

STUDENT TRANSFERS

The school district will not accept or deny a transfer based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language, measure of achievement, aptitude or athletic ability. Receipt of applications will be documented by the district so that the district may review those applications in the order submitted for purposes of capacity limitations.

Transfers that have previously been approved by the school district will remain in effect for future school years unless the district provides notification to the parent or legal guardian that the transfer is not going to be continued for an upcoming school year due to disciplinary action or attendance issues. The district will not require parents resubmit a new application each school year and will advance the previous application of an enrolled student amending only the grade placement of the student.

A transfer may be requested at any time in the school year. State law does limit the ability of a student to transfer to no more than two (2) times per school year to one or more school districts in which the student does not reside. Exceptions to this limit will exist for students in foster care. Students are legally entitled to reenroll at any time in his or her school district of residence. Any brother or sister of a student who transferred in the previous school year will be provided preferential treatment and may be approved regardless of capacity with only discipline and attendance records reviewed in the determination of the sibling transfer request. A separate application must be filed for each student so that the district can timely consider requests in the order applications are received.

A student who has attended school as a resident student for at least three years prior to moving out of the school district may be allowed to transfer into the district regardless of capacity. Such student's application will be reviewed utilizing only disciplinary records and attendance in the determination of the transfer request.

It is the policy of the Board of Education that any legally transferring student shall be accepted by the district under the following circumstances:

1. The district has the capacity to accept the student at the grade level at the school site.
2. The transferring student has not been disciplined for:
 - a. violation of a school regulation.
 - b. possession of an intoxicating beverage, low-point beer, as defined by Section 163.2 of Title 37 of the Oklahoma Statutes, or missing or stolen property if the property is reasonably suspected to have been taken from a student, a school employee, or the school during school activities.
 - c. possession of a dangerous weapon or a controlled dangerous substance while on or within two thousand (2,000) feet of public-school property, or at a school event, as defined in the Uniform Controlled Dangerous Substances Act.
3. The transferring student does not have a history of absences. "History of absences" means ten or more absences in one semester that are not excused for the reasons provided in 70 O.S. § 10-105 or due to illness.

By the first day of January, April, July and October, the Board of Education shall establish the number of transfer students the district has the capacity to accept in each grade level for each school site within the district.

TRANSFER POLICY(Cont.)

The number of transfer students for each grade level at each site that the district has the capacity to accept will be posted in a prominent place on the school district's website. The district shall report to the State Department of Education the number of transfer students for each grade level for each school site which the district has the capacity to accept.

The district has a capacity of 20 per grade level teacher in Grade PK at Choctaw Elementary School.
The district has a capacity of 19 per grade level teacher in Grade K at Choctaw Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 1st at Choctaw Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 2nd at Choctaw Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 3rd at Choctaw Elementary School.
The district has a capacity of 20 per grade level teacher in Grade 4th at Choctaw Elementary School.
The district has a capacity of 20 per grade level teacher in Grade 5th at Choctaw Elementary School.

The district has a capacity of 20 per grade level teacher in Grade PK at Westfall Elementary School.
The district has a capacity of 19 per grade level teacher in Grade K at Westfall Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 1st at Westfall Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 2nd at Westfall Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 3rd at Westfall Elementary School.
The district has a capacity of 20 per grade level teacher in Grade 4th at Westfall Elementary School.
The district has a capacity of 20 per grade level teacher in Grade 5th at Westfall Elementary School.

The district has a capacity of 20 per grade level teacher in Grade PK at Nicoma Park Elementary School.
The district has a capacity of 19 per grade level teacher in Grade K at Nicoma Park Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 1st at Nicoma Park Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 2nd at Nicoma Park Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 3rd at Nicoma Park Elementary School.
The district has a capacity of 20 per grade level teacher in Grade 4th at Nicoma Park Elementary School.
The district has a capacity of 20 per grade level teacher in Grade 5th at Nicoma Park Elementary School.

The district has a capacity of 20 per grade level teacher in Grade PK at Indian Meridian Elementary School.
The district has a capacity of 19 per grade level teacher in Grade K at Indian Meridian Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 1st at Indian Meridian Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 2nd at Indian Meridian Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 3rd at James Griffith Intermediate School.
The district has a capacity of 20 per grade level teacher in Grade 4th at James Griffith Intermediate School.
The district has a capacity of 20 per grade level teacher in Grade 5th at James Griffith Intermediate School.

The district has a capacity of 20 per grade level teacher in Grade PK at CNP Heartland Elementary School.
The district has a capacity of 19 per grade level teacher in Grade K at CNP Heartland Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 1st at CNP Heartland Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 2nd at CNP Heartland Elementary School.
The district has a capacity of 19 per grade level teacher in Grade 3rd at CNP Heartland Elementary School.
The district has a capacity of 20 per grade level teacher in Grade 4th at CNP Heartland Elementary School.
The district has a capacity of 20 per grade level teacher in Grade 5th at CNP Heartland Elementary School.

TRANSFER POLICY(Cont.)

The district has a capacity of 200 students in Grade 6th at Choctaw Middle School.
The district has a capacity of 200 students in Grade 7th at Choctaw Middle School.
The district has a capacity of 200 students in Grade 8th at Choctaw Middle School.

The district has a capacity of 200 students in Grade 6th at Nicoma Park Middle School.
The district has a capacity of 200 students in Grade 7th at Nicoma Park Middle School.
The district has a capacity of 200 students in Grade 8th at Nicoma Park Middle School.

The district has a capacity of 425 students in Grade 9th at Choctaw High School.
The district has a capacity of 400 students in Grade 10th at Choctaw High School.
The district has a capacity of 370 students in Grade 11th at Choctaw High School.
The district has a capacity of 350 students in Grade 12th at Choctaw High School.

The district has a capacity of 18 full-time students in Grade 4th/5th at EDGE Virtual School.
The district has a capacity of 30 full-time students in Grade 6th at EDGE Virtual School.
The district has a capacity of 30 full-time students in Grade 7th at EDGE Virtual School.
The district has a capacity of 30 full-time students in Grade 8th at EDGE Virtual School.
The district has a capacity of 30 full-time students in Grade 9th at EDGE Virtual School.
The district has a capacity of 30 full-time students in Grade 10th at EDGE Virtual School.
The district has a capacity of 30 full-time students in Grade 11th at EDGE Virtual School.
The district has a capacity of 30 full-time students in Grade 12th at EDGE Virtual School.

A student may be allowed to transfer to a district in which the parent or legal guardian of the student is employed 70 O.S. § 8-113.

The district will approve or deny the application and notify the parent of the student of the determination in writing within thirty (30) days of receiving an application. The school district shall enroll transfer students in the order in which they submit their applications. If the number of student transfer applications exceeds the capacity of the district, the district shall select transfer students in the order in which the district received the application. Students who are the dependent children of a member of the active uniformed military services of the United States on full-time active-duty status and students who are the dependent children of the military reserve on active-duty orders shall be eligible for admission to the school district regardless of capacity of the district. Students shall be eligible for military transfer if:

1. At least one parent of the student has a Department of Defense issued identification card.
2. At least one parent can provide evidence that he or she will be on active-duty status or active-duty orders, meaning the parent will be temporarily transferred in compliance with official orders to another location in support of combat, contingency operation or a national disaster requiring the use of orders for more than thirty (30) consecutive days.

If the transfer application is accepted, the district shall notify the parents of the acceptance. The parent shall provide the district with written notification that the student will be enrolling within ten (10) days of notification of acceptance. Failure to notify the school district within ten (10) days of acceptance shall result in the cancellation of the transfer. The district will provide a written notice of the cancellation to the parent of the student immediately upon cancellation. If accepted, a student transfer is granted for the existing school year and may continue to attend in future years. At the end of the school year, the district may deny continued transfer of the student due to disciplinary reasons or a history of absences. Written notice of the intention to deny continued transfer of the student shall be given to a parent of a student no later than July 15. The parent may appeal the denial of a continued transfer.

TRANSFER POLICY(Cont.)

If a transfer request is denied by the school district, the district shall provide notification of the denial in writing to the parent by either hand-delivery, by U.S. Mail or electronic mail. The notification shall include:

1. An explanation including but not limited to any citation to the statute, regulation, or school district policy under which the denial was made;
2. A copy of the policy adopted by the district for determining the number of transfer students the school district has the capacity to accept;
3. A copy of 210:10-1-18.1 from the Administrative Code; and
4. The date upon which the appeal will be due.

If a transfer request is denied by the administration, the parent or legal guardian of the student may appeal the denial within ten (10) days of notification of denial to the board of education. If notification was hand-delivered, the appeal period shall begin the day after the notification is delivered. If notification is sent by U.S. Mail, the appeal period shall begin three (3) days after the notification is mailed. If notification is sent via electronic mail, the appeal period shall begin the day after the notification is sent. The Board of Education shall consider the appeal at its next regularly scheduled board meeting if notice is provided prior to the statutory deadline for posting the agenda for the meeting. The Board of Education shall accept an otherwise untimely appeal if a parent of a student can establish that they did not receive actual notice of the notification denying the transfer request, and the appeal was submitted within ten (10) days after the parent of the student actually received notice.

The appeal to the Board of Education shall be submitted to the office of the superintendent. The appeal shall include the following:

1. The name, address and telephone number of the parent of the student and the student for whom the appeal is being taken.
2. The date the district gave notice denying the transfer request.
3. The basis for appealing the decision of the school district.
4. The name, address and telephone number of the legal representative, if applicable.

During the appeal, the board will review the action of the administration to make sure that the district policy was followed with regard to the denial of the transfer. The board of education will meet in an executive session to review the educational records of the student. If the policy was not followed, the board of education shall vote to overturn the denial and the transfer will be granted. This will be a paper appeal and will include the written documentation utilized by the school district as well as a written response from the parent or legal guardian which explains why the policy was not followed.

If the Board of Education votes to deny an appeal of a request to transfer, the Board of Education shall instruct the superintendent to provide notification of denial in writing to the parent of the student by either hand-delivery, by U.S. Mail, or by electronic mail. The notification shall include:

1. An explanation, including the legal citation to the statute, regulation, or school district policy under which the denial was made;
2. A copy of the policy adopted by the board of education for determining the number of transfer students the district has capacity to accept;
3. A copy of the State Board of Education's prescribed form for an appeal; and
4. A copy of 210:10-1-18.1 which identifies the Accreditation standard for appealing the denial of a student transfer.

TRANSFER POLICY(Cont.)

If the Board of Education votes to uphold the denial of the transfer, the parent or legal guardian may appeal the denial within ten (10) days of the notification of the appeal denial to the State Board of Education. The parent or legal guardian shall submit to the State Board of Education and to the superintendent of the district a notice of appeal on the form prescribed by the State Board of Education. The superintendent shall immediately provide a copy of the appeal to each member of the Board of Education.

Upon receipt of notice of an appeal, but not later than five (5) days prior to the date at which the State Board of Education is scheduled to consider the appeal the board of education may submit a written response to the appeal. Responses should not exceed five (5) pages. If not submitted by the parent, the Board of Education shall provide a copy of the policy adopted to determine the number of transfer students the district has the capacity to accept in each grade level for each school site within the district. The parent and the school district will have an opportunity to appear in person or by authorized representative or by attorney to address the State Board at the meeting.

~~A student who enrolls in a school district in which the student is not a resident shall not be eligible to participate in school-related extramural athletic competition governed by the Oklahoma Secondary School Activities Association for a period of one (1) year from the first day of attendance at the receiving school unless the transfer is from a school district which does not offer the grade the student is entitled to pursue as per 70 O.S. § 8-103.2.~~

REFERENCE: 70 O.S. §1-114
70 O.S. §1-113
70 O.S. §5-117.1
70 O.S. §8-101, et seq.
70 O.S. §24-101, et seq.; §24-102
Family Education Rights and Privacy Act
Atty. Gen. Op. No. 87-134, April 1, 1988
State Accreditation Standards 210:10-1-18 and 210:10-1-18.1

A POLICY ON THIS TOPIC IS REQUIRED BY LAW

STUDENT TRANSFERS FOR CHILDREN OF ACTIVE-DUTY MILITARY MEMBERS

Students who are the dependent children of a member of the active uniformed military services of the United States on full-time active duty status and students who are the dependent children of a member of the military reserve on active duty orders shall be eligible for admission to the school district of their choice if he or she is a student whose parent or legal guardian is transferred or is pending transfer to a military installation within the state while on active military duty pursuant to a valid military order. Students shall be eligible if at least one parent of the student has a Department of Defense-issued identification card.

Students who currently reside outside of a district they select for admission shall be treated by the receiving district as residing within the receiving district for purposes of enrollment.

If the enrolling student is on an IEP, an individualized family service plan, or a Section 504 plan, the district shall take the necessary steps including, but not limited to, the transfer of records and any prior evaluations, the performance of reevaluations, if necessary, and meetings to ensure that comparable services are in place prior to the student's first day of school in the state.

REFERENCE: 70 O.S. §8-103.1

POLICY REQUIRED BY LAW

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. In addition to the above, every school employee having reason to believe, or receiving an allegation or disclosure, that a student is the victim of sexual abuse, sexual assault, or sexual misconduct shall report the disclosure, allegation or information within twenty-four hours to local law enforcement.

Local law enforcement means a law enforcement agency that is independent of the school district, campus police department and shall not include a school resource officer employed by the school district unless directed by the independent law enforcement agency. When a school resource officer is utilized, the office shall submit a written report describing the circumstances and any actions taken to the independent law enforcement agency. Reports must be made prior to any formal investigation or questioning of the subject of the disclosure or allegation.

No school investigator, administrator or official shall conduct formal interviews of the subject of the disclosure or allegation or engage in disciplinary proceedings until law enforcement has been notified and has had the opportunity to interview the involved parties, unless law enforcement determines that an immediate school response is necessary to protect student safety.

Any school employee with knowledge of a report shall not disclose information identifying the reporting school employee unless otherwise ordered by the court or as part of an investigation by local law enforcement or the State Department of Education.

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.

REPORTING SUSPECTED CHILD ABUSE (Cont.)

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.
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

REPORTING SUSPECTED CHILD ABUSE (Cont.)

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)

AFFIDAVIT REGARDING EMPLOYMENT STATUS AND STUDENT SAFETY INVESTIGATIONS

STATE OF _____)

) ss.

COUNTY OF _____)

I, _____, being first duly sworn upon oath, state as follows:

1. I am the _____ of _____ School District ("District") and am authorized to make this Affidavit on behalf of the District.
2. _____ ("Teacher") was employed by the District from _____ to _____ as a _____.
3. During the Teacher's employment with the District, the Teacher was in good standing at the time of separation from employment.
4. The District attests as follows regarding allegations of inappropriate behavior with a student:

☐ The Teacher was not the subject of any allegation of inappropriate behavior with a student during his/her employment with the District.

OR

☐ The Teacher was the subject of an allegation of inappropriate behavior with a student. The District investigated the allegation, and the allegation was:

☐ Substantiated

☐ Unsubstantiated

☐ Closed with no finding of misconduct

A brief description of the allegation and outcome (if permitted by law and District policy) is as follows:

5. At the time of the Teacher's separation from employment with the District, there was:

☐ No pending or ongoing investigation involving allegations of inappropriate behavior with a student.

OR

☐ A pending or ongoing investigation involving allegations of inappropriate behavior with a student, described as follows:

6. The contact information for the District is:

School District: _____

Address: _____

City, State, Zip: _____

Telephone: _____

Email: _____

Contact Person/Title: _____

7. The District authorizes the prospective employing school district to contact the above-listed representative to verify the information contained in this Affidavit.

FURTHER AFFIANT SAYETH NOT.

Affiant

Title

Subscribed and sworn to before me on this ____ day of _____, 20.

Notary Public

My Commission Expires: _____

Commission Number: _____

PERSONAL ELECTRONIC DEVICES

It is the policy of the Board of Education that a student may possess a personal electronic device while on school premises, or while in transit under the authority of the school, or while attending any function sponsored or authorized by the school upon consent of both the student's parent or guardian, and the superintendent or the superintendent's designee. Students may be issued a device by the school district such as a laptop, tablet or other electronic device. School issued devices or school-approved devices are exempt from the requirements of this policy and shall be utilized for educational purposes by students.

Students are prohibited from utilizing cell phones and personal electronic devices while on the campus of a public school district from bell to bell. Exceptions may be made as follows:

1. Emergency use of cell phones or personal electronic devices by students during the school day. Emergency use includes situations where immediate communication is needed for safety or urgent personal matters. This includes, but is not limited to:
 - a. Medical Emergencies – Calling 911 or a parent if a student or someone nearby is having a severe health crisis (e.g., asthma attack, allergic reaction, seizure).; or
 - b. Natural Disasters or Lockdowns – Communicating with law enforcement or family during events like tornados, fires, lockdowns, or other emergencies affecting the school; or
2. Use of cell phones or personal electronic devices by students who use them to monitor health issues. This includes, but is not limited to, glucose monitoring which may occur multiple times during the school day; or
3. Students with special needs may use cell phones or personal electronic devices during class time or during the school day if their IEP, Medical Plan, or 504 Plan explicitly requires it as assistive technology for medically or educationally necessary purposes. To qualify for this exception, the use must be listed as a documented accommodation necessary for instruction or communication within the student's IEP, Medical Plan, or 504 Plan.

“Bell to bell” means the time between the first bell ringing at the start of the school day to begin instructional time until the dismissal bell at the end of the school day to end instructional time.

“Personal electronic device” means a personal device capable of connecting to a smart phone, the Internet, or a cellular or Wi-Fi network, or directly connecting to another similar device. Personal electronic devices include, but are not limited to, smart watches, smart headphones, laptops, tablets, and smart glasses. Personal electronic devices shall not include school-issued or school approved devices that are specifically limited for use in classroom instruction.

Students found to be using any personal electronic device for any illegal purpose, violation of privacy, or to in any way send or receive personal messages, data, or information that would contribute to or constitute cheating on tests or examinations shall be subject to discipline and the device shall be confiscated by the administration of the school district. Any personal wireless communication device that is confiscated will be returned to the student at the end of the school day. Students violating this rule may be disallowed from carrying any wireless telecommunication device following the incident unless the device is utilized to monitor a health condition.

PERSONAL ELECTRONIC DEVICES

Students found to be in possession of or using a personal electronic device in violation of the rules shall be subject to disciplinary action under the student discipline policy. Punishment for violation will be determined by the administration on a case-by-case basis. ~~Where appropriate, law enforcement may be contacted.~~

REFERENCE: 70 O.S. §1-126
70 O.S. §24-101.1, et seq.
70 O.S. §24-102

THIS POLICY REQUIRED BY LAW

NEPOTISM

This school district will not consider for employment any relative of a board member who is related within the second degree by affinity or consanguinity to the board member. Such relatives include the following persons:

Board Member's:

spouse
child
child's spouse
parent
parent's spouse
grandchild
grandchild's spouse
grandparent
grandparent's spouse
brother
brother's spouse/half-brother's spouse
sister
sister's spouse/half-sister's spouse

Spouse's:

child
parents
grandchild
grandparents
brother/step-brother
sister/step-sister

If the relationship is based on affinity (marriage), then those members of the board who are serving on September 1, 1995, may complete the term for which they were elected and any successive terms for which they may be elected unless it is the member's spouse who is a member of the Board of Education or an employee of the school district. In which case, the prohibition against employment or serving as a school board member will apply. The board member may not participate in any regular or executive session of the board held to consider any personnel matter or litigation relating to said relative except that the board member may vote on collective bargaining agreements for the renewal of contracts as a group if the vote is necessary to establish a quorum. If more than one board member is related to a teacher or employee, only the minimum number of board members necessary to establish a quorum may vote. Length of service on the Board of Education shall be used in order to determine which of these board members shall be allowed to vote when necessary to establish a quorum.

The following relatives of a board member may be employed by the school district:

Aunt/Uncle (third degree)
Niece/Nephew (third degree)
Great-grandparent (third degree)
Great-grandchild (third degree)
Cousin (fourth degree)

The prohibitions in this policy shall not apply to the employment of substitute teachers or to the employment of temporary substitute support employees, as long as the district's ADM is less than 5,000 students.

REFERENCE: 70 O.S. §5-113, 5-113.1

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.

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

RECORDS INVESTIGATION (Cont.)

(5) years and an affidavit from the school district in which the teacher was last employed stating the teacher left in good standing. The affidavit shall attest whether the teacher was the subject of any allegation of inappropriate behavior with a student and whether there was a pending or ongoing investigation of inappropriate behavior between the teacher and a student. If an allegation of inappropriate behavior was investigated by an employing school district, the affidavit shall state whether the allegation was substantiated, unsubstantiated or closed with no finding of misconduct. The affidavit shall include contact information for the prior employing school district, which the prospective employing school district shall contact to determine the validity of the submitted affidavit.

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 an affidavit from the school district in which the teacher was employed as a substitute teacher stating that the teacher left in good standing. The affidavit shall attest as to whether the teacher was the subject of any allegation of inappropriate behavior with a student and whether there was a pending or ongoing investigation of inappropriate behavior between the teacher and a student. If an allegation of inappropriate behavior was investigated by an employing school district, the affidavit shall state whether the allegation was substantiated, unsubstantiated or closed with no finding of misconduct. The affidavit shall include contact information for the prior employing school district, which the prospective employing school district shall contact to determine the validity of the submitted affidavit.

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. §5-142

AFFIDAVIT OF GOOD STANDING

STATE OF OKLAHOMA

§
§
§

COUNTY OF _____

I, _____, the undersigned person, being of lawful age, being first duly sworn, on oath, state that I am employed at (name of school district) as (position).

I affirm that (name) was employed as a full-time teacher by the school district in the five (5) years immediately preceding this affidavit and had obtained a national criminal history record check completed within that time frame.

I further affirm that the teacher left in good standing.

(must delete whichever of these paragraphs does not apply)

I hereby further attest that the teacher was not the subject of any allegation of inappropriate behavior with a student.

Or

I hereby further attest that there was an allegation of inappropriate behavior with a student which was investigated by the school district and was determined to be unsubstantiated with no finding of misconduct.

My contact information is: name, title, email address, telephone number and mailing address if you would like to address this matter further.

I acknowledge that willful misstatement in this affidavit, known by me to be false, is a misdemeanor punishable by imprisonment not to exceed one (1) year or a fine not to exceed five hundred dollars (\$500) or both such fine and imprisonment.

Affiant

Subscribed and sworn to me this ____ day of _____, ____.

Notary Public or officer administering oath

My commission expires:

(Seal)