

MUSKOGEE PUBLIC SCHOOLS
BOARD OF EDUCATION POLICY

School Board Operations
102010

Adopted: August 20, 2019

**BOARD OF EDUCATION
LEGAL STATUS**

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

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

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

Reference: 70 OKLA. STAT. §5-107A

BOARD VACANCIES

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

Each board member is expected to attend all board meetings. If an emergency situation should arise which will prevent a board member from attending a scheduled meeting, the board member should notify the board president or the superintendent. Three or more consecutive unexcused absences from board meetings may constitute abandonment of office, and the board may declare the position vacant and fill the vacancy as prescribed by law.

Reference: 26 OKLA. STAT. §13A-110

CONTINUING EDUCATION FOR SCHOOL BOARD MEMBERS

Instruction for New and Incumbent Board Members:

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

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

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

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

Continuing Educational Requirements

In addition to the workshop requirements described above, every member of the board shall be required to attend a minimum of 15 hours of continuing education during any full term of office of the member. The continuing education courses, local and state workshops, seminars, conferences and conventions that will satisfy these requirements will be held within the state and will be approved jointly by the State Department of Education and the State Department of Career and Technology Education. Failure by a board member to satisfy the continuing education requirements of this section shall result in the ineligibility of the member to run for reelection to the board of education. Any member of the board who attends and completes a

course that satisfies in part or in full the requirements of this policy shall be reimbursed by the district for expenses incurred. This paragraph shall not apply to those school board members who filed for reelection prior to July 1, 1991.

Failure to Meet the Educational Requirements

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

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

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

Reference: 70 OKLA. STAT. §5-110, 70 OKLA. STAT. §5-110.1, 70 OKLA. STAT. §5-110.2

MUSKOGEE PUBLIC SCHOOLS
BOARD OF EDUCATION POLICY

School Board Operations
102040

Adopted: August 20, 2019

SCHOOL BOARD
INTERNAL ORGANIZATION

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

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

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

MUSKOGEE PUBLIC SCHOOLS
BOARD OF EDUCATION POLICY

School Board Operations
102050

Adopted: August 20, 2019

BOARD OF EDUCATION OFFICERS
PRESIDENT

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

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

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

Reference: 70 OKLA. STAT. §5-120

MUSKOGEE PUBLIC SCHOOLS
BOARD OF EDUCATION POLICY

School Board Operations
102060

Adopted: August 20, 2019

BOARD OF EDUCATION OFFICERS
VICE-PRESIDENT

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

Reference: 70 OKLA. STAT. §5-121

MUSKOGEE PUBLIC SCHOOLS
BOARD OF EDUCATION POLICY

School Board Operations
102070

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BOARD OF EDUCATION - TREASURER

It is the policy of the board of education to employ a treasurer for the district. The treasurer shall serve at the pleasure of the board and for such compensation as the board may determine, and shall perform those duties as the board may in its discretion confer upon the treasurer, including but not limited to the duty to maintain records and files as required by law or as instructed by the board or the superintendent. The board of education shall require a minimum bonding capacity of \$50,000 when using an independent treasurer and may increase that amount as circumstances warrant.

Reference: 70 OKLA. STAT. §5-114

BOARD OF EDUCATION - CLERK

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

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

MINUTES CLERK

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

1. Attend all meetings of the board and keep an accurate journal of the proceedings thereof.
2. List numbers of approved encumbrances in the minutes of the board meetings.
3. Furnish tentative minutes to papers requesting copies.
4. Perform such other duties as directed by the board of education.

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

Reference: 70 OKLA. STAT. §5-119

ENCUMBRANCE CLERK

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

1. Keep district books and documents.
2. Enter authorized amounts of appropriations in the appropriate accounts.
3. Charge the correct appropriation account and credit the affected encumbrance outstanding accounts with approved encumbrances after first determining that the encumbrances do not exceed the balance of the appropriation charged.
4. Receive certification from the proper district employee that services or merchandise billed to the district have been received, file bills and invoices in official records, debit the outstanding account and credit the accounts payable account for the amount of the approved bills.
5. Pay the approved bills by issuing warrants against the designated funds, charge the warrants against the appropriate accounts payable accounts and credit them to the appropriate warrants issued accounts, notify the board treasurer when bills are approved for payment in lieu of issuing warrants so that the treasurer can record payments by check, wire transfer, direct payroll deposit or make other disbursement approved by the Federal Reserve System.
6. Receive all warrants, certificates of indebtedness or bonds after the treasurer has registered the warrants in numerical order.
7. Perform other duties as assigned by the board of education, which may include completing purchase order forms.

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

Reference: 70 OKLA. STAT. §5-119

SCHOOL BOARD MEETINGS

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

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

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

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

- A quorum must be present in person at the physical meeting site as posted on the meeting notice and agenda.
- The meeting notice and agenda prepared in advance of the meeting shall indicate that the meeting will include videoconferencing locations and shall state the location, address and telephone number of each available videoconference site, the identity of each member of the body, and the specific site from which each member of the body shall be physically present and participating in the meeting.
- After the meeting notice and agenda are prepared and posted, no member of the public body shall be allowed to participate in the meeting from any location other than the specific location posted on the agenda in advance of the meeting.

- The method of meeting described in the meeting notice shall not be modified prior to the meeting, and the board shall conduct the meeting according to the methods described in the notice. If a code or password is required to access the videoconference meeting, the code or password shall be included in the public notice.
- In order to allow the public to attend and observe each board member carrying out their duties, a member of the board desiring to participate in a meeting by videoconference shall participate from a site and room located within the district or political subdivision from which they are elected, appointed, or are sworn to represent. Each site or room where a member of the board is present for a meeting that includes videoconference, shall be open and accessible to the public, and the public shall be allowed into that site or room.
- Public bodies may provide additional videoconference sites as a convenience to the public, but additional sites shall not be used to exclude or discourage public attendance at any video at any videoconference site.
- The public shall be allowed to participate and speak, as allowed by rule or policy set by the public body.
- Any materials shared electronically between members of the public body, before or during the videoconference, shall also be immediately available to the public in the same form and manner as shared with members of the public body.
- All votes occurring during any meeting conducted using videoconferencing shall occur and be recorded by roll call vote.
- *Executive sessions by videoconference are prohibited.*

The regular meeting of the board of education shall be the third Tuesday of each month at 6:00 p.m. at the location indicated in the annual letter to the Muskogee County Clerk. The regular meeting may be changed in accordance with the provisions of the Open Meeting Act.

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

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

BOARD OF EDUCATION
NOTIFICATION OF MEETINGS

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

Notice to County Clerk

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

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

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

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

Meeting Notices

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

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

Continuing Meetings

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

Internet Website

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

Videoconference

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

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

MUSKOGEE PUBLIC SCHOOLS
BOARD OF EDUCATION POLICY

School Board Operations
102130

Adopted: August 20, 2019;
Revised: October 19, 2021

QUORUM
BOARD MEETING PROCEDURE

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

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

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

PUBLIC PARTICIPATION IN BOARD MEETINGS

Philosophy

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

In order to permit fair and orderly expression of public comment, the board shall provide an opportunity at each regular meeting of the board for public comment on items listed on the agenda of the regular meeting for board action. Members of the public who wish to make public comments unrelated to items on the board agenda may also address the board by following the procedures outlined below.

Public Comments – General Guidelines

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

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

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

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

Public Comments on Agenda Items

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

Comments of the speaker must relate to an item on the meeting agenda. Generally, participants shall be limited to comment of a maximum of two (2) minutes duration unless altered by the presiding officer, with the approval of the board. All public comments during any one regular meeting shall be limited to no more than fifteen (15) minutes. No participant

may speak more than once during a single meeting. All statements shall be directed to the presiding officer; no participant may address or question board members individually.

Individuals or groups wishing to speak during the public comment period of the meeting must check in with the board clerk at least fifteen minutes prior to the start of the board meeting. The individual must provide the following information, in writing, in order to speak before the board:

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

Public Requests to be Added to the Board Agenda

Individuals who wish to address the board by having an item / issue added to the agenda must submit a written request to the superintendent at least seven business days in advance of a board meeting on the form available in the superintendent's office.

The superintendent and board president have final authority in determining whether to include an item on the board agenda. The superintendent will notify the potential speaker at least two business days prior to the meeting whether the requested item has been included on the agenda.

No speaker will be permitted to make comments on issues which are subject to remediation under policies and procedures of the board or district. In particular, the board will not hear either positive or negative comments about staff members or persons connected with the district until those comments/complaints have reached the board through proper administrative procedures. Further, no person will be allowed to speak regarding the following:

- An issue in a pending lawsuit, complaint or investigation filed with an outside agency, wherein the district, employee(s) or the board is a party;
- A pending grievance;
- A pending employee complaint filed with the district or an outside agency;
- A complaint against individual employee(s);
- An employee disciplinary action, including suspension or termination;
- A pending pupil disciplinary action including suspension or appeal that may reach the board

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

Reference: 25 OKLA. STAT. §303, 304

BOARD OF EDUCATION
EXECUTIVE OFFICER – SUPERINTENDENT

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

1. The superintendent is the executive officer of the board and the leader of the educational forces of the community. The board shall seek the superintendent's recommendation on school matters.
2. The superintendent shall attend the meetings of the board (except when his/her employment is being considered) and advise the board on all school matters.
3. The superintendent shall make recommendations to the board of candidates for teacher and supervisory positions, as well as other employees of the school system as the need arises. The board shall not normally employ a school employee against the recommendation of the superintendent. The board will direct the superintendent to make additional recommendations if necessary.
4. The superintendent shall devote him/herself to the study of public educational trends, keep the board informed on conditions of the schools of the district, and present recommendations for the determination of policy. The superintendent shall, once policies have been established, devise ways and means for their operation and make periodic reports on the success of such policies.
5. All purchases of supplies, materials or equipment shall be made on authority of a purchase order approved by the superintendent.
6. Responsibility for the operation and maintenance of the lunch program is delegated to the superintendent. Monthly reports regarding the financial status of the program shall be made available to the board of education.
7. Responsibility for the operation and maintenance of the activity funds shall be delegated to the superintendent.
8. The superintendent shall prepare procedures for admitting non-resident children who apply for permission to attend school in this district, and for the

transfer of children who apply for permission to attend schools in other districts.

9. The superintendent shall be responsible for the administration of suspensions and exclusions of children of compulsory school age for any reason.
10. The superintendent shall be responsible for providing the ways and means for teaching the subjects required by the State Board of Education and such other subjects as may be designated or approved by the board of education.
11. The superintendent shall have all school accounts audited each year and a copy of the audit filed with the clerk of the board of education.
12. The superintendent shall carefully observe the methods of instruction and the discipline of teachers; suggest improvements; remedy defects in their management; advise as to the best methods of instruction and discipline; and pay special attention to the classification of students, the program of studies and the apportionment of time allotted to each of the prescribed subjects.
13. The superintendent shall secure adequate plant facilities; standardize supplies, equipment and other materials used in the school; and formulate standard procedures for purchasing equipment in all departments of the school.
14. The superintendent shall prepare a well-coordinated budget by requiring the various divisions of the school system to participate in its development.
15. The superintendent shall have the authority to close the school in case of emergency.
16. The superintendent shall visit schools in other cities to observe developing educational trends and to suggest appropriate means for the advancement of the district.

The renewal of the superintendent shall be considered by the board and announced no later than its regular meeting in January each year. It is the duty of the president of the board to notify the superintendent as soon as possible following the board's decision.

BOARD-SUPERINTENDENT RELATIONSHIP

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

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

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

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

**TERM OF OFFICE AND SALARY
OF SUPERINTENDENT**

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

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

Prior to considering the superintendent's contract for renewal, the board shall complete and present to the superintendent an evaluation form pertaining to the superintendent's performance.

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

Reference: OKLA. CONST. X, §26

EVALUATION OF THE SUPERINTENDENT

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

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

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

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

CHARTER SCHOOLS

Introduction

The board may elect to sponsor a charter school to serve any combination of grades Pre-k through 12 within the geographical boundaries of the district if it appears that the proposed charter would provide valuable opportunities for student learning. Charter schools sponsored by the district must be nonsectarian in all programs, including admission and employment practices. The board will not sponsor a charter school which is affiliated with a religious institution or private sectarian school.

If the charter contract is approved by both the district's board of education and the governing board of the charter school, the charter school will be a fully recognized Oklahoma public school. The charter school will be able to serve as many students as specified in the charter contract.

District Responsibilities / Process

The administration will promptly review all charter school proposals which are submitted in accordance with this policy and the Oklahoma Charter Schools Act, OKLA. STAT. tit. 70 § 3-130 ("Act"). The Act is incorporated herein by reference. At the conclusion of the review, the superintendent or his/her designee will prepare a written report which evaluates the proposal and makes a recommendation to the board regarding accepting or rejecting the proposed sponsorship.

The board shall either accept or reject sponsorship of a proposed charter school within ninety (90) days of receipt of the proposal. Applicants whose proposals are rejected are eligible to appeal as specified by the Act.

If the board recommends that an application be approved, the board will work cooperatively to develop a charter contract with the school. Once a contract is fully approved and executed, the district will monitor the charter school's operation, including progress toward its goals and its fiscal operations. The district will also provide the Oklahoma State Department of Education a copy of the charter contract.

The board specifically retains all powers and duties granted to it by the Act.

Applicant / Charter School Responsibilities / Process

Applicants must be familiar with the requirements of the Act and this policy and submit a charter school proposal which meets all necessary requirements. Applicants whose proposals are recommended for sponsorship must work cooperatively with the district's board to develop a charter contract.

The governing board of any approved charter school must work cooperatively with the district's board in accordance with the terms of the charter. This includes, but is not limited to providing information, documentation, and reports required by the Act or as requested by the district.

Application and Charter Contract Development Process

All charter school applications must be received in the superintendent's office by September 1 (or the next workday if the superintendent's office is closed on September 1) for a proposal to begin the following school year.

All charter school applications must utilize the template provided by the board and meet any deadlines established by the board. Any application which does not provide all required information in the prescribed format will be rejected. Any applicant which does not comply with stated timelines will be rejected.

Term and Renewal

An initial charter contract will be for a term of five (5) years. A charter contract may be renewed for addition five (5) year terms, or less, based on the performance, demonstrated capacities and particular circumstances of a charter school. Renewal proposals must be submitted before beginning the last contract year of operation as stated in an existing charter contract. A renewal proposal must contain, at a minimum:

- a complete progress report related to the charter school's existing goals and objectives, including student achievement;
- a list of newly defined or continuing goals through the entirety of the proposed renewal period;
- any improvements the charter school has implemented or planned;
- a complete financial statement;
- copies of all annual financial audits;
- any other evidence the charter school wishes to provide to support the renewal application; and
- any other information requested by the district.

Failure to meet the renewal deadline will waive the renewal option, although the charter school may submit a regular application as outlined in this policy and Oklahoma law.

Prior to the beginning of the final year of the charter contract, the district will issue a performance report and renewal guidance which summarizes the charter school's performance to date and outlines information regarding any issues which may negatively impact the charter school's renewal. The guidance will provide information about the specific criteria which will guide the district's decision related to the renewal. All renewal decisions will be based on the criteria established by the Act.

Termination

The board may terminate a charter contract during its term for any of the following reasons:

- failure to meet student performance requirements contained in the charter contract;

- breach of the charter school contract;
- failure to meet specified or required fiscal management requirements;
- legal violations; or
- other good cause.

The district's board will notify the charter school at least ninety (90) days prior to terminating a charter contract. If the charter school wishes to dispute the board's decision, the governing body must make a written request for an informal hearing within fourteen (14) days of receipt of the notice. If, after the hearing, the district's board still decides to terminate the charter contract, the charter school may pursue the remedies outlined in the Act to the extent legally permissible.

If a charter contract is terminated or not renewed, the charter school Will develop a transition team to work with the district to close the charter school in an orderly manner. This will include but not be limited to areas such as:

- transferring students, records, and school funds;
- regular communication with families, employees, and stakeholders;
- notifications pertinent to the closure; and
- general business related to the conclusion of the charter school's work.

Regardless of the pending closure of any charter school, the charter school is required to continue to provide educational services pursuant to the terms of the charter for the duration of the school year in question.

Teacher Rights

Teachers will not lose any salary or benefit status provided by law upon returning to the district after teaching at a district-sponsored charter school. A teacher who leaves the district to teach at a district-sponsored charter school will also be given employment preference if the teacher re-applies for employment within three (3) years after ending employment with the district, contingent upon the availability of an appropriate position.

EMERGENCY PREPAREDNESS AND MANAGEMENT

The board of education is committed to ensuring that the District is prepared to address potential emergencies and to ensure that it can address emergencies in the most appropriate and efficient manner to provide a safe and healthy school environment.

The purpose of this policy is to address emergency preparedness and management. In the event of an emergency situation (including but not limited to fire, natural disasters, severe weather, acts of terror, health emergencies, and any other emergency situation) the superintendent is responsible for developing specific plans and procedures in accordance with this policy.

This policy is not intended to replace any current safety plans as related to evacuation procedures for fires, or severe weather sheltering

Definitions

“Prevention” means the capabilities necessary to avoid, deter, or stop an imminent crime or threatened or actual mass casualty incident. It refers to the actions the District and schools will take to prevent a threatened or actual incident from occurring.

“Protection” means the capabilities to secure the District and its schools against acts of violence and man-made or natural disasters. It focuses on ongoing actions that protect students, teachers, staff, visitors, networks, and property from a threat or hazard.

“Mitigation” means the capabilities necessary to eliminate or reduce the loss of life and property damage by lessening the impact of an event or emergency. It also means reducing the likelihood that threats and hazards will happen.

“Response” means the capabilities necessary to stabilize an emergency once it has already happened or is certain to happen in an unpreventable way, to establish a safe and secure environment, to save lives and property, and to facilitate the transition to recovery.

“Recovery” means the capabilities necessary to assist the District and schools affected by an event or emergency in restoring the learning environment.

General Emergency Preparedness

In the event an emergency arises that is not otherwise specifically covered in this policy, the District will follow the general procedures outlined below, leaving discretion to the superintendent or the superintendent’s designee(s) to address specific situations against the backdrop of this and other applicable board policies.

Decision-Making Authority

The board of education grants the superintendent the authority to decide when an emergency exists and to communicate that emergency to employees, students, and appropriate stakeholders by the means appropriate to the nature of the emergency. Depending upon the type and severity of the emergency, the superintendent and District administrators may implement the following responses: Shelter in Place, Lockdown, Evacuation, School Closure, and any other response the superintendent and/or administrators deem appropriate under the circumstances. The superintendent may appoint or meet with a committee to discuss the needs of the District and to implement appropriate steps recommended by the committee to plan for and respond to emergencies. The board of education grants the superintendent the authority to delegate appropriate tasks to members of a committee and administrators in planning for and responding to emergencies. After an emergency arises, the board of education may convene, pursuant to procedures provided in the Open Meeting Act, to discuss any necessary topic relevant to the District's handling of the situation as soon as practicable, including calling either a special or emergency meeting if necessary. The board of education shall convene under this provision in any situation that the superintendent believes a school closure of more than two (2) days is required. In that meeting, the superintendent shall report on the emergency, including any steps taken. The board grants the superintendent the authority to take any necessary actions, delegate authority, and implement any necessary responses, including temporary school closures, prior to meeting with the board. Thereafter, the board will take further appropriate action.

Actions to be Taken

Any action taken under this policy by the board of education or the superintendent will be made in accordance with applicable state and federal laws, regulations, and guidance; and recommendations from emergency management officials, law enforcement, health authorities, and other appropriate agencies and resources. Actions will be based upon sound information and data, and any plans and procedures that are developed will be evaluated and updated as new information becomes available.

Communication

Throughout every phase of emergency preparedness and management, clear, accurate, and timely communication with employees, students, and (as appropriate) with stakeholders will be accomplished by designated personnel.

School Closure/Evacuation

When responding to an emergency, if the superintendent or board of education determines that it is in the best interest of the District that schools should be closed and/or evacuated, appropriate measures shall be designed and implemented to ensure the safety and transportation of students; essential functions of the District shall continue to the extent practicable. In the event of a long-term closure of schools for more than five (5) days, the measures shall address the following topics: continuity of instruction, school lunch programs, access to student records, purchasing services, payroll/benefits administration, maintenance, and health services. Furthermore, the superintendent shall ensure that all stakeholders are adequately informed through appropriate communications.

Nondiscrimination

In addressing emergency preparedness and management, the District will be mindful of its obligation to protect the rights of its students and employees, particularly in regard to Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and Title VI of the Civil Rights Act of 1964. The District will respond appropriately to allegations of discrimination regarding emergency preparedness and management.

HEALTH EMERGENCIES

The board of education seeks to provide an environment which is safe for all students and employees, while maintaining the dignity and privacy of individuals infected with contagious health conditions which constitute a health emergency.

This policy outlines the procedures the District will utilize to address health emergencies. The superintendent, after consultation with state and federal authorities, the State Board of Education, as well as appropriate guidance from the Centers for Disease Control (CDC), the Oklahoma Department of Health, and the Muskogee County Health Department, is authorized to take any other action the superintendent deems necessary to address a health emergency. Ongoing research regarding contagious health conditions may require modification of this policy and procedures to meet a health emergency.

For purposes of this policy, “contagious health conditions” are serious illnesses that are capable of being transmitted to others via the air or casual physical contact between persons or contaminated surfaces.

Prevention

The District will be proactive in preventing the spread of contagious health conditions and educate students, employees and appropriate stakeholders on their responsibility to prevent the transmission of these conditions. The board of education encourages all its employees and students to protect their personal health.

In consultation with appropriate health guidance and authorities, the following preventative measures will be implemented and communicated to students, employees and stakeholders:

1. **Handwashing** – The CDC recommends that every person wash their hands with clean, running water and soap; lather their hands by rubbing them together with soap (including the backs of the hands, under fingernails, and between fingers) for at least 20 seconds; rinse their hands well under clean, running water; and dry their hands using a clean towel or air drying them. If no soap and water is available, hand sanitizers may be used, but these do not remove all types of contaminants. If hand sanitizer is used, it should be rubbed all over the surface of ones’ hands until dry. Students and employees shall be encouraged to wash their hands in compliance with CDC guidelines.
2. **Cough and Sneeze Hygiene** – Students and employees should use a tissue to cover their mouths and noses when they sneeze or cough. Used tissues should be promptly discarded in a wastebasket, and hands should be washed with soap and water or

hand sanitizer. Where tissues are unavailable, persons should sneeze or cough into their elbow and should not use their hands. If hands become contaminated due to sneezing or coughing, appropriate handwashing should promptly follow. Additionally, the touching of eyes, noses, or mouths should be avoided.

3. Masks – Employees, students and stakeholders shall wear a face mask at all times directed by the superintendent. In determining whether cloth face masks or other masks are permissive or required, the superintendent shall consider state and local COVID-19 conditions and requirements, guidance of the local health department, school instruction cohorts, and the ability to utilize social distancing, as well as other relevant considerations.
4. Vaccines – Vaccinations are a primary way to prevent disease and the spread of contagious health conditions. School officials shall comply with all state and federal requirements concerning vaccinations, and shall communicate the importance of vaccinations to parents and guardians.
5. Cleaning and Disinfecting – District employees shall clean and disinfect surfaces and objects that are frequently touched in school buildings and buses using appropriate materials and techniques. The District shall ensure that it has adequate supplies to support its cleaning and disinfection practices. School employees are required to follow the District’s Bloodborne Pathogen Exposure Control Plan at all times when there is potential for exposure to any bodily fluid.
6. Community Education – The District shall educate students, employees and appropriate stakeholders to help them understand their role in preventing the spread of contagious health conditions, which may include language-appropriate signage, posters, emails, meetings, training, literature, and health curriculum components.

Protection/Mitigation

In addition to the above prevention measures, to protect and mitigate against the spread of contagious health conditions, the following measures may be implemented: updating all contact information for students and employees; encouraging or requiring students and employees to remain home if they are sick; encouraging students and employees to practice social distancing; sending students home if they are sick; and educating stakeholders in preventing and identifying a contagious health condition.

Response

In the event of a health emergency, the following procedures may be utilized:

1. Students and employees may be required to stay home if they are ill with a contagious health condition and may be sent home if school officials determine that they are exhibiting symptoms consistent with a contagious health condition. Students and employees will not be allowed to return to school until a health officer or official health department (the CDC, Muskogee County Health Board, licensed physician, licensed physician’s assistant, health department official, school nurse, etc.) has determined that the individual is free of the condition or that there is no danger of the condition spreading to others.

2. At the sole discretion of the administration, individuals who have been exposed to a contagious health condition may be separated from healthy persons or sent home to avoid spreading the condition to others. These determinations will be done on a case-by-case basis and will be done after the consideration of guidance issued by health officials. Any action taken in accordance with this paragraph will be done, to the extent possible, in a manner that avoids embarrassment or disclosure of protected information.
3. The District shall communicate information necessary to keep stakeholders informed about any health emergency, provide stigma-mitigating information, and educate them on their roles in preventing further transmission of the contagious health condition.
4. The District shall coordinate with appropriate health agencies to appropriately report absences and seek guidance in responding to a health emergency.
5. The District shall increase its cleaning and disinfection efforts.
6. The superintendent or board of education may cancel or reschedule extracurricular activities, close schools and/or evacuate students and employees from school sites. Should this become necessary, the superintendent shall implement the School Closure/Evacuation procedures found under General Emergency Preparedness.
7. Students may receive exemptions from other board policies due to excessive absences caused by a contagious health condition.

Recovery

In recovering from a health emergency, the following procedures may be utilized as determined necessary by the superintendent: rigorous cleaning and disinfection of school facilities and buses; the provision of crisis management resources to address mental health needs; and other procedures deemed necessary. The superintendent shall communicate with appropriate stakeholders, debriefing and informing them of the District's recovery efforts. The District shall continue appropriate prevention, protection, mitigation, and response procedures listed above in preparation for potential resurgence of the health emergency. The superintendent shall also evaluate the effectiveness of the District's response to the emergency and recommend appropriate changes to this policy or the procedures used and report the results of this evaluation to the board of education.

PANDEMIC HEALTH EMERGENCIES

A "pandemic" is a serious disease that spreads over a wide geographic area where a significant portion of the population becomes infected. The District recognizes its responsibility in working together with all stakeholders to slow the spread of pandemics.

In the event of a pandemic, the District shall comply with any and all relevant directives from federal and state officials, particularly the State Board of Education concerning the pandemic. At all times the superintendent shall keep the board of education and all appropriate stakeholders informed concerning the District's response to a pandemic. Efforts shall be made to keep the community calm and reduce panic or stigma.

Prevention

1. The superintendent shall, at least annually, coordinate with state and local health departments when reviewing and updating this policy and associated procedures.
2. The superintendent shall monitor appropriate health resources such as those of the CDC and State Department of Health for reports of pandemics, as well as coordinate with local health departments to identify and prepare strategies for addressing likely pandemics.
3. The District shall circulate materials that educate students, employees, and appropriate stakeholders concerning the signs and symptoms of a likely pandemic. It shall also teach and reinforce to students and employees the importance of following the prevention procedures listed in the Health Emergencies section above.
4. The District shall obtain materials necessary to address a pandemic outbreak and shall intensify its cleaning and disinfecting process.

District administrators shall train employees regarding identifying the symptoms of a likely pandemic and reinforce prior training on employees' responsibilities concerning isolation of students or employees in the event of a pandemic. Should a pandemic be reported in the community, in addition to the above procedures addressing health emergencies, the superintendent shall coordinate with state and local health departments to make informed decisions, monitor and report absenteeism to those departments, communicate with stakeholders, and prepare for possible extracurricular activity cancellations, school closures, and school evacuations.

1. The superintendent shall monitor reports of illness from within the District.
2. The District shall communicate to students, employees, and appropriate stakeholders to keep them informed about developments concerning the pandemic, providing stigma-mitigating information, and informing them of their roles in preventing further transmission of the pandemic disease.
3. Students and employees shall stay home if they exhibit symptoms consistent with the pandemic illness and shall be sent home if they exhibit symptoms consistent with the pandemic illness while at school. Parents and guardians of ill students shall be immediately informed and required to pick up their student(s). Students and employees will not be allowed to return until a health officer or official health department (e.g., the CDC, Muskogee County Health Board, licensed physician, licensed physician's assistant, health department official, school nurse, etc.) has determined that the individual is free of the condition or that there is no danger of the condition spreading to others in the school environment. Depending upon the guidance issued by health authorities, students and employees may be prohibited from entering school facilities or participating in school events until a period of self-quarantine has expired.
4. Individuals who have been exposed to a pandemic disease shall be separated/isolated from healthy persons in a manner that addresses symptoms and

avoids embarrassment or disclosure of protected health information. Parents and guardians of students who have been exposed to a pandemic disease shall be immediately informed and required to pick up their student(s). Depending upon the guidance issued by health authorities, students and employees may be prohibited from entering school facilities or participating in school events until a period of self-quarantine has expired.

5. If the District believes that school employees or students have been exposed to a person who has been confirmed to be infected with the pandemic disease or to a person subject to self-quarantine procedures by health officials, the District will, to the extent possible, communicate that exposure to affected individuals in a way intended to protect the privacy of the affected individual.
6. If any school employee, student, or school patron is confirmed to have been infected with the pandemic disease and has attended school within the previous two-week period, they should notify school officials as soon as possible.
7. The District shall communicate and coordinate with appropriate federal and state authorities, as well as local health agencies, to report absences and seek guidance in responding to the pandemic.
8. The District shall further intensify its cleaning and disinfection efforts.
9. The superintendent or board of education shall cancel or reschedule extracurricular activities as necessary.
10. If appropriate, the superintendent or board of education may close schools and/or evacuate students and employees from school sites. Should this become necessary, the superintendent shall implement the School Closure/Evacuation Procedures found in the General Emergency Preparedness section above.
11. In the event of a school closure due to a pandemic disease, the superintendent shall cause all affected areas of the District to be closed off and be thoroughly cleaned and disinfected, focusing on frequently-touched surfaces and using products approved by the EPA to kill the disease associated with the pandemic. Guidance on cleaning and disinfection from the CDC shall be consulted and adhered to.
12. The superintendent shall seek the guidance of local health agencies and follow all directives from the State Department of Education regarding when District school sites shall be reopened.

References: The Readiness and Emergency Management for Schools Technical Assistance Center (REMS): *The Role of Districts in Developing High-Quality School Emergency Operations Plans*; REMS: *The Guide for Developing High-Quality School Emergency Operations Plans*; The Centers for Disease Control and Prevention (CDC): *Coronavirus Disease 2019 (COVID-19) Guidance for School Settings*; CDC: *Handwashing: Clean Hands Save Lives*; CDC: *Environmental Cleaning and Disinfection Recommendations*; OKLA. STAT. tit. 63, §§ 638.1–683.24.

DIRECT DEPOSIT OF PAYROLL

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

Participation in the direct deposit program shall be mandatory from August 20, 2021. Thereafter, all employees shall have their payroll wage payments disbursed through direct deposit to the financial institution of each employee's choice. Agreement to accept direct deposit of payroll funds shall be a prerequisite for new employment with the Muskogee Public Schools, (the "District"). The Board may grant exemptions from this policy on such terms and conditions as it deems necessary.

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

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

It shall be the responsibility of each employee to notify the District's business department of any changes to either the employee's designated bank account or banking institution that would affect direct deposit of funds at least fifteen (15) days before the next scheduled payroll disbursement.

Reference: 70 OKLA. STAT. § 6-106.2