

# **Student Expectations Policies, Procedures, and Safety Guidelines**

The mission of Mid-Del Public Schools:  
“When the young people of Mid-Del enter our schools, they will be safe.  
When they enter our classrooms, they will be challenged.  
When they leave our schools, they will be ready.”

Dr. Rick Cobb  
Superintendent

Board Approved  
August 9, 2021



This handbook was revised through the cooperative efforts of administrators, teachers and parents, and received Board of Education approval August 9, 2021.  
Mid-Del School Policy J-18 R-2A

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**Policy: C-18**

*Adopted: 2-2-76  
Revised: 8-9-21*

## **NOTICE OF NONDISCRIMINATION**

The Mid-Del Public School District No. I-52 does not discriminate on the basis of race, color, national origin, sex, pregnancy, gender, gender expression or identity, religion, veteran status, sexual orientation, disability, age, or genetic information in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies:

Pam Huston  
Chief Human Resources Officer  
Address: 7217 S.E. 15<sup>th</sup> Street  
Midwest City, OK 73110  
Phone: 405-737-4461 X1215  
Email Address: phuston@mid-del.net

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The Midwest City-Del City School District is committed to the goal of identifying, evaluating and locating every child with a disability who resides within the boundaries of the district, and who is not receiving Special Education services, including children who are homeless, wards of the state or attending private schools. Some students may be eligible for services as early as age three (3).

If you have knowledge of any individuals with a disability between the ages of three (3) through twenty-one (21) years of age, who may be in need of Special Education services, please refer their parents/legal guardian to Mid-Del Special Services at (405) 739-1696.

## **Mid-Del Schools Board of Education Members**

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Independent School District No. 52  
7217 S.E. 15th Street  
Midwest City, Oklahoma 73110  
Telephone: 405-737-4461



## Table of Contents

Foreword .....	9
<b>Student Discipline Philosophy (J-29) .....</b>	<b>11</b>
<b>Student and Academic Expectations (J-28) .....</b>	<b>13</b>
Expectations for Students .....	13
Academic Expectations .....	13
<b>Valedictorian .....</b>	<b>14</b>
<b>Academic Letter .....</b>	<b>14</b>
<b>Scholastic Eligibility for Secondary School Activities (J-6) .....</b>	<b>14</b>
Semester (Term) Eligibility .....	14
Weekly Eligibility .....	15
Attendance .....	15
Conduct of Student .....	15
<b>Student Attendance Rationale (J-4) .....</b>	<b>16</b>
<b>Truancy .....</b>	<b>17</b>
<b>Placements-Intra-District (C-15) .....</b>	<b>17</b>
<b>Student Residency (C-13) .....</b>	<b>18</b>
Miscellaneous Policy Provisions .....	20
<b>Student Transfers (C-14) .....</b>	<b>20</b>
Open Transfer .....	21
Emergency Transfer .....	21
Students with Disabilities .....	22
Athletic and Other Competition .....	22
Criteria for Approval or Denial of Transfers .....	22
Approval of Transfer Requires Agreement for Cancellation of Transfer .....	24
Students Seeking Transfer from a Non-Accredited School or Home School .....	25
Acceptance of Assignment Required .....	25
<b>Open and Emergency Transfer Application (C-14 R-1) .....</b>	<b>26</b>
Attachment “A” (Open and Emergency Transfer Enrollment Application) .....	26
Attachment “B” (Consent to Cancellation of Emergency Transfer) .....	29
<b>Attendance, Enrollment, Transfer and Placement of Students Suspended     or Removed From Another School District (J-37) .....</b>	<b>30</b>
Students Suspended by Another School .....	30
Students Removed from School by Administrative or Judicial Process .....	31
<b>Student Transportation (E-2) .....</b>	<b>31</b>
Transportation .....	31
Rules and Regulations .....	31
Entering the Bus .....	32
Departing the Bus .....	32
Transporting Musical Instruments/Misc. Objects .....	33
<b>Transportation of Disabled Students (E-2 R-1A) .....</b>	<b>34</b>
<b>School Decorum .....</b>	<b>35</b>
Disrespect/Insubordination .....	35
<b>Disrupting the Learning Environment (J-30) .....</b>	<b>35</b>
<b>Distracting Items and Dangerous Weapons .....</b>	<b>36</b>
<b>Administrative Procedures for Distracting Items and Dangerous Weapons .....</b>	<b>36</b>
<b>Stealing, Destroying, Defacing Property .....</b>	<b>39</b>

<b>Bullying, Harassment and Intimidation (J-18)</b>	39
Prohibiting Bullying, Harassment, and Intimidation (Investigation Procedures)	41
Definitions	41
Procedures	41
<b>Hazing (J-26)</b>	43
<b>Sexual Misconduct (J-31)</b>	44
<b>Discrimination</b>	44
<b>Grievance Procedures for Filing, Processing, and Resolving Alleged     Discrimination Complaints (C-22)</b>	44
Definitions	45
Pre-Filing Procedures	45
Filing and Processing Discrimination Complaints	46
General Provisions	47
<b>Arson</b>	47
<b>Telephone/Bomb Threats</b>	48
<b>Cult/Gang Behavior (J-33)</b>	48
<b>Gambling</b>	48
<b>Demonstrations or Meetings on School Premises (non-school sponsored)</b>	49
<b>Collection of Funds, Sales or Distribution (D-O R-4)</b>	49
<b>Personal Wireless Devices (J-17)</b>	49
<b>Tobacco and Tobacco Paraphernalia (J-15)</b>	50
Students	51
Action of Non-Compliance	51
Visitors and General Public	51
<b>Beverages, Drugs, Controlled Dangerous Substances (J-16)</b>	51
Controlled Dangerous Substances	52
Alcoholic Beverages/Beer	52
Simulated Drugs	52
In Addition	53
<b>Medical Marijuana and Marijuana-Related Products</b>	
Policy for Students (J-42)	54
<b>Student Dress Code (J-39)</b>	54
<b>Shadowing (J-35)</b>	55
<b>Student Publications/Oral Presentations (I-18)</b>	56
Clean-up	56
Certain Definitions	57
Miscellaneous	57
<b>Motor Vehicles on School Grounds (J-36)</b>	57
<b>Student Responsibility for Contents of Vehicles on School Property</b>	57
<b>Off-Campus Events</b>	58
<b>Conduct for Spectators/Parents (J-32)</b>	58
<b>School Visitors, Unauthorized Visitors, Order to Leave School Grounds,     Grievances/Appeals Process (C-27)</b>	60
Vendor Solicitation	60
Filing a Grievance or Appeal	60

<b>Anonymity (Refusal to Identify Self)</b> .....	61
<b>General Procedures/Alternatives</b> .....	61
Parent/Guardian Contact.....	61
Detention.....	61
In-School Restriction .....	61
Suspension .....	62
Severe Behavior/Administrative Responses .....	62
Corporal Punishment .....	63
Verbal or Written Counseling.....	63
Restricted Privileges .....	64
<b>Lockers (J-27)</b> .....	64
<b>Search and Seizure (J-11)</b> .....	64
<b>Student Records (J-25)</b> .....	65
Student Recruitment - Access to Students and Directory Information.....	66
<b>Family Education Rights and Privacy Act of 1974 (J-25 R-1)</b> .....	68
Definitions.....	68
Statement of Rights.....	69
Locations of Education Records .....	69
Procedure to Inspect Education Records .....	70
Fees for Copies of Records .....	70
Directory Information .....	71
Use and Release of Confidential Information.....	72
Use of Student Education Records .....	72
Records of Requests for Access and Disclosures	
Made from Education Records .....	74
Procedures to Seek to Correct Education Records .....	75
First Level Decision.....	75
Second Level Decision.....	75
Third Level Decision.....	76
<b>Parent Notification</b> .....	76
Model Notification of Rights under FERPA for Elementary and	
Secondary Schools.....	76
<b>Suspension or Disciplinary Removal of Students (J-38)</b> .....	79
Short-Term Disciplinary Removal.....	79
Long-Term Disciplinary Removal.....	79
<b>Suspension or Disciplinary Removal of Students with Disabilities</b> .....	79
Definitions.....	79
Short-Term Disciplinary Removal.....	79
Long-Term Disciplinary Removal.....	80
Removal for Weapons, Drugs, or Serious Bodily Injury.....	80
Manifestation Determination .....	81
Notification to Parent/Guardian.....	81
Removal of a Student Through Hearing Officer or Court Order.....	81
Appeal .....	81
Suspension from Transportation .....	82

<b>Athletic Appeal (i.e. Sports, Cheer, Pom, Fine Arts)</b>	
<b>Extra-Curricular Activities Appeal</b>	
<b>(i.e. Graduation, Clubs, Organizations)</b> .....	82
<b>Due Process for Out-of-School Suspensions</b> .....	82
Pre-Suspension Conferences.....	82
Immediate Suspension Without a Pre-Suspension Conference .....	83
Conferences With Parents/Guardians .....	83
Right of Appeal – Short-Term Suspension (ten or fewer days).....	83
Method of Appeal to a Committee.....	83
Right of Appeal – Long-Term Suspension (11 days or more).....	84
Method of Appeal to the Superintendent or Designee.....	84
Method of Appeal to the Board of Education .....	85
Hearing the Appeal .....	85
Attendance at School Pending Appeal Hearing.....	86
Student Privileges While Under Suspension .....	86
Student Privileges While Under ISR .....	86
Education Plan for Suspended Students .....	86
Records and Reports .....	87
<b>Vision Screening (J-19)</b> .....	87
<b>Parent Notification</b> .....	87
Meningitis Immunization Information for Parents .....	87
<b>Health Screenings</b> .....	88
<b>School-Based Random Substance Abuse Testing Policy for Students in Competitive</b>	
<b>Athletics and Extra-Curricular Activities (J-20)</b> .....	88
Statement of Purpose and Intent.....	88
Definitions .....	89
Procedures .....	90
Confidentiality.....	92
Appeal .....	92
Consequences.....	92
Refusal to Submit to Substance Abuse Test .....	93
School-Based Random Substance Abuse Testing Policy.....	94
School-Based Random Substance Abuse Testing Policy Consent Form.....	95
<b>Child Nutrition Charge Policy for Elementary Schools</b> .....	96
Monitor Your Student’s Meal Account.....	96

## **Foreword**

One very important category of critical performance in excellent schools is a safe and orderly climate for teaching and learning. We know from research that students have a greater opportunity to reach their academic potential for success in school and future life experiences when this focus is clear and well communicated. This Handbook, with the contributions of parents and staff from the Midwest City-Del City Public Schools, along with the approval of the Board of Education, is designed to provide detailed expectations, policies and procedures to govern a safe and orderly school climate for all school sites and school activities.

Our staff and Board of Education are dedicated to ensuring a safe and orderly teaching and learning environment for every student. We wish you a successful and safe school year.

Rick Cobb, Ph.D.  
Superintendent  
Midwest City-Del City Schools

- References to applicable state laws are included. In the event that an existing Board Policy as printed in this handbook is changed, the new policy will be applied effective with the date of adoption.



## **STUDENT DISCIPLINE PHILOSOPHY**

The Midwest City-Del City Board of Education believes that the school's primary goal is to educate, not to discipline. However, education includes establishing norms of social behavior and assisting students in understanding and attaining those norms. The teacher in a public school has the same rights as a parent or guardian to control and discipline a child when the child is in attendance, in transit to or from the school, or participating in any authorized school function. Further, it is the policy of the district that students may be disciplined for any misconduct related to the programs or activities of the District. No teacher or administrator will administer formal discipline to his or her own child on behalf of the school except in cases of disruption in the classroom or common areas. Disciplinary matters concerning children of school employees will be handled by the appropriate Principal or the Superintendent or the Superintendent's designee.

Each student shall be treated in a fair and equitable manner. Disciplinary action will be based on a careful assessment of the circumstances surrounding each infraction. The following are some examples of these circumstances:

- The seriousness of the offense;
- The effect of the offense on other students;
- Whether the offense is physically or mentally injurious to other people;
- Whether the incident is isolated or habitual behavior;
- The manifestation of a disability; and
- Any other circumstances which may be appropriately considered.

Standards of behavior for all members of society are generally a matter of common sense. The following examples of behavior are not acceptable in society generally, and in a school environment particularly. The involvement of a student in the kind of behavior listed below will generally require remedial corrective action. These examples are not intended to be exhaustive and the exclusion or omission of unacceptable behavior is not an endorsement or acceptance of such behavior. When, in the judgment of a teacher or administrator, a student is involved or has been involved in unacceptable behavior, appropriate remedial or corrective action will be taken.

1. Unexcused lateness to school
2. Unexcused lateness to class
3. Cutting class
4. Leaving school without permission
5. Refusing After School Detention/In School Restriction
6. Use of tobacco products, smoking, vaping, Juuling
7. Truancy
8. Possessing or using alcoholic beverages or other mood-altering chemicals
9. Stealing
10. Forgery, fraud, or embezzlement
11. Assault, physical and/or verbal
12. Fighting
13. Possession of weapons or other items with the potential to cause harm

14. Possession and/or distribution of obscene literature
15. Destroying/defacing school property
16. Racial discrimination including racial slurs or other demeaning remarks concerning another person's race, ancestry, religion, or country of origin and directed toward another student, an employee, or a visitor
17. Sexual Harassment, Harassment, Intimidation, Bullying
18. Hazing
19. Gang related activity or action
20. Cheating
21. Loitering
22. Plagiarism

In considering corrective actions, the faculty/administration of the school district will consider those listed below. However, the school is not limited to these methods, nor does this list reflect an order or sequence of events to follow in disciplinary actions. The Board of Education will rely upon the judgment and discretion of the administrator to determine the appropriate remedial or corrective action in each instance.

1. Conference with student
2. Conference with parent/guardian
3. In-school Restriction
4. Detention
5. Referral to counselor
6. Behavioral contract
7. Changing student's seat assignment, class assignment or building assignment
8. Requiring a student to make financial restitution for damaged property
9. Requiring a student to clean or straighten items or facilities damaged by the student's behavior
10. Restriction of privileges
11. Involvement of local authorities
12. Referring student to appropriate social agency
13. Suspension
14. Revocation of or change to bus riding privilege
15. Community Service
16. Other appropriate disciplinary action as required and as indicated by the circumstances which may include, but is not limited to, removal from eligibility to participate or attend extracurricular activities as well as removal from the privilege of attending or participating in the graduation ceremony, school dances, prom, prom activities, and /or class trips.

The Student Expectations Policies, Procedures, & Safety Guidelines are reviewed with each student at the beginning of each school year and to new students upon enrollment. In addition, the Student Expectations Policies, Procedures, and Safety Guidelines Handbook is available to review or download on each site's home webpage and on the district's home page under the Parent tab. Parents/guardians and students residing in this school district are also advised by means of this policy statement and by the student handbook that students in this district shall have no reasonable expectation of privacy rights towards school officials, in school lockers, desks, or other school property. School personnel shall have access to school lockers, desks, and other school property at any time. Student property may be searched with reasonable suspicion.

It is important to note that in many instances a range of possible administrative actions may be taken in response to discipline concerns. It shall be the site administrator's responsibility to determine the appropriate sequence of actions, with every effort made to be fair and equitable. Individual circumstances and student needs shall be considered in such decisions.

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**Policy: J-28**

***Adopted: 8-13-12***

***Revised: 7-12-21***

## **Student and Academic Expectations**

### **Expectations for Students:**

Expectations for students focus on the need for a positive and productive climate for learning. Behaviors which impede a student's learning or the learning of others will be dealt with in a fair and consistent manner, with the goal of insuring maximum learning opportunities for all students. At times, students' off-campus behavior can have a direct and immediate effect on the discipline and general welfare of the school. In such instances, students may be subject to school imposed discipline or suspension for such actions.

### **Academic Expectations:**

Students are expected to consistently work to their potentials, and every effort will be made to assist students and parents/guardians in reaching academic goals. Reporting progress to parents/guardians is done in a variety of ways at regular times as well as on an "as needed" basis. Every effort should be made to communicate directly with a parent/guardian when there is a significant change in student performance or when there exists a risk of failure. The following grading scales are used in Mid-Del Schools.

### **Academic Performance Scales:**

- 4: EXCEEDS – Your child extends and applies the standard.
- 3: MEETS – Your child consistently demonstrates the standard.
- 2: PROGRESSING – Your child partially meets the standard.
- 1: BEGINNING – Your child needs ongoing support for the standard.

### **(K-2) Social Skills/P.E.**

- + = Mastered/Excellent
- ✓ = In Progress/Working towards Mastery
- = Does not know or do/Needs Improvement

In grades 3 through 5, there is agreement that it is sometimes appropriate to utilize a D or F in grading. Careful consideration will be given prior to applying these grades.

### **Grades 3-5**

- A = 90-100      D = 60-69
- B = 80-89      F = 59 and below
- C = 70-79      I = Insufficient Progress

An "I" is interpreted to mean a student's performance is not commensurate with his/her ability level. It is intended to be a temporary grade until the student's best effort is given or until other problems affecting learning performance are addressed.

For grades 6 through 12, scholastic eligibility will be checked after the third week (during the fourth week) of the first and second semesters and each succeeding week thereafter. Schools may choose to run eligibility checks on any day of the week. The period of probation and ineligibility will always begin the Monday following the day eligibility is checked. (Ref. Board Policy J-6)

### **Secondary**

A = 90-100

B = 80-89

C = 70-79

D = 60-69

F = 59 and below

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### **Valedictorian**

Class rank and GPA for the purpose of designating valedictorian are calculated at the end of the first semester of the senior year. All students with a weighted 4.0 GPA or better, with no grade lower than a "D", weighted or unweighted, will be designated as valedictorian. Students will also need to adhere to the attendance policy for all eight (8) semesters and be in good standings with the school.

### **Academic Letter**

A senior who has fulfilled or is enrolled in the college preparatory curricular requirements and whose cumulative weighted GPA is at least 4.0 at the end of junior year with no grade lower than a "D" may be eligible for an academic letter. Site counselors will publish a list of seniors at the start of each year who meet the criteria and academic letter jackets may be awarded. Students must have completed the sixth (6) semester with Mid-Del Public Schools to be a letter jacket recipient.

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### **Policy: J-6**

*Adopted: 3-6-89*

*Revised: 7-11-16*

## **Scholastic Eligibility for Secondary School Activities**

A student must be in compliance with the following eligibility guidelines in order to represent any Mid-Del secondary school in any activity during or outside of the regular school day. These guidelines apply to all students engaged in competition or participation in athletics, music, drama, speech, debate, student council, school clubs, vocational programs, school organizations, cheerleading, pom pon, and any other school-sponsored organization. However, the participation of students in activities which satisfy a demonstration or performance criterion for assessment relative to approved instructional programs will be allowed. Audition or try-out situations which would permit involvement at a future date of eligibility will be allowed.

In cases where the application of this policy needs interpretation, the building principal will make the final determination.

**Semester (Term) Eligibility:** A student must have received a passing grade in any five (5) subjects to be counted for graduation that he/she was enrolled in during the last semester he/she attended fifteen or more days. (This requirement would also be five (5) school subjects for the 7<sup>th</sup> and 8<sup>th</sup> grade students).

If a student does not meet the scholastic standard stated above, he/she will not be eligible to participate during the first six (6) weeks of the next semester he/she attends.

A student who does not meet the minimum scholastic standard stated above may regain his/her eligibility by achieving passing grades in all subjects he/she is enrolled in at the end of a six week period.

One summer school unit earned in an Oklahoma State Department of Education accredited program may be used to meet requirements for the end of the spring term.

**Weekly Eligibility:** Weekly eligibility for students will be checked after three weeks (during the fourth week) of a semester and each succeeding week thereafter.

A student must be passing in all subjects in which he/she is enrolled. If a student is not passing all subjects enrolled in at the end of a week, he/she will be placed on probation for the next one week period. If a student is still failing one or more courses at the end of his/her probationary one week period, he/she will be ineligible during the next one week period. Failure is based on the student's cumulative grade. The ineligible period will begin on Monday and end on Sunday.

A student who has lost eligibility under this provision must be passing all courses in order to regain eligibility. A student regains eligibility after having attended one full class of the new one week period (Monday through Sunday).

Incomplete grades will be considered to be the same as failing grades in determining scholastic eligibility. The school principal is authorized to make an exception to this provision if the incomplete grade was caused by an unavoidable hardship. (Examples would be illness, injury, death in family and natural disaster.) Exception shall not exceed any two week period.

A school may choose to run eligibility checks on any day of the week. The period of probation and ineligibility will always begin the Monday following the day eligibility is checked.

**Attendance:** A student who has not attended classes ninety percent of the time for the semester becomes ineligible. If he/she is ineligible because of late enrollment, he/she must attend the number of days he/she was late in enrolling to regain eligibility; otherwise, he/she must attend a period of time equal to the number of days absent in excess of twenty percent for the semester. In the event of late enrollment due to illness, injury or death in the immediate family during the first ten days of a semester, the principal shall determine if a student should be charged with late enrollment for eligibility purposes. Time of additional absences while regaining eligibility will be added to time required to become eligible. After a student regains eligibility and then is absent, his/her eligibility is determined by percentage of attendance from the beginning of the semester except that percentage of attendance for late enrollees, after becoming eligible, shall be calculated from the date on which eligibility is regained.

**Conduct of Student:** A student whose conduct or behavior within or outside the school is such as to reflect discredit upon the school shall be ineligible until reinstated by the school principal.

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### Student Attendance Rationale

*Student Attendance Rationale - Believing there is a proven correlation between good attendance and academic performance; and believing good attendance is the responsibility of the student and the parent/guardian; and knowing the state mandates daily attendance for all school age children; therefore, be it known that the Mid-Del Schools expect every student to be in attendance at school every day.*

Some absences are unavoidable, but every effort should be made to keep absences to a minimum. There are two kinds of absences - excused and unexcused. Excused absences are those due to illness or personal injury, medical and dental appointments, court appearances, religious holidays, and family emergencies. Work and tests missed due to an excused absence can be completed for credit within a reasonable length of time as determined by individual site policy which is contained in the site's teacher handbook. It is the sole responsibility of the student to make arrangements with each teacher for completing the work missed. If an absence is unexcused, the student may be required to make up missed assignments for partial credit. It is the parents'/guardians' responsibility to inform the school about the circumstances surrounding their student's absence. It is the principal's responsibility to determine if an absence is excused or unexcused using parental input and teacher input as part of the criteria in this determination.

If an absence is excused, it is the responsibility of the student and/or parent/guardian to make arrangements for completing the work missed. If a student is absent the day of a school activity, he/she will not be allowed to participate in the activity unless approved by the principal (i.e. wedding, funeral, etc.).

Tardiness:

Students are expected to be punctual in arriving to assigned areas. Each site will develop procedures to appropriately alleviate and/or monitor tardiness.

Principals make the final determination as to whether or not an absence/tardy is excused or unexcused.

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*It shall be the duty of the principal or head teacher to notify the parent, guardian or responsible person of the absence of the child for any part of the school day, unless the parent, guardian or other responsible person notifies the principal or head teacher of such absence.*

### O.S. 70§10-106, Section-387, School Laws of Oklahoma

*If a child is absent without valid excuse four (4) or more days or parts of days within a four week period or is absent without valid excuse for ten (10) or more days or parts of days within a semester, the attendance officer shall notify the parent, guardian, or custodian of the child and immediately report such absences to the District Attorney in the county wherein the school is located for juvenile proceedings pursuant to Title 10 of the Oklahoma Statutes.*

Please be aware the Mid-Del School District will comply with the Oklahoma Statute stated previously.

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**- Truancy -**

Assigned areas for students during the school day are established by the schedule and other directives of the principal or teacher. Failure to report to the assigned area or being located out of it constitutes truancy. Procedures controlling students entering and exiting from the school grounds are established at each building except that no elementary or middle school student may leave the premises unless he/she has first acquired written permission from the school principal or designee.

**Action:** To be determined by site principal.

**O.S. 70§10-105, 10-106, Sections 382 and 382.1, School Laws of Oklahoma**

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**Policy: C-15**

*Adopted: 6-28-91*

*Revised: 7-11-16*

**Placements – Intra-District**

The placement of a student from one attendance area to another within the district shall be based on specific factors which affect the education and welfare of the student, as well as the impact upon students at the receiving site. The factors that shall be considered in granting written requests for placement include but are not limited to:

1. A student who requires a course of study not offered at the school in his/her area, or who is physically handicapped, may be permitted, upon his/her parent's request, to be placed in another school where the class or course which fits his/her special needs is available.
2. A student whose parents, or parent, are employed outside of the home, or are unable to care for the student and must secure care for the child during part of the day, may be placed in another school in an area where care is available.
3. A student who is recommended for a placement for a change of environment by a court or parole office, juvenile court counselor, State Department of Human Services or school counselor may be permitted to be placed.
4. A high school student whose work schedule creates a situation of definite hardship in attendance in his/her regular attendance area may be permitted to be placed.

Placements are granted on an annual basis. Requests should be made prior to the beginning of the next school year.

Approval from both the sending and receiving principals is required. The receiving school shall notify the sending school when the placement has been completed. A central office administrator shall meet with the principals involved and resolve the problem in the event of disagreement.

Placements under this policy will not be provided with school transportation and will be subject to the availability of space in the receiving school.

The placement may be revoked at any time at the discretion of the receiving site principal.

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### **Student Residency**

The Mid-Del School District has been established for the purpose of serving the educational interests of resident students. State law provides that a child's residence for school purposes is "the school district in which the parents, guardian, or person having legal custody holds legal residence". The student must be living with the parent(s), court appointed legal guardian, or person having legal, full-time custody, as a permanent resident.

An adult who does not fall within the categories listed above, who holds legal residence in the district, and who has assumed permanent care and custody of a child may file an affidavit with the District attesting that custody has been assumed. The affidavit must include the reasons for assuming care and custody. The site principal shall consider the facts of each case and shall approve residency only if it is demonstrated that the care and custody arrangement is permanent and the adult contributes in a major degree to the support of the child.

No child shall be permitted to attend any Mid-Del School District school whose parents, guardian, persons or institution holding legal custody or care and custody of such child are not legal residents of Independent School District No. 52, unless they conform to the Student Transfer Policy (C-14) or, at the request of a foster parent, the child has been previously enrolled as a district resident and then is placed in or moved to a foster family home that is located in another school district. Residency is defined as living exclusively within the boundaries of the Mid-Del School District. Parents, legal guardians, or students eighteen (18) years or older who cannot provide the necessary documentation to prove legal residence because they are residing with a Mid-Del School District resident on a temporary or permanent basis shall be required to complete a "Residence Affidavit" form and provide all required documentation according to District procedure. The parent, guardian, or student must physically reside full-time with the Mid-Del School District resident. The living arrangement must be of necessity and not to avoid school attendance within the district where the student would otherwise be required to attend. The student shall not be enrolled until all necessary documentation has been provided and verified. The "Residence Affidavit" will be valid for the current school year only. The Mid-Del School District may bill the legal resident for the cost of educational services if falsification of the "Resident Affidavit" is found to have occurred. **Pursuant to Oklahoma State Law, any person who knowingly files a false affidavit of residency, upon conviction, is guilty of a misdemeanor punishable by imprisonment in the county jail for not more than one (1) year, or a fine of not more than five hundred dollars (\$500.00), or both. The Mid-Del School District reserves the right to conduct home inspections to verify affidavit statements.**

Homeless students, in accordance with the federal McKinney-Vento Education Assistance Improvement Act, shall have access to the same free and appropriate public education as provided to other children. The Mid-Del School District shall make reasonable efforts to identify homeless students within the district, encourage their enrollment, and eliminate existing barriers to their education that may exist in District policies or procedures. No child or youth shall be discriminated against because of homelessness. Any student meeting or suspected of meeting the criteria established in the McKinney-Vento Education Assistance Improvement Act must be referred to the District's Homeless Liaison for assistance in completing enrollment per established procedures.

Oklahoma State Law provides that transitioning military children placed in the care of a noncustodial parent or other person standing in loco parentis, may attend school in the school district in which the noncustodial parent or person standing in loco parentis to the transitioning military child holds legal residence. Similarly, transitioning military children placed in the care of a noncustodial parent or other person standing in loco parentis may continue to attend the school in which the student was enrolled while residing with the custodial parent. A special power of attorney relating to the guardianship of a military child and executed under applicable law shall be sufficient for the purpose of enrollment and all other actions requiring parental participation and consent. The District's Residency Review Committee will determine whether a student is a transitioning military student for purposes of establishing residency.

Once approved for enrollment, the District will accept unofficial or "hand-carried" educational records and transcripts in lieu of official education records and transcripts for transitioning military children. Upon receipt of such records, the District will promptly enroll the transitioning military child. However, upon enrollment, the District will request official educational records and transcripts from the school in the sending state. Transitioning military children, including children entering kindergarten, shall be able to enroll in the same grade level in which they were enrolled in the sending state, regardless of age, time of transfer or age requirements of the receiving state. When appropriate, the District will provide transitioning military children the opportunity to participate in extracurricular activities, regardless of application deadlines.

The District recognizes that there may be occasions where there is a dispute regarding residency. If initially denied enrollment, the parent, guardian or person having legal custody of the student may request a review of the decision of the school administrator. If during the course of the school year, a dispute arises as to the residence of a student who is enrolled and attending school, the student shall be allowed to continue in that school until the dispute procedures have been exhausted. If at any time a school administrator has a reasonable belief that the reported residence may not be the residence of the child, for purposes of school attendance, the administrator shall notify the parent, guardian, or person having legal custody, in writing, that the student shall be withdrawn five (5) school days from the date of the written notification. The parent, guardian, or person having legal custody of the student must notify the Director of Student Accounting in writing of the review request, along with any pertinent information in accordance with the District's criteria and the statutory provisions regarding residency, within three (3) school days from the denial of enrollment or receipt of the withdrawal notification. The Director of Student Accounting must render a decision and notify the parent, guardian, or person having legal custody of the student within three (3) school days of the receipt of the request for review. In the event the parent, guardian or person having legal custody of the student disagrees with the decision, the parent, guardian, or person having legal custody of the student shall notify the Director of Student Accounting, within three (3) school days of receipt of the Director of Student Accounting's decision, who will submit his/her findings and all documents reviewed to the Residency Review Committee. The Residency Review Committee will review the decision and the documents submitted on behalf of the District and the student and render a decision, within three (3) school days, in writing to the parent, guardian, or person having legal custody of the student. If no written request for review is received by the Director of Student Accounting within the established timelines, the decision of the school administrator is final and the child or children shall be deemed withdrawn from school on the first day following the expiration of the time designated in the procedures referenced above. In an effort to place students in school as quickly as possible, timelines shall be adhered to, unless due to emergency circumstances both parties agree to an extension of timelines. For any period during which a student is enrolled in the Mid-Del School District but is not a legal resident of the District, the District may charge tuition if it is established that the parent, guardian, or person having legal custody of the

student knew or should have known that the child or children who are the subject of the residency dispute were not residents of the District. The tuition shall be based on the per capita cost of educating a student in the district during the preceding year.

### **Miscellaneous Policy Provisions**

1. Reviews involving more than one student where students are related or residing in the same household may, at the discretion of the Residency Review Committee, be consolidated for the purposes of convenience.
2. The policy's reference to days refers to school days.
3. Any reference to the parent is, for the purposes of this policy, construed to include the parent, guardian, or person having legal custody of the student that holds the legal residence.
4. In the event the residency dispute involves an eighteen (18) years old or older student, all notices will be delivered to the student as the student ceases to be a minor at age eighteen (18).
5. A student or students involved in a dispute related to the student's residence may remain in school until all reviews are exhausted, and a parent or student has filed a request for review in the manner and within the time permitted by this policy.
6. The Student Accounting Department shall be in charge of maintaining the files related to a residency dispute, ensuring that principals or others directly involved in such a dispute forward their records of the dispute following their involvement, and otherwise keeping all communications involving the dispute intact.
7. It should be noted that these required timelines may be extended if it is determined that an extension serves the interest of the student and promotes appropriate resolution to the residency dispute.

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**Policy: C-14**

***Adopted: 8-1-88***

***Revised: 8-9-21***

### **Student Transfers**

All requests for transfer into this District initiated by or on behalf of a nonresident student shall be approved or denied in accordance with this policy. In accordance with Oklahoma state law, two (2) types of transfers may be requested by the parent, guardian, or person having legal custody of the nonresident student; an Open Transfer and an Emergency Transfer. All transfers, including those for returning students, will be reviewed and approved or denied on an annual basis.

The Board of Education delegates to the Superintendent or the Superintendent's designee authority to approve or deny all transfer applications pursuant to the criteria listed in this policy.

The Mid-Del Public School District No. I-52 does not discriminate on the basis of race, color, national origin, sex, pregnancy, gender, gender expression or identity, religion, veteran status, sexual orientation, disability, age or genetic information in its programs and activities and provides equal

access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies:

Pam Huston  
Chief Human Resources Officer  
Address: 7217 S.E. 15<sup>th</sup> Street  
Midwest City, OK 73110  
Phone: 405-737-4461 X1215  
Email Address: phuston@mid-del.net

### **Open Transfer**

An application for an Open Transfer must be submitted on a form approved by the State Board of Education, along with Attachment "A", Attachment "B", current year attendance and discipline records, completed by the parent or person having legal custody of the student, and filed with this District in advance beginning the first school business day of January and no later than May 31<sup>st</sup> of the school year preceding the school year for which the transfer is desired. Applications will be date and time stamped as received and considered on a first-come, first-served basis. The Board of Education shall approve or deny the application for Open Transfer not later than July 15<sup>th</sup> and shall notify the applicant of the decision.

The request of a student whose resident district does not offer the grade the student is entitled to pursue will be approved as an Open Transfer at any time during the school year if the student resides within the transportation area of this District.

On or before September 1<sup>st</sup>, it shall be the duty of the Superintendent of this District to file with the State Board of Education and each resident district a statement showing the names of the students granted transfers, their resident district name and their respective grade level.

### **Emergency Transfer**

An application for an Emergency Transfer must be submitted on a form approved by the State Board of Education and Attachment "B", completed by the parent or person having legal custody of the student, after the May 31<sup>st</sup> Open Transfer deadline if the student meets one of the qualifying criteria established in Oklahoma state law as listed below and has received approval by the Principal of the requested school in this District. An Emergency Transfer can be for the remainder of a current school year, or the following school year.

1. The inability of the resident district to provide an education to the transfer applicant due to the destruction or partial destruction of a school building attended by the student.
2. The inability of the resident district to offer the subject the student desires to pursue, provided the student became a legal resident of their resident district after February 1<sup>st</sup> of the school year immediately prior to the school year for which the student is seeking the transfer.
3. A catastrophic medical problem of the student, which means an acute or chronic serious illness, disease, disorder, or injury which has a permanent detrimental effect on the body's system or makes the risk of harm unusually hazardous, such that removal from the resident district is medically needed.
4. The total failure of the resident district to provide transportation to and from school.

5. The concurrence of both the resident school district and this District. This concurrence requires both Superintendents to sign the application for Emergency Transfer.
6. The unavailability of a specialized deaf education program for a student who is deaf or hearing impaired.
7. The unavailability of remote on-site or internet-based instruction by course title in the resident district for a student identified as in need of drop-out recovery or alternative education services provided such student was enrolled at any time in a public school in this state during the previous three (3) years; or
8. When a student has been the victim of harassment, intimidation and bullying as defined in Section 24-100.3 of this title, upon verification by the receiving school district that the student has been the victim of harassment, intimidation or bullying and that the sending school district was notified of the incident or incidents prior to the filing of the application for transfer.

### **Students with Disabilities**

If a student with a disability applies for any type of transfer, the student must supply all documentation from the resident district relating to the student's previous and current IEP's so that this District may determine whether it has the appropriate programs, staff, services and placement needed to fulfill the current or anticipated IEP of the student and if a preliminary determination is made that this District has the appropriate programs, staff, services and placement needed to fulfill the current IEP of the student if the transfer is approved, the District will conduct the statutorily required joint IEP conference with the resident district before a final determination of approval or denial is made.

Notwithstanding the provisions of this policy, students with disabilities may be educated in this District pursuant to special education cooperative agreements between this District and other school districts. Such transfers will not be deemed to be parent- or student-initiated transfer applications governed by this policy.

Effective July 1, 2008, the approved transfer of a student with disabilities under the auspices of an IEP Service Agreement for three (3) consecutive years creates an automatic and permanent transfer to this District.

### **Athletic and Other Competition**

A transfer student, other than a student granted an Emergency Transfer, will not be eligible to participate in school-related interscholastic competition governed by the Oklahoma Secondary School Activities Association for a period of one (1) year from the first day of attendance in this District, unless the transfer is from a resident district not offering the grade the student is entitled to pursue. Whether a student granted an Emergency Transfer will be eligible to participate in school-related interscholastic competition shall be determined by the Oklahoma Secondary School Activities Association.

### **Criteria for Approval or Denial of Transfer Applications**

The fact that this District has adopted a Student Transfers policy does not in any way imply that all transfer applications will be accepted. A transfer application will be denied if the administration determines that approval of the transfer would detract from the educational experience of current students or place additional financial or space burdens upon the District. A transfer application will be denied if:

1. This District does not provide the courses and/or educational program(s) in which the student desires to enroll or in which this District deems the student is required to enroll in order to comply with state and federal laws and regulations.
2. This District does not have adequate facilities to provide the courses and/or educational program(s) in which the student desires to enroll or in which this District deems the student is required to enroll in order to comply with state and federal laws and regulations.
3. This District does not have adequate space for the student in the courses and/or educational program(s) in which the student desires to enroll or in which this District deems the student is required to enroll in order to comply with state and federal laws and regulations. The administration may reserve preferred space for resident students or new resident students reasonably anticipated to move into this District during the school year. Thus, this District may deny a transfer if approval would result in:
  - A. Placing a financial or education burden on District facilities or staff in the courses and/or educational program(s) the student would attend;
  - B. Exceeding class size limitations set by Oklahoma state law and/or District policy in such courses; or
  - C. Exceeding a percentage of such class size limitations as set by the Superintendent or designee. The administration may determine that a percentage of class size mandates should be reserved for later resident enrollment to prevent the exceeding of class size limits later in the school year due to additional enrollment of reasonably anticipated new resident students.
4. This District does not have current staff needed to provide the grade, courses and/or program(s) in which the student desires to enroll.
5. The student has a disciplinary record, which provides a reasonable basis to determine the student would present a discipline problem if enrolled. Such a reasonable basis will exist if school discipline and/or court records of the student, from any public or private school within or without the State of Oklahoma or any court within or without the State of Oklahoma, show the student at any time:
  - A. Has violated school policy and/or regulations;
  - B. Has been adjudicated as a delinquent for an offense that is not a violent offense under relevant Oklahoma law;
  - C. Has been adjudicated as a delinquent for an offense that is a violent offense under relevant Oklahoma law;
  - D. Has been convicted as an adult for an offense defined in relevant Oklahoma law as an exception to a nonviolent offense;
  - E. Has been convicted as an adult for an offense defined in relevant Oklahoma law as a violent offense;

- F. Has committed on school property, in school transportation or at a school event a violent act or an act showing deliberate or reckless disregard for the health and/or safety of faculty and/or others;
  - G. Has possessed on school property, in school transportation or at a school event an alcoholic beverage, low-point beer as defined by relevant Oklahoma law or missing or stolen property found to have been taken from a student, school employee or the school during school activities; or
  - H. Has possessed on school property, in school transportation or at a school event a dangerous weapon or a controlled dangerous substance as defined by relevant Oklahoma law.
- 6. The student has not demonstrated a previous attendance rate of at least ninety percent (90%) as is consistent with the state attendance requirement.
  - 7. The applicant fails to complete the appropriate application form, C-14 R-1 (Attachment "A" and "B" for Open Transfer applications and Attachment "B" only for Emergency Transfer applications), provide sufficient educational records or inform this District in detail of the grades, courses and/or program(s) in which the student desires to enroll or participate if the transfer request is approved so that the criteria above can be applied within the deadlines set by law for the approval or denial of such a request. All such records must be supplied to this District in time for District personnel to make a reasonable review of such records in applying the approval and denial criteria set by this policy. This is particularly important for students with disabilities because all documentation of the resident district must be reviewed to make a preliminary determination as to whether this District has the appropriate program(s), staff and services to provide the student with the education and services set forth in the student's IEP and, if a preliminary approval determination is made, to prepare for and conduct a joint IEP conference with the resident district prior to any final approval or denial of the transfer application. All applicants must consent in writing to the release of any educational records from previous schools attended. All applicants for students with disabilities must consent in writing to forward to this District whatever confidential records this District deems necessary to review in applying the approval and denial criteria of this policy. The Superintendent or designee has the authority to amend Attachment "A" and Attachment "B" by regulation. If the applicant is on a current approved transfer and seeking a renewal of that approval and the student is known to the administration as a student in good standing, the applicant, at the discretion of the administration, may be exempt from completing another application and Attachment "A".
  - 8. The applicant fails to submit a completed application in a timely manner.
  - 9. The applicant provides false and/or incorrect information on the application, Attachment "A" or Attachment "B".

#### **Approval of a Transfer Requires Agreement for Cancellation of Transfer**

Approval by this District of any transfer is contingent upon the applicant's agreeing in writing to cancellation of this transfer by the District during the school year if the student does not comply with the policies and regulations of this District for student behavior, or if the family of the transferred student or student if eighteen (18) years of age or older fails to remain current in financial obligations

owed to this District, including, but not limited to, payment for lunches or lost or destroyed District property, or if the student does not have a valid excuse for failure to attend school, or the student is habitually late to arrive at school, or delayed in being picked up after school or the student's family becomes a disruptive influence for the staff or other students. At any time, the Superintendent or designee may cancel an emergency transfer previously approved if the student does not comply with the policies and regulations of this District.

#### **Students Seeking a Transfer from a Non-Accredited School or Home School**

Students currently enrolled in a private school not accredited by a state agency or in a home school are not guaranteed enrollment in the grade, courses and/or program(s) in which they desire to enroll. Students desiring to transfer from private schools not accredited by a state agency or from a home school will be required to take all placement tests required of resident students enrolling in this District after attendance in private schools not accredited by a state agency or home schools, and the administration will determine the appropriate placement primarily upon placement test results per District policy. Accordingly, students applying for a transfer from such schools will be granted a provisional transfer until test results are reviewed to determine the appropriate grade, courses and/or program(s) and the criteria of this policy is then applied to determine if the student is eligible for transfer approval. An applicant who does not agree to accept placement based upon such test results and criteria review will be deemed ineligible for an approved transfer and the provisional transfer will be of no effect.

#### **Acceptance of Assignment Required**

As approval of transfers is based upon the criteria of sufficient programs, staffing and space needs for the particular student, a transfer student must accept the school site, courses and program(s) to which they are assigned by the administration. A transfer student will not be allowed at the time of, or after, enrollment to change the school site, grade, courses and program(s) in which the applicant stated were desired on the transfer application without permission from the Superintendent or designee. It will be the responsibility of the transfer student or parent to inform the school official from whom approval for a new assignment is requested that the student is a transfer student, and failure to do so will result in cancellation of the emergency transfer unless excused by the Superintendent or designee. If an Open Transfer is revoked or cancelled by the District, the District shall notify the student's parents and the resident school of the student as to the revocation or cancellation prior to July 15<sup>th</sup> of the school year for which the revocation or cancellation is applicable.

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**Attachment "A"****Mid-Del Open and Emergency Transfer Enrollment Application Information**

*(We must have a separate "application information" form for each student. Do not combine students.)*

Completion of this form is required of each applicant for a transfer in order to apply the criteria of this policy. Failure to fully and truthfully complete and timely submit this form to the District will result in a denial of the transfer. Completion of this form will be in addition to completion of any form required by the State Board of Education.

1. Full and legal name of student: \_\_\_\_\_
2. Student's date of birth: \_\_\_\_\_
3. Name of parent or legal guardian of the student: \_\_\_\_\_  
Address: \_\_\_\_\_  
City \_\_\_\_\_, State \_\_\_\_\_ Zip \_\_\_\_\_
4. Education history of the student: School in which the student is currently enrolled.  
School: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Dates of Attendance: \_\_\_\_\_
5. Current age and grade of student. Age \_\_\_\_\_ Grade \_\_\_\_\_
6. Is this student currently on a transfer? Yes \_\_\_\_ No \_\_\_\_ If yes, to what district: \_\_\_\_\_
7. Courses in which the student desires to enroll in each semester in the coming school year. \_\_\_\_\_
8. Does the student have a disciplinary record for violating school regulations?  
Yes \_\_\_\_ No \_\_\_\_ If yes, state school(s) in which each violation occurred and approximate date(s) of violation(s). \_\_\_\_\_
9. Has the student ever been suspended from school or placed in an alternative education program or setting for disciplinary reasons? Yes \_\_\_\_ No \_\_\_\_  
If yes, for each suspension and alternative program or setting, state the school which suspended or placed the student, the nature of the offense, and approximate date of the suspension or placement, if different from above. \_\_\_\_\_
10. Has the student been adjudicated as a delinquent for an offense that is not a violent offense under relevant Oklahoma Law? Yes \_\_\_\_ No \_\_\_\_  
If yes, state the name of the court making the adjudication, the time of such adjudication, the nature of offense, whether the student is still under any court supervision, and, if so, the name of the person overseeing such supervision. \_\_\_\_\_
11. Has the student been adjudicated as a delinquent for a violent offense under relevant Oklahoma Law? Yes \_\_\_\_ No \_\_\_\_

If yes, state the name of the court making the adjudication, the time of such adjudication, the nature of offense, whether the student is still under any court supervision, and, if so, the name of the person overseeing such supervision.

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12. Has the student been convicted as an adult for an offense defined in relevant Oklahoma Law as an exception to a nonviolent offense? Yes \_\_\_\_ No \_\_\_\_  
If yes, state the name of the court in which the conviction was entered, the time of the conviction, the nature of the offense, the sentence imposed, whether the student is still under any court supervision, and, if so, the name of the parole officer or other supervisor.
- 
13. Has the student been convicted as an adult for an offense defined in relevant Oklahoma Law as a violent offense? Yes \_\_\_\_ No \_\_\_\_  
If yes, state the name of the court in which the conviction was entered, the time of the conviction, the nature of the offense, the sentence imposed, whether the student is still under any court supervision, and, if so, the name of the parole officer or other supervisor.
- 
14. Has the student committed on school property, in school transportation, or at a school event a violent act or an act showing deliberate or reckless disregard for the health or safety of faculty or others? Yes \_\_\_\_ No \_\_\_\_  
If yes, state the district attended when the act occurred, the approximate date of the act, and describe what occurred.
- 
15. Has the student possessed on school property, in school transportation, or at a school event an alcoholic beverage, low-point beer as defined by relevant Oklahoma Law, a wireless telecommunication device, or been involved with missing or stolen property found to have been taken from a student, school employee, or the school during school activities?  
Yes \_\_\_\_ No \_\_\_\_  
If yes, for each separate act, state the district attended when the act occurred, the approximate date of the act, and describe what occurred. \_\_\_\_\_
- 
16. Has the student possessed on school property, while in school transportation, or at a school event a dangerous weapon or a controlled dangerous substance as defined by relevant Oklahoma Law?  
Yes \_\_\_\_ No \_\_\_\_  
If yes, for each separate act, state the district attended when the act occurred, the approximate date of the act, and describe what occurred. \_\_\_\_\_
- 
17. If the student has been identified as a child with a disability, this District will need to review all such records to make a reasonable determination of whether the District has the facilities, programs, staff, and space to implement the student's current or anticipated IEP, and, if preliminary approval of a transfer is made, to conduct the statutorily-required joint IEP conference

with the resident district. Is the student currently, or has the student been, a child with a disability who received an Individualized Education Program?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, briefly describe the nature of the disability, the approximate time period in which the student has been or was under an Individualized Education Program (IEP), and the names of the school districts which implemented the student's IEP.

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18. Do you agree to allow this District to review all educational records of the student from all previous schools attended by the student? Yes \_\_\_\_\_ No \_\_\_\_\_
19. Do you understand that transportation between home and school is the responsibility of the parent? Yes \_\_\_\_\_ No \_\_\_\_\_
20. Do you understand that if the transfer is approved, the transfer is to the district, not a specific school, and the district will place students based on staff/programs/space or other district criteria? Yes \_\_\_\_\_ No \_\_\_\_\_

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Signature of Parent/Legal Guardian

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Date

**Attachment “B”**

**Transfer Student Consent to Cancellation of Emergency Transfer**

The undersigned, who is not a resident of this school district, recognizes:

1. That the undersigned student has a right by law to attend the school district of residence;
2. That the nonresident student desiring to enroll in this school district has no statutory right to attend this District;
3. That the District is not required to accept this transfer application; and,
4. That the District does not desire to accept a transfer of a student who will detract from the educational process of resident students or take the place of another transfer applicant who would not detract from that process.

The undersigned hereby agrees that if the District approves a transfer allowing the undersigned student to enroll in this school district, the administration of the District has the consent of the undersigned to cancel the transfer during the approved enrollment school year if:

1. The student fails to comply with student behavior rules set by the District, school, or teacher;
2. The parent or student 18 years of age or older fails to promptly pay financial obligations owed to the District, including, but not limited to, payments owed for school lunches and for lost or destroyed school property; or,
3. The student does not have a valid excuse for failure to attend school.

The undersigned also is informed that this consent to cancellation is a necessary component for continued enrollment after transfer acceptance, and thus the consent may not be withdrawn at any time in the future. The undersigned also understands that although the administration will notify the parent or student 18 years of age or older of any cancellation, the undersigned understands and agrees that the determination of the administration that a cancellation is to be effected will be final, that the undersigned will have no right to appeal that determination to the Board of Education, and that after cancellation the administration will send the educational records of that student to the student’s resident school district or to such other school district as the undersigned directs.

By signing this agreement, I affirm that I have read and understand the above conditions concerning acceptance of the Emergency transfer application and my consent to district authority to cancel the transfer, if granted, for the reasons stated above.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Printed name of student

\_\_\_\_\_  
Signature of student

\_\_\_\_\_  
Printed name of parent/legal guardian

\_\_\_\_\_  
Signature of parent/legal guardian applying for a transfer

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**Attendance, Enrollment, Transfer and Placement of  
Students Suspended or Removed From Another School District**

The Board of Education of the Mid-Del School District, in the interest of maintaining a suitable educational environment, student discipline and the safety and well-being of all students and employees, adopts the following policy prohibiting the enrollment or the approval of a transfer of any student who is under suspension from another school (public or private) and excluding certain students from the regular school setting after the suspension term.

**Students Suspended by Another School**

The Mid-Del School District will prohibit any student who is under suspension from another school (public or private) from enrolling in the Mid-Del School District (hereafter the "Prohibition Term"). This prohibition includes students who establish or attempt to establish a bona-fide residency within the Mid-Del School District either before or during their suspension from another school.

Any student subjected to a Prohibition Term may appeal that decision to the Superintendent or his/her designee by requesting such an appeal within five (5) working days (excluding weekends) of the student's notice of the decision. Any student dissatisfied with the decision of the Superintendent or his/her designee may appeal that decision to the Board of Education by requesting such an appeal within five (5) working days (excluding weekends) of the student's notice of the decision. Student appeal requests to the Superintendent and to the Board must be made in writing to the Superintendent. Failure to timely appeal a decision imposing a Prohibition Term waives all rights to further challenge such decision. On appeal, both the Superintendent or his/her designee and the Board of Education will consider the following issues: (1) whether the student is under suspension from another school, and (2) the reason for the suspension.

If the student was suspended from another school for a violent act or an act showing deliberate or reckless disregard for the health or safety of faculty or other students, then the Prohibition Term will be upheld. The student will be eligible to enroll following the expiration of the Prohibition Term.

If the student was suspended from another school for other than a violent act or an act showing deliberate or reckless disregard for the health or safety of faculty or other students, then the Superintendent or his/her designee will also consider (3) whether the length of the suspension and any conditions imposed pursuant to the suspension are consistent with the Mid-Del School District's suspension policy for the same or similar offenses. If the answer to (3) is in the affirmative, the Prohibition Term will be upheld. The student will be eligible to enroll following the expiration of the Prohibition Term. If the suspension imposed upon the student is found to be inconsistent with the Mid-Del School District's student suspension policy or practices for similar offenses, then the Superintendent or his/her designee may consider modifications to the Prohibition Term and/or the conditions associated with that Prohibition Term to make the Prohibition Term consistent with the Mid-Del School District's suspension policy or practices. Any student dissatisfied with the decision of the Superintendent or his/her designee may appeal that decision to the Board of Education by requesting in writing such an appeal within five (5) working days (excluding weekends) of the student's notice of the decision. The student will be eligible to enroll following the expiration of the Prohibition Term, as modified.

### **Students Removed from School by Administrative or Judicial Process**

The Mid-Del School District will not provide educational services in the regular school setting to any student who has been adjudicated as a delinquent or convicted as an adult of an offense defined by Oklahoma law as an exception to a nonviolent offense or who has been removed from a school (public or private) by administrative or judicial process for a violent act or an act showing deliberate or reckless disregard for the health or safety of faculty or other students, until the Mid-Del School District determines that the student no longer poses a threat to him/herself, other students or faculty. Until the Mid-Del School District determines that the student no longer poses a threat to him/herself, other students or faculty, the Mid-Del School District will provide educational services to the student through an alternative school setting, home-based instruction or other appropriate setting.

Any student excluded from the regular school setting pursuant to this policy may appeal that decision to the Executive Directors by requesting an appeal within five (5) working days (excluding weekends) of the student's notice of the decision. Appeal requests to the Executive Directors must be made in writing. Failure to timely appeal a decision excluding a student from the regular school setting waives all rights to further challenge such decision.

Note: In changing the placement of students identified as “disabled” under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973, the Mid-Del School District will follow state and federal laws and regulations.

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**Policy: E-2**

*Adopted: 8-6-90*

*Revised: 7-11-16*

### **Student Transportation**

Although the Mid-Del Board of Education recognizes that it is the responsibility of parents and guardians to ensure their children get to and from school safely, they have, as a matter of convenience and safety, determined that those students who qualify may receive transportation services. It is the policy of the Mid-Del School District to transport eligible middle school and high school students who live a distance greater than one and one-half (1 ½) miles and eligible elementary students who live a distance greater than one (1) mile from the school within their attendance boundary unless otherwise determined by the Superintendent of Mid-Del Schools. An exception is made for elementary students residing within the Pleasant Hill, Barnes, and Schwartz transportation areas. Students living within the attendance boundaries of these sites must reside a distance greater than one-half (1/2) mile to be eligible for transportation services.

All in-district and out-of-district transfer students must provide their own transportation to and from school.

### **Transportation**

School transportation is a privilege provided for the convenience and safety of the students.

### **Rules and Regulations**

- A. Students are expected to behave at bus stops and on the buses as they do in the classroom. Due to misbehavior, a child may be denied the privilege of riding the bus.

- B. Students are expected to ride their assigned buses. If circumstances require a student to ride a different bus, parents should provide a note to that effect. That note should be counter-signed by the site principal before being given to the bus driver.
- C. School bus transportation is provided for Mid-Del students. No persons other than Mid-Del students or employees in the performance of their jobs shall ride school buses without prior approval. Exception: Approved Bus Lease Contract
- D. Bus drivers have a great responsibility in driving the bus, so we expect complete cooperation from students and parents/guardians. If a student misses his/her bus at school, every effort will be made by the school to help the student get home safely. If the student misses the bus at home, the parent should make every effort to get the child to the school as soon as possible.
- E. Children should go to and from their buses by the shortest and safest available route.

### **Entering the Bus:**

All students are to stand back until the bus comes to a complete stop, then line up in order to enter the bus single file in an orderly fashion. Once inside the bus, students should go directly to a seat and sit down. Elementary students are expected to sit four to the seat and Middle School and High School students three to a seat. However, it is understood that some students are too large to meet that requirement and every effort will be made to provide a few more seats than that arrangement would require. The driver will be the judge as to how many students should be in each seat. Seats are not to be held for a student who enters at a later stop, and everyone is expected to share seats.

### **Departing the Bus:**

All students are required to remain seated until the bus comes to a complete stop. When the bus stops, students who get off at that stop are to depart single file as quickly as possible and move away from the bus. If a student must cross the street, he/she should quickly walk approximately ten steps in front of the bus and wait for the driver to signal when it is safe to cross. Students are NEVER ALLOWED TO WALK BEHIND A SCHOOL BUS.

- A. Bus drivers will make all Unsafe Conduct Reports in writing to the Principal's Office. The principal will be responsible for the application of sanctions regarding bus incidents.
  - 1. First Offense - The site principal will notify the student and parent/guardian. The principal will take whatever action is deemed necessary.
  - 2. Second Offense - The principal will notify the student and parent/guardian of the offense. The student may be subject to suspension of bus privileges for up to five school days. If suspended, the student will be transported home on the day of the suspension. The suspension will not begin until the following day.
  - 3. Third Offense - The principal will notify the student and parent/guardian of the offense. The student may be subject to suspension of bus-riding privileges for up to the equivalent of one semester.

4. Fourth Offense - The principal will notify the student and parent/guardian of the offense. The student may be subject to suspension of bus-riding privileges for up to the remainder of the school year. The site principal or his/her designee will be responsible for applying sanctions and coordinating necessary conferences regarding the suspension of bus-riding privileges. These conferences may involve the student, parent, driver, and appropriate supervisors.
- B. The following are examples of the types of behavior that may result in a student not being allowed to ride a school bus:
- Failure to remain seated
  - Refusing to obey driver
  - Fighting
  - Profanity
  - Possession of matches or lighters
  - Unauthorized eating and/or drinking on the bus
  - Possession of tobacco or tobacco products on the bus
  - Throwing objects out of the bus
  - Throwing objects on bus
  - Not keeping all body parts inside the bus
  - Spitting
  - Vandalism
  - Failure to ride assigned bus

The application of these transportation rules to students with disabilities will be determined in accordance with federal and state law and regulations.

### **Transporting Musical Instruments/Miscellaneous Objects**

Student safety is the primary concern when transporting students; therefore, the following procedures will be used in transporting musical instruments and other objects on school buses:

- A. As a general rule, any object carried on the bus is to be held in the student's lap or placed where the driver requests.
- B. Musical instruments will be placed in a designated seat/seats or under the seat. Under no circumstances will instruments be allowed to be placed in an area which would inhibit the vision of the driver or impede emergency exiting of the bus.
- C. No items of an injurious nature or which have a potential as a safety hazard will be transported on the bus. When buses transport students for activity trips, musical instruments will be transported in a separate vehicle.

### **Legal Reference: O.S. 70 § 9-101**

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### **Transportation of Disabled Students**

Our goal is to provide the safest and least disruptive ride to and from school for our children. The guidelines listed below are needed to help parents/guardians and then schools to work toward that goal as well as provide for a smooth and consistent operation.

- A. Parents/Guardians should have their student ready for school each morning when the bus arrives at their home.
  - 1. When parents/guardians are notified of their student's pick up time, they should allow fifteen (15) minutes before and fifteen (15) minutes after the time they have been given. (For example: if their pick up time is 7:55 a.m., they should have their student ready by 7:40 a.m. and be prepared to wait until 8:10 a.m. before calling to check on the bus.) This time may be necessary to compensate for traffic, students who don't need service on a particular day which may cause a bus to be a little early, loading students in wheelchairs, or some other unforeseen problem that may cause a slight delay.
  - 2. Parents/Guardians should allow the same time variations in the afternoon when their student is being brought home (or the designated drop off) for the same reasons stated in the above paragraph.
- B. Parents/Guardians should bring the student to the bus immediately upon the arrival of the bus.
- C. If the parent/guardian is unavailable to bring the student to the bus, they should see that some other responsible person performs this duty.
- D. Special Instructions
  - 1. A parent/guardian, or someone they designate, needs to be at home and ready to come to the bus to receive the student when he/she is returned from school. In order to maintain the bus schedule, the bus cannot wait more than three (3) minutes for someone to appear to receive the student from the bus.
    - a. If a student is returned home and no one is there to receive him/her or no one comes to the bus to receive the student, the bus driver may try to return if the driver is in the same area or the Transportation Office may try to contact the parent/guardian. If this fails, the student will be delivered back to school and the parent/guardian will have to pick up the student there.
    - b. On days when there is no one to receive the student and school personnel have already departed the school, it may become necessary for the Transportation Office to notify the proper authorities.
  - 2. The pick-up and delivery location of the student needs to remain constant. It causes a general disruption for the other students when we change a route, both for their delivery schedule and their personal daily routine. Changes must be restricted to:
    - a. Residence changes within the school district or

- b. Babysitter or child care center changes
3. Both for their own personal safety and that of the other students, students cannot be permitted to board the bus while eating, not fully clothed, when ill, or when bodily functions need attention.
4. If a student does not ride the bus for three (3) consecutive school days, we will temporarily suspend bus service until parent/guardian notifies the Transportation Department asking to begin service again.

If parents/guardians should have any questions in regard to these guidelines, please call the Transportation Department at (405) 739-1790.

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### - School Decorum - Disrespect/Insubordination

Obscene language or defiance of school personnel is not permitted nor shall any student use insulting or abusive language to other students. A student will be removed from a classroom and supervised elsewhere when, in the judgment of the teacher, the student is interfering with the teaching/learning situation. At the time of removal, the teacher may request a conference to be held between the teacher, the parent/guardian, and the principal. **O.S.21§650.7, O.S.70§24-100.4, O.S. 21§844, O.S. 21§643, and O.S. 21§1363**

**Action -** (Appropriate initial action, including, but not limited to):  
 Student being removed from class  
 Parental/Guardian contact  
 Detention  
 Restriction of privileges  
 In-school restriction  
 Suspension

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**Policy: J-30**

***Adopted: 8-13-12  
Revised: 7-12-21***

### Disrupting the Learning Environment

All students have the right to pursue learning without the disruptions which may occur when another student chooses to be inattentive, overtly disruptive, or otherwise hinder the learning process. Any student who impedes the learning of others and/or exhibits a continued disregard for his/her personal learning opportunities will be subject to the following actions:

**Action -** Student being removed from class  
 Contact parent/guardian  
 Detention  
 In-school restriction  
 Suspension  
 Other appropriate action

**Any student or students who prevent the teacher from teaching or the class from learning will not be tolerated and will be immediately dealt with in an appropriate manner.**

## - Distracting Items and Dangerous Weapons -

The use, display, threat or possession of any kind of weapon, on the campus, parking lots, premises, or property of the Mid-Del School District or during or going to or from school-sponsored or authorized activities, functions, or events may result in the immediate suspension of students involved for a period of not less than one year under the jurisdiction of the Principal except that the Superintendent or his/her designee may modify such expulsion requirement for a student on a case-by-case basis. This includes, but is not limited to, any guns, knives, or any other lethal instruments or any item which might be used as a lethal instrument. No one may use any article as a weapon to threaten or injure another person. A student found to be in possession of a weapon on school premises before, during, or after school, on a school vehicle or at or going to and from any school-sponsored or authorized activity is subject to administrative and/or legal action. The principal and/or teacher may prohibit students bringing any item to school considered dangerous or disruptive. Students are instructed to bring to school only articles which they need to use in school. Students are not to bring articles to school, however innocuous, that might distract them or others from their schoolwork. Toys distract, create arguments, and sometimes cause bad feelings; therefore, they may be prohibited. **Students may be required to leave book bags, briefcases, satchels, etc. in a controlled location (locker, homeroom, etc.) during the school day. Principals will make the final determination as to whether an object is distracting.** *Items confiscated under this policy may be given to the police officer on campus, who will then file an official police report. Such items may be secured at the police department and, in applicable cases, may be returned only to parents who seek their return from the police department. Elementary school administrators may provide such items directly to their local police department.*

***Sec. 742, School Laws of Oklahoma***

## - Administrative Procedures for Distracting Items and Dangerous Weapons -

- A. For the purposes of this irregular behavior, the term "School" includes all School District property--the entire School campus, parking lots, athletic fields, and District transportation. The term "School" shall also include off-District property when the student is on the property for the purpose of participating in a School or District-sponsored event or is participating in an event in which the student is representing the District. The term "School" therefore covers, but is not limited to, all transportation, lodging and meal locations, event sites, and other locations where a student is present participating in or attending an off-duty sponsored event.
- B. The term "School Event" includes attendance at or participation in any School-sponsored or District-sponsored activity, function, or event, or any other event in which a School or District-sponsored teams or District students are participating as representatives of the District, regardless of whether the event is on District property or off District property.
- C. A student may also be subjected to discipline when the student's behavior is in violation of the District's Student Expectations Policies, Procedures and Safety Guidelines, Administrative Regulations, or directives received from school authorities and the behavior occurs while the student is not on District property but the student's actions:
  - 1. are a continuation of activity that was initiated at School, at a School authorized or sponsored event, in transit to or from school, or to or from any function authorized or sponsored by the School or on any property subject to the control and authority of the District,
  - 2. adversely affect or pose a threat to the physical or emotional safety and well-being of other students, employees, or District property,

3. are any form of communication specifically directed at students or school personnel and concerns harassment, intimidation, or bullying at school, or
  4. disrupt school operations.
- D. A student may be subjected to discipline, including being placed on a long-term suspension, when the student:
1. Possesses, displays, uses, threatens to use, or conceals any kind of weapon while the student is on School Property, at a School Event.
  2. A student "possesses" a weapon when:
    - a. The weapon is on the person of the student;
    - b. The weapon is in any item which the student is carrying or has carried and left at school or at a school event. Examples include any item in which a weapon can be placed, including, but not limited to, duffle bags, book bags, briefcases, satchels, bags, sacks, etc.
    - c. The weapon is in the student's desk, locker, vehicle, or clothing. This prohibition applies whether the weapon can be seen or is concealed from view. This applies to any part of a student's vehicle, regardless of whether the weapon is in plain sight or concealed from view in any manner, such as in a glove compartment, trunk, under a seat, under a floor mat, etc.
    - d. The weapon is anywhere on school property because the weapon was placed there by a student.
    - e. The student knows where a weapon is and thereby has access to use of the weapon that is on school property or at a school event. A student "possesses" a weapon when the weapon is in any location readily available. Such possession is a threat to the safety and well-being of students, staff, and school operations just as much as if a student was carrying a concealed weapon.
- E. A student at school or a school event threatens to use a weapon to harm another individual or an individual's property or school property is in violation of this policy even though the student does not in fact actually possess a weapon. The threat of the use of a weapon is a disruption to school operations and/or harmful to the expectations of students and parents/guardians that students will not be threatened with harm by a weapon while at school.
- F. A "weapon" includes:
1. Any item commonly used or designed to inflict bodily harm and/or to threaten or intimidate others. Examples include, but are not limited to, firearms, ammunition, explosives, bombs, switch blade knives, butterfly knives, large hunting knives with a strong-edged blade typically 10 to 15 inches long with a back straight for most of its length and then curving concavely and sometimes sharpened to a point, a long, straight-bladed knife or short sword, spring-type knives having blades that open automatically by pressure applied to a button, spring, or other device in the handle of the knife, loaded canes, swords, billy clubs, hand chains, metal knuckles, clubs, stars, etc.

2. Any item not commonly used or designed to inflict bodily harm, but is designed in a similar manner to an item commonly used or designed to inflict bodily harm, and which can be used to inflict bodily harm. Examples include, but are not limited to, pepper spray, box cutters, razor blades, penknives, or any form of a knife.
3. Any poison or any other chemical or biological agent of whatever nature; any controlled substance, or any prescription or nonprescription medication that is used or planned to be used to harm another person at school.
4. Items not commonly used or designed to inflict harm and/or threaten or intimidate others but are used by a student to inflict bodily harm on another, inflict damage on the property of another, or are displayed in a threatening, aggressive, belligerent or intimidating manner toward another or the property of another. Items include, but are not limited to, belts, combs, pencils, files, compasses, scissors, rocks, thrown objects, etc. Laser pointers and similar devices are in themselves deemed to be items that can be displayed to threaten or intimidate others and thus are not to be possessed, displayed, or used at school.
5. Firearms, which includes any device which will, or is designed to, or may be readily converted to, expel a projectile (including, but not limited to, objects, bullets, and shells) by the action of an explosive, the frame or receiver of any such device, a firearm muffler or silencer, or any "destructive device." A "destructive device" is:
  - a. Any explosive, incendiary, or poison gas, including a bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or any similar device.
  - b. Any device, by whatever name known which will, or which can be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter.
  - c. Any combination of parts either designed or intended for use in converting any device into any destructive device described in (1) or (2) above and from which device may be readily assembled.
  - d. Examples of a firearm include, but are not limited to, pistols, toy pistols, revolvers, shotguns of any caliber and rifles.
- G. Devices that can otherwise propel an object, such as a BB-gun, pellet gun, air pistols, potato throwers or launchers, dart guns, blow guns and/or any other device whether in working condition or not that is designed to propel, throw, discharge, or fire objects that could hit another person.
- H. Fake or facsimiles of any items included in the above-prohibited items, even though such fake items cannot actually cause bodily harm or harm to property of others but have the appearance of a weapon. These items are deemed in themselves to be a disruption to school operations and a source that can cause fear or intimidation of others. Examples include toys that look like a weapon.

**Action - Distracting Item:**

Refer to site policy.

**Action - Weapons:**

When a violation of this policy occurs, these procedures will be followed:

- 1) Parent/guardian, as well as the police and Central Office, will be notified.
- 2) The student will be suspended up to five (5) days pending a hearing to decide the total length of the suspension.

Suspension **O.S. 70§24-101.3**

Maximum penalty allowed by law

Note: Students identified as "disabled" under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973, the Mid-Del School District will follow state and federal laws and regulations.

### **- Stealing, Destroying, Defacing Property -**

No person may steal, deface, or destroy another person's property or public property during or going to or from school, school-sponsored, or authorized activities, functions, or events during or after school hours, weekends, or holidays.

#### **A. Stealing/Possession of Stolen Property**

**Action** - Appropriate action including, but not limited to:

Student being removed from class	In-school restriction
Detention	Suspension
Restriction of privileges	Restitution
Law enforcement may be notified	

#### **B. Destruction or Vandalism**

**Action** - Appropriate actions included in A:

Every effort will be made to work with parents/guardians to have those responsible make restitution to the school or person either in cash payment to the district treasurer or person or by work arrangement with the site principal. **O.S. 23§10, Section 1037, School Laws of Oklahoma**

Appropriate action is as listed above.

Law enforcement may be notified.

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**Policy: J-18**

***Adopted: 8-13-12***

***Revised: 7-12-21***

## **BULLYING, HARASSMENT, AND INTIMIDATION**

It is the policy of this school district that bullying, harassment and the intimidation of students or staff by other students, personnel, or the public will not be tolerated. Students are expected to be civil, polite, and fully engaged in the learning process. Students who act inappropriately are not fully engaged in the learning process. This policy is in effect while the students are on school grounds, in school vehicles, at designated bus stops, at school-sponsored activities, or at school-sanctioned events, and while away from school grounds if the misconduct directly affects the good order, efficient management, and welfare of the school district. Bullying of students by electronic communication is prohibited whether or not such communication originated at school or with school equipment, if the communication is specifically directed at students or school personnel and concerns harassment, intimidation, or bullying at school.

As used in the School Safety and Bullying Prevention Act, "bullying" means any pattern of harassment, intimidation, threatening behavior, physical acts, verbal or electronic communication directed toward a student or group of students that results in or is reasonably perceived as being done with the intent to cause physical or emotional harm for the targeted individual or group. Such behavior is specifically prohibited.

In administering discipline, consideration will be given to alternative methods of punishment to ensure that the most effective discipline is administered in each case. In all disciplinary action, teachers and administrators will be mindful of the fact that they are dealing with individual personalities. The faculty may consider consultation with parents to determine the most effective disciplinary measure.

In considering alternatives of corrective actions, the faculty/administration of the school district will consider those listed below. However, the school is not limited to these alternative methods, nor does this list reflect an order or sequence of events to follow in disciplinary actions. The Board of Education will rely upon the judgment and discretion of the administrator to determine the appropriate remedial or corrective action in each instance:

1. Conference with student
2. Conference with parents
3. In-school suspension
4. Detention
5. Referral to counselor
6. Behavioral contract
7. Changing student's seat assignment or class assignment
8. Requiring a student to make financial restitution for damaged property
9. Requiring a student to clean or straighten items or facilities damaged by the student's behavior
10. Restriction of privileges
11. Involvement of local authorities
12. Referring student to appropriate social agency or to a delinquency prevention and diversion program administered by the Office of Juvenile Affairs
13. Suspension
14. Other appropriate disciplinary action as required and as indicated by the circumstances which may include, but is not limited to, removal from eligibility to participate or attend extracurricular activities as well as removal from the privilege of attending or participating in the graduation ceremony, school dances, prom, prom activities, and/or class trips.

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

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

The Superintendent shall develop procedures providing for:

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

**A copy of this policy is available on the school district website in the Student Expectations Handbook which may also be requested in hard copy from each school's office.**

### **PROHIBITING BULLYING, HARASSMENT, AND INTIMIDATION (INVESTIGATION PROCEDURES)**

The following procedures will be used by any person for the filing, processing, and resolution of a reported incident of harassment, intimidation, bullying, or threatening behavior. The procedures are to be followed by the administration of the school district in an effort to determine the severity of the incident and the potential to result in future violence.

#### **Definitions**

1. "Bullying" means any pattern of harassment, intimidation, threatening behavior, physical acts, verbal or electronic communication directed toward a student or group of students that results in or is reasonably perceived as being done with the intent to cause negative educational or physical results for the targeted individual or group and is communicated in such a way as to disrupt or interfere with the school's educational mission or the education of any student.

"Electronic communication" means the communication of any written, verbal, pictorial information or video content by means of an electronic device, including, but not limited to, a telephone, a mobile or cellular telephone or other wireless communication device, or a computer.

"Threatening behavior" means any pattern of behavior or isolated action, whether or not it is directed at another person, that a reasonable person would believe indicates potential for future harm to students, school personnel, or school property.

#### **Procedures**

The procedure for investigating reported incidents of harassment, intimidation, and bullying or threatening behavior, is as follows:

1. When a bullying incident is brought to a staff member, an incident report should be completed and the building principal notified immediately. If the bullying involved an electronic communication, a printed copy of the communication as well as any identifying information such as email address or web address shall be provided to the building principal. As much detailed information as possible should be provided to the building principal in written form to allow for a thorough investigation of the matter.
2. Upon receipt of a written report, the building principal shall contact the Superintendent within twenty-four (24) hours and begin an investigation to determine the severity of the incident and the potential for future violence.
3. If, during the course of the investigation, it appears that a crime may have been committed, the building principal and/or Superintendent shall notify local law enforcement and request that the alleged victim also contact law enforcement to report the matter for potential criminal investigation.
4. If it is determined that the school district's discipline code has been violated, the building principal shall follow district policies regarding the discipline of the student. The building principal shall make a determination as to whether the conduct is actually occurring.
5. Upon completion of the investigation, the principal and/or school counselor may recommend that available community mental health care substance abuse or other counseling options be provided to the student, if appropriate. This may include information about the types of support services available to the student bully, victim, and any other students affected by the prohibited behavior. If such a recommendation is made, the administration shall request disclosure of any information that indicates an explicit threat to the safety of students or school personnel provided the disclosure of information does not violate the provisions or requirements of the Family Educational Rights and Privacy Act of 1974, the Health Insurance Portability and Accountability Act of 1996, Section 2503 of Title 12 of the Oklahoma Statutes, Section 1376 of Title 59 of Oklahoma Statutes, or any other state or federal laws relating to the disclosure of confidential information.
6. Upon completion of an investigation, timely notification shall be provided to the parents or guardians of a victim of documented and verified bullying.
7. Upon completion of an investigation, timely notification shall be provided to the perpetrator of the documented and verified bullying.

Reports may be made anonymously. However, no formal disciplinary action shall be taken solely on the basis of an anonymous report. Reports shall be made immediately to the building principal by any school employee that has reliable information that would lead a reasonable person to suspect that a person is a target of bullying.

The Superintendent shall be responsible for enforcing this policy. The building principal should notify the Superintendent within twenty-four (24) hours of any report of bullying. Upon completion of an investigation, the building principal should notify the Superintendent of the findings of the investigation.

Documentation should also be provided to the superintendent to verify that timely notification was provided to the parents of the victim and the parents of the perpetrator.

**REFERENCE: 21 O.S. §850.0  
70 O.S. §24-100.2**

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Any student who has been previously disciplined for threatening behavior is subject to alternative placement or suspension if the offense is repeated. The alternative placement or suspension shall not exceed the remainder of the current semester and the succeeding semester.

Counseling opportunities suitable to address these issues are available for students who are victims or offenders in incidents of such nature.

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**Policy: J-26**

***Adopted: 8-13-12***

***Revised: 8-13-18***

**Hazing**

It is the policy of this School District that no student or employee of the District shall participate in or be members of any secret fraternity or secret organization that is in any degree related to the school or to a school activity. For purpose of this policy, terms “secret fraternity” or “secret organization” include but are not limited to any group of individuals organized around and/or acting on a common purpose. These terms also include gangs. No student organization or any person associated with any organization sanctioned or authorized by the Board of Education shall engage or participate in hazing.

For the purposes of this policy, hazing is defined as an activity that recklessly or intentionally endangers the mental health or physical health or safety of a student for the purpose of initiation or admission into or affiliation with any organization sanctioned or authorized by the Board of Education. Hazing also includes activity committed by a person affiliated with the organization that recklessly or intentionally endangers the mental or physical health of persons who are not affiliated with the organization.

“Endanger the physical health” shall include, but is not limited to, any brutality of a physical nature, such as whipping; beating; branding; forced calisthenics; exposure to the elements; forced consumption of any food, alcoholic beverage, drug, or controlled dangerous substance; or other forced physical activity which could adversely affect the physical health or safety of the individual.

“Endanger the mental health” shall include any activity, except those activities authorized by law, which would subject the individual to extreme mental stress, such as prolonged sleep deprivation, forced prolonged exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual.

Any hazing activity upon which the initiation or admission into or affiliation with an organization sanctioned or authorized by the Board of Education is conditioned, directly or indirectly, shall be presumed to be a forced activity, even if the student willingly participates in such activity.

This policy is not intended to deprive school district authorities from taking necessary and appropriate disciplinary action toward any student or employee. Students or employees who violate this policy will be subject to disciplinary action that may include expulsion for students and employment termination for employees.

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

**Reference: O.S. 21§1190**

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**Policy: J-31**

***Adopted: 8-13-12***

***Revised: 7-12-21***

### **Sexual Misconduct**

Any sexually related activity is prohibited on school property, in school vehicles, or at or going to or from school sponsored or authorized functions. Overt public display of affection is not acceptable school behavior.

**The site principal will have the responsibility for making judgments in this regard.**

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### **- Discrimination -**

Please be advised that the Mid-Del School District has specific procedures for resolving complaints regarding discrimination on the basis of race, national origin, religion, sex, age, or disability which may arise in any program or activity operated by the school district. These procedures are publicly posted within each school site and are available in the office of each school principal. (See first page of this document for contact persons regarding inquiries or complaints and Mid-Del Policy C-22, for grievance procedures for filing, processing, and resolving alleged discrimination complaints.) Any student who interferes with, intimidates, harasses, threatens, or injures another student while at school or while traveling to and from school or intimidates, harasses, threatens, or injures an employee of the Midwest City-Del City Schools at any time will, at the discretion of the principal, be suspended from school. Such person will be charged with violating applicable school regulations, municipal, state and federal laws. **O.S. 21§641, O.S. 21§642, O.S 21§650.1, and 42USC§2000d**

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**Policy: C-22**

***Adopted: 9-90***

***Revised: 8-9-2021***

### **Grievance Procedures for Filing, Processing, and Resolving Alleged Discrimination Complaints (Students and Employees)**

The Mid-Del Public School District No. I-52 does not discriminate on the basis of race, color, national origin, sex, pregnancy, gender, gender expression or identity, religion, veteran status, sexual orientation, disability, age, or genetic information in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies:

Pam Huston  
Chief Human Resources Officer  
Address: 7217 S.E. 15<sup>th</sup> Street  
Midwest City, OK 73110  
Phone: 405-737-4461 X1215  
Email Address: [phuston@mid-del.net](mailto:phuston@mid-del.net)

## **I. Definitions**

- A. Compliance Officer: An employee designated by the Superintendent to coordinate compliance efforts with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, Title IX of the Education Amendments of 1972, and the Age Discrimination Act of 1975 and to investigate complaints.
- B. Complaint: A written complaint alleging any policy, procedure, or practice of the District which discriminates on the basis of race, color, national origin, religion, sex, disability, veteran status or age.
- C. Grievant: A student or employee of the Midwest City-Del City School District or any other person who submits a complaint alleging discrimination based on race, color, national origin, religion, sex, disability, veteran status or age.
- D. Respondent: The person alleged to be responsible for the violation alleged in the complaint. The term may be used to designate persons with responsibility for a particular action or those persons with supervisory responsibility for procedures and policies in those areas covered in the complaint.
- E. Day: Day means a working date; the calculation of days in processing the complaint shall exclude Saturdays, Sundays, and holidays.

## **II. Pre-Filing Procedures**

- A. Prior to the filing of a written complaint, the Grievant is encouraged to visit with his/her immediate supervisor or the site principal, and reasonable efforts should be made to resolve the problem or complaint.
- B. The following procedure is outlined as an Early Complaint Resolution (ECR) process which can be addressed when a parent/guardian feels that a conflict exists between their child and the school, school personnel or school policy and such conflict is based on feelings related to race, national origin, disability, age, or gender.

Step 1 -- Conference conducted between appropriate parties.

Parent/Guardian/Teacher Conference.

If Parent/Guardian/Teacher conference does not resolve the situation, then proceed to Parent/Guardian/Site Administrator Conference.

Step 2 -- Appeal is made to the Executive Directors for Early Complaint Resolution. If the Executive Director deems that the situation warrants ECR, then the process will be instituted.

Step 3 -- Process

A committee of three people consisting of an administrator, teacher, and independent party shall convene to hear the complaint.

After hearing from the affected parties, the committee shall make a recommendation to the Executive Director as to what the resolution should be in terms of staying or modifying decisions related to the situation.

The Executive Director will render a decision based on the committee recommendation, but in no way is the committee recommendation binding.

**Note: For students identified as “disabled” under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973, the Mid-Del District will follow state and federal laws and regulations.**

### **III. Filing and Processing Discrimination Complaints**

- A. If the Grievant desires to proceed with a complaint within thirty (30) days of an alleged violation, the Grievant shall submit a written complaint to the Compliance Officer. The complaint shall state the Grievant’s name, the nature of the alleged violation, the date of the alleged violation, the name of the person(s) responsible, and the requested action.
- B. Within ten (10) days of receiving the complaint, the Compliance Officer shall notify the Respondent of the complaint.
- C. Within ten (10) days of notification, the Respondent shall submit to the Compliance Officer an answer which shall:
  - 1. Confirm or deny facts;
  - 2. Indicate acceptance or rejection of Grievant's requested action; and/or
  - 3. Outline alternatives
- D. Within ten (10) days after receiving Respondent's answer, the Compliance Officer shall schedule a hearing with the Grievant and the Respondent.
- E. Within ten (10) days of the hearing, the Compliance Officer shall render a written decision and shall provide a copy of the written decision to both the Grievant and the Respondent.
- F. Within ten (10) days of receipt of the Compliance Officer's decision, if either the Grievant or the Respondent is not satisfied with the decision of the Compliance Officer, either may submit a written request to the Compliance Officer for a hearing before the Superintendent.
- G. Within ten (10) days of receiving a request for a hearing before the Superintendent, the Compliance Officer shall notify the Superintendent of the request and schedule a hearing. Such hearing shall be conducted within thirty (30) days of the date on which the Compliance Officer received notification of the request for a hearing.

- H. Within ten (10) days of conducting the hearing, the Superintendent shall render a written decision on the complaint.
- I. Within ten (10) days of receipt of the Superintendent's decision, if either the Grievant or Respondent is not satisfied with the decision of the Superintendent, either may submit a written request to the Compliance Officer for a hearing before the Board.
- J. Within ten (10) days of receiving a request for a hearing before the Board, the Compliance Officer shall schedule a hearing conducted by the Board. Such hearing shall be conducted within thirty (30) days of the date on which the Compliance Officer receives notification of the request for a hearing.
- K. Within ten (10) days of conducting the hearing, the Board shall render a written decision on the complaint; the decision of the Board shall be final.

#### **IV. General Provisions**

- A. Extension of time: Any time limits set by those procedures may be extended by mutual consent of parties involved. The total number of days from date that complaint is filed, until complaint is resolved, shall be no more than 180 days.
- B. Confidentiality of Records: All records, complaints, notes, documents, and statements made during or related to allegations of discrimination shall be maintained on a confidential basis by the Compliance Officer, and no information concerning any complaint shall be documented in an employee's personnel file; however, in the event official proceedings relating to such allegations are initiated by a party or the District, such records may become public in accordance with law. Information pertaining to complaints shall be maintained on file for three years after resolution of the complaint.
- C. Non-Retaliation Provision: No person filing a complaint nor anyone participating in the complaint process under this policy will be subjected to any form of reprisal, retaliation, intimidation, or harassment because he/she has utilized this complaint procedure in good faith or because he/she has in any way participated in any investigation or hearing involving or related to any complaint filed under this policy. The School District will discipline or take appropriate action against any employee, agent, or representative of the District who is determined to have engaged in such retaliatory behavior.

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#### **- Arson -**

Fire is a threat to the lives and property of everyone whether caused purposely or inadvertently. All due caution must be taken to prevent fires and to apprehend and prosecute to the fullest extent those responsible. Any arson offense is a major offense and shall be treated as such. Included in such prohibitions are firecrackers, any exploding device, smoke/stink bombs.

#### **O.S. 21§1401 and 1402**

**Action -**

- Contact the Fire Marshall's office
- Contact parent/guardian
- Suspension
- Prosecution
- Restitution

**- Telephone/Bomb Threats -**

The installation of equipment on telephones has enabled the telephone company to trace and identify individuals who phone threats of bombs and other potential dangers to school sites and students. The Mid-Del Board of Education has adopted a policy to deal with this situation. (Board Policy C-5) Students who violate Oklahoma Laws shall be prosecuted. **O.S. 21§1767.1**

**Action -**        Notify police  
                    Contact parent/guardian  
                    Suspension

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**Policy: J-33**

***Adopted: 8-13-12***

***Revised: 7-11-16***

**Cult/Gang Behavior**

It is the policy of the school district that membership in secret fraternities or sororities or in other clubs or gangs not sponsored by establishing agencies or organization is prohibited.

**Reference: O. S. 70 §24-105, O.S.21§650.7 and O.S.70§5-146.1**

Gangs which initiate, advocate, or promote activities which threaten the safety or well-being of persons or property on school grounds or which disrupt the school environment are harmful to the educational process. The use of hand signals, graffiti (including graffiti on personal or school items), or the presence of any apparel, jewelry, accessory, body art, or manner of grooming which, by virtue of its color, arrangement, trademark, symbol, or any other attribute which indicates or implies membership or affiliation with a gang, presents a significant risk of danger to the school environment and educational objectives of the community is forbidden.

Incidents involving initiations, hazing, intimidations, and/or related activities which may cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to students are prohibited.

Any student wearing, carrying, or displaying gang paraphernalia or exhibiting behavior or gestures which symbolize gang membership or causing and/or participating in activities which intimidate or affect the attendance of another student will be subject to disciplinary action.

**Action for non-compliance -**    Contact parent/guardian  
    In-school restriction  
    Suspension

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**- Gambling -**

No gambling is permitted on school property, in school vehicles, or at or going to or from any school-sponsored or authorized function. **O.S. 21§941**

**Action for non-compliance -** Contact parent/guardian  
    Suspension

**- Demonstrations or Meetings on School Premises (non-school sponsored) -**

Any student who wishes to promote, organize, or participate in a demonstration or meeting on school premises other than those activities sponsored by the school, must obtain prior approval from the principal at least three (3) days prior to the requested activity, exclusive of the day of the request and the day of the activity. Before approving such a request, the principal must first determine that the activity will not interfere with the rights of others or substantially and materially disrupt the educational process.

**O.S. 21§1314**

**Action for non-compliance** -Contact parents/guardians  
Suspension  
Notify police

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**Regulation: D-O R-4**

***Adopted: 8-13-12***

***Revised: 7-12-21***

**Collection of Funds, Sales or Distribution**

No person may display, distribute, solicit contributions, collect funds, offer to sell, or sell any item to students or school district personnel at school, on school vehicles or at or going to or from school-sponsored or authorized functions, unless he/she has the written permission of the school Principal or the Superintendent of Schools. The written permission must be carried on their person.

**Action of non-compliance** - Contact parent/guardian  
Suspension  
Refer to police at any appropriate point

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**Policy: J-17**

***Adopted: 8-7-89***

***Revised: 7-12-2021***

**Personal Wireless Devices**

The Board of Education promotes an environment for instructional learning that is safe and secure. We recognize the benefits of communications during emergencies; however, the use of wireless telecommunications or multi-media devices during instruction time disrupts and interferes with the educational process and will not be tolerated. Therefore, the District establishes the following policy for the use of wireless telecommunication devices or multi-media devices.

Students are strictly prohibited from using wireless telecommunication and multi-media devices during school hours. Such devices should not be visible and are not to be activated during school hours. Text messaging, “sexting,” and use of camera phones are strictly prohibited during school hours. However, for safety reasons, students may possess wireless devices for before and after school activities and under the direction of a classroom teacher during class for academic purposes, and with the approval of the site Principal.

Exceptions may be granted for medical necessity with the prior written consent of a parent/guardian and the Principal or Principal’s designee. Such consent will be granted only upon a showing of medical necessity or other compelling reasons as determined by the Principal.

Students in violation of any part of this policy will be subject to discipline procedures. When it becomes necessary to confiscate such devices, the return of the device shall be subject to the site Principal according to District and/or applicable legal procedures.

Any student who knowingly takes, reproduces, or publishes an inappropriate picture of another student, teacher, or administrator will be subject to suspension and/or referral for prosecution.

Wireless telecommunication and multi-media devices are strictly prohibited from any and all testing environments including, but not limited to, state-mandated tests, advanced placement tests, ACT, PSAT, and SAT tests.

**The District or School is not responsible for lost or stolen wireless telecommunication devices.**

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**Policy: J-15**

***Adopted: 12-2-85***

***Revised: 10-14-13***

### **Tobacco and Tobacco Paraphernalia**

Smoking, distribution, and the use or possession of tobacco or tobacco products or paraphernalia used with tobacco and tobacco products (including cigarette lighters, etc.), on school property, in school vehicles, or at or going to or from any school-sponsored or authorized function is prohibited.

It is specifically directed that this ban on the use of tobacco products will be in effect 24 hours a day, seven days a week, and will apply to all students, employees, visitors, and anyone providing service to the schools with the exception of training provided by Mid-Del Technology Center as required by government contract. When required by a government contract, the designated smoking area must be away from general traffic areas and completely out of sight of children under eighteen (18) years of age and can be used only by adults attending those training sessions.

Additionally, students are prohibited from possessing or distributing tobacco products or simulated tobacco products in school buildings, on school grounds, in school-owned vehicles, and at all school affiliated functions on or off school campus.

#### **Definitions:**

- A. "School Property" is defined as all property owned, leased, rented or otherwise used by any school in this district, including but not limited to the following:
  - 1. All interior portions of any building or other structure used for instruction, administration, support services, maintenance or storage.
  - 2. All school grounds over which the school exercises control including areas surrounding any building, playgrounds, athletic fields, recreation areas and parking areas.
  - 3. All vehicles used by the district for transporting students, staff, visitors, or other persons.
- B. "Tobacco" is defined as cigarettes, cigars, pipe tobacco, snuff, chewing tobacco and all other kinds and forms of tobacco prepared in such manner to be suitable for chewing, smoking, or both.
- C. "Simulated Tobacco Products" are defined as products that imitate or mimic tobacco products, including, but not limited to cloves, bidis, kreteks, turkey dope, sage, skunkweed, electronic smoking devices and vapor smoking with/without nicotine.

- D. "Use" is defined as lighting, chewing, dipping, inhaling, or smoking any tobacco as defined within this policy.

Advertising of tobacco products on school property, school publications, and video-TV productions is prohibited. This prohibition also includes gear, paraphernalia, clothing, etc. that display and/or promote tobacco products.

Signs will be posted in prominent places on school property to notify the public that smoking or other use of tobacco products is prohibited. The success of this policy will depend on the cooperation and consideration of smokers/tobacco users and non-smokers/tobacco users. All individuals on school property share in the responsibility for adhering to and enforcing this policy. Those found in violation will be informed that they are in violation of board policy, and in the case of tobacco and/or tobacco products, state law. Any individual who observes a violation on school property may report it in accordance with the procedures listed below:

**Students** – Any violation of this policy by students will be referred to the site administrator. Site administrators shall inform both students and parents that failure to comply with the policy may result in confiscation of tobacco and tobacco paraphernalia and/or suspension from classes and school activities.

**Action of non-compliance** – Appropriate initial action as determined by site administrator  
Suspension

**Visitors and General Public** – Visitors who are observed smoking or using tobacco products on school district property will be asked to refrain from smoking or using tobacco on school property. If the individual fails to comply with the request, such violation of policy may be referred to the site administrator or other school district supervisory personnel responsible for the area or program during which the violation occurred. The site administrator or supervisor shall make a decision on further action that may include a directive to leave school property. Repeated violations may result in a recommendation to the Superintendent to prohibit the individual from entering school district property for a specified period of time. If deemed necessary by the school administration, local law enforcement officials may be called upon to assist with enforcement of this policy with regard to removal of violators of this policy.

**O.S. 63 § 1-1523**

**City of Del City Ordinance #13-32C**

**City of Midwest City Ordinance #2615, Chapter 28, Section 28-127**

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**Policy: J-16**

***Adopted: 7-3-89***

***Revised: 6-10-19***

### **Beverages, Drugs, Controlled Dangerous Substances**

The Mid-Del Board of Education adopts the following policy to further strengthen and define the School District's position relative to the use of drugs/alcohol or any emotional or behavioral problem that disrupts educational progress or appropriate social adjustment by our young people.

The purpose of this policy is to provide a clear message to students, parents, and the citizens of this community that possession, use, distribution, sale or being under the influence of alcoholic

beverages, beer, controlled dangerous substances, non-narcotic intoxicants or items presented as prohibited beverages, drugs, or controlled dangerous substances will not be tolerated on school buses, in school buildings, on school property, or at or going to or from school-sponsored or authorized events. Likewise, the district is equally concerned regarding emotional and behavioral problems.

The Board recognizes that the illegal and/or inappropriate use of the referenced items constitutes a hazard to the physical and emotional development of students. In reaffirming its position, the Board is concerned about the best interest and well-being of students at all times. Therefore, this School District will:

1. Be concerned with education and prevention in all areas of drug/alcohol use.
2. Establish and maintain a realistic, meaningful drug/alcohol education program.
3. Cooperate with governmental and private agencies offering services related to drug/alcohol problems.
4. Create a climate whereby students can seek and receive counseling about drugs/alcohol without fear of reprisal through a Student Assistance Program.
5. Cooperate with parents and support agencies in exploring opportunities for assistance in dealing with emotional and behavioral problems.

The following discipline procedures shall apply:

**Controlled Dangerous Substances:**

Any student found possessing, selling, distributing, ingesting, inhaling, is known to have ingested or inhaled, conspiring to sell or possess or be in the chain of sale or distribution, or is under the influence of a controlled dangerous substance, (as defined by law) including but not limited to marijuana, LSD, barbiturates, or heroin, or non-narcotic intoxicants such as glue, non-prescribed cough medicine, gasoline or alcohol, when such items are used in actions deemed inappropriate under Mid-Del School's discipline policy, at school, in school vehicles or at or going to or from a school-sponsored or authorized activity, will be suspended from school. **O.S. 63 §2-402, O.S. 70§24-102, O.S. 10A§2-8-222**

**Alcoholic Beverages/Beer:**

A student may not have an alcoholic beverage or beer in his/her possession, ingest, distribute or sell an alcoholic beverage or beer, conspire to sell or possess or be in the chain of sale or distribution, or be under the influence of an alcoholic beverage or beer at or going to or from school, in school vehicles or at a school-sponsored or authorized function.

**Simulated Drugs:**

Students who have in their possession, ingest, are known to have ingested, conspire to sell or possess or be in the chain of sale or distribution, are under the influence of, distribute or sell items presented as a prohibited beverage or beer, non-narcotic intoxicant, and/or controlled dangerous substance at school, in school vehicles or at or going to or from a school-sponsored or authorized function, shall be subject to disciplinary actions as noted in this section.

In the event of a drug/alcohol policy violation, the following procedures will be followed:

1. First time drug/alcohol offenders will receive a 45 day suspension.
  - a. First time offenders will be given the opportunity to reduce the suspension by meeting with the Director of Student Services or their designee and obtain, from a licensed practitioner, and alcohol/drug use assessment. The Director of Student Services or their designee will provide information to the student/parents/guardians regarding acceptable assessments. The cost of the assessment or recommended treatment will be the sole responsibility of the student's parent or guardian. Completion of the assessment must be verified by appropriate documentation and must be provided to the Director of Student Services or their designee.
  - b. Students who fully comply with the assessment's recommended counseling, education, treatment and/or drug testing, etc. and provide the appropriate documentation to the Director of Student Services or their designee, will have their suspension reduced to ten (10) days or time served if documentation is turned in after ten (10) days. By choosing the ten (10) day suspension option, any right to an appeal of the full length of the suspension is voluntarily waived.
2. Second time drug/alcohol offenders will receive a 45 day suspension.
  - a. Second time offenders will be given the opportunity to reduce the suspension by meeting with the Director of Student Services or their designee and obtain, from a licensed practitioner, and alcohol/drug use assessment. The Director of Student Services or their designee will provide information to the student/parents/guardians regarding acceptable assessments. The cost of the assessment or recommended treatment will be the sole responsibility of the student's parent or guardian. Completion of the assessment must be verified by appropriate documentation and must be provided to the Director of Student Services or their designee.
  - b. Students who fully comply with the assessment's recommended counseling, education, treatment and/or drug testing, etc. and provide the appropriate documentation to the Director of Student Services or their designee, will have their suspension reduced to fifteen (15) days or time served if documentation is turned in after fifteen (15) days. By choosing the fifteen (15) day suspension option, any right to an appeal of the full length of the suspension is voluntarily waived.
3. Third offense or greater: Suspension out-of-school for the remainder of the current semester and all of the following semester.
4. Nothing in this policy is intended to limit or restrict the ability of the School District to take other disciplinary action against a student in a particular case in accordance with other policies governing student discipline. A school principal or the principal's designee may devise an appropriate disciplinary plan for an individual student relating to the substance abuse in question and may submit that plan to the Superintendent or the Superintendent's designee for approval. If such disciplinary plan is approved by the Superintendent or Superintendent's designee, it may be implemented for the student in question.

**In addition:**

In regard to severe or frequent disruptive behaviors, like procedures may apply.

**The following action is to be taken in any case involving the possession, distribution, misuse, or influence of drugs/alcohol and/or frequent or severe disruptive behaviors.**

1. School employee reports to school principal.
2. Principal reports to Superintendent or designee.
3. Principal contacts parent or guardian.

In accordance with this policy, the Mid-Del Board of Education reaffirms its position of providing proactive prevention/intervention programs to educate our youth. To assist with this goal:

1. A copy of these policies shall be provided to all teachers and reviewed at the beginning of the school year.
2. All student guidelines shall contain a copy of these policies.
3. Programs of prevention and intervention will be continued and expanded throughout the curriculum.

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**Policy: J-42**

**Adopted 10/8/18  
Revised 5/13/19**

### **MEDICAL MARIJUANA AND MARIJUANA-RELATED PRODUCTS POLICY FOR STUDENTS**

Students are not allowed to possess medical marijuana or marijuana-related products during the school day, on school grounds, in school vehicles or buses, or at school-related activities.

At no time will marijuana be grown or stored on school premises. School employees will not under any circumstances:

- a. Assist students in obtaining or using Schedule 1 medical marijuana or marijuana-related products not prescribed by a physician;
- b. Store Schedule 1 medical marijuana or marijuana-related products not prescribed by a physician for students;
- c. Take and/or use a student's medical marijuana or marijuana-related products;
- d. Serve as a student's designated legal guardian or caregiver, unless the student is the child or in the legal custody of the employee.

The district reserves the right to discipline students who fail to adhere to Oklahoma law and/or the requirements of this policy. Such disciplinary action will be addressed in accordance with the student discipline code.

If a student has specific procedures regarding medical marijuana or marijuana-related products that are written into the student's Individualized Education Program (IEP) and such procedures are consistent with state and federal law, those provisions will take precedent over this policy. Situations involving students on IEPs will be handled on a case-by-case basis, consistent with state and federal law.

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**Policy: J-39**

**Adopted:  
Revised: 7-12-21**

### **Student Dress Code**

All students are expected to be neatly groomed. Shoes must be worn. Clothing, jewelry, or skin illustrations should not display pictures, lettering or numerical figures that are profane, obscene or that

advertise or promote weapons, tobacco or alcohol, low-point beer, drugs, drug-related items or drug paraphernalia. Any display of nudity or any manner of dress or grooming which violates this policy shall be corrected immediately. Clothing and/or athletic uniforms worn in a manner which is revealing, disruptive, or inappropriate for the school setting is prohibited. Due to issues of decorum and student safety, the principal may require that shirts and blouses be tucked inside the jeans, pants, slacks, etc. Students may be required to remove coats, hats and similar apparel during the school day.

Extremes in wearing apparel or personal appearance which would disrupt classrooms and/or interfere with the intended function of the school will not be considered as acceptable school dress. The wearing of any apparel associated with “gang” membership will not be allowed at school, on school vehicles or at or going to or from school-sponsored or authorized functions.

1. Skirt and short apparel should be an appropriate length to assure that no undergarments are visible at any time.
2. Leggings and tights must be covered by a top that covers the essential hip/pelvis area of the student.
3. Students must wear shoes. Cleats, house shoes, roller shoes, or shoes that limit physical activity or safety should not be worn.
4. Biker or animal chains/collars/spikes may not be worn. Jewelry or personal items or manner of dress which could cause harm to self or others may not be worn.
5. Clothing normally worn when participating in a school sponsored extracurricular activity or sports activity may be worn to school when approved by the school administration.
6. Headgear (examples: hats, caps, bandanas, sunglasses, stocking caps) is not to be worn in the building. Any headgear brought to school should be kept in the student’s locker during regular school hours. This prohibition does not apply to headgear worn for medical or religious reasons. Exceptions may be made by the principal for spirit days or special activities.
7. Halter tops, off-the shoulder tops, bare midriffs, tube tops, spaghetti straps, (muscle shirts, mesh shirts or fishnet (unless a t-shirt is underneath), backless or partial backless garments, or outer garments with the appearance of underwear are not permitted to be worn by students.
8. Apparel that is too tight or too loose is not to be worn by students. Clothing which does not completely cover undergarments may not be worn.

Exceptions to this policy are at the discretion of the building principal as there may be clothing, or accessories not specifically addressed herein that are so disruptive to the educational process that the principal may need to take immediate corrective action.

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**Policy: J-35**

***Adopted: 8-13-12***

***Revised:***

### **Shadowing**

The Mid-Del District encourages parents/guardians to get involved with their student’s education. If a parent/guardian desires to “shadow” their son or daughter’s class schedule they should contact the site principal and schedule a time to visit. A minimum of 24 hours notice is required in order to not have another student in a situation to be observed in a way that violates any FERPA guidelines. Final decision of the scheduled time and/or visit will be made by the site principal.

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**Student Publications/Oral Presentations**

The Board believes that the expression of ideas and awareness of a multitude of varying opinions are vital to the educational process. Students in the Mid-Del Schools shall have the right to make oral presentations and distribute printed materials, including pamphlets, posters, leaflets, newspapers, brochures, and circulars. Students who edit, publish, post, distribute, or make oral presentations on school property, are responsible for the content of such publications and presentations. All student publications must identify the author, and/or editor and publisher, and shall be submitted to the principal for his/her approval three (3) days prior to distribution.

The distribution of written materials shall not be restricted or denied solely because of the political, religious or philosophical content of the material. However, students must realize that rights go hand-in-hand with responsibilities and that students have a responsibility to refrain from the distribution of written material which is:

- A. Obscene to students, meaning (a) material which, taken as a whole, lacks serious literary, artistic, political or scientific value for students and, (b) when an average person, applying contemporary community standards, would find the written material, taken as a whole, appeals to an obsessive interest in sex by students.
- B. Libelous, meaning a false and unprivileged statement about a specific individual which tends to harm an individual's reputation.
- C. Vulgar, Lewd or Indecent, meaning material which, taken as a whole, an average person would deem improper for presentation to students because of sexual connotations or profane language.
- D. A Display or Promotion of Unlawful Products or Services, meaning material which advertises or advocates the use of products or services prohibited by law from being sold or provided to students.
- E. Group Defamation, meaning material which disparages a group or a member of a group on the basis of race, religious affiliation, color, ethnic or national origin, gender identity or preference, or disability. This includes racial and religious epithets, "slurs", insults and abuse.
- F. A Disruption of School Operations, meaning material which, on the basis of past experience or based on specific instances of actual or threatened disruptions relating to the written material in question, is likely to cause a material and substantial disruption of the proper and orderly operation of school activities or school discipline.

**Clean-up**

Students who distribute written materials will be responsible for removing discarded and leftover materials from the school facility and grounds before the students leave the school premises after distributing the material.

### Certain Definitions

- A. *"Distribution"* means the circulation of written materials by handing out copies, selling or offering copies for sale and accepting donations for copies.
- B. *"Written Material"* includes, but is not limited to, leaflets, magazines, books, brochures, flyers, petitions, newspapers, buttons, badges or other insignia.

### Miscellaneous

All schools within the Mid-Del School District shall provide a notice on school bulletin boards and in material distributed generally to students and parents/guardians stating that by permitting the on-campus distribution of non-curriculum related written materials by students under this policy, the school, the Mid-Del School District and the Board of Education are not approving any non-curriculum related written material distributed by students or endorsing, supporting or advocating the content of the material. A copy of this policy will be posted conspicuously in each school building. Any student shall be entitled to a free copy of this policy upon request.

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**Policy: J-36**

***Adopted: 8-13-12***

***Revised:***

### **Motor Vehicles On School Grounds**

Each school principal shall have the responsibility of establishing motor vehicle regulations in accordance with the needs of the school and existing local and state laws. No middle school student will be allowed to drive an automobile and park said automobile on or off school grounds, as a primary mode of transportation to school. Further, no senior high school students shall be permitted to drive any type of vehicle onto middle school grounds during the school day without approval of site principal.

- Action -**
- Possible suspension of parking or driving privileges at school (for senior-high students)
  - Parent/guardian conference when appropriate
  - Punitive action to include, but not limited to, being held out of class, detention, or restriction of privileges
  - Suspension
  - Referral to police at any appropriate point

.....  
**- Student Responsibility for Contents of Vehicles on School Property -**

The district imposes a strict governance against the possession of weapons as defined by school law, uncontrolled substances, or alcoholic beverages on school property to protect students from harm or the threat of violent acts. A student who drives or parks on school property a vehicle containing weapons, uncontrolled substances, or alcoholic beverages creates a potential risk to the safety of students because the presence of this contraband on school property makes the contraband readily available for student use. A weapon in a vehicle on school property, for example, provides an easily accessible means for a student to seriously injure another student. Students and parents/guardians desire assurance the school has taken appropriate measure to warn students that their fellow students and their parents/guardians expect students to come to a campus free of weapons, controlled substances, and alcoholic beverages.

For the safety of students and the maintenance of a campus climate appropriate for the academic pursuit of learning, no student will drive or park a vehicle on school property that contains a weapon, a controlled substance, or an alcoholic beverage. A student who drives or parks a vehicle on school property has a mandatory obligation to conduct a thorough inspection of the contents of the vehicle prior to the time the

vehicle is driven onto district property to ensure the vehicle while on school property does not contain weapons, controlled substances, or alcoholic beverages. Each student who parks a vehicle on school property must lock the vehicle. This responsibility to inspect the vehicle and remove any contraband is not excused because individuals other than the student drive the vehicle, because passengers ride in the vehicle while the student or others drive the vehicle, or because the vehicle is not owned by the student. The fact others besides the student are in the vehicle increases the possibility that contraband may have been left in the vehicle and increases the responsibility placed upon the student-driver to perform the necessary thorough inspection to discover and remove any contraband from the vehicle prior to driving or parking the vehicle on school property. Each student is responsible for knowing the contents of the vehicle the student drives or parks on school property and will be held accountable for the contents. Each student who is a passenger in a vehicle driven or parked on school property is responsible for the contents of the vehicle if the passenger owns the vehicle or is the child or sibling of the owner of the vehicle and permits another student to drive the vehicle on school property or park on school property.

**A student found to have known a vehicle on school property contained a weapon, controlled substance, or alcoholic beverage and did not promptly inform an administrator or teacher of the presence of these items on school property may be subjected to discipline.**

School personnel, or those authorized by appropriate District personnel, will conduct routine patrols of student parking lots. A vehicle on school property may be searched by the administration when there is reasonable suspicion the vehicle contains weapons, controlled substance, or alcoholic beverages. If reasonable suspicion exists, the student will be asked to unlock the vehicle for a search. If no consent is given by a student under 18 years of age, the parent/guardian will be asked to come to school to open the car. If the car is not opened by a parent/guardian, or a parent/guardian cannot be located or is unable to promptly arrive at school, the administration may contact law enforcement authorities. Attempts to contact parents/guardians to open vehicles driven by students over 18 years of age will be made if a parent/guardian is the owner of the vehicle. **Section 1031, School Laws of Oklahoma**

#### **- Off-Campus Events -**

Students at school-sponsored or authorized off-campus events shall be governed by school district rules and regulations and are subject to the authority of school district officials. **O.S. 21§643, O.S. 21§650 and 650.1, O.S. 21§844, O.S. 21§1363, O.S. 70§24-101.3**

**Action -** Appropriate initial action as determined by site administrator  
Parent/Guardian conference when appropriate  
Punitive action to include, but not limited to, being held out of class, detention, or restriction of privileges  
Suspension  
Referral to police at any appropriate point

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**Policy: J-32**

***Adopted: 8-13-12***

***Revised:***

#### **Conduct for Spectators/Parents**

The following policy regarding the code of conduct for spectators/parents should serve as a model for fans at all school-sponsored extra-curricular events:

BELIEVING THAT sportsmanship is a by-product of a spirit of tolerance and good will and the centering of attention of the good qualities involved, and

BELIEVING THAT conduct is an important part of the school's extra-curricular program, and acting in accordance with these principles, the spectator/parent will:

1. Exemplify the highest moral character, behavior, and leadership so as to be a worthy example.
2. Maintain and exhibit poise, self-discipline during and after the contest.
3. Conduct his/her self in such a manner that attention is drawn not to him/her, but to the activity participants.
4. Regulate actions at all times so that he/she will be a credit to the team support, knowing the school gets the praise or blame for his/her conduct since he/she represents the school the same as does the participant.
5. Support all reasonable moves to improve good sportsmanship.
6. Treat visitors and spectators as guests, being courteous and fair.
7. Avoid actions that will offend the individual participants.
8. Accept the judgment of the coach/sponsor.
9. Honor the rights of visitors in a manner in which he/she would expect to be treated.
10. Respect the property of the school.
11. Display good sportsmanship by being modest in victory and gracious in defeat.
12. Pay respect to both teams as they enter for competition.
13. Appreciate the good plays by both teams.
14. Show sympathy for an injured participant.
15. Regard the officials/judges as guests and treat them as such.
16. Direct energy to encouraging the team rather than booing the officials/judges.
17. Believe that the officials/judges are fair and accept their decisions as final.
18. Learn the rules of the game/contest in order to be a more knowledgeable fan.
19. Consider it a privilege and duty to encourage everyone to live up to the spirit of the rules of fair play and sportsmanship.
20. Realize that obscene cheers, littering, throwing of objects, and verbal indignities directed toward participants, spectators, officials, or judges have no place in schools.

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**School Visitors, Unauthorized Visitors, Order to Leave School Grounds,  
Grievances/Appeals Process**

It is the policy of the Mid-Del Board of Education that all visitors to any school facility obtain a visitor's pass. Parents/guardians are requested not to send or allow siblings to visit students in the classroom. Staff members are not normally expected to have personal visitors during the school day.

**Vendor Solicitation**

Solicitations by vendors such as, but not limited to, insurance representatives, and annuity representatives will only be allowed on the premises either before or after school hours. He/she may be at the school only upon the request of an employee and with the approval of the site administrator. Board of Education sponsored programs such as 403(b) or 457 Retirement Plan and Section 125 Plan Administrators will be allowed to conduct seminars and/or enrollment as needed. Other agents or persons shall not visit teachers during school hours for the purpose of selling books or other articles without written consent from the Superintendent.

By law, the Superintendent or Principal of any school shall have the authority to order any person(s) to leave the school building and property when it appears that the presence of such person(s) is a threat to the peaceful conduct of school business, school activities, and/ or school classes. This authority shall extend to the removal of any individual attending an official school activity or field trip where students are present, including an activity or field trip not on school property, when the Superintendent or Principal determines that a threat to the peaceful conduct of students exists. Any person who refuses to leave the school building or grounds after being ordered to do so by the Superintendent or Principal, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$500 or by imprisonment in the county jail for not more than (90) ninety days, or by both such fine and imprisonment.

Any person who is directed to leave the premises shall be unable to return to the premises without the written permission of the administration for a period of (6) six months.

Any person who is removed from the school for "interfering with the peaceful conduct" shall be given written notice of the procedures for requesting a hearing and filing a grievance or appeal.

Any person who has been removed from this institution shall be given written notice of the procedures for requesting a hearing and filing a grievance or appeal with the Board of Education by their receipt of a copy of this policy.

**Filing a Grievance or Appeal**

Within (5) five working days of being directed to leave premises, the individual ("complainant") may request a hearing before the Executive Director regarding their removal from school premises. The request shall be submitted in writing to the Superintendent or Designee. Such request shall be mailed certified mail, return receipt requested. If the complainant fails to request a hearing within (5) five working days of being directed to leave the premises, the right to a hearing shall be deemed to be waived. Final decision will be made by the Executive Director - no further appeal.

**LEGAL REFERENCE: O.S. 21 § 1375, § 1376**

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**- Anonymity (Refusal to Identify Self) -**

School personnel have the right to know the identity of all persons on the school premises. Students and adults must identify themselves upon request of school personnel or duly assigned and identified monitors on school premises, to and from school, during school hours, or during the time of school-sponsored or authorized functions. Upon entering any school premises, visitors must immediately report to the office. The principal or any faculty member, after establishing that a person is 1) not a student or employee of the school or 2) has no proper business at the school, will direct such person to leave immediately. **O.S. 21§1376 and O.S. 70§24-131**

**Action -** Person will be directed to leave the premises immediately and not return. A note of the incident will be kept on file. If this person does not comply, the police will be contacted and appropriate charges filed.

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**- General Procedures/Alternatives -**

**- Parent/Guardian Contact -**

- A. School personnel shall make every reasonable effort to make immediate contact with parents/guardians regarding violations as noted in this handbook.
- B. Parent/Guardian support for the school and its corrective measures is essential for student success. Parents/Guardians should notify the school of any unusual behavior pattern on the part of the child that might lead to serious difficulties.
- C. Both the teacher and principal have various options in imposing disciplinary measures for student misconduct and violation of school rules. The teacher or principal may consult with parents/guardians on disciplinary measures that might prove most effective in particular instances. Parental/Guardian “shadowing” of students experiencing discipline difficulties may be particularly effective.
- D. In an emergency situation, when the student is endangering himself or others, the school has the authority to remove the child from school immediately.

**- Detention -**

Detention is time assigned in a supervised environment before school, during the lunch period, during recess, or after school. Students will have access to regular child nutrition programs during assigned detention.

**- In-School Restriction -**

In-school restriction is an alternative to home suspension when deemed advisable by the principal. In-school restriction is assignment during part of or all of a student’s schedule, where said student spends the time in a monitored, structured study environment. Students will have access to regular child nutrition programs during assigned restriction. **PLACEMENT IN AN IN-SCHOOL RESTRICTION (I.S.R.) PROGRAM IS DECIDED BY THE SITE PRINCIPAL AND IS NOT APPEALABLE.**

## - Suspension -

Suspension is the temporary denial by the school administration of the right to attend class, school, or school-sponsored or authorized functions: a) for the rest of the day; b) for a specified time up to one calendar year.

**A short-term at-home suspension** is for one (1) to ten (10) school days. The length of the suspension shall be commensurate with the severity of the violation.

**A long-term at-home suspension** is any suspension which is eleven (11) school days or more. Although it is not mandatory, a long-term suspension may extend for the duration of the current semester and the succeeding semester or, for one calendar year. For discipline purposes, a semester will be defined as approximately 90 days of instruction or a similar number of days as established by the school calendar.

Suspension from school is to be used only in extreme cases of misconduct, nonconformity to school regulations, destruction of public property, actions occurring away from school that may disrupt the school environment or actions endangering the welfare of others. After consideration of alternative in school options, if suspension is an appropriate consequence, the following general procedures are to be followed:

1. When high school students are sent home, every reasonable attempt will be made to notify the parents/guardians.
2. Middle school and elementary students will not be dismissed before the end of the school day without advance notice to parents/guardians.
3. Written notice of suspension will be sent to parents/guardians and copies mailed to designated offices at the Board of Education.

Reinstatement after a suspension results when the suspension term has been served. However, the student may be advised that the suspension will be terminated at an earlier date if some remedial act (i.e., a parent/guardian conference) occurs. If the act occurs, reinstatement may result before the designated end of the suspension term. A student who has been suspended for a violent offense which is directed towards a classroom teacher shall not be allowed to return to that teacher's classroom without the approval of that teacher.

## - Severe Behavior/Administrative Responses -

The behaviors listed in the first column below are those which are considered severe and intolerable at school, on school vehicles and at or going to or from school-sponsored or authorized activities. Any student determined to be guilty of any of these behaviors will be subject to the administrative responses as listed in the second and third columns. As many offenses are situational and of varying degree, a range of suggested discipline steps has been provided for consideration. **The site principal will have the responsibility of establishing the appropriate level of discipline based upon his/her judgment of each situation.**

**Please note that restitution and prosecution are included within the sanctions.**

ISR = In-School Restriction

LTS = Long Term Suspension (11+ days)

STS = Short Term Suspension (1-10 days)

The following columns list possible discipline steps for severe behavior infractions. They are meant to be used as a guide. Final discipline actions for severe behavior will be determined by the site principal.

<b><u>Severe Behavior</u></b>	<b><u>First Offense</u></b>	<b><u>Second Offense</u></b>
Firearms	LTS – 1 (one) full year unless modified by Superintendent.	LTS – 1 (one) full year unless modified by Superintendent.
Possession of Controlled Dangerous Substance (CDS)/ or Weapons	STS – LTS (Maximum penalty allowed by law)	LTS – (Maximum penalty allowed by law)
Sale or Distribution of CDS	LTS + Prosecution	LTS + Prosecution
Assault	LTS	LTS
Fighting	STS – LTS	STS – LTS
Destruction of Property	ISR - LTS (Restitution + Prosecution)	STS - LTS (Restitution + Prosecution)
Disruptive Cult/Gang Behavior	ISR - LTS	STS - LTS
Bomb Threat	LTS + Prosecution	LTS + Prosecution
Arson	LTS + Prosecution	
Extortion	STS - LTS	LTS
Theft/Possession of Stolen Property	STS (Restitution+Prosecution)	LTS (Restitution+Prosecution)
Defiance of Staff	STS - LTS	LTS
Verbal Assault/Threat to Staff (at any time)	STS - LTS	LTS
Physical Assault of Staff (at any time)	LTS+ Prosecution	
Hazing/Initiations	ISR - STS	STS- LTS
Sexual Misconduct	STS – LTS	LTS
Tobacco and Tobacco Paraphernalia	STS – LTS	LTS

**- Corporal Punishment -**

Corporal punishment will not be used as a discipline alternative by the Mid-Del school district employees or on school property.

**- Verbal or Written Counseling -**

Verbal counseling means to orally address an inappropriate behavior. Written counseling means to send written notice to parents/guardians outlining an inappropriate behavior.

## **- Restricted Privileges -**

Restricted privileges are the denial of such privileges as participation in student activities or extracurricular events or use of common areas or other parts of the school.

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**Policy: J-27**

***Adopted: 8-13-12***

***Revised: 7-12-21***

### **Lockers**

It is the policy of this District that school lockers may be assigned to students on the first day of school or as soon as possible thereafter.

They are to be kept locked at all times. They are to be kept clean and never defaced in any manner. This applies to the inside as well as the outside. Locker mates are not changed without the principal's permission.

Any locker malfunction should be reported to the office. Students are cautioned not to keep money or other valuables in their lockers.

Students have no expectation of privacy concerning lockers, desks, or other school property. All student lockers, desks, and other school property are subject to periodic inspection. When such inspections are announced, each student shall open his or her locker and remain present during the inspection.

The District or School is not responsible for items in lockers.

The Superintendent will develop, or cause to be developed, rules and regulations for the issuance, use, and maintenance of the lockers.

### **LEGAL REFERENCE: O.S. 70 §24-102**

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**Policy: J-11**

***Adopted: 8-13-12***

***Revised: 7-11-16***

### **Search and Seizure**

- A. The Superintendent, Principal, Teacher, or Security Personnel of any public school in the State of Oklahoma, upon reasonable suspicion, shall have the authority to detain and search or authorize the search, of any student or property (including personal vehicles) in the possession of the student when said student is on any school premises or while in transit under the authority of the school, or while attending any function sponsored or authorized by the school, for dangerous weapons, controlled dangerous substances, as defined in the Uniform Controlled Dangerous Substances Act, intoxicating beverages, low-point beer, as defined by Section 163.2 of Title 37 of the Oklahoma Statutes, electronic devices or for missing or stolen property if said property is reasonably suspected to have been taken from a student, a school employee or the school during school activities. The search of a person shall be conducted by a person of the same sex as the person being searched and shall be witnessed by at least one other authorized person, said person to be of the same sex if practicable.

- B. The Superintendent, Principal, Teacher, or Security Personnel searching or authorizing the search shall have authority to detain the student to be searched and to preserve any dangerous weapons, controlled dangerous substances, intoxicating beverages, low-point beer, electronic devices or missing or stolen property that might be in their possession including the authority to authorize any other persons they deem necessary to restrain such student or to preserve any dangerous weapons, controlled dangerous substances, intoxicating beverages, low-point beer, electronic devices or missing or stolen property.
- C. Students shall not have any reasonable expectation of privacy towards school administrators or teachers in the contents of a school locker, desk, or other school property and upon reasonable suspicion as set forth above, backpacks, purses or personal property. School personnel shall have access to school lockers, desks, and other school property and upon reasonable suspicion as set forth above, backpacks, purses or personal property in order to properly supervise the welfare of students. School lockers, desks, and other areas of school facilities may be opened and examined by school officials at any time and no reason shall be necessary for such search. Schools shall inform students in the student discipline code that they have no reasonable expectation of privacy rights toward school officials in school lockers, desks, or other school property O.S. 70 § 24-102.
- D. No student shall be strip-searched.
- E. Mid-Del Schools maintain cooperative agreements with local, county, and state law enforcement agencies. Periodically and/or upon request, these agencies may provide the services of a canine officer to assist in the search of property or persons on school premises or while under the authority of the school or while attending any function sponsored or authorized by the school for items as defined in A and B of this section.

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**Policy: J-25**

***Adopted: 6-13-11***

***Revised: 8-13-12***

**Student Records**

It is the policy of the Mid-Del Board of Education that the principal of each school will be the legal custodian of all student records for that school.

Students and parents will have access to their school records. The school will notify parents and adult students annually of the following:

1. The type of records kept;
2. The procedure for inspecting and copying these records;
3. The right for interpretation;
4. The right to challenge data thought to be erroneous, the procedures for correcting or expunging erroneous data or inserting a rebuttal statement;
5. The right to lodge a complaint with the U.S. Department of Education if mandates are not adequately implemented.

Additionally, the District will notify parents annually of the District's policy on the collection or use of personal information collected from students for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose, including arrangements to protect student privacy that are provided by the agency in the event of such collection, disclosure, or use.

The educational records or school records include all materials directly related to a student that a school maintains. Records and notes maintained by a teacher, administrator, school physician, or school psychologist for his or her own use, and which are not available to others are exempted from this definition.

The school will require a prior written consent before information other than directory information may be divulged to third parties. An exception to this rule exists for school district employees who have legitimate interests in viewing the records, as well as officials in other schools in which the student seeks to enroll. A school district in which a student is enrolled or is in the process of enrolling in may request the student's education records from any district in which the student was formerly enrolled to ascertain safety issues with incoming students and ensure full disclosure. The records, including the student's disciplinary records, will be forwarded to the requesting district within three (3) business days. Disciplinary records shall include but not be limited to all information that relates to a student assaulting, carrying weapons, possessing illegal drugs, including alcohol, and any incident that poses a potential dangerous threat to students or school personnel.

When schools transfer records to new educational institutions, the schools must notify parents of the transfer, and of their right to review and contest the material. An exemption exists for material under court order. Parents must be notified of such order prior to release.

The District will release individual student records from the current or previous school year to a school district where the student was previously enrolled if the release of such records is for the purposes of evaluating educational programs and school effectiveness.

The District may disclose, without the consent or knowledge of the eligible student or parent, personally identifiable information in the educational records of a student to the Attorney General of the United States or his or her designee in response to an ex parte order in connection with the investigation or prosecution of terrorism crimes.

The School District limits directory information to only those parties and purposes specified in Regulation J-25 R-1.

The District is not required to record such disclosure of information and is protected from liability for disclosing such information in good faith.

The Superintendent is directed to establish procedures to ensure compliance with the Family Educational and Privacy Act and other applicable acts and regulations.

### **Student Recruitment - Access to Students and Directory Information**

The Mid-Del Public School District may disclose any of the items listed as directory information without prior written consent, unless notified in writing to the contrary. The parent, legal guardian of the student, or the student age 18 or over may also provide written notification to the school administration requesting directory information not be released to military service recruiters.

Subject to the provisions of state and federal laws, this District shall provide the same directory information and on-campus recruiting opportunities to representatives of the armed forces of the United States of America and state armed services as are offered to nonmilitary recruiters, recruiters for commercial concerns, and recruiters representing institutions of higher education.

The school administrator may make the determination of when the recruitment meetings are to take place and reserves the right to deny such meeting where the holding of such meeting will materially and substantially interfere with the proper and orderly operation of the school. Organizations wishing to recruit at the high school must make arrangements with the principal or designee who will determine the schedule for the recruitment meeting. Scheduled visits by recruiters will be made known to the student body. On-campus follow-up meetings with individual students will be permitted only upon the request of the student(s) and with the approval of the building principal or designee.

Any person or organization denied the rights accorded under this policy shall have the right to request a review of the decision by the Board of Education by filing a written request with the Superintendent of Schools.

This District will notify parents of the types of student directory information released. The notice will include:

1. An explanation of the parent's right to request that information not be disclosed without prior written consent;
2. Notice that the school routinely discloses names, addresses, and telephone numbers to military recruiters upon request, subject to a parent's request not to disclose such information without written consent; and
3. Notification on how the parent may opt out of the public, nonconsensual disclosure of directory information and the method and timeline within which to do so.

The notice will be provided to parents on an annual basis.

**LEGAL REFERENCE:**     **34 CFR 99.1**  
                              **18 USC §§2331 and 2332(g)(5)(B)**  
                              **20 USC 1232**  
                              **P. L. 107-110, No Child Left Behind Act of 2001**  
                              **O.S. 51 §24A.16**  
                              **O.S. 70 §6-115**  
                              **O.S. 70 §24-101.4**  
                              **O.S. 70 §24-114**

**REFERENCE:**           **10 U.S.C. §503 as amended by The National Defense Authorization Act for Fiscal Year 2002 (P.L. 107-107)**  
  
                              **20 U.S.C. §7908 (§9528 of the ESEA) as amended by the No Child Left Behind Act of 2001 (P.L. 107-110)**

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## **FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974**

In accordance with the policy of the Board of Education, the following regulation shall govern the release of student records to students and members of the student's family, legal custodian, or legal guardian.

### **DEFINITIONS**

For the purpose of this regulation, the school district has used the following definitions of terms:

#### **Student**

Any person who attends or has attended a program of instruction sponsored by the Board of Education of this school district.

#### **Eligible Student**

A student or former student who has reached age 18 or is attending a post-secondary school, and who is no longer a dependent of the parent for federal tax purposes.

#### **Parent**

Either natural parent of a student unless his or her rights under the Family Education Rights and Privacy Act (FERPA) have been removed by a court order; an adopted parent; a guardian; or an individual acting as a parent or guardian in the absence of the student's parent or guardian.

#### **Education Records**

Any item of information or record (in handwriting, print, computer media, video or audio tape, film, microfilm, microfiche, or other medium) maintained by the school district, an employee of the district, or an agent of the district which is directly related to an identifiable student except:

- A. A personal record, including informal notes, kept by a school staff member, which meets the following tests:
  - 1. It was made as a personal memory aid;
  - 2. It is in the sole possession of the individual who made it; or
  - 3. Information contained in it has never been revealed or made available to any other person except the maker's temporary substitute;
- B. An employment record which is used only in relation to a student's employment by the school district (employment for this purpose does not include activities for which a student receives a grade or credit in a course); or
- C. Alumni records that relate to the student after the student no longer attends classes provided by the school district and the records do not relate to the person as a student.

#### **Personal Identifier**

Any data or information that makes the subject of a record known. This includes the student's name, the student's parents or other family member's name, the student's address, the student's social security number, a student number, a list of personal characteristics, or any other information that would make the student's identity known.

#### **Annual Notification**

Within the first three weeks of each school year, the school district will publish a notice to parents and eligible students of their rights under the FERPA and this policy. The district will also send home with each student a bulletin listing these rights and the bulletin will be

included with a packet of material provided parents or an eligible student when the student enrolls during the school year.

The notice will include the following:

- A. The right of a student's parent or eligible student to inspect and review the student's education records;
- B. The intent of the school district is to limit the disclosure of information contained in a student's education records except: (1) by the prior written consent of the student's parent or the eligible student, (2) as directory information, or, (3) under certain limited circumstances, as permitted by the FERPA;
- C. The right of a student's parent or an eligible student to seek to correct parts of the student's education records which he or she believes to be inaccurate, misleading, or in violation of student rights (this right includes the right to a hearing to present evidence that the record should be changed if the district decides not to alter it according to the parent's or eligible student's request and the right to insert in the student's permanent records an explanatory statement giving reasons for disagreeing with the decision);
- D. The right of any person to file a complaint with the Department of Education if the school district violates the FERPA; and
- E. The procedure that a student's parent or an eligible student should follow to obtain copies of this policy and the locations where copies may be obtained.

The district will arrange to provide translations of this notice to non-English speaking parents in their native language.

### **STATEMENT OF RIGHTS**

Parents and eligible students have the following rights under the Family Education Rights and Privacy Act and this policy:

- A. The right to inspect and review the student's education record;
- B. The right to exercise a limited control over other people's access to the student's education record;
- C. The right to seek to correct the student's education record, in a hearing, if necessary;
- D. The right to report violations of the FERPA to the Department of Education; and
- E. The right to be informed about FERPA rights.

All rights and protections given parents under the FERPA and this policy transfer to the student when the student reaches 18 or enrolls in a post-secondary school.

### **LOCATIONS OF EDUCATION RECORDS**

<u>TYPES</u>	<u>LOCATION</u>	<u>CUSTODIAN</u>
Cumulative School Records	All Schools	Principal
Cumulative School Records (Former Students)	All Schools	Principal
Health Records	All Schools	Principal (maintained in the principal's secretary's office) School Nurses/Director

School Transportation Records	Transportation Office	Director of Transportation
Speech Therapy Records	Special Services Office	Director of Special Services
Psychological Records	Special Services Office	Director of Special Services
Confidential Folders (maintained in Teaching & Learning)	All Schools & Learning Service Center	Principal or designee
Transcripts	School student is currently attending or last attended	Principal (maintained in Teaching & Learning/Administration Building)

### **PROCEDURE TO INSPECT EDUCATION RECORDS**

The parent of a student or an eligible student may inspect the student's education records upon request. In some circumstances, it may be mutually more convenient for the record custodian to provide copies of records. See the schedule of fees for copies below.

Since a student's records may be maintained in several locations, the school principals will offer to collect copies of records or the records themselves from locations other than a student's school, so they may be inspected at one site. However, if a parent or eligible student wishes to inspect records where they are maintained, school principals will make every effort to accommodate the wishes.

The parent or eligible student should submit to the student's school principal a written request that identifies, as precisely as possible, the record or records he or she wishes to inspect.

The principal (or other record custodian) will contact the parent of the student or the eligible student to discuss how access will be best arranged (copies, at the exact location, or records brought to a single site).

The principal (or other record custodian) will make the needed arrangements as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected. This procedure must be completed in 45 days or less from the receipt of the request for access.

If for any valid reason, such as working hours, distance between record location sites, or health, a parent or eligible student cannot personally inspect and review a student's education record, the school district will arrange for the parent or eligible student to obtain copies of the record. See below for information regarding fees for copies of records.

When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the records of the other students.

### **FEES FOR COPIES OF RECORDS**

The school district will not deny parents or eligible students any rights to copies of records because of the following published fees. Where the fee represents an unusual hardship, it may be waived in part, or in whole, by the record custodian. However, the District reserves the right to charge for copies, such as transcripts, it forwards to potential employers or to colleges and universities for employment or

admission purposes. The school district may deny copies of records to third parties (not parents or students) in the following situations:

- A. The student has an unpaid financial obligation to the school.
- B. There is an unresolved disciplinary action against the student that warrants the denial of copies.

The FERPA requires the school district to provide copies of records:

- A. When the refusal to provide copies effectively denies access to the records by a parent or eligible student;
- B. At the request of the parent or eligible student, when the school district has provided the records to third parties by the prior consent of the parent or eligible student; or
- C. At the request of the parent or eligible student when the school district has forwarded the records to another school where the student seeks or intends to enroll.

The fee for copies provided under the FERPA may not include the costs for search and retrieval. The fee will be from no cost to twenty five cents per page. (Actual copying cost, less hardship factor.) The fee for all other copies, such as copies of records forwarded to third parties with prior consent or those provided to parents as a convenience, will be twenty five cents per page (actual search, retrieval, and copying cost) plus postage, if incurred.

### **DIRECTORY INFORMATION**

The Mid-Del School District proposes to designate the following personal identifiable information contained in a student's education records as directory information. Parents have the right to request this information not be released. Such requests must be made in writing to the principal at the school site. Unless such notice is received, the following directory information may be disclosed:

- A. The student's name;
- B. The student's class designation (i.e., first grade, tenth grade, etc.);
- C. The student's extracurricular participation;
- D. The student's achievement awards or honors;
- E. The student's weight and height if a member of an athletic team;
- F. The student's photograph

Within the first three weeks of each school year, the school district will publish the above list, or a revised list, of items of directory information it proposes to designate as directory information. For students enrolling after the notice is published, the list will be given to the student's parent or the eligible student at the time and place of enrollment.

After the parent or eligible student has been notified, he or she will have two weeks to advise the school district in writing (a letter to the school principal's office) of any or all of the items they refuse to permit the district to designate as directory information about the student.

At the end of the two-week period, each student's record will be appropriately marked by the record custodian to indicate the items the District will designate as directory information about the student. This designation will remain in effect until it is modified by the written direction of the student's parent or the eligible student.

## **USE AND RELEASE OF CONFIDENTIAL INFORMATION**

Confidential records will be kept in a separate folder and not in the student's regular school cumulative folder. These records will be kept secured in a locked area. The principal will select one person to be responsible for these records. Confidential records include the following information:

A. Individual evaluations:

1. All specialized records of professionals who have screened, assessed, and/or evaluated the students, (i.e., psychologists, psychometrists, social workers, diagnosticians), physician's medical assessment, or any individual evaluation as it pertains to placement in a school program.
2. Specialized reports from outside agencies or specialists, i.e., private schools, social service agencies, vocational rehabilitation hospitals.

B. The following persons may have access to the confidential records without parent's or eligible student's consent:

Special education teacher  
Regular education teacher  
Administrator  
Counselor  
State Department of Education personnel  
Parents/guardian  
Student (if over 18 years old)  
School nurse  
Speech Therapist  
Psychometrist/Psychologist  
Vocational Rehabilitation counselor  
School attorney

Persons not included on this list, desiring to see confidential records, must have parental or eligible student's permission to see the records. A form will be kept in each confidential folder to record who saw the records, on what date, and the purpose of examination.

Confidential records will be released only through the student services division and only with a written consent from the parent or eligible student.

C. Special attention must be given to the following:

1. When records or data include information on more than one student, the parents of any student shall be entitled to receive, or be informed of, that part of the record or data that pertains to their child;
2. Where parents are separated or divorced, a written parental consent may be obtained from either parent, unless the district has been provided with evidence that there is a legally binding instrument that provides to the contrary.

## **USE OF STUDENT EDUCATION RECORDS**

To carry out their responsibilities, school officials will have access to student education records for legitimate educational purposes. The school district will use the following criteria to determine who school officials are. An official is:

- A. A person duly elected to the school board;
- B. A person certified by the state and appointed by the school board to an administrative or supervisory position;

- C. A person certified by the state and under contract to the school board as an instructor;
- D. A person employed by the school board as a temporary substitute for administrative, supervisory, or instructional personnel for the period of his or her performance as a substitute; or
- E. A person employed by, or under contract to, the school board to perform a special task such as a secretary, a clerk, the school board attorney or auditor, for the period of his or her performance as an employee or contractor.

School officials who meet the criteria listed above will have access to a student's records if they have a legitimate educational interest in doing so. A "legitimate educational interest" is the person's need to know in order to:

- A. Perform an administrative task required in the school employee's position description approved by the school board;
- B. Perform a supervisory or instructional task directly related to the student's education; or
- C. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid.

The school district will only release information from, or permit access to, student's education record with a parent's or eligible students prior written consent except that the school superintendent, or a person designated in writing by the Superintendent, may permit disclosure:

- A. When a student seeks or intends to enroll in another school district or a post-secondary school (the district will not further notify the parent or eligible student prior to such a transfer of records; the parent or eligible student has a right to obtain copies of records transferred under this provision);
- B. When certain federal and state officials need information in order to audit or enforce legal conditions related to federally supported education programs in the district;
- C. The parties who provide or may provide financial aid to a student to:
  - 1. Establish the student's eligibility for the aid,
  - 2. Determine the amount of financial aid,
  - 3. Establish the conditions for the receipt of the financial aid, or
  - 4. Enforce the agreement between the provider and the receiver of financial aid;
- D. When the school district has entered into a written agreement or contract for an organization to conduct studies on the school district's behalf to develop tests, administer student aid, or improve instruction;
- E. To accrediting organizations to carry out their accrediting functions;
- F. To comply with a judicial order or lawfully issued subpoena (the district will make a reasonable effort to notify the student's parent or the eligible student before making a disclosure under this provision);
- G. If the disclosure is an item of directory information, and the student's parent or eligible student has not refused to allow the district to designate that item as directory information for the student; or
- H. In response to an ex parte order of the Attorney General of the United States or his/her designee in connection with the investigation or prosecution of terrorism crimes.

The school district will permit any of its officials to make the needed disclosure from student education records in a health or safety emergency if:

- A. He or she deems it is warranted by the seriousness of the threat to the health or safety of the student or other persons;
- B. The information is necessary and needed to meet the emergency;

- C. The persons to whom the information is to be disclosed are qualified and in a position to deal with the emergency; or
- D. Time is an important and limiting factor in dealing with the emergency.

The school district officials may release information from a student's education record if the student's parent or the eligible student gives prior written consent for disclosure. The written consent must include at least:

- A. A specification of the records to be released;
- B. The reasons for the disclosure;
- C. The person, organization, or the class or organizations to whom the disclosure is to be made;
- D. The parent's or eligible student's signature; and
- E. The date of the consent and, if appropriate, a date when the consent is to be terminated.

The student's parent or the eligible student may obtain a copy of any records disclosed under this provision.

The school district will not release information contained in a student's education records, except directory information, to any third parties except its own officials, unless those parties agree that the information will not be re-disclosed without the parent's or eligible student's prior written consent.

#### **RECORDS OF REQUESTS FOR ACCESS AND DISCLOSURES MADE FROM EDUCATION RECORDS**

The school district will maintain an accurate record of all requests for it to disclose information from, or to permit access to, a student's education records and of information it discloses and access it permits with some exceptions listed below. This record will be kept with, but will not be a part of, the student's cumulative school records. It will be available only to the record custodian, the eligible student, the parent of the student, or to federal, state, and local officials for the purpose of auditing or enforcing federally supported educational programs.

The record will include at least:

- A. The name of the person or agency that made the request;
- B. The interest the person or agency had in the information;
- C. The date the person or agency made the request; and
- D. Whether the request was granted and, if it was, the date access was permitted or the disclosure was made.

The district will maintain this record as long as it maintains the student's education record.

The record will not include:

- A. Requests for access or access granted to the parent of the student or to an eligible student;
- B. Request for access granted to officials of the school district who have a legitimate educational interest in the student;
- C. Requests for, or disclosures of, information contained in the student's education record if the request is accompanied by the prior written consent of a parent of the student or the eligible student or if the disclosure is authorized by such prior consent;
- D. Requests for, or disclosure of, directory information designated for that student; or for
- E. Requests for, or disclosure of, information contained in the student's education record if the request is in response to an ex parte order of the Attorney General of the United States

or his/her designee in connection with the investigation or prosecution of terrorism crimes.

## **PROCEDURES TO SEEK TO CORRECT EDUCATION RECORDS**

The parent of a student or an eligible student has a right to seek to change any part of the student's record believed to be inaccurate, misleading, or in violation of student rights. (NOTE: under the FERPA, the District may decline to consider a request to change the grade a teacher assigns for a course.)

For the purpose of outlining the procedure to seek to correct education records, the term "incorrect" will be used to describe a record that is inaccurate, misleading, or in violation of student rights. The term "correct" will be used to describe a record that is accurate, not misleading, and not in violation of student rights. Also, in this section, the term "requester" will be used to describe the parent of a student or the eligible student who is asking the school district to correct a record.

To establish an orderly process to review and correct an education record for a requester, the District may make a decision to comply with the request for change at several levels in the procedure.

### **First Level Decision**

When a parent of a student or an eligible student finds an item in the student's education record that he or she believes is inaccurate, misleading, or in violation of student rights, he or she should immediately ask the record custodian to correct it. If the record is incorrect because of an obvious error and it is a simple matter to make the record change at this level, the record custodian will make the correction. However, if the record is changed at this level, the method and result must satisfy the requester.

If the record custodian cannot change the record to the requester's satisfaction, or if the record does not appear to be obviously incorrect, the record custodian will:

- A. Provide the requester a copy of the questioned record at no cost;
- B. Ask the requester to initiate a written request for the change; and
- C. Follow the procedure for a second level decision.

### **Second Level Decision**

The written request to correct a student's education record through the procedure at this level should specify the correction the requester wishes the District to make. It should at least identify the item the requester believes is incorrect and state whether he or she believes the item:

- A. Is inaccurate and why;
- B. Is misleading and why; and/or
- C. Violates student rights and why.

The request will be dated and signed by the requester.

Within two weeks after the record custodian receives a written request, he or she will: study the request, discuss it with other school officials (the person who made the record or those who may have a professional concern about the district's response to the request), make a decision to comply or decline to comply with the request, and complete the appropriate steps to notify the requester or move the request to the next level for a decision.

If, as a result of this review and discussion, the record custodian decides the record should be corrected, he or she will affect the change and notify the requester in writing that the change has been made. Each

such notice will include an invitation for the requester to inspect and review the student's education record to make certain the record is in order and the correction is satisfactory.

If the record custodian decides the record is correct, he or she will make a written summary of any discussions with other officials and of the findings in the matter. The record custodian will transmit this summary and a copy of the written request to the school superintendent.

### Third Level Decision

The school superintendent will review the material provided by the record custodian and, if necessary, discuss the matter with other officials such as the school attorney, or the school board (in executive session). The Superintendent will then make a decision concerning the request and complete the steps at this decision level. Ordinarily, this level of the procedure should be completed within two weeks. If it takes longer, the Superintendent will notify the requester, in writing, of the reasons for the delay and a date when the decision will be made.

If the Superintendent decides the record is incorrect and should be changed, he or she will advise the record custodian to make the changes. The record custodian will advise the requester of the change as at the second level.

If the Superintendent decides the record is correct, he or she will prepare a letter to the requester, which will include a basis for the final finding.

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## **PARENT NOTIFICATION**

### **Model Notification of Rights under FERPA for Elementary and Secondary Schools**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day the [Name of school ("School")] receives a request for access.

Parents or eligible students should submit to the school principal [or appropriate school official] a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students who wish to ask the [School] to amend a record should write the school principal [or appropriate school official], clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional

information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

[Optional] Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. [NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.]

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the [School] to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

[NOTE: In addition, a school may want to include its directory information public notice, as required by §99.37 of the regulations, with its annual notification of rights under FERPA.]

[Optional] See the list below of the disclosures that elementary and secondary schools may make without consent.

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, §99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student –

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(I) - (a)(1)(i)(B)(2) are met. (§99.31(a)(1))
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in the parent or eligible student's State (SEA). Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (§99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- Information the school has designated as "directory information" under §99.37. (§99.31(a)(11))

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### **Suspension or Disciplinary Removal of Students**

This policy applies to the out-of-school suspension or other disciplinary removal of a child from a classroom. "Disciplinary removal" refers to reassignment of a child to an Educational Plan provided by the School District, for a prescribed course of education.

#### **Short-Term Disciplinary Removal**

A student may be removed from the student's current placement if he/she violates the District's code of student conduct. This removal can occur for not more than 10 consecutive school days.

#### **Long-Term Disciplinary Removal**

A student may be removed from the student's current placement if he/she violates the District's code of student conduct. This removal can occur for not less than 11 consecutive school days.

### **Suspension or Disciplinary Removal of Students with Disabilities**

Students identified as disabled under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 and who are suspended out-of-school or receive disciplinary removal from the classroom require additional procedural considerations.

This policy applies to the out-of-school suspension or other disciplinary removal of a child with a disability from the classroom. "Disciplinary removal" refers to reassignment of a child to an interim alternative educational setting or another setting, designated by the School District, for a prescribed course of education.

#### **Definitions**

The following definitions apply:

- (a) "Controlled substance" means a drug or other substance identified under schedules I, II, III, IV or V in section 202(c) of the Controlled Substances Act, 21 U.S.C. § 812(c).
- (b) "Illegal drug" means a controlled substance, but does not include such a substance that is legally possessed or used under the supervision of a licensed health care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.
- (c) "Weapon" means a dangerous weapon as defined by 18 U.S.C. § 930(g)(2), specifically, a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury.
- (d) "Serious bodily injury" means 'serious bodily injury' as defined by 18 U.S.C. § 1365(h) (3)

#### **Short-Term Disciplinary Removal**

A student may be removed from the student's current placement to an appropriate interim alternative educational setting placement if he/she violates the District's code of student conduct. This removal can occur for not more than 10 consecutive school days or be a series of removal that total 10 school days in a school year and that constitutes a change of placement.

A change of placement occurs if:

- The removal is for eleven days or more; or

- The child has been subjected to a series of removals that constitute a pattern.

School personnel determine whether a pattern exists by considering the following factors:

- The series of removal total eleven school days or more in a school year;
- The child's behavior is substantially similar to the child's behavior in the incidents that resulted in the series of removals, taken cumulatively, is determined to have been a manifestation of the child's disability; and
- Such additional factors as the length of each removal, the total amount of time the child has been removed and the proximity of the removal to one another.

However, short-term removals that exceed 10 school days over the course of the year should be treated as a long-term removal.

#### Educational Services during a Short-Term Disciplinary Removal:

The same level of educational services provided to students without disabilities will be provided a student with a disability during removals for 10 school days or less during the school year. If a subsequent removal is imposed for not more than 10 school days AND is not a change of placement, district personnel in consultation with at least one of the child's teachers will determine the extent to which services are needed and the location in which services will be provided.

#### **Long-Term Disciplinary Removal**

In instances where disciplinary changes in placement would exceed 10 consecutive school days in which a student has violated the school code and is determined not to be a manifestation of the child's disability, personnel may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to children without disabilities.

#### Educational Services during a Long-Term Disciplinary Removal:

A student with a disability who is removed from his/her current placement will continue to receive education services so as to enable the child to continue to participate in general education curriculum, although in another setting and to progress toward meeting the goals set out in the student's IEP; and receive, as appropriate, a functional behavioral assessment and behavior intervention services and modifications that are designed to address the behavior violation so that it does not recur.

If the removal is for eleven or more consecutive school days or is a change of placement, the child's IEP team will determine appropriate services and the location in which services will be provided. These services may be provided in an interim alternative education setting determined by the IEP team.

#### **Removal for Weapons, Drugs, or Serious Bodily Injury**

A student may also be removed to an interim alternative education setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability, if the child:

- Carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function;
- Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises or at a school function; or
- Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.

### Educational Services during a Removal for Weapons, Drugs, or Serious Bodily Injury

A student with a disability who is removed from his/her current placement will:

- (a) continue to receive education services so as to enable the child to continue to participate in general education curriculum, although in another setting and to progress toward meeting the goals set out in the student's IEP; and
- (b) receive, as appropriate, a functional behavioral assessment and behavior intervention services and modifications that are designed to address the behavior violation so that it does not recur.

### **Manifestation Determination**

Within 10 school days of any decision to change the placement of a child with a disability, because of a violation of the code of student conduct, district personnel, the parent/guardian, and relevant members of the student's IEP team will review all relevant information, including the IEP, any teacher observations, and any relevant information provided by the parents/guardians to determine:

- If the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or
- If the conduct in question was the direct result of the school's failure to implement the IEP.

If the conduct was a manifestation of the child's disability the IEP team will either:

- conduct a functional behavioral assessment, unless this has already been completed, and implement a behavior intervention plan; or
- If a behavior intervention plan already has been developed, review the plan and modify it, as necessary, to address the behavior.

The IEP team will return the student to the placement from which the child was removed unless the parent/guardian and the school agree to a change of placement as part of the modification of the behavior intervention plan.

### **Notification to Parent/Guardian**

No later than the date on which the decision to take disciplinary action is made, the school will notify the student's parents/guardians of the decision and provide the parents/guardians a copy of the Parents Rights.

### **Removal of a Student through a Hearing Officer or Court Order**

If the school personnel believe that maintaining the current placement of the student is substantially likely to result in injury to the student or others, the School District may request an expedited impartial due process hearing. When a hearing is requested, the child will remain in the interim alternative education setting pending the decision of the hearing officer or until the expiration of the time of the suspension, whichever occurs first, unless the parent/guardian and School District agree otherwise. The school could also seek a court order to remove a child with a disability from school or change the child's current education placement for the same reasons.

### **Appeal**

The parent/guardian of the child with a disability, who disagrees with any decision regarding placement or the manifestation determination, may request a hearing. When an appeal is requested, the child shall remain in the interim alternative education setting pending the decision of the hearing officer or until the expiration of the time of the suspension, whichever occurs first, unless the parent/guardian and School District agree otherwise.

### **Suspension from Transportation**

Upon their release, legal interpretations of the IDEA Reauthorization Act and subsequent amendments or revisions may require deviation from this printed procedure. The School District may suspend a child with a disability from transportation as a disciplinary measure.

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### **- Athletic Appeal (i.e. Sports, Cheer, Pom, Fine Arts) Extra-Curricular Activities Appeal (i.e. Graduation, Clubs, Organizations) -**

Students have the right to an education, but do not have a right to participate in extra-curricular activities. In the event a disagreement occurs regarding a student's participation in an extra-curricular activity, the following format will be followed:

- 1) Coach/Sponsor-Student-Parent/Guardian meeting;
- 2) Coach/Sponsor-Student-Parent/Guardian-Athletic Director meeting;
- 3) Coach/Sponsor-Student-Parent/Guardian-Athletic Director-Principal meeting;
- 4) Site Athletic Council meeting;
- 5) Coach/Sponsor-Student-Parent/Guardian-Athletic Director-Principal-Mid-Del District Athletic Director meeting;
- 6) Committee selected by the superintendent or designee to review the situation.

The committee's decision will be final. No appeal.

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### **Due Process for Out-of-School Suspensions - Pre-Suspension Conferences -**

1. When a student violates board policy or a school rule or regulation or has been adjudicated as a delinquent for an offense that is not a violent offense, the principal will conduct an informal conference with the student.
2. At the conference with the student, the principal will read the policy, rule or regulation which the student is charged with having violated and will discuss the conduct of the student which is a violation of the policy, rule or regulation.
3. The student will be asked whether he/she understands the policy, rule or regulation and be given a full opportunity to explain and discuss his/her conduct.
4. If it is concluded that an out-of-school suspension is appropriate, the student will be advised that he/she is being suspended and the length of the suspension.
5. The principal will immediately notify the parent/guardian by phone and in writing that the student is being suspended out-of-school and that alternative in-school placement or other available options have been considered and rejected. Elementary and middle school students will not be dismissed before the end of the school day without advance notice to the parent/guardian.

### **Immediate Suspension Without a Pre-Suspension Conference -**

1. A student may be suspended without the above pre-suspension conference with the student only in situations where the conduct of the student reasonably indicates to the principal that the continued presence of the student in the building will constitute a danger to the health or safety of the students, staff, or to school property, or a continued substantial disruption of the educational process.
2. In such cases, a suspension conference with the student and the parent/guardian will be scheduled as soon as possible after the student has been removed from the building.

### **- Conferences With Parents/Guardians -**

1. The principal or his/her designee will seek to hold a conference with the parent/guardian as quickly as possible after the suspension has been imposed. The parent/guardian should be advised of his/her right to a conference with the principal at the time he/she is notified that a suspension has been imposed. The conference will be held during the regular school hours, Monday through Friday, with consideration given whenever possible to the hours of working parents/guardians.
2. At the conference, the principal will read the policy, rule or regulation which the student is charged with having violated and will briefly outline the conduct on the part of the student. The principal will provide information as to the basis for an out-of-school suspension rather than the use of alternative options. The parent/guardian should be asked by the principal if he/she understands the rule and the charges against the student.
3. At the conclusion of the conference the principal will state whether he/she will uphold, modify or terminate the suspension. In all cases the parent/guardian will be advised of his/her right to appeal the decision of the principal.

### **- Right of Appeal – Short-Term Suspension (ten or fewer days) -**

A student who has been given a short-term out-of-school suspension and that student's parent/guardian have a right to appeal an out-of-school suspension decision to a committee composed of administrators and/or teachers. A student with a short-term out-of-school suspension and his/her parent/guardian shall be informed by the principal of this right and the method of submitting an appeal. The decision of this local committee will be final and non-appealable.

### **- Method of Appeal to a Committee -**

1. An appeal must be requested by letter to the Superintendent of Schools.
2. If no appeal is received within (5) school working days after the principal's decision is received by the parent/guardian or student, the principal's decision will be final and non-appealable.
3. The Superintendent or his/her designee shall convene a review committee composed of not less than three certified administrators or teachers or a combination of administrators and teachers and shall designate a chairperson. No administrator or teacher is eligible to serve on the committee who was a witness to the student's conduct, nor is any teacher eligible to serve who has the student in his/her class for the current school term.

4. The Superintendent of Schools or his/her designee shall schedule the committee hearing as soon as possible during regular school hours, Monday through Friday. Reasonable consideration will be given to accommodate the schedule of the parent/guardian whenever possible. If possible, the student and his/her parent/guardian will be notified in writing of the date, time and place of the hearing. The principal who issued the suspension decision shall attend the committee hearing.
5. The committee will conduct a full investigation of the student's suspension in an informal manner. The principal will briefly outline the student's conduct, read the policy, rule or regulation which the student's conduct violated, and present any evidence and witnesses that support the principal's decision to suspend the student. The principal may or may not share witness statements with the other parents/guardians. The rationale is if the principal believes a student may be retaliated against for the telling of his/her side of the story. A statement may be read with written permission from the injured party. The student and his/her parent/guardian will be asked by the committee if they understand the rule and charges against the student. The student and his/her parent/guardian will briefly explain the student's conduct and present any evidence and witnesses that support the student's position.
6. At the conclusion of the presentation of the evidence, the committee shall retire to render a decision by a majority vote as to the guilt or innocence of the student. The committee shall also determine the reasonableness of the term of the out-of-school suspension. The suspension committee may uphold the suspension, modify the terms of suspension, or terminate the suspension. The Committee's decision shall be rendered in writing within three (3) school working days of the hearing to the parent/guardian of the student, the principal, members of the committee, and the Superintendent of Schools.
7. The decision of this committee will be final and non-appealable.

**- Right of Appeal – Long-Term Suspension (11 days or more) -**

A parent/guardian or the student may appeal the out-of-school suspension decision of the principal to (1) the district administration and (2) the Board of Education.

**- Method of Appeal to the Superintendent or Designee -**

1. An appeal must be represented by letter to the Superintendent of Schools.
2. If no appeal is received within five (5) school working days after the principal's decision is received by the parent/guardian or student, the principal's suspension decision will be final and non-appealable.
3. The Superintendent of Schools or his/her designee should hold a conference with the parent or guardian as quickly as possible after receipt of the appeal. The conference will be held during the regular school hours, Monday through Friday, with consideration given to the hours of working parents/guardians whenever possible.
4. At the conference, the Superintendent of Schools or his/her designee will read the policy, rule or regulation which the student is charged with having violated and will briefly outline the conduct on the part of the student. The parent/guardian should be asked by the Superintendent of Schools or his/her designee if he/she understands the rule and the charges against the student.

5. The student and his/her parent/guardian will briefly explain the student's conduct and present any evidence and witnesses that support the student's position.
6. Within three (3) school working days of the conclusion of the conference the Superintendent of Schools or his/her designee will notify the student and parent/guardian in writing whether he/she will uphold, modify, or terminate the suspension. In all cases the parent/guardian will be advised of his/her right to have the suspension reviewed by the Board of Education.

**- Method of Appeal to the Board of Education -**

1. An appeal to the Board must be requested by letter to the Superintendent of Schools or to the Clerk of the Board of Education within (5) school working days of receipt of the administration's decision.
2. If no appeal is received within five (5) school working days after the decision of the Superintendent of Schools or his/her designee is received by the parent/guardian or student, the Superintendent's decision will be final and non-appealable.

**- Hearing the Appeal -**

1. The Board will hear the appeal as soon as possible.
2. The parent/guardian and student will be notified in writing of the date, time and place of the hearing.
3. The parent/guardian and student will have the right to an "open" or "closed" hearing, at their option.
4. Reasonable efforts will be made to accommodate the work schedule of parents/guardians.
5. The Board may uphold, terminate or modify the suspension.
6. The Board's decision is final and non-appealable.
7. The administration will present its evidence and witnesses first and that after each witness the parents or their legal counsel will be given an opportunity to cross-examine.
8. The parents/child will be given an opportunity to call any relevant witnesses and present any relevant evidence they may wish, subject to cross-examination by legal counsel or the administration.
9. After each witness is presented, Board members may ask the witness any questions.
10. Both the parent/child and administration will be given an opportunity for final statements.
11. At the conclusion of the evidence, the administration and the students/parents will be excused from the executive session.
12. That the Board will consider the evidence and documents and reach a decision. After deliberation, the Board will vote to come back regular session and the vote will be recorded in open session.

### **- Attendance at School Pending Appeal Hearing -**

Pending the appeal hearing before the Board, the student will have the right to attend school under such “in-house” restrictions as the principal, Superintendent or Superintendent’s designee deems proper, except that at the discretion of the principal, Superintendent or Superintendent’s designee the student may be prohibited from attending school pending the appeal hearing if in the judgment of the principal, Superintendent or Superintendent’s designee:

- a. The conduct for which the student was suspended reasonably indicates that continued attendance by the student pending the appeal hearing would be dangerous to other students or school property; or
- b. The conduct for which the student was suspended reasonably indicates that the continued presence of the student at the school pending the appeal hearing would substantially interfere with the educational process at the school.

### **- Student Privileges While Under Suspension -**

When a student’s behavior justifies suspension, the student forfeits the privilege of participating in the social and academic life at school. In addition, during the term of the suspension, the student will not be permitted to participate in or be in attendance at any extracurricular activities including practice and games in which district schools participate.

“Extracurricular activities” include, but are not limited to, all school sponsored teams, and organizations, and ceremonies, student government, and band, athletics, and all other school sponsored activities and organizations.

### **- Student Privileges While Under ISR -**

When a student’s behavior justifies ISR, the student forfeits the privilege of participating in the social and academic life at school. In addition, during the term of the ISR the student will not be permitted to participate in or be in attendance at any extracurricular activities in which schools participate. Students may participate in practice but not participate in games.

“Extracurricular activities” include, but are not limited to, all school sponsored teams, and organizations, and ceremonies, student government, and band, athletics, and all other school sponsored activities and organizations.

### **- Education Plan for Suspended Students -**

With the exception of weapon or drug-related infractions, those students suspended will be provided a written education plan designed for the eventual reintegration of the student into school. This plan will provide only for the core curriculum units in which the student is enrolled. Core units will consist of the English, mathematics, science, social studies, and art units required for grade completion or high school graduation. The parent/guardian will be responsible for providing a supervised, structured environment and bear responsibility for monitoring the student’s educational progress until the student is readmitted into school. The parent/guardian will be provided a copy of the educational plan of the suspended student.

Students will be allowed to make up work or test in any of their classes while suspended. The plan may designate time frames for completion, concentration of assignments, conditions of assignments, completion characteristics, and evaluation criteria.

## **- Records and Reports -**

The principal will keep written records of each out-of-school suspension conference containing the date of the conference, the names of the persons present, the time duration of the conference, and the basis for rejection of alternative disciplinary options. Also, the principal shall maintain records related to the Education Plan and the student and/or parent's/guardian's compliance or noncompliance with the Plan.

Be advised that the presence of a suspended student on any public school campus is prohibited.

Note: Due Process for students identified as "disabled" under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973, the Mid-Del School District will follow state and federal laws and regulations.

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**Policy: J-19**

***Adopted: 9-11-06***

***Revised: 8-13-12***

## **Vision Screening of Students**

During enrollment, parents or guardians of students who enroll in kindergarten, first, or third grade shall receive notification of state law via a copy of this policy regarding vision screening which is located in the Mid-Del Student Expectations Policies, Procedures, and Safety Guidelines.

The parent or guardian of each student enrolled in kindergarten, first or third grade shall provide certification to school personnel that the student passed a vision screening within the previous twelve months or during the school year. The screening shall be conducted by personnel listed on the statewide registry maintained by the State Health Department.

No student shall be prohibited from attending school for a parent's/guardian's failure to furnish a report of the student's vision screening.

**Reference: O.S. 70 § 1210.284**

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## **PARENT NOTIFICATION**

### **Meningitis Immunization Information for Parents**

Meningococcal disease, commonly known as meningitis, is a potentially fatal bacterial infection that can strike teenagers and college students. The disease can come on quickly and may cause death or permanent disability within hours of the first symptoms.

Meningitis is very rare, but may be prevented through vaccination. The U.S. Centers for Disease Control and Prevention (CDC) now recommends routine meningococcal disease immunization at the preadolescent doctor's visit (11 to 12 years old). For those teenagers who have not been previously vaccinated, immunization is recommended for high school students and for all incoming college freshmen. Teenagers and college students have an increased rate of meningococcal infection compared to the general population, accounting for nearly 30 percent of all U.S. cases annually. Of those who survive, up to 20 percent suffer long-term disabilities, including brain damage, loss of hearing, organ failure and limb amputations.

Meningococcal disease can be misdiagnosed as something less serious, because early symptoms are similar to those of influenza or other common viral illnesses, including high fever, headache, nausea and stiff neck. That is why immunization is so important. A conjugate meningococcal vaccine is now available which public health officials anticipate will provide longer protection against four of the five strains of bacteria that cause meningococcal disease. Although teenagers and college students are at increased risk for contracting the disease, up to 83 percent of cases in that population may be prevented through immunization.

The Meningitis Vaccine is safe; however, there are risks with any vaccine. About half of the people who get the vaccine will have pain and redness where the shot was given, but because the vaccine is not made from the whole bacteria, it cannot cause bloodstream infections or meningitis. A small percentage of people who get the vaccine develop a fever. Vaccines, like all medicines, carry a risk of an allergic reaction, but this risk is very small.

This vaccine is not required to attend public school in Oklahoma, but may be required by colleges and universities. For more information contact your healthcare provider or the City County Health Department of Oklahoma or visit the CDC Web site at [www.cdc.gov](http://www.cdc.gov).

**Reference: O.S. 70§1210.195**

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## **HEALTH SCREENINGS**

Each year various health screenings may be done at school. While each school is different in the screenings they conduct, the following health screenings may include but not limited to: height, weight, BMI, blood pressure, pulse, vision, hearing, dental, and/or other health specific evaluations or assessments. At times outside entities may assist with the screenings such as Vizavance, Lions Club, or the Masonic Temple. If you do not want your child screened or assessed for any or all of the above, please contact the District Health Coordinator to complete the opt-out form.

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**Policy: J-20**

*Adopted: 12-11-06*  
*Revised: 8-13-12*

### **School-Based Random Substance Abuse Testing Policy For Students in Competitive Athletics and Extra-Curricular Activities**

The Mid-Del Board of Education, in an effort to protect the health and safety of its extra-curricular activities students from illegal and/or performance enhancement drug use and abuse, thereby setting an example for all other students of the Mid-Del Public School District, proposes to adopt the following policy for substance abuse testing of activity students.

#### **Statement of Purpose and Intent**

Drug use of any kind is incompatible with participation in interscholastic athletics/extra-curricular activities in the Mid-Del Public School District. For the safety, welfare, and best interests of the students of Mid-Del Schools, and to promote drug-free lives both during and after high school, the Mid-Del Public School District has adopted a substance abuse testing program for use by all students participating in Oklahoma Secondary School Activities Association (OSSAA) competitive,

interscholastic athletics/extra-curricular activities. Participation in school sponsored extra-curricular competitive activities is a privilege, and standards of conduct and behavior are placed upon the student participants. As representatives of the Mid-Del School District, students involved in athletics or extra-curricular activities carry a responsibility to themselves, their fellow students, their parents/guardians, and their school to set the highest possible examples of conduct, which includes avoiding the use of illegal drugs and performance enhancing drugs.

The Mid-Del School Board recognizes that all students have certain personal rights of privacy guaranteed by the Constitution of the United States of America and by the Constitution of Oklahoma. The Substance Abuse Testing Policy governs the use of illegal drugs as a condition of participation in extra-curricular activities, and its policies and procedures protect the student's rights of privacy. In addition, this policy is intended to supplement and complement the Mid-Del School District Policy on Student Possession, Use of Alcohol, Tobacco, Illegal Drugs, and all other policies, rules and regulations regarding possession or use of illegal drugs.

The purpose of the Substance Abuse Testing Policy is to prevent drug use and to educate students involved in athletics or extra-curricular activities about the serious physical, mental, and emotional harm caused by drug use and to offer a drug-free environment for training, practicing, and competing in athletics or extra-curricular activities. This Policy is not intended to be disciplinary or punitive in nature. The sanctions of the Policy relate solely to limiting the opportunity of any students involved in OSSAA-sanctioned athletics or extra-curricular activities found to be in violation of the Policy to participate in interscholastic competitive athletics or extra-curricular activities. There will be no academic sanction for violation of this Policy.

## **I. Definitions**

**“Activity Student”** means any student that represents Mid-Del Public Schools in any extra-curricular activity in interscholastic competition (OSSAA), such as, but not limited to Competitive Speech and Drama, Academic Team, Band, Vocal Music, Cheerleading, and Athletics.

**“Substance Abuse Test”** means a scientifically substantiated method to test for the presence of illegal drugs, or the metabolites thereof.

**“Random Selection Basis”** means a mechanism for selecting activity students for drug testing that:

- a. results in an equal probability that any activity student from a group of grade-level activity students subject to the selection mechanism will be selected, and
- b. does not give the School District discretion to waive the selection of any student selected under the mechanism.

**“Illegal Drugs”** means any substance which an individual may not sell, possess, use, distribute, or purchase under either Federal or Oklahoma law. “Illegal drugs” includes, but is not limited to, all scheduled drugs as defined by the Oklahoma Uniform Controlled Dangerous Substance Act, all prescription drugs obtained without authorization, and all prescribed and over-the-counter drugs being used for an abusive purpose. “Illegal drugs” shall also include, but is not limited to, alcohol and anabolic steroids.

**“Positive”** when referring to a substance abuse test administered under this policy means a specimen that initial screening testing has indicated the possible presence of an illegal drug,

or the metabolite thereof, and has been confirmed by a second test using gas chromatography/mass spectrometry, or an equivalent scientifically accepted method of equal or greater accuracy.

**“Reasonable Suspicion”** means a suspicion of illegal drug use based on specific observations made by coaches/administrators/sponsors of the appearance, speech, or behavior of an activity student, the reasonable inferences that are drawn from those observations, and/or information of illegal drug use by an activity student supplied to school officials by other students, staff members, and patrons.

**“Performance Enhancing Drugs”** includes anabolic steroids and any other natural or synthetic substance used to increase muscle mass, strength, endurance, speed or other athletic ability. The term “performance enhancing drugs” does not include dietary or nutritional supplements such as vitamins, minerals, and proteins, which can be lawfully purchased in over-the-counter transactions.

**“Interscholastic Activities”** means competition, sanctioned by OSSAA, between schools.

**“Extracurricular Activities”** means activities outside the regular curriculum of a school.

**“Medical Review Officer”** (MRO) is a doctor trained and authorized to receive and interpret drug test results. The MRO is the person who will make contact in the event of a positive test result. The MRO will ask questions to determine whether or not the drug use is legal (prescription) or illegal. If legal drug use is determined, a negative result would be forwarded to the School District’s designated substance-abuse result contact.

**“Oklahoma Secondary School Activities Association”** (OSSAA) provides:

(a) effective coordination, leadership, supervision, and the regulation for secondary school activities including the program of interscholastic activities and contests in which its member schools may participate; (b) leadership in the development, supervision, and conduct of co-curricular activities which enrich the educational experiences of high school students.

## **II. Procedures**

Each activity student shall be provided with a copy of the “Student Drug Testing Consent Form” which shall be read, signed, and dated by the student, parent or custodial guardian, and coach/sponsor before such student shall be eligible to practice or participate in any extra-curricular activities. The consent requires the activity student to provide an oral fluid swab whenever the activity student is selected by the random selection mechanism and at any time when there is reasonable suspicion to test for illegal drugs. No student shall be allowed to practice or participate in any extra-curricular activities involving interscholastic competition unless the student has returned the properly signed “Student Substance Abuse Testing Consent Form.” A student who moves into the district after the school year begins will be required to sign a “Student Substance Abuse Testing Consent Form” before they will be eligible for participation.

Prior to the commencement of substance abuse testing, coaches and sponsors will conduct a meeting, with students an orientation session will be held with each Activity Student to educate them of the sample collection process, drug testing procedures, and other areas that may help to reassure the activity students about the drug testing process. In addition, each

Activity Student shall receive a copy of the School-Based Random Substance Abuse Testing Policy. The head coach, sponsor, or other designated school official shall be responsible for explaining the policy to all prospective activity students.

Activity students will be chosen for substance abuse testing on a random selection basis from a list of all Activity Students who are involved in in-season activities. The Mid-Del Public School District will determine the percentage of student names to be drawn at random to provide an oral fluid swab for substance abuse testing.

In addition to the random substance abuse test required above, any activity student may be required at any time to submit to a test for illegal drugs, or the metabolites thereof, when an administrator, coach, or sponsor has reasonable suspicion of illegal or performance-enhancing drug use by that particular student.

Each activity student who delivers a properly signed consent form to participate in random substance abuse testing will be assigned an identifying number. In selecting students at random for alcohol or drug testing, all students participating in in-season activities will be equally subject to being selected each time the Mid-Del School District conducts random substance abuse testing, and the Mid-Del Public School District will not have the discretion to waive the selection of any student. In the event that a student is unavailable for random substance abuse testing due to unforeseen circumstances such as an illness, the Mid-Del Public School District shall test instead a randomly selected alternate student.

A student involved in athletics or extra-curricular activities who has voluntarily consented to random substance abuse testing may withdraw such consent by submitting a written revocation of consent, signed by the student and, if the student is under the age of eighteen, also signed by student's parent/custodial guardian.

If a student or parent/guardian withdraws the consent for a student involved in athletics or extra-curricular activities, the student becomes ineligible to participate in interscholastic competitive athletic events or extra-curricular activities immediately and must take the next season's random substance abuse test before being allowed to again participate.

Any substance abuse test will be administered by a professional laboratory chosen by the Mid-Del Public School District. The professional laboratory shall be required to use scientifically validated toxicological testing methods, to have detailed written specifications to assure chain-of-custody of the specimens, and to have proper laboratory control and scientific testing.

All aspects of the substance abuse testing program, including the taking of specimens, will be conducted so as to safeguard the personal and privacy rights of the student to the maximum degree possible. The test specimen shall be obtained in a manner designed to minimize intrusiveness of the procedure. All drug testing employees will be required to have a criminal background and sex offender registry check conducted by the OSBI and on file with the school district. If at any time during the testing procedure the collector or monitor has reason to believe or suspect that a student is tampering with the specimen, recollection will follow.

The Oral Fluid (Saliva) Drug Test is an FDA cleared, laboratory-based, oral fluid testing system that enables accurate testing for drugs of abuse, including marijuana, cocaine,

amphetamines, methamphetamines, opiates, benzodiazepines and barbiturates. This process offers a non-invasive collection that can be administered in 5 to 10 minutes per student.

The collection process is as follows:

1. The donor inserts the oral fluid collection pod between the lower cheek and gum.
2. When the indicator window on the handle turns blue, the collector is removed.

### **III. Confidentiality**

The Medical Review Officer (MRO) will notify the designated authorized school district contact to keep the test results confidential. The designated authorized school district contact will notify the parent/ or custodial guardian. The designated authorized school district contact will schedule a conference with the student and the parent/custodial guardian to explain the student's opportunity to submit additional information to the Medical Review Officer. The Mid-Del Public School District will rely on the determination of the Medical Review Officer whether the positive test result was produced by something other than consumption of an illegal or performance-enhancing drug. Test results will be kept in files separate from the student's other educational records, will be disclosed only to school personnel who have a need to know, and will not be turned over to any law enforcement authorities. The Board of Education will be presented a summary report at the conclusion of each nine weeks period of school. This report shall include the number of students tested by grade level, the number of positive tests, and the types of illegal substances.

### **IV. Appeal**

An Activity Student who has been determined to be in violation of this policy shall have the right to appeal the decision to the Superintendent or his/her designee(s). Such request for a review must be submitted to the Superintendent in writing within five (5) calendar days of notice of the positive test. A student requesting a review will remain eligible to participate in any OSSAA extra-curricular activities until the review is completed. The Superintendent or his/her designee(s) shall then determine whether the original finding was justified within 48 hours of the request for an appeal. No further review of the Superintendent's decision will be provided and his/her decision shall be conclusive in all respects. Any necessary interpretation or application of this policy shall be in the sole and exclusive judgment and discretion of the Superintendent that shall be final and not open to appeal. The Superintendent shall report to the Board of Education all appeals and the Superintendent's decision.

### **V. Consequences**

Any Activity Student who tests positive or does not provide a specimen in a substance abuse test under this policy shall be subject to the following restrictions:

#### **A. For the First Offense:**

The parent/guardian will be contacted immediately and a private conference will be scheduled with the student, parent/guardian, athletic director/designee, activity sponsor, and/or principal/designee within 24 to 48 hours to discuss the positive test result. In order for the student to remain eligible to participate in the activity/sport, the student and his/her family must provide, within 5 school days, a written documentation of a scheduled drug treatment program, including "first offender" programming and/or substance abuse assessment services as deemed appropriate, from a qualified agency or counseling entity. The cost of the student's treatment program will be paid by the student's family. Additionally, the student will be tested for the remainder of the school year. The time and

date will be unknown to the student and determined by school personnel. These requirements and restrictions shall begin immediately, consecutive in nature, unless a review appeal is filed following receipt of a positive test. Should the parent/student not agree to these provisions, the consequences listed in this policy for the third offense will be imposed.

B. For the Second Offense:

The student will be suspended from participation in all activities covered under this policy for 10 school days. After this 10-day period the student may resume participation once the family has again provided proof to the school that they are actively participating in a program of substance abuse education/counseling from a qualified drug treatment program or counseling entity, the cost of which will be paid for by the parent/guardian. Additionally, the student will be tested for the remainder of the school year. The time and date will be unknown to the student and determined by school personnel. These requirements and restrictions shall begin immediately, consecutive in nature, unless a review appeal is filed following receipt of a positive test. Should the parent/student not agree to these provisions, the consequences listed in this policy for the third offense will be imposed.

C. For the Third Offense (within a 1-year period or 365 days of first offense):

Complete suspension from participation in all extra-curricular activities, including all meetings, practices, performances, and competition for the remainder of the school year, or eighty-eight school days (1 semester) whichever is the longer.

**VI. Refusal to Submit to Substance Abuse Test**

A participating student who refuses to submit to a substance abuse test authorized under this policy or who does not report for testing in a time frame gleaned reasonable by the Mid-Del School District, shall not be eligible to participate in any activities covered under this policy including all meetings, practices, performances, and competitions for the remainder of the school year or eighty-eight school days whichever is the longer. Additionally, such student shall not be considered for any interscholastic activity honors or awards given by the school.

**Mid-Del Public Schools is committed to cooperating with parents/guardians in an effort to help students avoid illegal drug use. The Mid-Del Public School District believes accountability is a powerful tool to help some students avoid using drugs, and that early detection and intervention can save lives.**

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**Mid-Del Public School District**  
**School-Based Random Substance Abuse Testing Policy**

Statement of Purpose and Intent

Participation in school sponsored extra-curricular activities at the Mid-Del School District is a privilege. Activity students carry a responsibility to themselves, their fellow students, their parents, and their school to set the highest possible examples of conduct, which includes avoiding the use or possession of illegal drugs.

Drug use of any kind is incompatible with participation in extra-curricular activities on behalf of the Mid-Del School District. For the safety, health, and well-being of the students of the Mid-Del Public School District, the Mid-Del Public School District has adopted the attached Activity Student Substance Abuse Testing Policy and the Student Substance Abuse Testing Consent for use by high school students participating in OSSAA interscholastic, competitive activities.

Each OSSAA Activity Student shall be provided with a copy of the Activity Student Substance Abuse Testing Policy and Student Substance Abuse Testing Consent Form which shall be read, signed, and dated by the student, parent/custodial guardian, and coach/sponsor before such student shall be eligible to practice or participate in any OSSAA interscholastic activities. The consent shall be “to provide an oral fluid/saliva sample when chosen by the random selection mechanism and at any time requested, based on reasonable suspicion, to be tested for illegal drugs.” No student shall be allowed to practice or participate in any activity governed by the policy unless the student has returned the properly signed Student Substance Abuse Testing Consent Form.

**Mid-Del Public School District**  
**School-Based Random Substance Abuse Testing Policy**  
**Consent Form**

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**Student's Last Name**

**First Name**

**MI**

**Current grade** \_\_\_\_\_

**High School** \_\_\_\_\_

I understand after having read the "Student Substance Abuse Testing Policy" and "Student Substance Abuse Testing Consent Form" that, out of care for my safety and health, the Mid-Del Public School District enforces the rules applying to the consumption or possession of illegal drugs. As a member of a Mid-Del OSSAA extra-curricular interscholastic activity, I realize that the personal decision that I make daily in regard to the consumption or possession of drugs may affect my health and well-being as well as the possible endangerment of those around me and reflect upon any organization with which I am associated. If I choose to violate school policy regarding the use or possession of illegal drugs any time while I am involved in an in-season activity, I understand upon determination of that violation, I will be subject to the restrictions on my participation outlined in the Policy. To promote a drug-free environment for the students participating in interscholastic, competitive activities, I will uphold the policies and procedures outlined in the Activity Student Substance Abuse Testing Policy.

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**Signature of Student**

**Date**

We have read and understood the Mid-Del Public School District "Activity Student Substance Abuse Testing Policy" and "Student Substance Abuse Testing Consent Form." We desire that the student named above participates in the OSSAA extra-curricular interscholastic programs of the Mid-Del Public School District, and we hereby voluntarily agree to be subject to its terms. We accept the method of obtaining an oral fluid/saliva sample, testing and analysis of such specimens, and all other aspects of the program. We further agree and consent to the disclosure of the sampling, testing, and results as provided in this program.

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**Signature of Parent or Custodial Guardian**

**Date**

Student(s) will need to submit only ONE consent form. This form will be placed on file until the student graduates or drops activity. The School-Based Random Substance Abuse Testing Policy and consent form are also available online at mid-del.net.

*(USDA regulations requires the meal charge policy be given to all parents. Please include the charge policy in your student handbook to meet this requirement.) 6/26/18*

### **Child Nutrition Charge Policy**

It is the goal of the Mid-Del Schools Child Nutrition Program to make available to every student a nutritious, well-prepared breakfast and/or lunch every day. A soft-ware program is used in the cafeterias and a personal account has been created for each student. Students will be issued a personal identification number to access their account. You may pre-pay into this account with cash, personal checks and/or My School Bucks online program (fee applied) at [ww.myschoolbucks.com](http://ww.myschoolbucks.com). We encourage all parents/guardians to use our free My School Bucks online software to monitor your student's purchases and meal account activity.

It is the responsibility of each student's parent/guardian to maintain sufficient funds in his/her account. If a student has a zero balance in his/her account, they will be expected to pay at the cash register. A student who does not have money to purchase a lunch may receive a cheese sandwich, fruit, and milk paid for by the Child Nutrition Program for no more than three (3) consecutive days. The alternative meal for breakfast will be toast, milk, and a fruit. Students cannot charge Ala Carte food items.

Parents are encouraged to have a plan with their child regarding what to do if lunch money is forgotten, i.e. pay online, or call a relative to bring money, etc. If you have any questions, please feel free to contact the Child Nutrition Department at 739-1611.

### **Monitor Your Student's Meal Account**

Mid-Del Schools offers a free online service that provides a quick and easy way to view recent purchases, check balances, set-up low balance alerts and add money to your student's meal account using a credit/debit card or electronic check.

MySchoolBucks provides:

**Convenience** - Available 24/7 on the web or with the Mobile App for your iPhone, Android or Windows phone!

**Efficiency** - Make payments for all your students, even if they attend different schools within the district. Eliminate the need for your student to take money to school. (Fee applies)

**Control** - Set low balance alerts, view account activity, recurring/automatic payments & more!

To enroll: go to [www.MySchoolBucks.com](http://www.MySchoolBucks.com) and register for a free account. You will receive a confirmation email with a link to activate your account. Add your students using their school name and student ID. Online payment to your students' accounts will incur a processing fee. You will have the opportunity to review any fees and cancel if you choose, before you are charged. If you have any questions, contact MySchoolBucks directly: [parentsupport@myschoolbucks.com](mailto:parentsupport@myschoolbucks.com) or phone 1-855-832-5226 or [myschoolbucks.com](http://myschoolbucks.com) and click on Help/ FAQ's.