

**MATERNITY LEAVE
(REGULATIONS)**

Employees who qualify for state paid maternity leave are entitled to extend the duration of their maternity leave beyond six (6) weeks provided by this policy if they have sufficient sick leave available to cover the extended duration. Such sick leave may be used for recovery from childbirth, bonding with a newborn, or caring for a newborn. Extended sick leave shall not exceed six (6) weeks unless a licensed medical professional provides written certification recommending additional leave for medical necessity related to the employee's recovery from childbirth or for the care of the newborn to achieve a combined twelve (12) weeks of leave as addressed in the Family Medical Leave Act (FMLA). FMLA leave shall run concurrently with maternity leave and the paid sick leave extended duration.

Any employee who intends to utilize available sick leave to extend the duration of maternity leave must notify the administration of the school district.

REFERENCE: 70 O.S. §6-104.8

STANDARDS OF PERFORMANCE AND CONDUCT FOR TEACHERS

Teachers are charged with the education of the youth of this state. In order to perform effectively, teachers must demonstrate a belief in the worth and dignity of each human being, recognizing the supreme importance of the pursuit of truth, devotion to excellence, and the nurturing of democratic principles.

In recognition of the magnitude of the responsibility inherent in the teaching process and by virtue of the desire for the respect and confidence of their colleagues, students, parents, and the community, teachers are to be guided in their conduct by their commitment to their students and their profession.

**PRINCIPLE I
COMMITMENT TO THE STUDENTS**

The teacher must strive to help each student realize his or her potential as a worthy and effective member of society. The teacher must work to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the teacher:

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning.
2. Shall not unreasonably deny the student access to varying points of view.
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress.
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.
5. Shall not intentionally expose the student to embarrassment or disparagement.
6. Shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation, unfairly:
 - A. Exclude any student from participation in any program.
 - B. Deny benefits to any students.
 - C. Grant any advantage to any student.

This includes antisemitism, which is a certain perception of Jews, which may be expressed as hatred toward Jews.

7. Shall not use professional relationships with students for private advantage.
8. Shall not disclose information about students obtained in the course of professional service, unless disclosure serves a compelling professional purpose and is permitted or required by law.

STANDARDS OF PERFORMANCE AND CONDUCT FOR TEACHERS (Cont.)**PRINCIPLE II
COMMITMENT TO THE PROFESSION**

The teaching profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In order to assure that the quality of the services of the teaching profession meets the expectations of the state and its citizens, the teacher shall exert every effort to raise professional standards, fulfill professional responsibilities with honor and integrity, promote a climate that encourages the exercise of professional judgment, achieve conditions which attract persons worthy of the trust to careers in education, and assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation to the profession, the educator:

1. Shall not in an application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications.
2. Shall not misrepresent his/her professional qualifications.
3. Shall not assist the entry into the teaching profession of any person known to be unqualified in respect to character, education, or another relevant attribute.
4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position.
5. Shall not assist an unqualified person in the unauthorized practice of the teaching profession.
6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.
7. Shall not knowingly make false or malicious statements about a colleague.
8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decision or actions.

PRINCIPLE III

1. Pursuant to the Teacher Due Process Act of 1990, a career teacher may be dismissed or not reemployed for:
 - A. Willful neglect of duty.
 - B. Repeated negligence in performance of duty.
 - C. Mental or physical abuse to a child.

STANDARDS OF PERFORMANCE AND CONDUCT FOR TEACHERS (Cont.)

- D. Knowing and willful failure to report suspected child abuse or neglect;
 - E. Incompetency.
 - F. Instructional ineffectiveness.
 - G. Unsatisfactory teaching performance.
 - H. Commission of an act of moral turpitude.
 - I. Abandonment of contract.
 - J. Conviction of a felony.
 - K. After a finding that such person has engage in criminal sexual activity or sexual misconduct that has impeded the effectiveness of the individual's performance of school duties, or
 - L. Failure to earn required staff development points.
- 2. A career teacher shall not be subject to dismissal or non-reemployment for items A, B, D, E, and F, above unless and until a written admonishment has been issued in accordance with relevant law.
 - 3. A probationary teacher shall not be subject to dismissal or non-reemployment for inadequate teaching performance unless or until a written admonishment has been issued in accordance with relevant law.
 - 4. Temporary teachers, substitute teachers, adult education teachers, and teachers employed in positions fully funded by private or federal grants shall not be protected by the provision of the Teacher Due Process Act.
 - 5. A teacher convicted of a felony shall be dismissed or not reemployed unless a presidential or gubernatorial pardon has been issued.
 - 6. A teacher may be dismissed, refused employment, or not reemployed after a finding that such person engaged in criminal sexual activity or sexual misconduct that has impeded the effectiveness of the individual's performance of school duties:
 - A. "Criminal sexual activity" means the commission of an act defined in Section 886 of Title 21 of the Oklahoma Statutes, which is the act of sodomy; and
 - B. "Sexual misconduct" means the soliciting or imposing of criminal sexual activity (70 O.S. 6-101.22).

STANDARDS OF PERFORMANCE AND CONDUCT FOR TEACHERS (Cont.)

7. A teacher may be dismissed, refused employment, or not reemployed after a finding that such person has, either in the presence of a minor or in a manner that such person has participated in making available to minor online, engaged in sexual acts, acts that appeal to the prurient interest in sex as found by the average person applying contemporary community standards, or acts that excessively promote sexuality in light of the educational value of the material and in light of the youngest age of any student with access to said material.

REFERENCE: 70 O.S. Sec. 60101.21, et. seq.

NOTE: In accordance with the referenced statutes, a copy of these standards of performance and conduct will be provided to each teacher.

THIS POLICY IS REQUIRED BY LAW.

RECORDS INVESTIGATION

The Choctaw-Nicoma Park Schools board of education believes that it has a responsibility to employ only those persons who are qualified in every respect. The board further believes that it should avail itself of means and methods provided by the legislature to assist in the selection of employees. Therefore, it is the policy of this board of education that a felony records check be conducted of all prospective employees. The board of education is not required to obtain a new criminal history record check for an individual who has obtained certification from the Oklahoma State Department of Education within the previous twelve (12) months. A national criminal history record check is defined as 74 O.S. § 150.9 and requires a check of criminal history records entailing the fingerprinting of the individual and submission of the fingerprints to the United States Federal Bureau of Investigation (FBI) for the purpose of obtaining the national criminal history record of the person from the FBI.

Any teacher employed prior to May 19, 2020, who does not have an Oklahoma criminal history record check from the Oklahoma State Bureau of Investigation as well as a national criminal history record check as defined above on the file with the district shall complete the criminal history background checks upon the next renewal of his or her Standard Teaching Certificate. Any other employee employed by the district prior to May 10, 2020 who does not have an Oklahoma criminal history record check from the Oklahoma State Bureau of Investigation as well as a national criminal history record check as defined above on file with the school district shall have until July 1, 2022, to complete the criminal history background checks.

A written consent will be required from the prospective employee consenting to a felony records check to be conducted as authorized by Oklahoma law. The records check shall be initiated by the school district's written request, through the superintendent, to the State Department of Education. Effective November 1, 2012, the school district may contract with a third-party vendor who is a member in good standing with the National Association of Professional Background Screeners to perform any and all employment screenings, background checks, and credit checks.

All applicants for employment will be required to submit their fingerprints (electronically done) for a national criminal history records check and shall be required to pay all fees associated with such a record check. After a support employee has completed ninety (90) contract days, he/she will be reimbursed the amount he /she was required to pay to the Oklahoma State Department of Education, when requested in writing. A written consent will be required from the prospective employees consenting to a felony records check to be conducted as authorized by Oklahoma law. The records check shall be initiated by the school district's written request, through the superintendent or his/her designee, to the State Department of Education. Effective November 1, 2012, the district may contract with a third-party vendor who is a member in good standing with the National Association of Professional Background Screeners to perform any and all employment screenings, background checks, and credit checks.

Any person applying for employment as a substitute teacher shall only be required to have one such felony search for the school year. Upon request of the substitute teacher, that felony records search results may be sent to any other school district in which the substitute teacher is applying to teach. The board of education may choose whether to require a national criminal history records check from a prospective substitute teacher who has been employed by the school district in the last year.

RECORDS INVESTIGATION

Any person employed as a full-time teacher by a school district in Oklahoma in the five (5) years immediately preceding an application for employment as a substitute teacher may not be required to have a criminal history records check, if the teacher produces a copy of a national criminal history records check completed within the preceding five (5) years and a letter from the school district in which the teacher was last employed stating the teacher left in good standing and whether the teacher was the subject of any allegation of inappropriate behavior with a student.

Any person who has been employed as a full-time teacher by a school district who applies for employment as a full-time teacher in another school district may not be required to have a national criminal history background check completed if the teacher produces a copy of a national criminal record check completed within the preceding five (5) years and a letter from the school district in which the teacher was employed stating the teacher left in good standing and whether the teacher was the subject of any allegation of inappropriate behavior with a student.

Any person who has been employed as a substitute by a school for a minimum of five (5) years preceding an application to be employed as a full-time teacher may not be required to have a national criminal history record completed if the teacher can produce a copy of a national criminal history record check completed within the preceding five (5) years and a letter from the school district in which the teacher was employed as a substitute teacher stating that the teacher left in good standing and whether the teacher was the subject of any allegation of inappropriate behavior with a student.

Any person employed as a full-time teacher by a school district in Oklahoma for ten (10) or more consecutive years immediately preceding an application for employment as a substitute teacher in the same school district is not required to have a national criminal record check for as long as that person remains employed for consecutive years by that school. If the substitute teacher wishes to work in another Oklahoma school district, a national criminal history background check will be required.

If the applicant for employment meets all other criteria for employment in this school district, the applicant may be employed on a temporary basis for a maximum of sixty (60) days pending receipt of the felony records search results. The temporary employment of the prospective employee shall terminate after sixty (60) days unless the school district received the results of the national criminal records check. The sixty (60) day temporary employment period shall begin on the first day the prospective employee reports for duty at the employing school district. If the applicant is offered permanent employment following the review of the records search, the search fee will not be reimbursed in full.

REFERENCE: 70 O.S. Sec. 5-142

FLAGS

It is the policy of the Choctaw-Nicoma Park Board of Education that the American flag and the Oklahoma flag will be flown at the school during school hours except in bad weather. An assigned custodian will be responsible for raising and lowering the flag.

Any American flag flown on school premises shall be flown in accordance with 4 U.S.C §1 and 2 as well as all other provisions in federal law regarding the display of the American flag. Failure to adhere to legal requirements regarding the display of the American flag could lead to disciplinary action.

The school day will begin with a flag salute. However, students not wishing to participate in the pledge shall not be required to do so.

Flags representing United States Military branches, Choctaw-Nicoma Park Schools and Great Expectations may also be flown on school premises with the approval of the administration. No other flags shall be flown on school property at any time. In the event other flags are flown on school premises, individuals involved will be directed to remove them from the premises.

REFERENCE: 25 O.S. §91.2
25 O.S. §153
70 O.S. §24-106
Accreditation Standard 210:35-3-5

CORPORAL PUNISHMENT

It is the policy of the Choctaw-Nicoma Park Board of Education to administer corporal punishment only as a last resort after other reasonable corrective measures have been used without success. However, under no circumstances shall any child in DHS custody or any student on an individualized education program (IEP) be administered corporal punishment.

At the beginning of the school year, parents and legal guardians will be provided the opportunity to allow the administration of corporal punishment to their child(ren). Failure to provide written authorization will not impact the student(s) and will result in alternative punishments being administered. Under no circumstances will the administration administer corporal punishment to a student where written consent was not provided.

Corporal punishment must be administered in the presence of another professional, certificated staff member, preferably an administrator. Careful documentation of each occasion shall be made by the teacher or the administrator or both. Such documentation will identify the student and set forth the behavior necessitating the punishment; the person who administered the punishment; and the name of the witnesses.

Under no circumstances shall other students or non-certificated personnel observe the administration of corporal punishment. The student shall be carefully advised of the nature of the rule infraction for which the punishment is being administered.

If a parent or legal guardian has requested that corporal punishment not be administered to the student, alternative discipline will be considered and may include suspension from school.

If an incident occurs and corporal punishment is imposed on a student with disabilities, the incident should be reported immediately to a school site administrator and documented using the statewide online IEP reporting system. A copy of the document should be placed in the student's file and provided to the student's parent or guardian. For each incident, the student's parent or guardian shall be notified as soon as possible, and must be notified no later than the school day following the incident or within twenty-four (24) hours of the incident, whichever is first. An IEP meeting may be needed to review or implement a Behavior Intervention Plan (BIP) for the student.

**REFERENCE: 10 O.S. § 7115
70 O.S. §6-113.1
70 O.S. §6-114
70 O.S. §13-116
Accreditation Standard 210: 15- 13-9**

**REPORTING SUSPECTED CHILD ABUSE
AND/OR NEGLECT**

In accordance with Oklahoma law, any person is required to immediately report suspected cases of physical abuse or neglect involving students under the age of eighteen (18) to the statewide toll free hotline of the Department of Human Services. The statewide DHS hotline number is 1-800-522-3511. Any person having reason to believe that a student age eighteen (18) or older is a victim of abuse or neglect shall immediately report the matter to local law enforcement. The board of education fully supports that requirement and has established this policy to facilitate such reporting.

Every teacher, support person, or other employee of this school district shall report any suspected physical, mental, or sexual abuse or neglect of any school student to the Department of Human Services by telephone. The employee shall also inform the building principal who will advise the superintendent that the report was made using Form FFG-E.

"Child Abuse and Neglect" shall include, but is not limited to:

1. Child abuse as defined in Section 843.5 of Title 21 of the Oklahoma Statutes.
2. Sexual abuse or sexual exploitation as defined in Section 1-1-105 of Title 10A of the Oklahoma Statutes.
3. Contributing to the delinquency of a minor as defined in Section 856 of Title 21 of the Oklahoma Statutes.
4. Trafficking in children, as defined in Section 866 of Title 21 of the Oklahoma Statutes.
5. Incest as described in Section 885 of Title 21 of the Oklahoma Statutes.
6. Forcible sodomy, as described in Section 888 of Title 21 of the Oklahoma Statutes.
7. Maliciously, forcibly or fraudulently taking or enticing a child away, as described in Section 891 of Title 21 of the Oklahoma Statutes.
8. Soliciting or aiding a minor child to perform or showing, exhibiting, loaning or distributing obscene material or child pornography, as described in Section 1021.2 of Title 21 of the Oklahoma Statutes.
9. Procuring or causing the participation of any minor child in any child pornography or knowingly possessing, procuring or manufacturing child pornography, as described in Section 1021.2 of Title 21 of the Oklahoma Statutes.
10. Permitting or consenting the participation of a minor child in any child pornography, as described in Section 1021-3 of Title 21 of the Oklahoma Statutes.
11. Facilitating, encouraging, offering or soliciting sexual conduct with a minor, as described in Section 1040.13A of Title 21 of the Oklahoma Statutes.
12. Offering or offering to secure a minor child for the purposes of prostitution or any other lewd or indecent act, as described in Section 1087 of Title 21 of the Oklahoma Statutes.

**REPORTING SUSPECTED CHILD ABUSE
AND/OR NEGLECT**

13. Causing, inducing, persuading or encouraging a minor child to engage or continue to engage in prostitution, as described in Section 1088 of Title 21 of the Oklahoma Statutes.
14. Rape or rape by instrumentation, as described in Sections 1111.1 and 1114 of Title 21 of the Oklahoma Statutes.
15. Making any oral, written or electronically or computer-generated lewd or indecent proposals to a minor child under the age of sixteen (16) as described in Section 1123 of Title 21 of the Oklahoma Statutes.

The reporting obligations under this section are individual, and no employer, supervisor or administrator of a person required to provide information pursuant to this section shall discharge, or in any manner discriminate or retaliate against, any such person who in good faith provides such child abuse reports or information, testifies, or is about to testify in any proceeding involving child abuse or neglect; provided, that such person did not perpetrate or inflict such abuse or neglect. Any such employer, supervisor, administrator who discharges, discriminates, or retaliates against such person shall be liable for damages, costs, and attorney fees. Any person who knowingly and willingly fails to promptly report any incident of child abuse may be reported to local law enforcement for criminal investigation and, upon conviction thereof, shall be guilty of a misdemeanor. Any person who knowingly and willfully makes a false report, or makes a report that the person knows the report lacks factual foundation may be reported by the Department of Human Services to local law enforcement for criminal investigation and, upon conviction thereof, shall be guilty of a misdemeanor.

Any person participating in good faith and exercising due care in the making of a report or any person who, in good faith and exercising due care, allows access to a child by persons authorized to investigate a report concerning the child shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such participant shall have the same immunity from any liability with respect to participation in any judicial proceeding resulting from such report.

A school employee with knowledge that a report has been made shall not disclose information identifying the reporting employee unless otherwise ordered by the court as a part of an investigation by local law enforcement or the Department.

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

REFERENCE: 10A O.S. § 7101, et seq.
21 O.S. 1981, §846, 847
63 O.S. § 1-120(G)
70 O.S. §1210.162
Atty. Gen. Op. No. 78-202 (Dec. 28, 1978)

**CHILD ABUSE, NEGLECT, EXPLOITATION AND
TRAFFICKING REPORT FORM**

Any District employee having reasonable cause to believe that a student is the victim of abuse, neglect, or exploitation must IMMEDIATELY report this matter to the Oklahoma Department of Human Services (DHS) through the hotline designated for this purpose (800-522-3511) and to local law enforcement. In addition to reports to DHS and local law enforcement above, employees must report suspected child trafficking to the Oklahoma Bureau of Narcotic and Dangerous Drugs Control (OBNDDC) at 800-522-8031.

An employee should also provide notice to the school principal or other school official that a report was made to DHS, local law enforcement, and/or OBNDDC, and provide relevant information on the report for the District's records.

Instructions:

This form should be completed in full and immediately delivered to the school site principal. If for some reason the reporting party believes the principal is not the appropriate individual to receive the report, then this completed form should be immediately delivered to the superintendent.

Reporting Employee Information

Reporting Employee Name: _____

Title/ Position: _____

Date & time notified of
suspected abuse, neglect,
exploitation or trafficking: _____

Student Information

Student Name: _____ Race: _____ Siblings: _____

Student Address: _____

Student DOB/Age: _____

Student ID Number: _____

Parent/Guardian: _____ DOB: _____ Work location: _____

Parent/Guardian Contact #: _____

Description of suspected abuse, neglect, exploitation or trafficking and other information and/or document(s) (including information regarding any previous incidents) known to the reporting party (attach separate page if additional space is needed):

STUDENTS

FFG-E

**CHILD ABUSE, NEGLECT, EXPLOITATION AND
TRAFFICKING REPORT FORM**

Reporting Information
(ALL FIELDS MUST BE COMPLETED or Marked N/A)

Oklahoma Department of Human Services (Mandatory in all case)

Date of DHS hotline (800-522-3511) Notification: _____

Time of DHS Hotline (800-522-3511) Notification: _____

Name of DHS Hotline Employee Contacted: _____

DHS Case/Confirmation Number: _____

Law Enforcement (Mandatory in all cases)

Date of Law Enforcement Notification: _____

Time of Law Enforcement Notification: _____

Agency and Law Enforcement Employee Contacted: _____

Method of Communication with Law Enforcement: _____

Case or Report Number: _____

Oklahoma Bureau of Narcotics and Dangerous Drugs Control (OBNDDC)
(Mandatory only if suspected child trafficking)

Date of OBNDDC Hotline (800-522-8031) Notification: _____

Time of OBNDDC (800-522-8031) Notification: _____

Name of OBNDDC Hotline Employee Contacted: _____

OBNDCC Case/Confirmation Number: _____

Signature of Reporting Employee

Date Report Completed: _____

Time Report Completed: _____