will be a joint responsibility of administrators, teachers, students and support personnel and its success is based on cooperation at all levels. The administrative staff will develop short- and long-range strategies in the areas of facilities management with energy awareness and conservation.

## **SECTION G: TECHNOLOGY**

### **1. TECHNOLOGY PROGRAM**

The district believes access to technology for learning will be equal for all learners, regardless of learning styles, differences, or capabilities; and training in the use of technology as a learning tool is integral to the learning environment at schools. It further believes technology will be used to design learning environments that enhance and challenge each student's approach to learning. The governance board directs the superintendent to work in a collaborative manner with the principals in designing, implementing, and maintaining a technology plan for the students of these schools.

### **2. INTERNET**

The governance board recognizes the vast opportunities for research, cultural appreciation, and communication afforded by the internet. In order to utilize the internet for educational purposes only, students will be supervised at all times during use of the internet via school-owned computing devices or any other internet-accessible device, whether provided by the school, personally owned by the student or owned by another. Using school-owned computing devices or other internet-accessible devices for the purpose of viewing inappropriate material on the internet is unacceptable and will be disciplined accordingly, including possible immediate removal of the student or termination of staff.

Internet usage is restricted to school-related use only. Students are required to have an Internet Agreement form on file signed by a parent or guardian. Any student violating this policy shall be subject to the discipline set forth hereinabove and in the Student Handbook.

### **3. EMAIL**

All school computing devices and anything that is electronically transmitted on school-owned computing devices are the property of the district. Using school-owned computing devices for the purpose of sending or receiving obscene or inappropriate material electronically is unacceptable and may lead to immediate removal of the student or termination of staff.

### **4. LIBRARY/MEDIA CENTER PLAN**

The district views the Library/Media Center as a tool to assist our students to become self-directed, independent learners. It shall be the responsibility of the superintendent to research, design, and implement a library and media center. The principal is to ensure the center best reflects the requirements of the curriculum and the classroom needs of the faculty.

### **5. DIGITAL SECURITY**

- A. HICD offers digital and/or online library database resources to its students and ensures that its vendors, persons, and/or entities providing those resources have verified that all the resources comply with the provisions of subsection B of this policy.
- B. Digital or online library database resources offered by HICD have safety policies and technology protection measures that:
  - 1. Prohibit and prevent a user of the resource from sending, receiving, viewing, or downloading materials that are child pornography or obscene materials, as defined in Section 1024.1 of Title 21 of the Oklahoma Statutes, or materials that depict child sexual exploitation, as defined in Section 843.5 of Title 21 of the Oklahoma Statutes; and
  - 2. Filter or block access to child pornography or obscene materials, as defined in Section 1024.1 of Title 21 of the Oklahoma Statutes, or materials that depict child sexual exploitation, as defined in Section 843.5 of Title 21 of the Oklahoma Statutes.
- C. Notwithstanding any contract provision to the contrary, if a provider of digital or online library resources fails to comply with the requirements of subsection B of this policy, HICD shall withhold further payments, if any, to the provider pending verification of its compliance.
- D. If a provider of digital or online library database resources fails to timely verify that the provider is in compliance with the safety policies and requirements of subsection B of this policy, HICD shall consider the provider's act of noncompliance a breach of contract.
- E. Employees of HICD shall not be exempt from state law which prohibits indecent exposure to obscene material or child pornography as provided in Section 1021 of Title 21 of the Oklahoma Statutes.

## **SECTION H: COMMUNITY AND PUBLIC RELATIONS**

### **1. RELATIONSHIPS WITH EDUCATIONAL ACCREDITATION AGENCIES**

The governance board recognizes the unique nature of being a charter district. HICD believes as part of a charter association we must encourage growth in the number of charter schools in the state and provide educational opportunities for children. The district improves community ties and educational ethos through cooperative relationships with local, state and federal agencies, organizations, and institutions dedicated to education.

This cooperation and working relationship should include:

1. Research, exchange of information, and data;
2. Services of college and university faculty members who are willing to serve our school as instructional resource persons;
3. Promotion of potentially useful research with colleges, universities, and recognized research agencies; and
4. Information concerning services or publications beneficial to the district.

### **2. PUBLIC INFORMATION**

The governance board recognizes the unique nature of our charter school and the public's desire to obtain information about the school. The governance board has a goal of fostering the development of other charter schools in the state and realizes this district may serve as a resource for those interested in charter schools. The governance board seeks to receive parental and public input concerning the district and its function. Students are also an important vehicle in communication and are encouraged to be a part of publicizing school news. However, students shall not be exploited for the promotion or benefit of any individual or group. The superintendent shall be the principal spokesperson for the district.

### **3. COMMUNITY USE OF SCHOOL GROUNDS AND FACILITIES**

The governance board recognizes it has been charged with the management of the physical plant and grounds. While these facilities are for the primary use of the students and patrons of the school, certain other community groups or organizations may from time to time wish to use the grounds or facilities. HICD shall attempt to cooperate with our communities, as much as is practical, to allow them access to the facility and grounds.

### **4. ADVERTISING IN THE SCHOOLS**

Advertising or otherwise promoting the interests of any commercial or non-school agency or organization on district property must have the approval of the superintendent or his/her designee. Commercial firms and non-school agencies or organizations may purchase advertising space in school papers, school programs, or other publications sponsored by the school.

Inadvertent advertising such as the use of a business name, logo, or other identification is permissible if it is in conjunction with sanctioned school-business partnership activities. There shall not be allowed any political advertising, posters, or signage in any school publications, in the school building, or on the school grounds. The schools may rent or lease the buildings or grounds for the purpose of being an election day polling place.

## **5. VISITORS TO THE DISTRICT**

All visitors must immediately check in with the office upon their arrival at the school.

HICD recognizes that racism, bigotry, gender bias and sexual orientation bias are not conducive to learning and the educational experience. They will not be tolerated and are explicitly prohibited while on school grounds, in school vehicles, at school-sponsored activities or at school-sanctioned events. All persons are to be treated with respect and addressed by their announced preference.

Any person who is on school grounds, in school vehicles, at school-sponsored activities or at school-sanctioned events shall abide by this policy and, if found in violation thereof, will face removal from the facility or activity/event and may be barred from the school campus and all school-related activities and events.

## **6. USE OF DISTRICT-OWNED PROPERTY**

Except when rented, in compliance with governance board policies and its lease with the sponsoring district, district and school property may not be used for other schools' purposes, other purposes of general public interest, or purposes permitted in said lease. The governance board shall permit school property to be used by staff members when such use is to conduct school business and by students when the property is to be used in connection with their studies or extracurricular activities. Proper controls shall be established to ensure the lender's and borrower's responsibilities for all such property. Any such agreement shall follow the District Lease Agreement form.

## **7. PUBLIC COMMENTS AT BOARD MEETINGS**

### **PUBLIC COMMENTS**

The governance board believes that it is important to provide an opportunity for the public to have open communication with the board. The board meeting agenda may provide time for members of the public, subject to the limitations herein, to make comments during business meetings.

Any person who is a resident of Oklahoma, an employee or an official representative of a recognized organization or group of HICD, a parent or guardian of an HICD student, or student of HICD may address the board.

Persons wanting to speak at a governance board meeting shall be required to submit a completed Public Comments Sign-up Form to the district office located at 1301 N.E. 101<sup>st</sup> Street prior to 4:30 p.m. on the day of that board meeting. Forms are available in each school's office and may be submitted in person to the district office; online forms are available on the district's website

and may be submitted electronically. Any requests that are submitted after the deadline will be denied.

Requests shall be reviewed by the board president and/or their designee. If the request complies with the criteria in this section the speaker shall be permitted to speak. Each Speaker shall have up to three (3) minutes, regardless of the number of topics. In order to be permitted to speak the request must be related to a specific item on the agenda. Where a recognized group or organization wishes to speak, only one (1) person shall be selected to speak on behalf of the group or organization. No person shall be permitted to speak more than once during any meeting, and speakers cannot assign or yield their time, or any portion of their time, to another speaker.

Comments regarding the following subjects will not be permitted during Public Comments:

1. comments not related to a specific agenda item;
2. an issue in a pending lawsuit, complaint or investigation regardless of whether such has been filed in a court or with an outside agency, wherein the district or one of its schools, employee(s), or board members is a party;
3. a complaint or grievance against a district employee or employees;
4. an employee disciplinary action, suspension, or termination;
5. a student suspension or appeal which may ultimately reach the board;
6. any matter involving a student which is protected by state or federal privacy laws;
7. a solicitation for business and/or an announcement of an event, whether personal or business, and regardless of whether the speaker is seeking to have the district purchase a product or service;
8. disparaging comments about any individual, other than the Governance Board or a member thereof; and
9. comments by an individual who has publicly announced or filed as a candidate for public office, which pertain to his/her candidacy.

The public comments portion of the meeting is not for the purpose of discussion, debate, or questions and answers between the speaker and the board, administration, or any member thereof. Board members are not permitted to respond to speakers' comments. Complaints and/or grievance involving a district employee(s) must follow the complaint and/or grievance policies and procedures of the district.

Any questions a speaker wishes to have answered must be presented to the board in written form and will be responded to, in writing, by the superintendent or board president as soon after the meeting as is practical. All written questions and public comments submissions will be shared with the governance board.

Decorum will be observed at every meeting, including during the public comment portion. The board president may interrupt and terminate any presentation that violates any of the above-mentioned criteria.

### PUBLIC COMMENTS AT VIRTUAL BOARD MEETINGS

The following will be HICD's policy regarding public comments, which may be provided at the discretion of the board when board meetings are being conducted virtually. Speakers are responsible for ensuring that they have the resources and capabilities necessary to participate in any public comments part of an agenda and that the board receives their request submission by the deadline of 4:30 p.m. as previously noted in this section. The same rules, limitations, and criteria apply to public comments made during a virtual board meeting as apply during an in-person board meeting and are incorporated herein.

## **8. OPEN RECORDS REQUESTS**

It is the policy of the HICD Governance Board to recognize and facilitate the public's right of access to and review of school district records so they may exercise their right to be informed about the district. Records of the school district and its employees shall be open for inspection or reproduction during regular business hours. The district is not required to release information contained in its education records except in conformity with the provisions of the Open Records Act, Title 51, Oklahoma Statutes, Section 24 A.1, et seq. and only to the extent that said act does not violate federal law.

The superintendent shall be the district's custodian of public records and shall be responsible for the preservation and care of those public records. Additionally, the superintendent may establish reasonable rules of procedure by which public records may be inspected.

### COPY AND SEARCH FEES

The district shall charge a fee to recover the reasonable direct costs of copying and searching for district records sought for solely commercial purposes or which cause excessive disruption to the district's essential functions. In no case shall a search fee be charged for records sought in the public interest including, but not limited to, releases to the news media, scholars, authors, and taxpayers seeking to determine whether officials of the district are honestly, faithfully, and competently performing their duties as public servants. The fee schedule for searching for and copying of district records shall comply with the Open Records Act.

(8 ½" x 14" or smaller): 25 cents per page  
Certified copy: \$1 per page

Where possible, the actual copying and/or search costs will be calculated in advance with payment to be made in cash, in advance. When costs are unknown, those making requests will be asked for the amount of cash they wish to spend. Employees will accept the cash and stop activity when the cost reaches the amount of cash received from the requestors. When additional cash is received, activity will resume.

### PROCEDURES FOR INSPECTION AND COPYING RECORDS

Requests to inspect and copy records will normally be honored when made. A request for records that requires overwhelming staff search or extensive reproduction will be provided within a reasonable timeframe.

A log will be kept of information on the requesting person or group and will include their signatures.

All confidential student records as defined by state and federal law shall remain confidential and accessible only to authorized personnel.

## **9. FEDERAL PROGRAMS**

### **FEDERAL PROGRAM COMPLAINTS**

Individuals filing complaints regarding the use of federal monies or programs may file a complaint to the superintendent or his/her designee and **must** include the following written information:

- The name of school or school employee alleged to have violated a specific federal requirement.
- The specific requirement you believe has been violated.
- The actions, facts, and documentation on which you base your complaint.
- Documentation of the efforts to resolve the complaint through the local parent complaint process.
- The resolution you expect.

Written complaints are accepted by mail, fax, email, or in person to the designated district school office. HICD must be able to verify the complainant's name, phone number, and address in order to acknowledge receipt of the complaint. HICD will not be able to appropriately respond to the complaint without contact information. HICD requests a signature of the person filing the complaint.

HICD will respond to complaints about the requirements of ESSA within 60 days of receipt, unless an extension is needed because of extenuating circumstances. Complainants will be notified, in writing, if an extension will be needed and the reasons for the extension. The written resolution will include:

- A statement of the federal program requirements involved.
- A summary of the information, records, or data reviewed and considered.
- The findings of fact.
- The conclusions for each allegation, including the reasons for the conclusion.
- Any technical assistance, negotiation, or corrective action that must occur and when the action must occur.

The written resolution will be mailed to the complainant and a copy will be filed with the Office of Federal Programs and Office of Legal Counsel, Oklahoma State Department of Education.

### PARENTS RIGHTS TO KNOW

In accordance with Parents Right-to-Know requirement under the Every Student Succeeds Act (ESSA), Section 1112 (e)(1)(A), at the beginning of the school year, HICD shall notify every parent/guardian of a student that they have the right to request and receive in a timely manner:

- A. Information regarding the professional qualifications of the student's classroom teachers, which shall include, at a minimum, the following:
  - 1. Whether the teacher has met state qualification and licensing criteria for the grade level and subject areas taught;
  - 2. Whether the teacher is teaching under emergency or temporary status in which the state qualifications and licensing criteria are waived;
  - 3. The teacher's baccalaureate degree major, graduate certification, and field of discipline; and
  - 4. Whether the student is provided services by paraprofessionals, and, if so, their qualifications.
- B. In addition to the information that parents may request under paragraph A, the parent of each student shall be provided:
  - 1. Information on the level of achievement and academic growth of the student, if applicable and available, on each of the State academic assessments required under ESSA;
  - 2. Timely notice that the student has been assigned, or has been taught for 4 or more consecutive weeks by, a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.
- C. At the beginning of each school year, HICD shall notify the parents of each that the parents may request and HICD will provide the parents on request and in a timely manner, information regarding any State or local educational agency policy regarding student participation in any assessments mandated by section 1111(b)(2) and by the State or local educational agency, which shall include a policy, procedure, or parental right to opt the child out of such assessment, where applicable.
- D. HICD shall make widely available through public means, including by posting in a clear and easily accessible manner on its website and, where practicable, on the website of each of its schools for each grade information on each assessment required by the State to comply with section 1111, other assessments required by the State, and where such information is available and feasible to report, assessments required by districtwide by HICD, including:
  - 1. the subject matter assessed;
  - 2. the purpose for which the assessment is designed and used;
  - 3. the source of the requirement for the assessment; and



4. where such information is available;
  - a. the amount of time students will spend taking the assessment, and the schedule for the assessment; and
  - b. the time and format for disseminating results.
  
- E. HICD shall, not later than 30 days after the beginning of the school year, inform parents of an English learner identified for participation or participating in such a program, of:
  1. the reasons for the identification of their child as an English learner and in need of placement in a language instruction program;
  2. the child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement;
  10. the methods of instruction used in the program in which their child is, or will be, participating and the methods of instruction used in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction;
  11. how the program in which their child is, or will participating will meet the educational strengths and needs of their child;
  12. how such program will specifically help their child learn English and meet their academic achievement standards for grade promotion and graduation;
  3. the specific exit requirements for the program, including the expected rate of transition from such program into classroom that are not tailored for English learners, and the expected rate of graduations from high school (including four-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates for such program) if funds under Part A of ESSA are used for children in high schools;
  4. in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child, as described in section 614(d) of the Individuals with Disabilities Education Act; and
  5. information pertaining to parental rights that includes written guidance;
    - a. detailing the right that parents have to have their child immediately removed from such program upon their request;
    - b. detailing the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available; and
    - c. assisting parents in selecting among various programs and methods of instruction, if more than 1 program or method is offered by the eligible entity.

**PARENT FAMILY AND ENGAGEMENT POLICY**

In support of strengthening student academic achievement, HICD receives Title I, Part A funds and therefore must jointly develop with, agree on with, and distribute to parents and family members of participating children a written parent and family engagement policy that contains

information required by Section 1116(a)(2) of the Every Student Succeeds Act (ESSA). The policy establishes HICD’s expectations and objectives for meaningful parent and family engagement activities.

HICD is committed to creating and promoting a “Great Culture” by partnering with families, communities, and the schools to support the academic success of all children by strengthening the engagement of families. Programs and practices will be established to meet the diverse needs, languages, and cultures of children and families. HICD recognizes the word “parent” also includes guardians and other family members that engaged in the child’s educational process.

HICD will put into operation programs, activities, and procedures for the engagement of parents and family members in all of its schools with Title I, Part A programs. These programs, activities, and procedures will be planned and operated with meaningful consultation with parents and family members of participating children. Consistent with Section 1116, the district will work with its schools to ensure that the required school-level parent and family engagement policies meet the requirements of Section 1116(b) of the ESSA, and each include as a component a school-parent compact consistent with Section 1116(d) of the ESEA.

In carrying out the Title I, Part A parent and family engagement requirements to the extent practicable, HICD and its schools will provide full opportunities for the participation of parents with limited English proficiency, limited literacy, disabilities, who are economically disadvantaged, or are of any racial or ethnic minority background, including providing information and school reports required under Section 1111 of the ESSA in an understandable and uniform format including alternative formats upon request and, to the extent practicable, in a language parents understand.

Parental involvement means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring:

- A. Parents participate in assisting their child’s learning
- B. Parents are encouraged to be actively involved in their child’s education at school
- C. Parents are partners in their child’s education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child
- D. Other activities are carried out, such as those described in Section 1116 of the ESEA.

To support parent and family engagement efforts, HICD will:

- A. Coordinate and integrate parent and family engagement strategies to the extent feasible and appropriate, with other relevant Federal, State, and local laws and programs.
- B. Conduct with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of the parent and family engagement policy in improving the academic quality of all schools served under the part, including identifying:
  - 1. Barriers to greater participation by parents/families in activities authorized by this (with particular attention to parents who are economically disadvantaged, are

- disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background);
2. The needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers; and
  3. Strategies so support successful school and family interactions.
- C. Use the findings of such evaluation to design evidence-based strategies for more effective parental and family engagement, and to revise, if necessary, the parent and family engagement policies Section 1116(a)(2).

HICD promotes and supports developing lasting partnerships with families, communities, and businesses to build capacity for practices and activities that nurture student success. Which strengthens the families' access to resources; businesses/community organizations partner with schools to create programs that connect to the workplace; intergenerational programs support young and old working together; and students serve and learn beyond their school environment.

HICD recognizes the importance of administrative leadership in setting expectations and creating a climate conducive to parent involvement. They are committed to providing professional development opportunities and training for parents and staff throughout the year to enhance understanding of effective parent involvement strategies.

## **SECTION I: FINANCIAL PROCESSES**

### **1. FISCAL MANAGEMENT GOALS**

The governance board supports and endorses the establishment and implementation of sound financial management policies and procedures. These should:

1. Provide a fiscal management program ensuring the optimal operation of the district and provide for the needs of the students.
2. Provide an operational budget ensuring the responsible and appropriate expense of state aid to the district.
3. Reflect policies and goals as well as procedures of the Oklahoma Cost Accounting System.
4. Provide financial procedures for both the receipt and expense of funds that are consistent with sound principles of accounting.
5. Maintain financial records that may be easily audited by appropriate designated sponsoring district and state officials.

## **2. ANNUAL OPERATING BUDGET AND STATE AID**

The governance board believes the formation of an annual operating budget reflecting the judicious expense of state aid monies is essential to the proper management of the school. Therefore, a budget shall be formulated for the school year. This budget shall be reviewed and voted on by the governance board. A monthly review may be made with necessary revisions completed by the governance board.

## **3. OUTSIDE FUNDING**

The governance board shall actively seek any and all outside funding either through grants or donations by individuals, organizations, or businesses that are interested in the educational welfare and advancement of the district's educational objectives. The governance board urges and supports its faculty in seeking such financial assistance for the school. The donation of in-kind donations will be accepted and acknowledged where appropriate.

## **4. SCHOOL ACTIVITY FUND**

Fundraising and the expenses of school activity monies shall be managed through individual school sites.

## **5. FISCAL MANAGEMENT AND ACCOUNTING**

In order to properly manage funds received by the district through any source, it is necessary that an annual budget review and external audit be completed. These shall be scheduled by no later than June 1 for the previous school year. The areas to be audited may be amended as deemed necessary by the governance board. A report of the review and audit shall be made available to the governance board. This report shall be made available to appropriate sponsoring district and Oklahoma State Department of Education officials. The review and audit shall also include recommendations for alteration or revision of the policies, budgets, or procedures of the district or the school or its employees. An independent external audit shall be conducted yearly following each fiscal year to ensure the accuracy of financial statements and reporting. This shall be conducted no later than June 30 of each contract year.

In addition, the following Cash Receipts Policy shall be utilized for the district.

### **CASH RECEIPTS POLICY**

This statement sets forth the policy and procedures for the handling and deposit of cash receipts:

### **STATEMENT**

1. Any and all boards, groups or organizations receiving currency, coin, or checks from any source are required to deposit such funds intact with the business manager.
2. No department or activity of the district may open a bank account in the name of HICD, HCPHS, or ICMS.
3. No currency, coin, or checks are to be transmitted through the postal service or other package delivery company. All deposits must be hand delivered to the business manager

4. The board, group or organization name must accompany each deposit, together with copies of any pertinent back-up correspondence or information. The funds and information will be submitted with the Cash Report, and the board, group, or organization for their auditable file will maintain a copy.
5. Pre-numbered receipt books will be issued to each board, group, or organization for use in issuing receipts to remitters. The board, group, or organization in their auditable file will retain one copy, and the other copy will be given to the remitter. Voided receipts will be attached to the board, group or organization copy and maintained in the auditable file. In addition, any voided items will be noted on the Cash Report.
6. Each board, group, or organization will maintain an income and expenditure ledger for all fundraising and expenditure activity. A monthly summary of all activity will be provided to the business manager and a copy will be maintained in the auditable file.

### CASH RECEIPTS

Cash Receipts: includes currency, coins and checks.

The full amount of cash received must be promptly deposited. Cash received must not be used for petty cash purposes, etc.

All boards, groups, or organizations of the district must deposit cash receipts with the business manager within twenty-four hours of receipt.

All boards, groups, and organizations of the district must record all cash (currency, coin, and checks) at the time the funds are received.

Upon acceptance and verification of the deposit by the business manager, a cash receipt will be prepared. One copy of the cash receipt will be returned to the originating board, group, or organization. This validated copy is the board's, group's, or organization's receipt and should be retained for audit purposes.

### ENDORSEMENTS

All checks will be made payable to the appropriate school site.

All checks for deposit by the school should be appropriately endorsed prior to deposit. The endorsement should identify the board, group, or organization and include the words "Harding Charter Preparatory High School – For Deposit Only" or "Independence Charter Middle School – For Deposit Only."

### DOCUMENTATION

When cash is deposited, copies of pertinent supporting documentation should be attached to the Cash Report at the time it is submitted to the business manager. Failure to provide adequate supporting information of the circumstances relating to the deposit may cause delays in completing the transaction.

### DIRECT RECEIPTS BY THE BUSINESS MANAGER

In instances where cash or checks are received directly by the business manager rather than by a board, group, or organization, a cash receipt will be prepared by the business manager so funds may be deposited on a timely basis. A copy of the cash receipt and all supporting backup will be forwarded to the responsible board, group, or organization to complete their auditable file.

### CASH COLLECTION PROCEDURES

If a board, group, or organization plans to collect funds, a beginning change fund must be requested from the business manager a week prior to the date the change fund is needed. The business manager will be provided with a description of the activity and the approximate dollar amount required for change. The collection of funds by any board, group, or organization will include two individuals for verification of receipts. The board, group or organization will follow the following procedures:

1. Verify the amount of the beginning change fund and enter this information on the Cash Report.
2. Complete a pre-numbered receipt for each individual who remits funds, giving the original to the remitter and maintaining the copy for the board, group or organization's auditable file. Both copies of a voided receipt will be maintained in the board, group or organizations auditable file.
3. Complete the Cash Report to determine the amount of ending cash receipts.
4. List the series of receipt numbers issued on the Cash Report and note any numbers that were voided.

In the event the Cash Report does not balance, a detailed explanation of the overage or shortage will be included when remitting the deposit to the business manager. The Cash Report will be signed by two individuals to verify its accuracy.

## **6. PURCHASING**

The governance board believes the expenditure of funds on behalf of the district should be done with the best interest of students in mind. It is the intent of the governance board that only those goods and services be selected that exhibit the best in quality, serviceability, value, and educational efficacy. Accounting for the expense of public funds shall be maintained using the Oklahoma Cost Accounting System.

The governance board shall authorize the superintendent to purchase and supervise the purchasing of goods and services for the district in accordance with state laws and standard purchasing practices. The purchasing authority of the superintendent will be restricted by the following guidelines:

1. The superintendent has the authority to approve purchases or expenditures of \$5,000.00 or less. The superintendent, in conjunction with the governance board, will establish a yearly budget for the operation of the district schools. It is the responsibility of the superintendent to verify the purchase is in compliance with the established budget for a specified expense category.

2. The business manager will determine the format of the requisition request form and the specific details required. The governance board will approve the form and any subsequent revisions prior to its use. The minimum information will include the item, quantity, detailed product or service description, vendor sources, and the fund the purchase will be charged against. All purchases will be accounted for under the Oklahoma Cost Accounting System established by the State of Oklahoma Office of State Finance (OSF).
3. Instructors and staff members will forward all purchase requests to the principal, with the appropriate supporting documentation on the purchase requisition request form. The principal will review the purchase and submit the request to the superintendent. If required, the superintendent will submit the request to the board for approval.

It is recognized that because of emergencies and various market conditions, it is impossible to make hard and fast rules in terms of dollars governing the way in which all purchases will be made. However, the governance board shall utilize the following guidelines to administer the purchasing process:

1. When purchasing goods or services with a value of more than \$5,000.00 but less than or equal to \$50,000.00, telephone or written quotations from at least one vendor is required prior to submitting the purchasing request to the board for approval.
2. When purchasing goods or services of more than \$50,000.00, written quotations from at least three vendors is required prior to submitting the purchasing request to the board for approval. In situations involving a single purchase source (sole provider), a detailed explanation of the provider's expertise within the scope of goods or services to be provided shall be submitted to the board with the purchase request. A waiver for the quote requirements may be provided to the superintendent from the governance board.
3. It is the intent of the governance board to comply with the purchasing guidelines established by state statute in the use of state funds, and the competitive bid process.
4. The governance board anticipates the utilization of varied and unique funding limited to the use of grants and awards obtained through state, federal, and private sources. The governance board is aware specific requirements may apply to each individual source of funds and establishes the following guidelines: When purchasing goods or services utilizing specially appropriated funds (i.e., federal, state or private grants, special appropriations, etc.) the business manager will establish a specific expenditure policy in accordance with the guidelines established by the fund grantor. These guidelines will be approved by the governance board and utilized in the approval of all purchases from the specified funds.
5. Authorized purchases are those made pursuant to a purchase requisition and approved according to established policy by the superintendent or the governance board. Employees of HICD, or individuals or parents who make unauthorized purchases in the name of any district school, are subject to personal liability, disciplinary action, and/or criminal prosecution for such unauthorized purchases.

## **7. EXPENSE REIMBURSEMENTS**

The governance board recognizes from time-to-time individuals will need to be reimbursed for expenses that exceed \$75.00. Some of these funds will be reimbursed from state allocated funds, while it is appropriate to reimburse others out of school activity funds. In either case, the following procedure will be followed.

This outlines the reimbursement for expenditures for the district for amounts exceeding \$75.00. Reimbursement for expenditures under \$75.00 is covered under Procedure D-10 Petty Cash Funds.

1. In order for an individual to be reimbursed for expenditure over \$75.00, the expenditure must be pre-approved by the superintendent. An estimate of the expense and a description of the expense and its intended use must be submitted in writing. If the amount for reimbursement exceeds \$1,000.00, then the governance board must approve it.
2. After the approved expense has been made, then a receipt or receipt for expenses must be presented to the superintendent. This report should include all receipts, copies of airline tickets or itineraries, hotel receipts, a log of car mileage with date of travel, destination, and any other information that will aid in the support of the financial claim.
3. Reimbursements will not be made for the following:
  - a. Gifts
  - b. Personal loans
  - c. Cashing personal checks
  - d. Personal expenses

## **8. FUNDRAISING**

The governance board believes fundraising is an essential element to the overall success of the district.

### **GUIDELINES FOR INDIVIDUALS/GROUPS ORGANIZING FUNDRAISING PROGRAMS/EVENTS**

1. Present a plan of all anticipated fundraisers. Decide who will participate and what the fundraiser will benefit.
2. Determine goal amount to be raised at each fundraiser.
3. Determine dates of fundraisers: beginning date and ending date.
4. Describe how the fundraiser will be advertised to customers, students, and parents.
5. Describe any special arrangements parents must make to support or facilitate the fundraiser.
6. Determine what impact, if any, the fundraiser will have on instruction, instructional programs, or events held in the school during the days the fundraiser will be held.



7. Determine if the timing of the fundraiser will conflict with any other fundraiser or school event.
8. Describe how funds will be collected, accounted for, and reported in keeping with the financial and accounting policies of the school.
9. Provides all pertinent information for the fundraiser to the principal
10. Principal secures clearance from the superintendent.
11. Superintendent may seek approval from the governance board.

## **9. CREDIT OR PURCHASE CARD**

The use of a credit card can be a cost-effective method of obtaining supplies and services for HICD, and can result in other benefits such as program savings, “cash-back” incentives, and, in some instances, increased warranty periods. The use of credit cards also can assist in accountability through detailed purchase histories and other important record-keeping and time-saving information. Some travel and training costs may also be handled best through the credit card process. All benefits of HICD credit cards will belong to HICD.

The objective and purpose of this policy is to establish guidelines and limitations for the use of a HICD credit card account or accounts and establish criteria for the use of credit cards on such account for the purpose of conducting HICD business as best suits the interests of the district.

### **A. Use of the Credit Card**

1. Any credit card issued on a HICD account is to be used to conduct HICD business only. The use of a district credit card is to acquire or purchase goods and services for other than solely district purposes is fraudulent use and will subject the employee to disciplinary action up to and including dismissal and/or criminal prosecution. Use of any district credit card is restricted to the purchase of goods or services which are budgeted and/or allowed in accordance with district policies.
2. The only persons authorized for credit card access are the superintendent, principal, and the business managers. Each employee issued a card (“the cardholder”) will receive a unique card with the school site name and his/her name on it. The cardholder has the ability to make transactions on behalf of other employees of the school, but only for legitimate school purposes. The cardholder, however, is responsible for all use of his/her card.
3. The cardholder will retain all vendor’s receipts and/or records of telephone, internet, and/or mail orders and file with an appropriate Purchase Requisition and Order for future reconciliation of the credit card statement.
4. The cardholder is at all times responsible for the security of the card.
5. All purchases made with a district credit card shall be paid for within the grace period so that no interest charges or penalties accrue or are assessed.
6. Monthly billing statements for any district credit card shall be reviewed and have all supporting documents of each purchase through an appropriate purchase order.

7. Any incentive program benefits derived from use of a district credit card or credit card account shall inure to the benefit of and be the property of the district. The board authorizes the superintendent to determine the use of such incentive program to the greatest benefit of the district.

B. Unauthorized Credit Card Use

The credit card SHALL NOT BE USED for the following:

1. Personal purchases or personal identification;
2. Cash advances;
3. Personal purchases or expenses, even if the cardholder intends to reimburse HICD.

- C. A cardholder who fails to follow the procedures and/or makes unauthorized purchases will be liable for the total dollar amount of such unauthorized purchases, plus any administrative fees charged by the bank or card company in connection with the misuse. The cardholder will also be subject to disciplinary action.

## **10. PETTY CASH FUND**

The governance board recognizes a clear and consistent procedure must be established for the handling of a Petty Cash Fund.

This section outlines the policy on the management and utilization of a Petty Cash Fund for HICD. Section headings are:

1. Uses of Petty Cash Fund
2. Establishing Petty Cash Fund
3. Custodian responsibilities
4. Maintaining a Petty Cash Fund

### **USES OF PETTY CASH**

1. Purpose of Petty Cash Fund: The Petty Cash Fund enables the district to pay cash for minor business expenditures and immediate expenses that may arise during the normal operation of the school.
2. When Petty Cash Fund may be used: Reimbursements from petty cash are authorized for purchases and expenditures up to \$75.00 per transaction.
3. Accounting accuracy: Reimbursement from Petty Cash Fund must be for the exact amount of the expense. Splitting one transaction over the limit of \$ 75.00 into several parts or requesting reimbursement of less than the full amount of the expense is not allowed.
4. When Petty Cash Fund may not be used: Petty Cash Fund may NOT be used for:
  - Payment for services performed by employees or non-employees

- Gifts
- Personal loans
- Cashing personal checks
- Personal expenses
- Amounts over \$75.00

**ESTABLISHING A PETTY CASH FUND**

1. Petty Cash Fund: Only one Petty Cash Fund will be established for each school site.
2. Size of Petty Cash Fund: The dollar amount of the Petty Cash Fund will be established by law of \$200.00. The total amount spent through petty cash may only be \$2,500.00 per site per school year.
3. Petty Cash Custodian: The principal or their designee shall be the custodian of the petty cash fund.

**MAINTAINING A PETTY CASH FUND**

1. Accounting for Petty Cash Fund transactions: Proper accounting for petty cash requires the principal or his/her designee to make payments for authorized expenditures only, obtain receipts, and record expenditures. Note there MUST be a sales slip, cash register tape, or other receipt attached to a Received of Petty Cash form for each expenditure. The only exception is reimbursement for mileage where a log with odometer readings, date, destination, and business purpose serves in lieu of a receipt. When a receipt is not available, a lost receipt memo should be completed and signed. The person being reimbursed and approved by the principal or his/her designee must sign the Received of Petty Cash form or the attached receipt.
2. Balancing Petty Cash Funds: When reimbursements by the principal or designee deplete the amount of cash, receipts are added to account for the expenditures and to keep the Petty Cash Fund in balance. At any time, the total cash on hand plus the total receipts and reimbursement requests in process should equal the original amount of the Petty Cash fund. The Petty Cash Fund should always be balanced before a request is made for replenishment. The principal or designee will complete a Petty Cash Reconciliation form to balance the fund.

**11. TRAVEL**

If an employee is given prior written approval by the superintendent, or designee, to attend a conference, meeting or seminar as an official representative of the district/school, travel, meals, lodging and registration fee may be reimbursable expenses. An employee is considered to be on official travel when the trip has been approved by the superintendent, or designee. Employees shall provide themselves with sufficient funds to cover travel expenses. There will be no advancement of HICD funds for travel expenses. Travel reimbursements shall be limited to allowance for lodging, transportation, registration fees, meals including gratuities, and other actual and necessary travel expenses incurred by a traveler in the performance of official duties. A non-employee may be reimbursed, as per policy, for the same expenses if they have been

approved to perform duties in lieu of a district/school employee. HICD will not reimburse for alcoholic beverages.

Travel to and from the conference or convention shall be reimbursed in the amount of the actual commercial fare. Travel within the destination area shall be by the most economical means available and is reimbursable for HICD purposes only. If an employee desires, airline reservations may be made through a travel agency. It will be necessary for the employee to make all flight arrangements directly with the agency. Flight arrangements should be made at least twenty-one days in advance of the scheduled travel date. Only authorized travel tickets can be charged to HICD. The employee must submit a requisition form to the superintendent, or designee, whom will prepare a purchase order which can be submitted at the time the employee obtains the ticket. If it is necessary to change travel plans resulting in a refund, the unused portion of the ticket must be submitted to HICD for credit to HICD.

If an employee is approved to drive a personal car instead of using a public mode of transportation, reimbursement will be for coach fare or mileage from workplace to destination, whichever is the lower amount. A copy of the coach fare quote and mileage as determined by MapQuest, Google Maps or a comparable program should be attached to the request for expenses. HICD's rate of reimbursement shall be the same as the prevailing per-mile rate approved by the Internal Revenue Service.

Taxicabs, Buses, Limousines, Use of Personal Vehicles, Rental Vehicles, Parking Fee, and Turnpike Fee Cost will be reimbursed when their use is required in the performance of official duties.

Every employee will use a Travel Reimbursement Request Form, which shall be prepared by the superintendent, or designee, when requesting reimbursement for travel related expenses. This form must be submitted within ten (10) days following the trip. The agenda or conference brochure reflecting dates of the conference must be attached to the reimbursement form. The Travel Reimbursement Request Form must be prepared in detail including receipts for hotel/motel, turnpike fees, parking fees, registration, airline passenger ticket (last sheet of ticket used), airline fees, railroad ticket, bus ticket, and rental vehicle, which must be attached. Each category of expenses must be itemized separately.

The following is a summary of expenses allowable for approved travel:

1. Actual fare and fees for common carrier transportation;
2. Reimbursement for mileage at the prevailing per-mile rate approved by the Internal Revenue Service.
3. Meals that are connected to an over-night stay, which are a qualified business expense and exempt from tax. Meals not involving an overnight stay may be reimbursed but may be considered a taxable fringe benefit. Reimbursements will be actual costs or the per diem rate as allowed by the General Services Administration, whichever is less.
4. Single rate for hotel room; an employee may, based upon reservation confirmation, request advance payment payable to the hotel to cover the cost of their room. Upon

return, the employee must provide receipts to substantiate the actual cost of the room. If the cost of the room is less than the advance, the difference must be reimbursed to HICD.

5. Registration expenses cannot include professional dues;
6. Expenses for travel to and from the airport plus travel expense to and from the convention building and hotel;
7. Dependent Care, if applicable; and
8. Turnpike expense and parking fees.

Expenses for dry-cleaning, non-business long distance telephone calls and alcoholic beverages are not reimbursable.