

OPEN RECORDS ACT

It is the policy of the Nowata Board of Education to recognize and facilitate the public's right of access to and review of public records. The district is not required to release information contained in its education records except in conformity with the provisions of the Open Records Act, Title 51, Oklahoma Statutes, Section 24 A.1. and only to the extent that said act does not violate federal law. (See GBA-R.)

The superintendent's secretary shall be the district's custodian of public records and shall be responsible for the preservation and care of those public records. At least one person shall be available at all times to release records during the regular business hours of the school district. Additionally, the superintendent may establish reasonable rules of procedure by which public records may be inspected.

The superintendent shall charge a fee to recover the reasonable direct costs of copying district records. The superintendent shall also charge a fee for the direct costs of searching for district records sought for solely commercial purposes or for searches that cause excessive disruption to the district's essential functions. In no case shall a search fee be charged for records sought in the public interest including, but not limited to, releases to the news media, scholars, authors, and taxpayers seeking to determine whether officials of the district are honestly, faithfully, and competently performing their duties as public servants. Fees for copies shall be paid in advance before the copies are made. A deposit may be required for search fees. The fee schedule for searching for and copying of district records shall be as follows:

Copies:		Research:
8 1/2" X 11" or		\$25.00 per hour
8 1/2" x 14"	\$.25 per copy	
11" x 17" ledger	\$.50 per copy	
Certified copy	\$1.00 per page	

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

REFERENCE: 51 O.S. §24 A.1, et seq.

NOTE: If regular business hours are not maintained, the school district is required by law to post and maintain a written notice at the main office of the school district and with the county clerk, which notice shall include the following: (1) the hours records are available for inspecting, copying, and reproduction; (2) the name, address, and telephone number of the individual in charge of the records; and (3) detailed procedures for obtaining access to the records at least two days of the week, excluding Sunday.

ADVERTISING ON SCHOOL PROPERTY

It is the policy of the Nowata Board of Education that, except as indicated below, no advertising shall be permitted in school buildings, on school grounds, or on other school property.

Solicitation of advertising, or the use of the school system to promote any product, shall not be permitted.

Nothing herein shall be construed to prevent advertising in student publications that are published by student organizations.

SCHOOL VISITORS

It is the policy of the Nowata Board of Education that all visitors to any school facility obtain a visitor's pass at the building principal's office. Parents 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.

Agents or other persons shall not visit teachers during school hours for the purpose of selling books or other articles without written consent from the superintendent.

The superintendent or principal of any school shall have the authority to order any person¹ out of the school building and off the school property when it appears that the presence of such person is a threat to the peaceful conduct of school business, school activities, and/or school classes. 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 \$500.00 or by imprisonment in the county jail for not more than 90 days, or by both such fine and imprisonment.

Any person who is requested to leave the premises shall be unable to return to the premises without the written permission of the administration for a period of six months. A grievance or an appeal may be filed by the individual as per district policy GJ-P.

**REFERENCE: 70 O.S. §24-131
21 O.S. §§ 1375, 1376**

THIS POLICY REQUIRED BY LAW.

¹ Does not include students, officers, or employees of the district.

SCHOOL VISITORS (GRIEVANCE/APEALS PROCESS)

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 five (5) working days of being directed to leave premises, the individual ("complainant") may request a hearing before the board of education regarding their removal from school premises. The request shall be submitted in writing to the superintendent. Such request shall be mailed certified mail, return receipt requested. If the complainant fails to request a hearing within five (5) working days of being directed to leave the premises, the right to a hearing shall be deemed to be waived.

Upon receipt of the complainant's request for a hearing, the administration shall prepare a written summary of the reason(s) why the individual was directed to leave school premises. The written summary may include the date, time, place, witness statements, and reasoning behind the administrator's decision to direct the individual to leave school premises. The written summary prepared by the administration shall be mailed to the complainant no later than ten (10) days prior to the date set for hearing before the board of education.

Hearing

The hearing shall be conducted by the board of education as follows:

1. The administration shall present each of the board members with a copy of the written summary provided to the complainant;
2. The complainant shall present each of the board members with a copy of a written response to the administration's paperwork;
3. Members of the board of education shall be afforded the opportunity to ask questions related to the summary and response;
4. The board of education shall vote to accept, amend, or reject the recommendation of the administration with regard to the directive to complainant¹.

The decision of the board of education shall be final and unappealable.

THIS POLICY REQUIRED BY LAW.

¹ Agenda language will need to reflect the individual's name.

USE OF SCHOOL FACILITIES1. Policy

The School District will permit use of school facilities by educational, political, literary, cultural, religious, scientific, civic or recreational community organizations provided that:

- A. The intended use of the facility by the organization meets certain established criteria; and
- B. When required, a previously established fee is paid by the organization.

Providing every student with the best education possible is the primary function and responsibility of the Board. Therefore, school-related functions will be given priority when it is necessary to use school facilities. However, the Board is also vitally interested in helping out-of-school activities which support and supplement the efforts of this School District.

School facilities are often useful in carrying on the activities of various non-school organizations. Since many constructive educational activities take place outside the classroom, the administration should do as much as possible to encourage and aid the commendable efforts of many parents and citizens who work with youth to attain objectives which are similar to the goals of this School District.

USE OF SCHOOL PROPERTY (REGULATIONS)

Application

All organizations must make application in writing on a provided application form to the superintendent's office at least ten (10) days prior to the date of the meeting requested.

If the organization's request is one with regularly occurring dates, approval may be given for the entire schedule. Should a conflict develop with a school activity, the School District reserves the right to cancel the permission granted or to require a change to a mutually satisfactory date and time.

Although application by a minor is not acceptable, this does not prohibit the use of school premises by them, provided the application is made by a competent adult who will supervise and be responsible for the group.

Permitted Use

Permission for use of school facilities belonging to this School District may be granted to educational, political, literary, cultural, religious, scientific, civic or recreational organizations for purposes and programs which:

1. Are beneficial to the youth of the School District and to the programs of the School District; and
2. Do not result in an increased monetary burden on the citizens of the School District.

Priority Use

The superintendent or his/her designee is to determine whether the proposed use of the building will conflict with scheduled school programs and is to monitor the building for signs of misuse or abuse.

Prohibited Use

School facilities will not be used for:

1. Meetings which promote subversive teachings and doctrines contrary to the spirit of American institutions;
2. Activities tending to cause unrest in the community or which reflect upon or promote discrimination against citizens of the United States because of race, color, national origin, disability, religion, gender, age or sexual orientation;
3. Any activity that may be destructive or injurious to the buildings, grounds or equipment; or
4. Any purpose in conflict with school objectives.

Payment in Advance

All payments for the use of school facilities must be received at the office of the superintendent at least 72 hours in advance of the meeting time.

USE OF SCHOOL PROPERTY, REGULATIONS (Cont.)Responsibility of Applicant

The applicant and his/her organization will be held responsible for the proper use of the building, for payment for the use of school facilities, for the conduct of persons attending the meeting, and will see to it that activities are confined to the areas requested and to the hours agreed upon in the application. The applicant will indemnify the School District for any theft, loss or damage to school property over and above normal wear which might be expected from his/her use thereof, and will make prompt payment for such theft, loss or damage. An indemnity bond or a deposit may be required if circumstances warrant. It is required that users of school facilities will see that the activities are conducted at all times under competent adult supervision. The superintendent or his/her designee will be the judge of unwarranted damages to the school property.

All rooms or areas will be left in as good condition as they were found, except the usual accumulation resulting from normal building use. No applicant may sublet any part of the building area named in the application request. All applications for repetitious use of the school facilities will be renewed at the beginning of each school year and are subject to review by the superintendent.

Users of school property must assume responsibility for the safety and protection of the audience, workmen and participants to the extent required by law. The superintendent has the right to require minimum limits of public liability and property damage insurance for all groups using any school facility, and to require that there be evidence presented to the superintendent in the form of a certificate of insurance, showing Independent School District No. 40 of Nowata County, Oklahoma, as an additional named insured.

Time Limits

The superintendent of schools shall approve times for all meetings on school property.

Cancellations

Requests for cancellation of the use of school facilities must be received at least 24 hours in advance of the meeting time. Failure to do so will obligate the applicant and his/her organization to pay for all custodial and such other expenses as are incurred in opening the building for his/her use.

Cancellation of permission may be ordered whenever such action is deemed in the best interest of the School District. However, such cancellations will not be made except when unforeseen emergencies arise, and then with as much advance notice as possible. Permission may be canceled by the superintendent if conduct or infraction of regulations warrant.

Holidays

As a general rule, school properties will not be available for use by outside organizations on school or national holidays. Should one or more meetings approved as a series of meetings fall on such days, such meeting dates will be automatically canceled for these days only. The superintendent may, in his/her best judgment, authorize limited exceptions to this rule for good cause shown.

USE OF SCHOOL PROPERTY, REGULATIONS (Cont.)Non-School Days

School facilities will be available on non-school days, such as weekends and summer months, provided proper application is made and approved by the superintendent and provided such use is not a conflict with use of the facilities by school organizations or students.

Charges

Charges made for use of school facilities are not rentals as that term is generally used, but are based on the cost of operating expenses that would not otherwise have been incurred, such as utilities, supplies, maintenance of facilities, custodial and cafeteria services, as well as clerical services necessary to process each application. Such reimbursement charges are subject to change as the superintendent may deem necessary. With prior permission of the board of education, a fee in excess of operating expenses may be charged to a facilities user if such user is using school property as a part of a profit-making operation. Such fee will be set by the board of education after recommendation of the superintendent.

Building Use Without Charge

School organizations such as student organizations, school employee groups and educational organizations, such as the OEA, school board organizations, etc., are granted building use without charge as long as such use does not conflict with regular school sessions.

No fee will be assessed against school-affiliated and youth-serving organizations for their regularly scheduled meetings, including but not limited to:

1. Parent-Teacher Association, booster clubs, band parents--monthly meetings (afternoon or night);
2. Cub Scouts--monthly pack and committee meetings (night);
3. Girl Scouts--weekly afternoon meetings and one monthly night meeting; and
4. Camp Fire Girls--weekly afternoon meetings and one monthly night meeting.

Other groups may present information to the Superintendent so that he/she can establish whether they are school-affiliated and youth-serving organizations for whom fees will be waived for periodic meetings. If there should be additional meetings of the above-mentioned or other school-affiliated and youth-serving organizations, they will be charged for custodial services and/or cafeteria employee services as required, according to the regular fee as determined by the superintendent.

Organizations which qualify for use of meeting space without charge on weekdays will be charged regular rates for meetings held on Saturday and Sundays, for weekday meetings which extend beyond 11:00 p.m., for use of recreational facilities such as gymnasiums and for all fund-raising activity meetings.

USE OF SCHOOL PROPERTY, REGULATIONS (Cont.)Custodial Care

A school custodian is assigned for continuous duty during the time the group will be using the school facility. The custodian will return to open the building prior to the time set for the meeting, arrange the requested facilities and serve as the official representative of the School District. No one, except the qualified custodian will be allowed to operate or adjust equipment in the building. Upon conclusion of the meeting the custodian will clean, properly arrange the facilities and carefully inspect the premises before locking the building. For situations in which the meeting does not materialize and has not been previously canceled, the custodian will remain on duty for one hour after the requested starting time of the meeting and, if no word is received within that period indicating a later starting time, he/she will lock the building.

Custodians are instructed not to open any areas other than those required in the application. Additional space may be arranged by filing an additional application. Emergency needs may be requested by telephone.

Police Guards

Uniformed officers must be on duty when so directed by the superintendent.

Alcohol, Drugs, Tobacco and Dangerous Weapons

The use or possession of alcoholic beverages, low-point beer or controlled substances (drugs) will not be permitted on school property. Organizations using school property for any purpose are expected to comply with district policy concerning the use of tobacco. Dangerous weapons, including but not limited to firearms, are prohibited on school property.

Athletic Activities

Permission for athletic activities involving the use of school facilities by non-school groups will be granted. Such groups may not use the apparatus and other special athletic equipment belonging to the school.

In those instances where team competition is involved, it must be clearly understood that no team sponsored by an organization other than the schools will be identified by name as representing any school in this district.

Apparatus and Equipment

Requests to use public address systems, projection equipment and screens, spotlights, stage sceneries, pianos and so forth will be included in the application. The costs of transparencies, gelatins, special scenery, and special lighting effects are to be paid by the using groups. All such equipment and properties will be operated, moved and controlled only by persons specifically designated by the principal.

As a precaution against fire, no request will be granted for the use of lighted candles or other actual flame equipment in connection with building usage.

Classroom apparatus, such as shop, science, physical education, home-making, music, business education, art laboratory, data processing equipment and athletic equipment which is regularly used for school instruction will not be available for use by non-school groups.

USE OF SCHOOL PROPERTY, REGULATIONS (Cont.)

School equipment is not available for use off school premises unless it is beneficial to the district in carrying forward its programs.

Cafeterias

Use of cafeterias will be granted with or without use of kitchen facilities. No organization will have access to the cafeteria kitchen area unless the cafeteria manager is present and in charge, together with such additional paid help from the cafeteria manager's staff as may be required. In planning an event which will use the cafeteria kitchen equipment, the area dietitian, the cafeteria manager, and whatever number of helpers they deem necessary, must all be involved in the planning, operation and supervision of such project. Because of the food supplies and expensive equipment, and because of the rigid requirements of health and sanitation authorities, the use of cafeteria facilities must be under the direct control of the cafeteria

Refreshments will be served only in cafeterias, unless other areas have been approved in writing by the principal.

Swimming Pools

Swimming pools will be available to organized groups provided such use does not interfere with the needs of the school, and provided further that a lifeguard with a current Red Cross or YMCA Senior Life Saving Certificate, or a Red Cross Water Safety Instructor's Certificate, or a YMCA Leader-Examiner Certificate, or comparable certificate, be on active duty at all times.

All provisions of the Oklahoma Public Bathing Place Act and Interpretive Code, latest revision, will be observed in detail by all individuals or groups using the pool.

Parking Lots

Parking lots are provided with the use of most school buildings. If use of only a parking lot is desired, application will be made as for use of any school facility. Parking areas are not reserved exclusively for groups using school buildings. Playgrounds will not be used for parking.

Use of School Buses

School buses may be used for "summer youth activities" as approved by the State Department of Education whenever such equipment is not available from commercial firms in the area, and whenever such use is beneficial to the youth of the district, provided such youth groups are adequately supervised by adults and provided further that all costs for such operations, including any damages to equipment and usual wear and tear, are defrayed by the using group. Only legally qualified drivers may drive school buses.

Use of School Grounds and Recreational Facilities

School grounds will be made available to the general public at times when they are not being used for school purposes. The general public has a responsibility not to cause damage to the property or become a nuisance to adjoining property owners and others in the neighborhood.

USE OF SCHOOL PROPERTY, REGULATIONS (Cont.)

The Board realizes that each case should be dealt with separately. However, the following regulations will serve as a guide:

1. School playgrounds may be used by organized athletic leagues when not in conflict with school programs, upon approval of application to use such facilities;
2. Approval of such application does not include uses of any building facilities. Application for use of restrooms may be made subject to advance payment of a standard charge;
3. No automobiles, motor scooters, motorbikes or other such licensed vehicles are to be driven on the playgrounds;
4. Baseball and other such sport activities will be permitted as long as there is no damage to neighboring or school property; and
5. No organized athletic leagues will be permitted on school grounds on Sundays.
- 6.

Church Services

Church services by established religious groups may be scheduled in school facilities on a temporary basis due to emergency situations or to early organizational efforts of such groups to build or expand a church facility. Under no circumstances will such usage be beyond one (1) calendar year from first usage.

Concessions

Concession rights at all school facilities are reserved for this School District. These may be assigned to school organizations upon request or may be contracted by outside vendors.

Interpretation of the Policy and Procedures

The superintendent shall interpret and enforce all provisions of this policy and procedures. The superintendent's interpretation shall be final unless at least two board members direct that the issue be brought to the board of education for review.

REQUEST FOR USE OF SCHOOL PROPERTY

Request for use of _____
(School Property)

Date of use _____

Starting time _____ Ending time _____

Request made by _____
(Sponsoring Group or Organization)

Purpose of use _____

Admission charge: Yes _____ No _____

The following stipulations apply to non-school-related individuals, groups, and organizations.

The undersigned user of school property hereby agrees to:

1. Observe the rules and regulations for the use of school property as established in Section GK of the adopted board policy.
2. Assume full responsibility for loss or damage to school district property resulting from such use.
3. Assume full responsibility for personal injury sustained by any person as a result of such use and waive all school district liability.
4. Pay the usual and customary fee for such use.
5. Sign a hold-harmless agreement with the District.
6. Signing this statement acknowledges that the person below has provided the school district with proof of insurance coverage.

Signature

Request approved _____ Fee _____