

## SEXUAL HARASSMENT OF STUDENTS

The policy of this school district forbids discrimination against, or harassment of any student on the basis of sex. The Newkirk Board of Education will not tolerate sexual harassment by any of its employees or students. This policy applies to all students and employees including non-employee volunteers whose work is subject to the control of school personnel. Policy DA applies to sexual harassment of employees.

### 1. Sexual Harassment

For the purpose of this policy, sexual harassment includes:

- A. Verbal or physical sexual advances, including subtle pressure for sexual activity; touching, pinching, patting, or brushing against; comments regarding physical or personality characteristics of a sexual nature; and sexually-oriented "kidding" "teasing," double meanings, and jokes.
- B. Demeaning comments about a girl's ability to excel in a class historically considered a "boy's" subject, privately talking to a student about sexual matters, hugging or touching a student inappropriately may constitute sexual harassment.
- C. Writing graffiti that names a student or otherwise identifies a student is potentially slanderous and constitutes sexual harassment. Graffiti of any kind will not be tolerated on school property. The superintendent is directed to cause any graffiti or unauthorized writings to be removed immediately.
- D. Any of the aforementioned conduct that effectively deprives a student of access to educational opportunities or benefits provided by the school.

### 2. Specific Prohibitions

#### A. Administrators and Supervisors

1. It is sexual harassment for an administrator, supervisor, support employee, or teacher to use his or her authority to solicit sexual favors or attention from students.
2. Administrators, supervisors, support personnel, or teachers who either engage in sexual harassment of students or tolerate such conduct by other employees shall be subject to sanctions, as described below.
3. The school district is not concerned with the "off-duty" conduct of school personnel unless the conduct has or will have a negative impact on the educational process of the school. Any romantic or sexual affiliation between school personnel and students, including students who have reached the age of majority (18), during school hours will have a negative impact on the educational process and shall constitute a violation of school policy. Such violations may result in suspension of the student and suspension or termination for the employee. Any sexual affiliation between teachers and students under the age of 18 will constitute a crime under state or federal law.

**SEXUAL HARASSMENT OF STUDENTS (Cont.)**

## 3. Report, Investigation, and Sanctions

- A. It is the express policy of the board of education to encourage student victims of sexual harassment to come forward with such claims. This may be done through the Sexual Discrimination Grievance policy. The Office of Civil Rights relies on school administrators' judgment and common sense in meeting the requirements of the federal law.
1. Students who feel that administrators, supervisors, support personnel, teachers, or other students are subjecting them to sexual harassment are encouraged to report these conditions, or have their parents report these conditions, to the appropriate administrator or teacher. If the student's immediate administrator or teacher is the alleged offending person, the report will be made to the next higher level of administration or supervision or to any responsible adult person.
  2. Every attempt will be made to maintain confidentiality; however, absolute confidentiality cannot be guaranteed because of due process concerns that arise in sexual harassment investigations. No reprisals or retaliation will be allowed to occur as a result of the good faith reporting of charges of sexual harassment.
- B. In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct, and the context in which the alleged conduct occurred will be investigated. The superintendent has the responsibility of investigating and resolving complaints of sexual harassment.
- C. Any employee found to have engaged in sexual harassment of students shall be subject to sanctions, including, but not limited to warning, suspension, or termination subject to applicable procedural and due process requirements.
- D. Any student found to have engaged in sexual harassment of other students shall be subject to sanctions, including, but not limited to warning, suspension or other appropriate punishment subject to applicable procedural and due process requirements.
- E. A copy of this Sexual Harassment policy will be provided to students and parents each year.
- F. Special effort will be made to apprise district administrators, teachers, and counselors of their obligation to receive student complaints of sexual harassment, document such complaints, and forward them to the grievance committee.

**REFERENCE:** Title VII of the Civil Rights Act of 1964  
42 U.S.C. §2000e-2  
29 C.F.R. §1604.1, et seq.

## STUDENT RESIDENCY

It is the policy of the Newkirk Board of Education that the residence of any child for school purposes shall be the legal residence of the parents, guardian, or person having legal custody within the district as defined in 70 O.S. §1-113 (C). Provided that such parent, legal guardian, person, or institution having legal custody contributes in a major degree to the support of such child. Provided, further, that any child residing in the district who is entirely self-supporting shall be considered a resident of the school district if the child works and attends school in the school district. Questions concerning legal residence of children shall be determined pursuant to procedures utilized by the State Department of Education in accordance with 70 O.S. §1-113.

The superintendent or designee may require the submission of evidence of residency in order to determine whether the student is eligible to attend the public schools or programs without payment of nonresident tuition. Such evidence may include, but is not necessarily limited to, the following:

1. Proof of payment of local personal income tax or ad valorem taxes;
2. Title to residential property in the district, or a valid unexpired lease agreement, or receipts for payment of rent on a district residence in which the applicant actually resides;
3. Proof of provisions of utilities;
4. A valid, unexpired motor vehicle operator's permit or motor vehicle registration;
5. Maintenance of voter registration;
6. Notarized affidavit verifying residency and that the affiant has assumed the permanent care and custody of the student. (The filing of a false affidavit shall be subject to punishment in accordance with 70 O.S. §1-113(A)(1).)

### Homeless Students

In accordance with the Federal McKinney Homeless Assistance Act, homeless children shall have access to the same free and appropriate public education as provided to other children. The board shall make reasonable efforts to identify homeless children within the district, encourage their enrollment, and eliminate existing barriers to their education that may exist in district policies or practices. No child or youth shall be discriminated against in this school district because of homelessness.

Children are deemed to be homeless under the following conditions:

1. A child who is lacking a fixed regular and adequate nighttime residence and who has a primary nighttime residence that is a publicly or privately operated shelter designed to provide temporary living accommodations, a temporary residence prior to institutionalization, or a place not designed or ordinarily used as a regular sleeping accommodation for human beings.
2. A child who is placed in a transitional or emergency shelter before placement in a foster home or home for neglected children.
3. A child who is temporarily living in a trailer park or camping area due to lack of adequate living accommodations.

**STUDENT RESIDENCY (Cont.)**

4. A child who is living in doubled-up accommodations due to loss of housing or other similar situation.
5. A migratory child who is staying in accommodations not fit for habitation.
6. A child who has run away from home and lives in a runaway shelter, abandoned building, the street, or other inadequate accommodations.
7. A child who is placed in a state institution because s/he has no other place to live.
8. A child who has been abandoned by his/her family and who is staying in a hospital.
9. A child whose parents or guardian will not permit him/her to live at home and who lives on the street, in a shelter, or in other transitional or inadequate accommodation.
10. School-age unwed mothers or expectant mothers who are living in homes for unwed mothers because they have no other available living accommodations.

The district administration shall attempt to remove existing barriers to school attendance by children in foster care and homeless children:

1. Enrollment requirements that may constitute a barrier to the education of a child in foster care or the homeless child or youth shall be waived. If the district is unable to determine the student's grade level due to missing or incomplete records, the district shall administer tests or utilize other reasonable means to determine the appropriate grade level for the child.
2. Fees and charges that may present a barrier to the enrollment or transfer of a child in foster care or a homeless child or youth shall be waived.
3. Customary transportation policies and regulations shall be waived.
4. Official school records policies and regulations shall be waived.
5. The district shall make a reasonable effort to locate immunization records from information available or shall arrange for students to receive immunizations through health agencies and at district expense if no other recourse is available. Immunizations may, however, be waived for homeless youth only in accordance with provisions of board policy on immunizations. (See policy FFAB.)
6. Other barriers to school attendance by a child in foster care or a homeless youth shall be waived.

The district will provide to each homeless child such school services that are comparable to services offered to other students in the district and that are determined to be in the child's best interest. Such services will include:

1. Public preschool programs;
2. Special education, Title I, and limited English proficiency programs for which they are eligible;

**STUDENT RESIDENCY (Cont.)**

3. Vocational education programs;
4. Gifted and talented programs;
5. Before and after school programs;
6. School meal programs; and
7. Transportation services.

Residency Officer

The school district designates the building principal as residency officer. The residency officer may be contacted by calling the school district at 580-362-2388 or by writing to the residency officer at the following address, or by personally visiting the residency officer at 625 West South Street, Newkirk, OK 74647.

If this school district denies admittance of a student who claims to be a resident of the district, the parent, guardian, or person having care and custody of the student may request a review of the residency officer's decision. Such request for review shall be in writing and must be received by the residency officer within three school days of the denial of admittance. The request for review shall include any additional pertinent information that may justify the admittance of the child to the school district.

Upon receipt of a written request for review, the residency officer will render a decision and notify the parent of the decision within three school days of the receipt of the request for review.

If the parent disagrees with the findings of the residency officer, the parent will notify the residency officer within three school days of the receipt of the decision. The residency officer will submit his/her findings and all documents reviewed to the board of education.

The board of education will review the decision and the documents submitted by both the residency officer and the student and render a decision at the next board meeting. The board's decision may be appealed only pursuant to procedures utilized by the State Department of Education.

The Superintendent will designate a Point of Contact (POC) to coordinate activities relating to the District's provision of services to children placed in foster care, including transportation services.

The District will collaborate with Child Welfare Agencies when transportation is required for children placed in foster care to attend the school of origin outside their usual attendance area or the district when in the best interest of the student. Under the supervision of the Superintendent/designee, the District POC will invite appropriate District officials, Child Welfare Agencies, and officials from other districts or agencies to consider how such transportation is to be promptly arranged and funded in a cost effective manner.

**STUDENT RESIDENCY (Cont.)****DEFINITIONS**

"Foster Care" means 24-hour care and supportive services provided to children placed away from their parents, guardians, or person exercising custodial control or supervision and for whom the foster parent has placement care and responsibility.

"School of origin" means the school in which a child is enrolled at the time of placement in foster care.

"Best Interest" means a case -by-case determination of the appropriateness of the current educational setting and the proximity of placement as required by ESEA section 1111(g)(1)(E)(i). Factors be utilized in this determination include, but are certainly not limited to, the following:

1. Safety considerations;
2. Proximity of the resource family home to the child's present school;
3. Age and grade level of the child as it relates to the other best interests factors;
4. Needs of the child, including social adjustment and well-being;
5. Child's performance, continuity of education and engagement in the school the child presently attends;
6. Child's special education programming if the child is classified;
7. Point of time in the school year;
8. Child's permanency goal and likelihood of reunification;
9. Anticipated duration of the placement;
10. Preferences of the child;
11. Preferences of the child's parent(s) or education decision maker(s)
12. The child's attachment to the school, including meaningful relationships with staff and peers;
13. Placement of the child's sibling(s);
14. Influence of the school climate on the child, including safety;
15. Availability and quality of the services in the school to meet the child's educational and socio-emotional needs;
16. History of school transfers and how they have impacted the child;
17. How the length of the commute would impact the child, based on the child's developmental stage;
18. Whether the child is a student with a disability under the IDEA who is receiving special education and related services or a student with a disability under Section 504 who is receiving special education or related aids and services and, if so, the availability of those required services in a school other than the school of origin; and
19. Whether the child is an EL and is receiving language services, and, if so, the availability of those required services in a school other than the school of origin, consistent with Title VI and the BEOA.

**REFERENCE:** 70 O.S. §1-113, §1-114  
70 O.S. §18-111

***A POLICY ON THIS TOPIC IS REQUIRED BY LAW.***

**ACADEMIC POLICIES**

Students Entering From Non-Accredited Schools -

**Middle School/Elementary School Policy**

Students entering Newkirk Public Schools from an elementary/middle school not accredited by the State Board of Education shall be required to take a standardized achievement test, the MAT-6 test is a prime example of the type of test to be administered, but shall not be inclusive. Results of the test will be used to determine grade placement. However, any factor into the placement decision shall be permitted to be considered. The final placement judgment will be made by the building principal. The individual's exam shall be administered by the receiving school and the results shall be confidential and kept on file for one year from the date the test was taken. If the placement is not agreed to by the parent the superintendent will review the case on appeal and make the final placement.

**High School Policy**

A student entering Newkirk High School from a junior/middle, or secondary school not accredited by the State Department of Education shall be required to take comprehensive written examinations in the subject areas pursued in the non-accredited school that are offered by Newkirk High School. No credit will be earned for courses not offered at Newkirk High School. The test shall be a comprehensive semester, with both semesters tested if needed. "The credit earned on the comprehensive semester test will be recorded on the permanent record of the students with the letter grade corresponding with the student's performance, unless it is a failing grade, in which case the test will not be documented." All tests are kept on file in the principal's office. Individual test results will be confidential and kept on file for one year from the date the test was completed. Any appeal should be made to the superintendent of schools for review and his/her decision will be final.

Student Name: \_\_\_\_\_

Subject: \_\_\_\_\_ Grade Placement \_\_\_\_\_

The above named student is enrolling in the Newkirk Public Schools and is tentatively being enrolled as \_\_\_\_\_

(grade level or special enrollment)

This placement issued has taken the appropriate tests ( \_\_\_\_\_ ) to determine the proper grade placement. The determination of proper grade placement will be made by the school using all available information.

\_\_\_\_\_  
Administrator/Newkirk Public Schools Date

## EDUCATION OF MIGRATORY CHILDREN

The school district shall provide migratory students with appropriate educational services that address their unique needs in a coordinated and efficient manner. "Migratory child" shall mean a child who is, or whose parents or spouse is, a migratory agricultural worker, including a migratory dairy worker, or a migratory fisher, and who, in the preceding thirty-six (36) months, in order to obtain, or accompany such parent or spouse, in order to obtain temporary or seasonal employment in agricultural or fishing work has moved from one school district to another.

Priority for services shall be provided to those migratory children who:

1. Are failing or are at risk of failing to meet the Oklahoma Academic Standards; and
2. Whose education has been interrupted during the regular school year.

Continuation of services shall be provided by the school district to:

1. A child who ceases to be a migratory child during a school term for the remainder of the school year.
2. A child who is no longer a migratory child may continue to receive services for one (1) additional school year if comparable service are not available through other programs; and
3. Secondary school students who were eligible for services in secondary school may continue to be served through credit accrual programs until graduation.

The school district shall comply with all state and federal requirements in the implementation and expenditure of federal funds designated for the education of migratory children. Migratory children who qualify for special education services shall be provided a free, appropriate education in accordance with federal law.

**LEGAL REFERENCE:**      **ESSA, Sections 1301-1309.**



**STUDENT RESIDENCY DISPUTE PROCEDURES**

The superintendent of schools shall serve as the district residency officer.

If a dispute arises regarding a student's residency, or residency status as "homeless" under the McKinney-Vento Homeless Assurance Act, the parent or guardian may request a review of the ruling by the superintendent. Any question or dispute as to the residence of a student shall be determined by the superintendent pursuant to the following procedures:

1. If the school district initially denies admittance of a student who claims to be a resident of the district, the parent, guardian, or person having care and custody (hereafter parent) of the student shall be informed that a request may be made for a review of the decision of the local residency officer.
2. 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 attending Newkirk Public Schools until these dispute procedures have been exhausted.
3. The parent of the student may request a review by notifying the residency officer in writing within three (3) school days from denial of admittance. Upon receipt of a request for review, the residency officer shall allow the parent to provide additional pertinent information in accordance with the district's criteria and the statutory provisions regarding residency. The information must be submitted with the request for review.
4. Within three (3) school days of the receipt of the request for review, the residency officer must render a decision and notify the parent, in writing, of the decision and the reasoning therefor.
5. In the event the parent disagrees with the decision, the parent shall notify the residency officer within three (3) school days of receipt of the residency officer's decision. The residency officer will submit to the board of education his or her findings and all documents reviewed. The board of education will review the decision and the documents submitted on behalf of the district and the student and render a decision at the next board meeting. The board's decision shall be the final administrative decision.
6. In an effort to place students in school as quickly as possible, timelines shall be followed unless, due to emergency circumstances, both parties agree to an extension of timelines.

Any question as to the place of residence of any child for school purposes shall be decided pursuant to procedures utilized by the State Department of Education.

**LEGAL REFERENCE:** 42 U.S.C. 11432

**STUDENT ATTENDANCE**

The Newkirk Board of Education believes that in order for students to realize their fullest potential from educational efforts, they should attend all classes if possible. Realizing that some absences may be beyond a student's control, the board has adopted a policy requiring students to be in attendance a minimum of 90% each semester to receive credit for any course in which the student is enrolled. Exceptions to this requirement will be considered by the board on an individual, case by case basis.

The superintendent is directed to establish an attendance regulation, subject to board approval, which supports this policy.

**REFERENCE: 70 O.S. §10-105, §10-106**  
**Department of Education, Administrator's Handbook**

## ATTENDANCE POLICY (REGULATION)

The board of education believes that attendance in regularly scheduled classes is a key factor in student achievement. Thus, any absence from those classes represents an educational loss to the student. The board recognizes, however, that the cocurricular program of the school also has educational benefit. Therefore, it shall be the policy of this board to minimize absenteeism from regular classes while providing students the opportunity to participate in cocurricular activities.

The superintendent is directed to develop, for board approval, regulations that support this policy.

In accordance with the policy of the board of education, each student in High School and Junior High School (See FDC-R2 for K-6) is required to attend each class a minimum of 90% of the time in order to receive credit for that class. A maximum of 9 days a semester may be missed for excused absences, school activities, absence by arrangement, unexcused absences, or truancy in any one class.

### ABSENCES

Excused absence will be granted for the following reasons:

1. Personal or family illnesses
2. Medical appointments
3. Legal matters, including service on a grand, multicounty grand, or petit jury \*
4. Extenuating circumstances deemed necessary by the principal
5. Observance of holidays required by student's religious affiliation.
6. Participating in a military funeral honors ceremony upon approval of the school principal.

It is the responsibility of the parent to notify the school by 3:00 p.m. if a child is to be absent for one of the above reasons. The school will contact those students' parents who do not call. If no contact is made, the parent must send a note or call the day the child returns before the student can be excused. The student may promptly make up all work missed without penalty. It is the responsibility of the student, on the day of return, to make arrangements to see that the work is made up.

### School Activity

1. The student will be allowed to be absent from the classroom for a maximum of ten days per semester to participate in activities sponsored by the school.
2. The student will be allowed to make up any work missed while participating.

### Absence by Arrangement

These are absences in which the parents deem it necessary that a child miss school for reasons other than those that fall within an excused absence.

1. A student may make up all work missed without penalty. It is up to the student, on the day of return, to make arrangements to see that the work is made up.
2. In order to take an absence by arrangement, the parent, or guardian, must submit, at least two days prior to the absence, a written request for the student to be absent and approved by the principal. If the request is not made and approved as required, the absence will be treated as an unexcused absence.
3. Absences by arrangement will count against a student's exemption from semester tests.

#### Unexcused Absence

This is any absence that does not fall within one of the above categories. Work may be made up. 100% of the grade will be counted. Ten unexcused absences will result in that student not receiving credit in that class for the semester.

#### Truancy

A student is considered truant when absent from the classroom without the knowledge of either the school or the parent.

#### Tardies

1. A student is tardy who is not in the student's seat when the bell to begin the period sounds.
2. A student who is more than 10 minutes late is counted absent for the period.
3. Each 3 tardies will constitute an unexcused absence from that class for the purpose of semester test exemptions.

Any student who exceeds the 9 day limit may appeal to the board of education for reinstatement of credit. Consideration will be given as to the reason for the absences as well as to the attempts by parents to minimize the absenteeism.

**\* REFERENCE: 38 O.S. §37**

## ATTENDANCE POLICY (REGULATION)

The board of education believes that attendance in regularly scheduled classes is a key factor in student achievement. Thus, any absence from those classes represents an educational loss to the student. The board recognizes, however, that the cocurricular program of the school also has educational benefit. Therefore, it shall be the policy of this board to minimize absenteeism from regular classes while providing students the opportunity to participate in cocurricular activities.

The superintendent is directed to develop, for board approval, regulations that support this policy.

In accordance with the policy of the board of education, each student in High School and Junior High School (See FDC-R2 for K-6) is required to attend each class a minimum of 90% of the time in order to receive credit for that class. A maximum of 10 days a semester may be missed for excused absences, school activities, absence by arrangement, unexcused absences, or truancy in any one class.

### ABSENCES

Excused absence will be granted for the following reasons:

1. Personal or family illnesses
2. Medical appointments
3. Legal matters, including service on a grand, multicounty grand, or petit jury \*
4. Extenuating circumstances deemed necessary by the principal
5. Observance of holidays required by student's religious affiliation.

It is the responsibility of the parent to notify the school by 3:00 p.m. if a child is to be absent for one of the above reasons. The school will contact those students' parents who do not call. If no contact is made, the parent must send a note or call the day the child returns before the student can be excused. The student may promptly make up all work missed without penalty. It is the responsibility of the student, on the day of return, to make arrangements to see that the work is made up.

### School Activity

1. The student will be allowed to be absent from the classroom for a maximum of ten days per semester to participate in activities sponsored by the school.
2. The student will be allowed to make up any work missed while participating.

### Absence by Arrangement

These are absences in which the parents deem it necessary that a child miss school for reasons other than those that fall within an excused absence.

**ATTENDANCE POLICY, REGULATION (Cont.)**

1. A student may take up to 5 days of absences by arrangement per semester.
2. A student may make up all work missed without penalty. It is up to the student, on the day of return, to make arrangements to see that the work is made up.
3. In order to take an absence by arrangement, the parent, or guardian, must submit, at least two days prior to the absence, a written request for the student to be absent. If the request is not made as required, the absence will be treated as an unexcused absence.
4. Absences by arrangement will count against a student's exemption from semester tests.

Unexcused Absence

This is any absence that does not fall within one of the above categories. Work may be made up. 100% of the grade will be counted. Ten unexcused absences will result in that student not receiving credit in that class for the semester.

Truancy

A student is considered truant when absent from the classroom without the knowledge of either the school or the parent.

Tardies

1. A student is tardy who is not in the student's seat when the bell to begin the period sounds.
2. A student who is more than 10 minutes late is counted absent for the period.
3. Each 3 tardies will constitute an unexcused absence from that class.

Any student who exceeds the 10 day limit may appeal to the board of education for reinstatement of credit. Consideration will be given as to the reason for the absences as well as to the attempts by parents to minimize the absenteeism.

**\* REFERENCE: 38 O.S. §37**

## OPEN TRANSFER POLICY TRANSFERS AND ASSIGNMENTS

It is the policy of the Newkirk Board of Education that any application for open transfer will be reviewed by the board of education and considered on a first-come, first-served basis. Applications may be obtained from the superintendent and shall be filed with the office of the superintendent during regular business hours of the school district beginning January 1 and ending no later than May 31 in the school year preceding the school year for which the transfer is desired. Written application for any transfer shall be made by the parent(s) of the student and filed with the superintendent of the district. For purposes of the Education Open Transfer Act, the term "parent" means the parent of the student or person having custody of the student or a competent student having reached the age of majority.

By May 31, the superintendent shall notify the resident school district that a student enrolled in the resident school district has filed an application for transfer.

The board of education shall vote to approve or deny the application for transfer not later than July 15. Transfer applications shall be reviewed by the board of education in executive session in order to protect the confidentiality of student records. However, the vote to approve or to deny the application for transfer shall take place in open session. The district shall not accept or deny a transfer based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language, measure of achievement, aptitude, or athletic ability. Notwithstanding the provisions of the Education Open Transfer Act, transfers of children with disabilities shall be granted as authorized in Section 13-103 of Title 70 of the Oklahoma Statutes. All transfer applications will be approved or denied subject to the following criteria:

1. Availability of Programs.
2. Staffing Availability.  
If accepting the transfer will require the addition of personnel, the transfer application will be denied.
3. Space Limitations.  
Transfer requests will be accepted by the school district.
4. Disciplinary Record.  
Discipline records of students transferring to this school will be requested as part of the student's records. It shall be within the discretion of the board of education, based upon the student's records, as to whether a transfer will be approved or denied. As a general rule, students with poor discipline or attendance records or those deemed "not in good standing" at their former school will not be approved for transfer to this district.
5. Adjudication as a Juvenile Sex Offender.

On or before September 1, the superintendent shall file a copy of a list of students granted transfer showing the resident school district and grade level of all students granted transfer with the State Board of Education and each resident school district.

On an adequate showing of emergency, the superintendent may make and order a transfer, subject to approval by the State Board of Education. An emergency shall include only:

1. The destruction or partial destruction of a school building;

**OPEN TRANSFER POLICY, TRANSFERS AND ASSIGNMENTS (Cont.)**

2. The inability to offer the subject a student desires to pursue, if the student becomes a legal resident of a school district after February 1 of the school year immediately prior to the school year for which the student is seeking the transfer;
3. A catastrophic medical problem of a student, which for purposes of this section shall mean an acute or chronic serious illness, disease, disorder, or injury which has a permanently detrimental effect on the body's system or renders the risk unusually hazardous;
4. The total failure of transportation facilities;
5. The concurrence of both the sending and receiving school districts;
6. The unavailability of remote or on-site Internet-based instruction by course title in the district of residence 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 Oklahoma during the previous three school years; or
7. The unavailability of a specialized deaf education program for a student who is deaf or hearing impaired.
8. When a student has been the victim of harassment, intimidation, and bullying as defined in 70 O.S. § 24-100.3, and the receiving school district has verified that:
  - (i) The student has been the victim of harassment, intimidation, or bullying; and
  - (ii) The sending school district was notified of the incident or incidents prior to the filing of the application for transfer.

A child who has reached the age of four (4) on or before September 1 of the school year, and resides in a district that does not offer an early childhood program may be granted a transfer into the district provided the physical facilities and teaching personnel can accommodate the child. The district may also refuse to accept the nonresident child if the district determines the child is not ready for the district's early childhood education program.

A child whose family relocates from the school district may continue attendance to the end of the current school year provided the student began the school year in the school district.

Students transferring to the district between school years shall be admitted to the next higher grade upon meeting entrance requirements and showing evidence of having completed the preceding grade. Students transferring from private, non-accredited schools shall be tested and placed accordingly.

Any student residing in a school district that does not offer the grade that such child is entitled to pursue shall be entitled to be transferred to any school district inside or outside of the transportation area in which such student resides which offers the grade which he is entitled to pursue. Such transfer shall be automatically approved.

Except for a child in the custody of the Department of Human Services in foster care, no student shall be permitted an open transfer more than once in any school year.

Any brother or sister of such transferred student may apply to attend the same said school system.



**OPEN TRANSFER POLICY, TRANSFERS AND ASSIGNMENTS (Cont.)**

Any parent, guardian, person, or institution having care and custody of a child who pays ad valorem tax on real property in this district, but does not reside in this district; may, with approval of the board of education, enroll the child in this district and receive a credit on the nonresident tuition fee equal to the amount of the ad valorem tax paid for school district purposes provided the credit shall not exceed the total amount required for the tuition payment.

Any student transfer approved for any reason prior to January 1, 2000, shall continue to be valid and shall not be subject to the Education Open Transfer Act unless the parent having custody chooses otherwise.

Should the board of education determine that cancellation of a previously approved transfer is in the best interest of the district, the resident district and the parents/guardian of the student shall be notified of the cancellation. Such notice shall be made by July 15 prior to the school year for which the cancellation is applicable.

Beginning July 1, 2008, the transfer of a child with disabilities for three consecutive years creates an automatic and permanent transfer to this school district.

**REFERENCE:** 70 O.S. §1-114  
70 O.S. §1-113  
70 O.S. §5-117.1  
70 O.S. §8-101, et seq.  
70 O.S. §24-101, et seq.  
Family Education Rights and Privacy Act  
Atty. Gen. Op. No. 87-134, April 1, 1988

***THIS POLICY REQUIRED BY LAW.***

## STUDENT TRANSFERS FOR CHILDREN OF ACTIVE DUTY MILITARY MEMBERS

The school district shall allow the transfer of students who are dependent children of a member of the active uniformed military services of the United States on full-time active duty status and for whom Oklahoma is the home of record and students who are the dependent children of a member of the military server on active duty orders and for whom Oklahoma is the home of record. Transfers will be approved if:

- a. At least one parent of the student has a Department of Defense-issued identification card;
- b. At least one parent can provide evidence that he or she will be on active duty status or orders, meaning the parent will be temporarily transferred in compliance with official orders to another location in support of combat, contingency operation, or a natural disaster requiring the use of orders for more than thirty (30) consecutive days; and
- c. The student will be residing with a relative of the student who lives in the receiving school district or who will be living in the receiving school district within six (6) months of the filing of the application for transfer.

**REFERENCE:** 70 O.S. §8-103.1

*THIS POLICY REQUIRED BY LAW.*

## WITHDRAWAL FROM SCHOOL

The Newkirk Board of Education realizes that a student may need to withdraw from school because of residence relocation or other valid reason. In such a case, the student must notify the principal who will assist the student with out-processing. All district-owned books, supplies, equipment, etc. must be returned to the teachers who distributed them. A clearance slip with the appropriate teachers' signatures must be returned to the principal's office. Any refunds due will be made at that time.

On a basis as scheduled by the State Department of Education, the superintendent will notify the Department of the name, address, race, and age of any student dropping out from school during the preceding quarter. A dropout is any student who is under the age of nineteen (19) and has not graduated from high school and is not attending any public or private school or is not otherwise receiving an education pursuant to law for the full term the schools of the district in which the student resides are in session.

Whenever a student over 14 years of age and under 18 years of age withdraws from school, the attendance officer shall notify the Department of Public Safety (DPS) of the withdrawal through a documentation of enrollment status form. Within 15 working days of receipt of the notice, DPS shall provide written notice by certified mail, return receipt requested, to the student that the driver license of the student will be canceled or the application of the student will be denied 30 days following the date the notice to the student was sent unless documentation of compliance is received by DPS before such time. When the withdrawal from school is due to circumstances beyond the control of the student or is pursuant to lawful excuse, as confirmed in writing by a parent/guardian of the student, no notice shall be sent to DPS, or if sent, the notice will be disregarded by DPS. The board of education or appropriate designee shall be the sole judge of whether the withdrawal of a student is due to circumstances beyond the control of the student or is made pursuant to lawful excuse.

**REFERENCE:** 47 O.S. §6-107.3  
70 O.S. §35e

**WITHDRAWAL FROM SCHOOL**

The Newkirk Board of Education realizes that a student may need to withdraw from school because of residence relocation or other valid reason. In such a case, the student must notify the principal who will assist the student with out-processing. All district-owned books, supplies, equipment, etc. must be returned to the teachers who distributed them. A clearance slip with the appropriate teachers' signatures must be returned to the principal's office. Any refunds due will be made at that time.

On a quarterly basis as scheduled by the State Department of Education, the superintendent will notify the Department of the name, address, race, and age of any student dropping out of school during the preceding quarter. A dropout is any student who is under 18 years of age, is not attending any public or private school or district in which the student

Whenever a student over 14 years of age notifies the Department of Public Instruction that he or she is dropping out of school, the Department shall, within 15 working days of the notification, notify the student that the student's enrollment status will be denied 30 days following the notification. When the notification is pursuant to lawful excuse, the Department, or if sent, the notice will be sent to the appropriate judge of whether the withdrawal is pursuant to lawful excuse.

*Original*

at the school, the attendance officer shall complete the notification of enrollment status form. The form shall be sent by certified mail, return receipt requested. The application of the student will be denied if the notification of compliance is received by the Department beyond the control of the student or the parent. If the notification is sent, no notice shall be sent to the parent. An appropriate designee shall be the person in control of the student or is made

**REFERENCE:** 47 O.S. §6-10  
70 O.S. §35e

## HEAD LICE (REGULATIONS)

If a student has brown nits, the student will be removed from the classroom and a letter will be sent home to the parent/guardian stating that the nits must be removed before the student can be readmitted to school. The parent/guardian must bring the student to the office. The student will not be allowed to ride the bus to school or be readmitted to school until the office checks the student's head. If the student is free and clear of lice, the student may return to class.

If the student is sent to the office with live bugs, the student will be removed from the classroom and the parent/guardian will be called to pick up the student. The parent must bring the student the next day to the office. The student will not be allowed to ride the bus to school or be readmitted to school until the office checks the student's head. If the student is free and clear of bugs, the student may return to class.

If a student has recurring lice problems, it will be up to the discretion of the office personnel to request a release from a doctor or health professional stating that the student has been treated and is free of lice. The school has the right to contact the Department of Human Services, if the problem is not solved.

**ALL NITS MUST BE REMOVED BEFORE THE STUDENT CAN RETURN TO SCHOOL. IF THERE ARE A FEW NITS, THE PARENT MUST REMOVE THEM.**

## HEAD LICE LETTER NEWKIRK PUBLIC SCHOOLS

Date \_\_\_\_\_

Dear Parent:

\_\_\_\_\_ was checked and found to have symptoms of an active infestation of head lice (live lice and/or nits within one-half inch from the scalp). Head lice are easily passed from one person to another and can rapidly spread in a school situation; therefore, he/ she must be adequately treated with a medicated shampoo (pediculicide) and obtain clearance slips from the City-County Health Department or your physician before returning to school. Please take this letter with you when obtaining clearance slips.

### GUIDELINE FOR TREATMENT

1. Check all household members. Those found to have live lice and/or nits within one-half from the scalp should also be treated at this time.
2. Non-prescription shampoos, such as: A-200 Pynrate, RID, R&C, Triple-X, etc. may be purchased at a pharmacy. A prescription for other medicated shampoos may be obtained from your physician.
3. Use the medicated shampoo exactly as stated on the container.
4. While the medicated shampoos (pediculicides) rapidly kill lice, they kill less than 20% of the nits. Therefore, it is strongly recommended that all nits be removed for your child's protection. Nits may be removed with a fine-toothed comb or your fingers.
5. After shampooing, place freshly washed clothes on your child and fresh linens on the bed.
6. Wash all towels, bed linens, clothing, hats, coat, combs, and brushes in hot soapy water. Non-washable articles should be dry cleaned or placed in a plastic bag and sealed for 10 days. Vacuum bedding, rugs, carpets, and upholstered furniture.
7. Re-admittance to school requires a clearance slip from the City-County Health Department or your physician stating 'your child has been adequately treated and appears to be free of all live lice.' This clearance for readmission may be obtained as soon as your child has been adequately treated.
8. To insure complete treatment, the medicated shampoo (pediculicide) must be repeated in 7 to 10 calendar days from the initial treatment. After your child is treated, a **SECOND CLEARANCE** must be obtained from the City-County Health Department or your physician stating 'there is evidence of a second shampoo, appears to be free of live lice, and nits are more than one-half inch from the scalp.'
9. The Health Department requires that you bring the medicated shampoo bottle to them when seeking, both clearances for your child.
10. If a second clearance is not received by the eleventh day after the initial treatment, your child will be temporarily excluded from school until this clearance is obtained.

**HEAD LICE LETTER (Cont.)**

HEALTH DEPARTMENT HOURS: 8:00-11:00 a.m. and 1:00-4:00 p.m.  
Monday through Friday

**HEALTHFUL HINTS**

1. Combs, brushes, hats, coat, etc. should not be shared with anyone, including family members.
2. Check hair frequently.

Thank you for your cooperation,

\_\_\_\_\_  
Principal or School Nurse

**CONTAGIOUS AND LIFE THREATENING DISEASES**

The Newkirk Board of Education is concerned for the health and well-being of students and staff of the public schools. While the general health and physical well-being of a student is the responsibility of the parent, the board believes that teachers and administrators should promote and encourage the maintenance of a healthy body and mind.

Oklahoma law (70 O.S. §1210.194 and 63 O.S. §1-507) prohibits any child afflicted with a contagious disease from attending a public, private, or parochial school until such time as the child is free from such contagious disease.

Oklahoma law (70 O.S. §10-105 [1]) also permits the exclusion of a child by reason of mental or physical disability as determined by the board of education upon a certificate of a duly-licensed and practicing physician.

The board of education recognizes the possibility of students and staff acquiring and/or transmitting a contagious disease. Children may be excluded from school when the board believes exclusion is necessary to promote the safety and well-being of students and staff.

RECOMMENDED EXCLUSION AND RETURN TO SCHOOL

Disease	Exclude from School		Needed for School to Classroom
	Yes	No	
Chicken Pox	X		May return 7 days after onset of rash or when all lesions are crusted over.
Hepatitis	X		Parents or staff member requested to provide release statement from M.D. or D.O.
Impetigo		X	If under proper treatment monitored by school nurse.
Influenza	X		Parents or staff member requested to provide release statement from M.D. or D.O.
Meningitis	X		Parents or staff member requested to provide release statement from M.D. or O.D.
Mononucleosis (Infectious)		X	If under proper treatment, monitored by school nurse.
Mumps	X		Parents or staff member requested to provide release statement from M.D. or O.D.
Pediculosis (Head Lice)	X		Requires certificate from Health Professional & monitoring of proper treatment.
Pertussis	X		Parents or staff member requested to provide release statement from M.D. or O.D.
Ringworm		X	If under proper treatment, monitored by school nurse.



Rocky Mountain Spotted Fever	X		Parents or staff member requested to provide release statement from M.D. or O.D.
Roseola	X		May return to school when fever subsides & no evidence of rash.
Rubella/Rubeola	X		Parents or staff member requested to provide release statement from M.D. or O.D.
Scabies	X		Parents or staff member requested to provide release statement from M.D. or O.D.
Tuberculosis	X		Required doctor release statement monitoring of proper treatment as verified by school nurse.

## COMMUNICABLE DISEASES AND HIV/AIDS PREVENTION, EXPOSURE, EDUCATION, AND CONFIDENTIALITY

The Newkirk Board of Education is concerned about the health of students and staff in this school district.

HIV/AIDS is not transmitted by casual, every day contact. Therefore, absent a serious secondary infection that may be transmitted to others or a significant health problem that restricts an infected student's ability to attend school and barring special circumstances, students who are infected with HIV/AIDS shall attend the school and classroom to which they would normally be assigned, and shall receive the rights, privileges, and services to which they would be entitled if they were not infected. (See policy FFAAB.) Decisions about any changes in the educational program of a student who is infected with HIV/AIDS shall be made on a case-by-case basis.

There shall be no discrimination in employment based on having HIV/AIDS.

Mandatory screening/testing for communicable diseases not spread by casual, everyday contact, such as HIV infection, shall not be a condition for school entry or for employment or continued employment.

All schools shall provide a sanitary environment and establish procedures for handling body fluids in accordance with Occupational Safety and Health Administration (OSHA) regulations. The district's policy and regulations for communicable disease control can be found in the Bloodborne Pathogens Manual located in each building office. (See policy DIAF.)

A program of on-going education about the prevention of exposure to bloodborne pathogens shall be provided to all school employees and volunteers in accordance with OSHA regulations. (See policy DIAF.)

HIV/AIDS education shall be provided to students and certified personnel as mandated by Oklahoma state law. (See policy EHAL.)

Oklahoma state law requires that all information and records which identify any person who has or may have any communicable or venereal disease shall be confidential. All school employees are bound by this law. Failure to follow the laws of confidentiality may result in criminal prosecution and/or personal liability for a civil suit and/or be cause for disciplinary action or dismissal from employment in the Newkirk Public Schools.

**REFERENCE:** 63 O.S. §1-502.2  
70 O.S. §6-115  
Rehabilitation Act of 1973  
Americans with Disabilities Act of 1990, Section 504  
Individuals with Disabilities Education Act  
Occupational Safety and Health Administration, 29 CFR §1910.1030

## **ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS)**

The Newkirk Board of Education believes that its primary responsibility is to provide the opportunity for an education to each school-age child who resides within this district and who is qualified under Oklahoma law to attend school.

Acquired Immune Deficiency Syndrome (AIDS) is a disease in which the body's immune system is impaired by the Human Immunodeficiency Virus (HIV). The virus leaves its victim unable to fight off infections. As a result, persons with AIDS are susceptible to serious secondary infections, such as pneumonia and certain malignancies. Some, but not all, persons infected with HIV develop AIDS.

To assist the school district and infected students, it is the policy of this board of education that students who have contracted AIDS, or students who are infected with HIV will not be denied educational opportunities.

**REFERENCE: 63 O.S. §1-502.2**

## IMMUNIZATIONS STUDENTS

The Newkirk Board of Education shall provide an environment for students to study, interact, and learn. Such an environment shall be reasonably free of known hazards that may threaten or endanger the health of our children or educators.

The board of education shall require that no child be admitted to this school unless and until certification from a licensed physician or authorized representative of the State Department of Health is presented to the school administrators that such child has received or is in the process of receiving the immunization required by the State Department of Public Health unless an exemption has been granted from the immunizations on medical, religious, or personal grounds.

If a parent or guardian is unable to pay for the required immunizations, the school will refer the student to the State Department of Public Health for assistance.

The following immunizations are required by the State Department of Public Health prior to the enrollment of a child in public school:

- 5 DPT (Diphtheria - Pertussis - Tetanus) (unless the fourth dose was received after the fourth birthday)
- 4 Poliomyelitis (unless the third dose was received after the fourth birthday)
- 2 Measles, Mumps, and Rubella (MMR)
- 3 Hepatitis B
- 2 Hepatitis A
- 1 Varicella (Chickenpox)
- 1 TDAP

**REFERENCE:** 70 O.S. §1210.191, et seq.  
Oklahoma State Department of Health Regulations

## MEDICATION: ADMINISTERING TO STUDENTS

It is the policy of the Newkirk Board of Education that if a student is required to take medication during school hours and the parent or guardian cannot be at school to administer the medication or if circumstances exist that indicate it is in the best interest of the student that a nonprescribed medication be dispensed to that student, the principal, or the principal's designee, may administer the medication only as follows:

1. Prescription medication must be in a container that indicates the following:
  - A. student's name,
  - B. name and strength of medication,
  - C. dosage and directions for administration,
  - D. name of physician or dentist,
  - E. date and name of pharmacy, and
  - F. whether the child has asthma or other disability which may require immediate dispensation of medication.

The medication must be delivered to the principal's office in person by the parent or guardian of the student unless the medication must be retained by the student for immediate self-administration. The medication will be accompanied by written authorization from the parent, guardian, or person having legal custody that indicates the following:

- A. purpose of the medication,
  - B. time to be administered,
  - C. whether the medication must be retained by student for self-administration,
  - D. termination date for administering the medication, and
  - E. other appropriate information requested by the principal or the principal's designee.
2. Self-administration of inhaled asthma medication by a student for treatment of asthma or an anaphylaxis medication used to treat anaphylaxis is permitted with written parental authorization. The parent or guardian of the student must also provide a written statement from the physician treating the student that the student has asthma or anaphylaxis and is capable of, and has been instructed in the proper method of, self-administration of medication. Additionally:
  - A. The parent or guardian must provide the school with an emergency supply of the student's medication to be administered as authorized by state law.
  - B. The school district will inform the parent or guardian of the student, in writing, and the parent or guardian shall sign a statement acknowledging, that the school district and its employees and agents shall incur no liability as a result of any injury arising from the self-administration of medication by the student.
  - C. Permission for the self-administration of asthma or anaphylaxis medication is effective for the school year for which it is granted and shall be renewed each subsequent school year upon fulfillment of the above requirements.
  - D. A student who is permitted to self-administer asthma medication or anaphylaxis medication shall be permitted to possess and use a prescribed inhaler or anaphylaxis medication at all times.

**MEDICATION: ADMINISTERING TO STUDENTS (Cont.)**

## E. Definitions:

1. **Medication** means a metered dose inhaler or a dry powder inhaler to alleviate asthmatic symptoms, prescribed by a physician and having an individual label, or an anaphylaxis medication used to treat anaphylaxis, including but not limited to Epinephrine injectors, prescribed by a physician and having an individual label.
2. **Self-administration** means a student's use of medication pursuant to prescription or written direction from a physician.
3. Nonprescription medication may be administered only with the written request and permission of a parent, guardian, or person having legal custody when other alternatives, such as resting or changing activities, are inappropriate or ineffective. The medication will be administered in accordance with label directions or written instructions from the student's physician.

The administrator, or administrator's designee, will:

- A. Inform appropriate school personnel of the medication being administered
- B. Keep an accurate record of the administration of the medication
- C. Keep all medication in a locked cabinet except medication retained by a student per physician's order
- D. Return unused prescription medication to the parent or guardian only

The parent, guardian, or person having legal custody of the student is responsible for informing the designated official of any change in the student's health or change in medication.

This policy statement will be provided to a parent or guardian upon receipt of a request for long-term administration of medication.

**MEDICATION: ADMINISTERING TO STUDENTS (Cont.)**

**REFERENCE:** 10 O.S. §170.1  
59 O.S. §353.1  
70 O.S. §1-116, et seq.

*THIS POLICY REQUIRED BY LAW.*

## MEDICATION: ADMINISTERING TO STUDENTS

It is the policy of the Newkirk Board of Education that if a student is required to take medication during school hours and the parent or guardian cannot be at school to administer the medication or if circumstances exist that indicate it is in the best interest of the student that a nonprescribed medication be dispensed to that student, the principal, or the principal's designee, may administer the medication only as follows:

1. Prescription medication must be in a container that indicates the following:

- A. student's name,
- B. name and strength of medication
- C. dosage and directions for
- D. name of physician or doctor
- E. date and name of pharmacy
- F. whether the child has any

The medication must be delivered to the student unless the medication must be accompanied by written instructions that indicate the following:

- A. purpose of the medication
- B. time to be administered
- C. whether the medication
- D. termination date for administration
- E. other appropriate information

*original*

2. Self-administration of inhaler or asthma or anaphylaxis medication used to treat asthma or anaphylaxis of the student must also provide a written statement from the physician treating the student that the student has asthma or anaphylaxis and is capable of, and has been instructed in the proper method of, self-administration of medication. Additionally:

- A. The parent or guardian must provide the school with an emergency supply of the student's medication to be administered as authorized by state law.
- B. The school district will inform the parent or guardian of the student, in writing, and the parent or guardian shall sign a statement acknowledging, that the school district and its employees and agents shall incur no liability as a result of any injury arising from the self-administration of medication by the student.
- C. Permission for the self-administration of asthma or anaphylaxis medication is effective for the school year for which it is granted and shall be renewed each subsequent school year upon fulfillment of the above requirements.
- D. A student who is permitted to self-administer asthma medication or anaphylaxis medication shall be permitted to possess and use a prescribed inhaler or anaphylaxis medication at all times.



**MEDICATION: ADMINISTERING TO STUDENTS (Cont.)**

## E. Definitions:

1. **Medication** means a metered dose inhaler or a dry powder inhaler to alleviate asthmatic symptoms, prescribed by a physician and having an individual label, or an anaphylaxis medication used to treat anaphylaxis, including but not limited to Epinephrine injectors, prescribed by a physician and having an individual label.
2. **Self-administration** means a student's use of medication pursuant to prescription or written direction from a physician.
3. Nonprescription medication may be administered only with the written request and permission of a parent, guardian, or person having legal custody when other alternatives, such as resting or changing activities, are inappropriate or ineffective. The medication will be administered in accordance with label directions or written instructions from the student's physician.

Would require the district to obtain a prescription for Epinephrine injectors from a licensed physician who has prescriptive authority to the school district in the name of the district as a body corporate specified in Title 70, Section 5-105 which shall be maintained at each school site. This language should not be adopted or included in the policy if a prescription is not obtained.

4. School District Prescribed Epinephrine Injectors. The school district will inform the parent or guardian of each student, in writing, that a school nurse or school employee trained by a health care professional or trained in correlation with the State Department of Health's Diabetes Management Annual School Training Program may administer, with parent or guardian permission but without a health care provider order, an Epinephrine injection to a student whom the school nurse or trained school employee in good faith believes is having an anaphylactic reaction. Only those students who have a waiver of liability executed by a parent or guardian on file with the school district may be administered an Epinephrine injection. A school employee will contact 911 as soon as possible if it is believed that a student is having an anaphylactic reaction.

The administrator, or administrator's designee, will:

- A. Inform appropriate school personnel of the medication being administered
- B. Keep an accurate record of the administration of the medication
- C. Keep all medication in a locked cabinet except medication retained by a student per physician's order
- D. Return unused prescription medication to the parent or guardian only

The parent, guardian, or person having legal custody of the student is responsible for informing the designated official of any change in the student's health or change in medication.

This policy statement will be provided to a parent or guardian upon receipt of a request for long-term administration of medication.

**MEDICATION: ADMINISTERING TO STUDENTS (Cont.)**

REFERENCE: 10 O.S. §170.1  
59 O.S. §353.1  
70 O.S. §1-116, et seq.

*THIS POLICY REQUIRED BY LAW.*

## MEDICATIONS GIVEN AT SCHOOL (REGULATION)

Giving medications to students at school requires the utmost care and caution on the part of school staff. The danger of a student receiving an incorrect medication puts the student's health at risk and places the school and employees in legal jeopardy. The board of education has established policies and procedures for the safe administration of medications at school, including the following:

1. The principal designates in writing which school employees may administer medications to students.
2. The school nurse:
  - A. Is responsible for the design, implementation and monitoring of procedures for administering and storing of all medications;
  - B. Communicates between the physician, parent, student, and school personnel concerning medications;
  - C. Is responsible for acquainting school personnel with the purposes of medications, possible side effects, and observable reactions expected;
  - D. Provides an annual in-service for principals, teachers, and those designated to administer medications, describing proper techniques and discussing safety issues. The nurse then provides ongoing monitoring for safe practices during the school year.
3. Designated school employees:
  - A. Are responsible for knowing and following the policy and correct procedures outlined for administering medications at school. The superintendent shall designate the employee(s) responsible for obtaining the Epinephrine injectors at each school site. Prior to the administration of an Epinephrine injector by a school employee, verification shall be made by the school employee that an executed waiver of liability by a parent or guardian is on file with the school district. Whenever a student is believed to be having an anaphylactic reaction, a school employee shall call 911 as soon as possible; and
  - B. Report to the principal and the school nurse any noted discrepancies in the medication orders for the student.

An appeal procedure review committee composed of two district administrators, a local physician, and a school nurse, will be established to address unusual circumstances which may arise but are not covered by the stated guidelines of the district's policy on administering medication at school. The committee will be chaired and convened by the director of health services as specific situations arise.

Information describing the rationale of the district's policy is available for parents to help them understand the need for the policy and these regulations.

**MEDICATION:  
ADMINISTERING TO STUDENTS  
AUTHORIZATION**

Name \_\_\_\_\_ Grade \_\_\_\_\_

Teacher \_\_\_\_\_ School \_\_\_\_\_

Time to be administered \_\_\_\_\_ a.m. \_\_\_\_\_ p.m.

Date from \_\_\_\_\_ to \_\_\_\_\_

TO PARENT/GUARDIAN/INDIVIDUAL ASSUMING PERMANENT CARE AND CUSTODY: Is the medication that you wish administered to your child prescription medicine? \_\_\_\_\_. If so, please provide the name of the medical doctor who prescribed the medication. \_\_\_\_\_

Is the child's disability or illness such that the medication must be self-administered by the child (asthma, etc.)? \_\_\_\_\_. If so, the student's medical doctor should include a statement to that effect in the child's prescription. The parent or guardian must provide a written statement from the physician treating the student that the student has asthma and is capable of, and has been instructed in the proper method of, self-administration of medication.

Prescription medication must be furnished by the parent or guardian with the original label prepared and attached by a pharmacist. The label must reflect the name, strength, and dosage of the medication and whether or not the medication may be self-administered by a minor. Non-prescription medication must be in the original container that must reflect the name and strength of the medication.

This form must be signed by the parent/guardian of the child named herein. The signature of the prescribing physician may be required at the discretion of the medication administrator.

\_\_\_\_\_  
Signature of Parent/Guardian/Individual Assuming  
Permanent Care and Custody

\_\_\_\_\_  
Date

\_\_\_\_\_  
Physician's Signature  
(required for self-administration of medication)

\_\_\_\_\_  
Date

PARENTAL AUTHORIZATION TO ADMINISTER MEDICINE

TO: \_\_\_\_\_  
(Principal)

\_\_\_\_\_  
(School)

I am the parent with legal custody, the legal guardian, or individual assuming permanent care and custody of \_\_\_\_\_, a student attending this school. This student requires medication at intervals during the school day.

I hereby give my consent and authorize and request the school principal, or \_\_\_\_\_ (an employee of the school district designated by the principal, and me) to:

\_\_\_\_\_ Administer \_\_\_\_\_, a non-prescription medication that I am hereby supplying you, in accordance with the written instructions of the child's physician that is attached hereto.

\_\_\_\_\_ Administer \_\_\_\_\_, a filled prescription medication that I am hereby supplying you, in accordance with the directions for the administration of the medicine listed on the label of the vial.

\_\_\_\_\_ Administer \_\_\_\_\_, a filled prescription medication that I am hereby supplying you, in accordance with the written instructions of the physician prescribing the medicine, which is attached hereto.

\_\_\_\_\_ Permit the student to retain the medication on the student's person since the medication must be administered at unpredictable intervals throughout the day. A physician's statement that the student is capable of, and has been instructed in the proper method of, self-administration of medication is attached.

I understand that under state law, the board of education, the school district, or the employees of the district shall not be liable to the student or the student's parent or guardian for civil damages for any personal injuries to the student which result from acts or omissions of school employees in administering the medicine I have hereby authorized or from the self-administration of medication by the student.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Parent with Legal Custody, Guardian, or Individual Assuming Permanent Care and Custody)

\_\_\_\_\_  
(Address)

WITNESS:  
\_\_\_\_\_

**LOG OF THE ADMINISTRATION OF MEDICINE  
FOR THE \_\_\_\_\_ SCHOOL  
SCHOOL YEAR \_\_\_\_\_ - \_\_\_\_\_**

DATE MEDICINE ADMINISTERED	NAME OF STUDENT GIVEN MEDICINE	NAME & TITLE OF PERSON WHO ADMINISTERED MEDICINE	NAME OF MEDICINE	DOSAGE & TIME GIVEN

**BICYCLE RULES**

Bicycles must be parked in the racks provided and should not be ridden at noon. They are to remain parked until school is dismissed. It is recommended that locks be used, but they are not provided by the school.

Bicycles are not to be ridden on the school grounds. Bikes should be ridden once they have been walked away from the school. Bike riding is appropriate for the street but not the sidewalk areas. Safety is most important. While the school will make every effort to safeguard bicycles, it cannot assume responsibility for them. No students are to be around the bike area except to put away or pick up a bike.

## VEHICLE USE AND PARKING STUDENTS

### PARKING PERMITS

- Parking permits for the front parking lot will be issued to juniors and seniors only.
- Parking will be as available; having a permit does not guarantee a student a place to park.
- If a student loses their permit, another may be purchased in the high school office for \$5.00.
- Failure to display a proper permit will result in an In-School Detention.
- Second offence will result in parking privileges being revoked and further discipline.
- Students who do not have a parking permit must park in the gravel parking lot by the baseball field.
- Students are not permitted to park at the Middle School Parking Lot or at the Ag Building Parking lot.
- A copy of valid insurance must be provided to the high school office before permission to park at school is given.

### DRIVING RULES

In the interest of safety for all students, the following rules have been enacted:

1. No driving of any motor-powered vehicle during the lunch period. Parents may not check students out on the phone to drive during lunch. Students who are driving during the lunch period will be disciplined accordingly. Students that need to drive to Pioneer Technology Center may obtain a driving permit in the office.
2. Obey all driving and traffic regulations of the State of Oklahoma and the City of Newkirk.
3. Students may not park in handicapped areas or other designated no parking areas.
4. Students may not ride bicycles on the sidewalks or during the lunch period.
5. **Students may not drive during the day unless they are driving from athletics/PTC.**
6. **Students may not ride with another student during lunch or at any time when school is in session.**
7. Students with PTC parking permits are allowed to drive to and from PTC. Once the PTC student is on school grounds, they may not get back in their vehicle and drive.
8. Students must be dropped off at the north entrance of the high school.

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of student automobiles when on school property. The interior of student vehicles may be inspected whenever a school authority has a reasonable suspicion that illegal or unauthorized materials may be contained inside. Such patrols and inspections may be conducted without notice, without consent, and without a search warrant.

In the event of an emergency, permission may be granted for a student's use of a vehicle.



## VEHICLE USE AND PARKING STUDENTS

### PARKING PERMITS

- Parking permits for the front parking lot will be issued to juniors and seniors only.
- Parking will be as available; having a permit does not guarantee a student a place to park.
- If a student loses their permit, another may be purchased in the high school office for \$5.00.
- Failure to display a proper permit will result in an In-School Detention.
- Second offence will result in parking privileges being revoked and further discipline.
- Students who do not have a parking permit must park in the gravel parking lot by the baseball field.
- Students are not permitted to park at the Middle School Parking Lot or at the Ag Building Parking lot.

### DRIVING RULES

In the interest of safety for all students, the following rules have been enacted:

1. No driving of any motor-powered vehicle during the lunch period. Parents may not check students out on the phone to drive during lunch. Students who are driving during the lunch period will be disciplined accordingly. Students that need to drive to Pioneer Technology Center may obtain a driving permit in the office.
2. Obey all driving and traffic regulations of the State of Oklahoma and the City of Newkirk.
3. Students may not park in handicapped areas or other designated no parking areas.
4. Students may not ride bicycles on the sidewalks or during the lunch period.
5. Students may not drive during the day unless they are driving from athletics/PTC.
6. Students may not ride with another student during lunch or at any time when school is in session.
7. Students with PTC parking permits are allowed to drive to and from PTC. Once the PTC student is on school grounds, they may not get back in their vehicle and drive.
8. Students must be dropped off at the north entrance of the high school.

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of student automobiles when on school property. The interior of student vehicles may be inspected whenever a school authority has a reasonable suspicion that illegal or unauthorized materials may be contained inside. Such patrols and inspections may be conducted without notice, without consent, and without a search warrant.

In the event of an emergency, permission may be granted for a student's use of a vehicle.

## REPORTING SUSPECTED CHILD ABUSE AND/OR NEGLECT

In accordance with Oklahoma law, teachers are required to report suspected cases of physical abuse or neglect involving students to the statewide toll free hotline of the Department of Human Services. The statewide DHS hotline number is 1-800-522-3511. The board of education fully supports that requirement and has established this policy to facilitate such reporting.

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

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

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

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

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

## FUND RAISING BY IN-SCHOOL ORGANIZATIONS

The Newkirk Board of Education recognizes that from time to time an organization or class within the school system has a need to raise funds to finance certain projects.

Any organization wishing to raise funds should adhere to the following procedure:

1. Submit an estimate for the cost of the project to the superintendent.
2. Submit a list of sources for the fund raising to the superintendent.
3. Obtain approval for the project from the board of education.
4. All funds that are raised should go into the activity fund, except funds raised by a group or organization sanctioned by the board that should remain the property of that group or organization. Only the superintendent or the superintendent's designee can approve expenditures out of the activity fund.
5. Door-to-door solicitation will not be conducted during school hours.
6. All funds must be returned to the school sponsor and deposited in the appropriate activity account on a daily basis.

### Raffles

Student groups or organizations and parent-teacher associations affiliated with this school district meeting the qualification requirements of state law are permitted to conduct raffles for the benefit of school-related initiatives within this district subject to the approval process, above. Raffles permit such qualified organizations to raise funds by issuing numbered tickets in conjunction with voluntary contributions to the organization. The board of education shall give approval of the items for raffle prior to approving a raffle as a fund-raiser.

### NonSchool Fundraisers

Students, staff, and patrons are prohibited from conducting fundraisers for nonschool activities on school premises.

**REFERENCE:** 21 O.S. §1051  
70 O.S. §5-122, §5-129, §5-135

## STUDENT RECORDS

It is the policy of the Newkirk 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.

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 personally identifiable information to third parties, without prior written consent, in order to conduct studies, audits, and evaluations of the educational programs of the school district. In such case, the district will take reasonable steps to ensure that all authorized representatives of the third party are FERPA compliant with the information provided for the purposes of the study, audit, or evaluation of the educational program.

**STUDENT RECORDS (Cont.)**

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

- 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  
51 O.S. §24A.16  
70 O.S. §6-115  
70 O.S. §24.101.4  
70 O.S. §24-114

**COMPLIANCE WITH FAMILY EDUCATION  
RIGHTS AND PRIVACY ACT OF 1974  
(REGULATION)**

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:

1. A personal record, including informal notes, kept by a school staff member, which meets the following tests:
  - A. It was made as a personal memory aid;
  - B. It is in the sole possession of the individual who made it; or
  - C. Information contained in it has never been revealed or made available to any other person except the maker's temporary substitute;
2. 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
3. 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.

**COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY  
ACT OF 1974, REGULATION (Cont.)****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:

1. The right of a student's parent or eligible student to inspect and review the student's education records;
2. 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;
3. 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);
4. The right of any person to file a complaint with the Department of Education if the school district violates the FERPA; and
5. 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:

1. The right to inspect and review the student's education record;

**COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974, REGULATION (Cont.)**

2. The right to exercise a limited control over other people's access to the student's education record;
3. The right to seek to correct the student's education record, in a hearing, if necessary;
4. The right to report violations of the FERPA to the Department of Education; and
5. 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

TYPES	LOCATION	CUSTODIAN
Cumulative School Records	Principal's Office	Principal
Cumulative School Records (Former Students)	Principal's Office	Principal
Health Records	Principal's Office	Principal
School Transportation Records	Superintendent's Office	Superintendent
Speech Therapy Records Psychological Records Special Test Records	Special Education Office	

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.



**COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY  
ACT OF 1974, REGULATION (Cont.)**

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:

1. The student has an unpaid financial obligation to the school.
2. 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:

1. When the refusal to provide copies effectively denies access to the records by a parent or eligible student;
2. At the request of the parent or eligible students when the school district has provided the records to third parties by the prior consent of the parent or eligible student; or
3. 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 ten cents per page. (Actual copying cost, less hardship factor.)

**COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY  
ACT OF 1974, REGULATION (Cont.)**

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 from ten cents to thirty-five cents per page (actual search, retrieval, and copying cost) plus postage, if incurred.

DIRECTORY INFORMATION

The school district proposes to designate the following personally identifiable information contained in a student's education record as "directory information":

1. The student's name;
2. The student's class designation (i.e., first grade, tenth grade, etc.);
3. The student's extracurricular participation;
4. The student's achievement awards or honors;
5. The student's weight and height if a member of an athletic team;
6. 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 superintendent'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.

The school district has created a limited directory information policy and will not fulfill directory information requests for commercial purposes or for marketing purposes.

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 are school officials. An official is:

1. A person duly elected to the school board;

**COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY  
ACT OF 1974, REGULATION (Cont.)**

2. A person certified by the state and appointed by the school board to an administrative or supervisory position;
3. A person certified by the state and under contract to the school board as an instructor;
4. 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
5. 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:

1. Perform an administrative task required in the school employee's position description approved by the school board;
2. Perform a supervisory or instructional task directly related to the student's education; or
3. 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, a student's education record with a parent's or eligible student's prior written consent except that the school superintendent, or a person designated in writing by the superintendent, may permit disclosure:

1. 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);
2. 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;
3. The parties who provide or may provide financial aid to a student to:
  - A. Establish the student's eligibility for the aid,
  - B. Determine the amount of financial aid,
  - C. Establish the conditions for the receipt of the financial aid, or
  - D. Enforce the agreement between the provider and the receiver of financial aid;

**COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY  
ACT OF 1974, REGULATION (Cont.)**

4. 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;
5. To accrediting organizations to carry out their accrediting functions;
6. 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);
7. 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
8. 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:

1. He or she deems it is warranted by the seriousness of the threat to the health or safety of the student or other persons;
2. The information is necessary and needed to meet the emergency;
3. The persons to whom the information is to be disclosed are qualified and in a position to deal with the emergency; or
4. 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:

1. A specification of the records to be released;
2. The reasons for the disclosure;
3. The person, organization, or the class or organizations to whom the disclosure is to be made;
4. The parent's or eligible student's signature; and
5. 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.

**COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY  
ACT OF 1974, REGULATION (Cont.)**

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 redisclosed 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:

1. The name of the person or agency that made the request;
2. The interest the person or agency had in the information;
3. The date the person or agency made the request; and
4. 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:

1. Requests for access or access granted to the parent of the student or to an eligible student;
2. Request for access granted to officials of the school district who have a legitimate educational interest in the student;
3. 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;
4. Requests for, or disclosure of, directory information designated for that student; or for
5. 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.

**COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY  
ACT OF 1974, REGULATION (Cont.)**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:

1. Provide the requester a copy of the questioned record at no cost;
2. Ask the requester to initiate a written request for the change; and
3. 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:

1. Is inaccurate and why;
2. Is misleading and why; and/or
3. Violates student rights and why.

**COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY  
ACT OF 1974, REGULATION (Cont.)**

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 effect 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:

1. The school district's decision that the record is correct and the basis for the decision;
2. A notice to the requester that he or she has a right to ask for a hearing to present evidence that the record is incorrect and that the district will grant such a hearing;
3. Instructions for the requester to contact the superintendent, or an official he or she designates, to discuss acceptable hearing officers, convenient times, and a satisfactory site for the hearing (the district will not be bound by the requester's positions on these items, but will, so far as possible, arrange the hearing as the requester wishes); and
4. Advise that the request may be represented or assisted in the hearing by other parties, including an attorney at the requester's expense.

**COMPLIANCE WITH FAMILY EDUCATION RIGHTS AND PRIVACY  
ACT OF 1974, REGULATION (Cont.)**Fourth Level Decision

After the requester has submitted (orally, or in writing) his or her wishes concerning the hearing officer and the time and place for the hearing, the superintendent will, within a week, notify the requester when and where the district will hold the hearing and who it has designated as the hearing officer.

At the hearing, the hearing officer will provide the requester a full and reasonable opportunity to present material evidence and testimony to demonstrate that the questioned part of the student's education record is incorrect as shown in the requester's written request for a change in the record (second level).

Within a week after the hearing, the hearing officer will submit to the school superintendent a written summary of the evidence submitted at the hearing. Along with the summary, the hearing officer will submit his or her recommendation, based solely on the evidence presented at the hearing, that the record should be changed or remain unchanged.

The school superintendent will prepare the district's decision within two weeks of the hearing. The decision will be based on the summary of the evidence presented at the hearing and the hearing officer's recommendation. However, the district's decision will be based solely on the evidence presented at the hearing. Therefore, the superintendent may overrule the hearing officer if the superintendent believes the hearing officer's recommendation is not consistent with the evidence presented. As a result of the district's decision, the superintendent will take one of the following actions:

1. If the decision is that the district will change the record, the superintendent will instruct the record custodian to correct the record. The record custodian will correct the record and notify the requester as at the second level decision.
2. If the decision is that the district will not change the record, the superintendent will prepare a written notice to the requester that will include:
  - A. The school district's decision that the record is correct and will not be changed;
  - B. A copy of a summary of the evidence presented at the hearing and a written statement of the reasons for the district's decision; and
  - C. Advice to the requester that he or she may place in the student's education record an explanatory statement which gives the reasons he or she disagrees with the school district's decision and/or the reasons he or she believes the record is incorrect.



## TRANSFER AND RELEASE OF CONFIDENTIAL INFORMATION

It is the policy of the Newkirk Board of Education to adhere strictly to Oklahoma and Federal law concerning the transfer and release of confidential information including student records.

For the purposes of this policy, "confidential information" means any information regarding a child receiving services supported in whole or in part by state or federal funds, a family member of such child, or other persons residing in the home of such child, and which is required by state or federal law or regulation to be maintained in a confidential manner.

The school district will transfer and release confidential information in accordance with this policy to:

- (1) The Department of Human Services,
- (2) The Department of Mental Health and Substance Abuse Services,
- (3) The State Department of Health,
- (4) The State Department of Education,
- (5) The State Department of Career and Technology Education,
- (6) The Oklahoma Commission on Children and Youth,
- (7) The J.D. McCarty Center for Handicapped Children,
- (8) The Department of Corrections,
- (9) Private agencies receiving public funds pursuant to a grant or contract with one of the agencies listed in (1) through (8) and providing institutional, community residential or community-based services as defined by Title 10, Section 7001-1.3 of the Oklahoma Statutes, to children and family,
- (10) Persons and agencies subject to the rules promulgated by the agencies listed in (1) through (8),
- (11) Statutorily-constituted juvenile bureaus, and
- (12) Other school districts upon their request and in compliance with state law.

Unless otherwise permitted by state or federal law or regulation, confidential information will only be released to the above-described entities pursuant to (1) a court order or (2) an informed consent that has been executed by (a) the parent or guardian of the child or other person authorized by state or federal law to execute such consent, if the subject of the confidential information is a child or (b) the individual who was the subject of the confidential information or other person authorized by law to execute such consent on his or her behalf, if the subject of the confidential information is an adult. A copy of the school district's informed consent form may be found at FLE-E1.

**TRANSFER AND RELEASE OF CONFIDENTIAL INFORMATION (Cont.)**

The school district will follow the rules promulgated by the State Department of Education for authorizing access to and the transfer or release of confidential information for the purpose of gathering statistical information or conducting studies or research otherwise authorized by law.

The school district shall charge \$.10 per page for all copies made pursuant to this policy plus the actual cost of mailing the copies.

**REFERENCE:** 10 O.S. §620.1, et seq.  
10 O.S. §7001-1.3  
70 O.S. §24-101.4

*THIS POLICY REQUIRED BY LAW.*

PERMISSION FOR THE TRANSFER AND/OR RELEASE OF  
CONFIDENTIAL STUDENT INFORMATION

I, \_\_\_\_\_, the parent or legal guardian(s) of \_\_\_\_\_, a student at  
(Name) (Name)  
\_\_\_\_\_, \_\_\_\_\_ Public Schools, request that the following part of the  
(School)  
above student's records

\_\_\_\_\_ be made available to \_\_\_\_\_ for the purpose of  
(Name)

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Parent

\_\_\_\_\_ Please send me a copy of the records released at the following address:

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, Zip \_\_\_\_\_

\_\_\_\_\_ Please send a copy to the above student at the following address:

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, Zip \_\_\_\_\_

Enclosed is \$ \_\_\_\_\_ for reproduction and mailing.

**INFORMATION COORDINATOR**

The school district has designated a representative to coordinate requests for information from the Oklahoma State Bureau of Investigations when the release of such information has been authorized by a parent, legal guardian of the student, or by court order. Information regarding past and present students in the district may be released to law enforcement officers subject to court order or by parental consent.

Such information includes but is not limited to:

1. Student's name, address, telephone listing, and date and place of birth;
2. Parent or lawful custodian's name, address, and telephone listing;
3. Major field of study and grade level classification (example: elementary, 7th grade, sophomore);
4. Student's participation in officially recognized activities and sports;
5. Weight and height of members of athletic teams;
6. Dates of attendance, dates of enrollment, withdrawal, re-entry;
7. Diplomas, certificates, awards, and honors received;
8. Most recent previous educational agency or institution attended by the student;

**REFERENCE:** 70 O.S. §10-103.2  
34 CFR 99.1  
20 USC 1232

***THIS POLICY REQUIRED BY LAW.***

## EXTRACURRICULAR ACTIVITIES, STUDENT

The board of education believes that student activities are important to the full educational growth of its students. School administrators shall strive to achieve equitable participation opportunities and positive recognition to students, while working to enhance the achievement of desired educational goals. To meet this end, the board supports local, regional and state activities.

This school district shall be a member of the Oklahoma Secondary School Activities Association. Rules and regulations of the association will be strictly adhered to by all concerned in activities sponsored by the Oklahoma Secondary School Activities Association.

Every student who competes in athletics must have written permission of his parents and must pass a physical examination. All students who represent the school in academic, athletic or music competition must be passing all subjects.

Any activity to be scheduled on the school calendar must be scheduled by the sponsor through the principal not less than one (1) month before the event is to take place, unless a more restrictive scheduling deadline is mandated by Board action. School activities should not be scheduled on Wednesday nights.

School sponsored dances, proms, banquets and/or similar activities shall be held and/or conducted within the boundaries of this school district and are expressly prohibited from being held and/or conducted at any location outside the boundaries of this school district **UNLESS** a request is made to waive the requirement of this policy for any specific activity and approved by the Board of Education; **PROVIDED**, to be considered by the Board of Education, the following criteria must be met.

- (1) The specific request must be submitted in writing to the Superintendent or the President of the Board of Education not less than forty-eight (48) hours prior to the posting of the agenda of the regularly scheduled Board meeting where action is requested;
- (2) The regularly scheduled Board meeting where action is requested on any specific activity shall be not less than sixty (60) days prior to the scheduled date of the activity;
- (3) Any presentation to be made at the regularly scheduled Board meeting, requesting a waiver of this policy, shall be presented by a designated spokesperson who must be a student member and/or student representative of an organized student body committee/group recognized by Newkirk Public Schools, or in the alternative, the sponsor of such recognized committee/group;
- (4) Any request made to the Board of Education for waiver of this policy for any specific activity as herein provided shall be limited to one (1) presentation; and
- (5) Any presentation made hereunder to the Board of Education shall be limited in scope of time to five (5) minutes, exclusive of time allotted for questions from the Board members and responses thereto. Failure to comply with any of the requirements established herein shall be grounds for the Board of Education, in its sole discretion, to deny the right to be heard and/or deny the request.

**REFERENCES:** 70 O.S. 5-117, S.L.O. 68  
OSSAA Administrative Handbook  
25 O.S. 311 (S533, School Law Book, 1996)  
Policy No. 213 Public Participation at School Board Meetings.

## EXTRACURRICULAR ACTIVITIES TEN-DAY ABSENCE RULING REGULATION

Regulations concerning attendance and activities are designed to aid students so that maximum learning can occur. Consistent classroom attendance assists students in developing strong work habits, responsibility and self-discipline. The goal of the board of education is to facilitate a balanced education for each student. With this in mind, the following attendance/activities regulations have been established.

1. The administration shall review the scheduling of activities so that minimal interruptions occur in the instructional program of a student.
2. The maximum number of absences for activities which removes the student from the classroom shall be ten (10) for anyone class period in the school year. State and national levels of school sponsored contests are excluded.
3. An Internal Activities Review Committee will be in place at the beginning of the school year.
4. The administration shall be responsible for maintaining an addendum to the attendance records that apply to this regulation.
5. If a parent or a student feels that a miscalculation of absences has occurred, a complaint may be registered. To register a complaint, a signed, written complaint shall first be filed with the superintendent. If not resolved, the complaint shall be filed with the board for final determination.

### General Criteria:

The contest shall be a state or national level contest. The student must be participating in the contest. The student must have had earned the right to participate in the contest.

1. Activities sponsored by the OSSAA elimination rounds (district, regional, area, and state playoffs) will not be counted against the students.
2. State and National activities approved by the Oklahoma Department of Career and Technology Department will not be counted against the student.
3. Any approved state or national award or honor which is bestowed upon a Newkirk student will not be counted against the student.
4. Any non-competitive activity which is an extension of the classroom will not be counted against the student.
5. Any in-school activities which pertain to the student government, student body benefit, student testing, and special student program will not be counted against the student.

All of the above mentioned activities, events, honors, etc. will be monitored carefully by the Internal Activities Review Committee and only those which facilitate a balanced education for the child will be approved.

**EXTRACURRICULAR ACTIVITIES TEN-DAY ABSENCE RULING, REGULATION  
(Cont.)****\*\*\*\* For Athletics \*\*\*\***

The following athletic events **will be exempt** from the 10 day rule:

1. Any state playoff in any sport which must be held during a school day.  
(District, Regionals, Area, and State)
2. Tryouts for any All-State team in any sport.

**\*\*\*\* For FFA \*\*\*\***

The following FFA events **will be exempt** from the 10 day rule:

1. National FF A Convention
2. State of Oklahoma Convention
3. Northwest District Livestock Judging Contest and Livestock Show
4. Oklahoma City Livestock Show
5. Oklahoma State Interscholastics
6. Any Oklahoma State or National conference, convention, show, or judging contest.

**\*\*\*\* For 4-H \*\*\*\***

The following 4-H events **will be exempt** from the 10 day rule:

1. Northwest District Leadership Conference
2. Kansas City Conference
3. State 4-H Club Congress
4. Northwest District Livestock Judging Contest and Livestock Show
5. Any Oklahoma State or National conference, convention, show, or judging contest.

**\*\*\*\* For Music \*\*\*\***

The following music events **will be exempt** from the 10 day rule:

1. District Marching Contest
2. State Marching Contest
3. District Solo and Ensemble Contest (Vocal & Instrumental)
4. District Concert Contest (Vocal & Instrumental)
5. State Solo Contest (Vocal & Instrumental)
6. All-State Vocal & Instrumental tryouts

**\*\*\*\* For TSA \*\*\*\***

The following TSA events **will be exempt** from the 10 day rule:

1. Fall Leadership Conference
2. State Conference

**EXTRACURRICULAR ACTIVITIES TEN-DAY ABSENCE RULING, REGULATION  
(Cont.)****\*\*\*\* For Student Activities \*\*\*\***

The following student activities **will be exempt** from the 10 day rule:

1. Testing programs approved for that year.
2. Two pep assemblies during school for each sport-one assembly for opening game and the other for homecoming. Any post season playoff games will receive special attention.
3. Two inter-scholastic days. (All other contests will count against the student's ten days.)
4. Classes will be allowed three class meetings during the year. These will be conducted at the same time throughout the school.
5. Any college and career day, held at Newkirk.
6. Any activities which are an extension of the class. (Yearbook ads, science fair, class field trips, etc.)
7. Any student council officer or participants which attend the state convention for student councils.
8. Seniors will be allowed two days for college visitation.



## EXTRACURRICULAR ACTIVITIES ATTENDANCE REGULATIONS

### OKLAHOMA STATE DEPARTMENT OF EDUCATION

"The maximum number of absences for activities, whether sponsored by the school or outside agency/organization, which removes the student from the classroom shall be ten (10) for any one class period of each school year."

Activities sponsored by the Newkirk Public Schools shall be considered relevant to the Oklahoma State Department of Education Attendance/Activities Regulations if the student is an eligible participant.

1. Exemptions:
  - A. Field trips authorized by the building principal that are an outgrowth of the curriculum in an academic subject.
  - B. Final state elimination contests, state and national school-sponsored contests for which a student has earned the right to compete.

Earning the right to compete shall be based on state or national and/or local guidelines for participating contestants and approval by the building principal and superintendent.
  - C. Regional, state, and national meetings in which a student has assigned duties to perform.
2. Deviations will be considered on an individual basis by the Internal Review Committee after the ten (10) days are exhausted.
3. Students will not be allowed to participate in any activity after missing any class or a portion of a class more than 10 times during the current school year as related to the above policy.
4. Pep club cheerleaders, pom squad members, team trainers, and team managers shall be considered under these same attendance/activities regulations as eligible participants. Exemptions will be subject to the approval of the building principal and the superintendent.

### ACTIVITIES AND ATTENDANCE RELATING TO INSTRUCTION

Teachers wishing to place a school activity of any kind on the school calendar shall clear the activity and the time with the principal. To avoid possible conflicts, the activities should be approved as early as possible. A list of students who would miss any class while on any activity must be listed and approved the principal by 1:45 p.m. on the day preceding the activity.

The board of education believes that attendance in regularly scheduled classes is a key factor in student achievement and that absences from those classes represent a loss of educational opportunity. However, the board also believes that the extracurricular program of the school district and coordinated field trips which enhance instruction have value as well and that such activities should be encouraged for the development of well-rounded citizens.

The board shall support extra-curricular activities and approved field trips and at the same time direct administrators and teachers to minimize absenteeism from regular classes in providing students with such opportunities'.

**EXTRACURRICULAR ACTIVITIES ATTENDANCE REGULATIONS (Cont.)**

The board expects to ensure that the educational program will be protected from student activities of questionable educational value. The principal shall determine participation based on the contribution made by the activity to the school's educational goals.

Student and staff involvement shall be maintained in the formation, organization, chartering, regulating and funding of the activities in the program.

**REFERENCE:** State Board Ruling, August 1981  
State Department of Education, Standards for Accreditation of Elementary,  
Middle, Secondary and Area Vocational and Technical Level Schools, 1994, p. 83

## STUDENT CONDUCT, DRESS CODE REGULATION

**Dress and Appearance:** Although a student's style of dress and/or grooming may reflect individual preference, such preferences must be selected within the constraints of reasonable rules and appropriate standards that are consistent with the maintenance of an effective learning atmosphere and good personal hygiene. The Board expects each student's attire and grooming to promote a positive, safe and healthy environment within the school.

The Board of Education has determined that reasonable regulation of school attire and personal adornment is within its authority and consistent with its responsibility to provide an appropriate environment for learning. Although the Board recognizes that individual students have a right to free expression, that right must be balanced with the Board's responsibility to provide a safe, secure and orderly educational environment for all students.

Student/Parent/Guardian Responsibility: Although the Board wishes for each student to accept responsibility for following the rules set forth below, it understands and appreciates both the authority and responsibility of the parent/guardian relative to student dress. The Board solicits the support of parents/guardians in the enforcement of its dress code.

General Rules: The following decorations and/or designs (including tattoos and/or brands either temporary or permanent) imprinted upon or attached to the body or clothing are prohibited:

1. Symbols, mottoes, words or acronyms that convey crude, vulgar, profane, violent, death oriented, gang-related, sexually explicit, or sexually suggestive messages.
2. Symbols mottoes, words or acronyms advertising tobacco, alcohol, or illegal drugs or drug paraphernalia.
3. Symbols, mottoes, words or acronyms identifying a student as a member of a secret or overtly antisocial group or gang or that identifies a student as a member of an organization that professes violence or hatred toward one's fellow man.
4. Visible and permanent tattoos/brands incompatible with the standards set forth herein shall be covered to prohibit their display.
5. Excessively large or baggy clothes are prohibited. Approved garments must be of a length and fit that are suitable to the build and stature of the student.
6. Permitted garments shall be clean and in good repair.
7. Permitted clothing shall be worn as designed/manufactured to include the following:
  - a. Suspender straps must be attached as designed and worn on the shoulders.
  - b. Shirts/ blouses must be buttoned and/or zipped appropriately unless worn as layered clothing such that the layered look complies with the dress policy.
  - c. Belts must be fastened.
  - d. School team apparel or school organizational uniforms are allowed on a game day or on other days as approved by the school's administration, as long as the uniform complies with the dress code.

**STUDENT CONDUCT, DRESS CODE, REGULATION (Cont.)**

- e. All students participating in approved school activities are expected to comply with required dress and personal appearance regulations of the activity in which they are participating. Students who refuse to dress as required by the school or sponsor will not be permitted to participate in the activity or to represent the school in any way.

Head Coverings/Sunglasses:

1. Scarves, curlers, bandanas, sweatbands, or other similar head coverings or adornments shall not be worn to class or within school buildings.
2. Caps, hats or other similar head coverings shall not be worn to class or within school buildings unless prescribed by a physician, previously approved by the school's administration for religious reasons, or approved by the school's administration for a special school activity.
3. Sunglasses (unless prescribed by a physician for indoor use) shall not be worn to class or within school buildings.

Upper Garments:

1. The cut of sleeveless garments must not expose undergarments or be otherwise immodest. Strapless garments are prohibited.
2. Shoulder straps of permitted garments must be a minimum of the width of two fingers of the person wearing the garment in grades 4 through 12.
3. Bare midriff, immodestly low cut necklines, off the shoulder, or bare backs are prohibited. Garments must be of appropriate length, cut and/or fit to meet these requirements while standing or walking.

Lower-Garments:

1. Undergarments shall not be visible.
2. Pants and shorts shall be worn at the waist, and shall not be excessively long.
3. Tights or leggings worn as outerwear, spandex, bike shorts, bathing/swimming wear, sleep wear, etc. are not permitted.
4. Shorts and skirts must be of modest length and beyond the fingertips of the student with the arm fully extended and shoulders relaxed.

Footwear:

Shoes shall be worn at all times. House slippers are not permitted.

**STUDENT CONDUCT, DRESS CODE, REGULATION (Cont.)**Accessories:

1. Jewelry and other accessories shall not convey prohibited messages as defined above.
2. Dog collars, wallet chains, large hair picks, chains that connect one part of the body to another, or other jewelry/accessories that pose a safety concern for the student or others are prohibited.

Religious and Health Accommodations:

Where a bona fide religious belief or health need of a student conflicts with the school dress code, reasonable accommodation shall be provided. Any student desiring accommodation shall notify the school principal in writing of the requested accommodation and the factual basis for the request. Approved covering worn as part of a student's bona fide religious practices or beliefs shall not be prohibited under this policy.

Clothing Assistance:

It is the policy of the Board that no student will be denied an education due to a bona fide financial inability to obtain clothing that complies with the school dress code. Any student for whom compliance with the school dress code poses a bona fide financial burden may submit a written request for clothing needed, together with a statement of financial need. School principals, or their designees, shall assist families in financial need to obtain clothing that complies with the school dress code. In meeting requests for assistance; principals, or their designees, shall consider community resources such as clothing donations from school personnel, merchants, parent organizations, and charitable organizations, financial assistance in purchasing clothing for a student, and providing additional time for a student to obtain clothing that complies with the school dress code.

**STUDENT CONDUCT, DRESS CODE  
REGULATION**

**Dress and Appearance:** Although a student's style of dress and/or grooming may reflect individual preference, such preferences must be selected within the constraints of reasonable rules and appropriate standards that are consistent with the maintenance of an effective learning atmosphere and good personal hygiene. The Board expects each student's attire and grooming to promote a positive, safe and healthy environment within the school.

The Board of Education has determined that reasonable regulation of school attire and personal adornment is within its authority and consistent with its responsibility to provide an appropriate environment for learning. Although the Board recognizes that individual students have a right to free expression, that right must be balanced with the Board's responsibility to provide a safe, secure and orderly educational environment for all students.

Student/Parent/Guardian Responsibility: Although the Board wishes for each student to accept responsibility for following the rules set forth below, it understands and appreciates both the authority and responsibility of the parent/guardian relative to student dress. The Board solicits the support of parents/guardians in the enforcement of its dress code.

General Rules: The following (temporary or permanent) imprinted upon clothing:

1. Symbols, mottoes, words or phrases (including but not limited to religious, racial, ethnic, political, violent, death oriented, gang-related, or sexually explicit).
2. Symbols, mottoes, words or phrases that promote or glorify violence, drugs or drug paraphernalia.
3. Symbols, mottoes, words or phrases that identify a group or gang or that identify a student as a member of a group or gang toward one's fellow man.
4. Visible and permanent tattoos. Tattoos shall be covered to the extent necessary to prevent their display.
5. Excessively large or baggy clothing that is not suitable to the build and stature of the student.
6. Permitted garments shall be clean and in good repair.
7. Permitted clothing shall be worn as designed/manufactured to include the following:
  - a. Suspender straps must be attached as designed and worn on the shoulders.
  - b. Shirts/ blouses must be buttoned and/or zipped appropriately unless worn as layered clothing such that the layered look complies with the dress policy.
  - c. Belts must be fastened.
  - d. School team apparel or school organizational uniforms are allowed on a game day or on other days as approved by the school's administration, as long as the uniform complies with the dress code.

*original*

**STUDENT CONDUCT, DRESS CODE, REGULATION (Cont.)**

- e. All students participating in approved school activities are expected to comply with required dress and personal appearance regulations of the activity in which they are participating. Students who refuse to dress as required by the school or sponsor will not be permitted to participate in the activity or to represent the school in any way.

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2. Caps, hats or other similar head coverings shall not be worn to class or within school buildings unless prescribed by a physician, previously approved by the school's administration for religious reasons, or approved by the school's administration for a special school activity.
3. Sunglasses (unless prescribed by a physician for indoor use) shall not be worn to class or within school buildings.
4. Hair must be of a natural hair color.

Upper Garments:

1. The cut of sleeveless garments must not expose undergarments or be otherwise immodest. Strapless garments are prohibited.
2. Shoulder straps of permitted garments must be a minimum of the width of two fingers of the person wearing the garment in grades 4 through 12.
3. Bare midriff, immodestly low cut necklines, off the shoulder, or bare backs are prohibited. Garments must be of appropriate length, cut and/or fit to meet these requirements while standing or walking.

Lower-Garments:

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2. Pants and shorts shall be worn at the waist, and shall not be excessively long.
3. Tights or leggings worn as outerwear, spandex, bike shorts, bathing/swimming wear, sleep wear, etc. are not permitted.
4. Shorts and skirts must be of modest length and beyond the fingertips of the student with the arm fully extended and shoulders relaxed.

Footwear:

Shoes shall be worn at all times. House slippers are not permitted.

**STUDENT CONDUCT, DRESS CODE, REGULATION (Cont.)**Accessories:

1. Jewelry and other accessories shall not convey prohibited messages as defined above.
2. Dog collars, wallet chains, large hair picks, chains that connect one part of the body to another, or other jewelry/accessories that pose a safety concern for the student or others are prohibited.

Religious and Health Accommodations:

Where a bona fide religious belief or health need of a student conflicts with the school dress code, reasonable accommodation shall be provided. Any student desiring accommodation shall notify the school principal in writing of the requested accommodation and the factual basis for the request. Approved covering worn as part of a student's bona fide religious practices or beliefs shall not be prohibited under this policy.

Clothing Assistance:

It is the policy of the Board that no student will be denied an education due to a bona fide financial inability to obtain clothing that complies with the school dress code. Any student for whom compliance with the school dress code poses a bona fide financial burden may submit a written request for clothing needed, together with a statement of financial need. School principals, or their designees, shall assist families in financial need to obtain clothing that complies with the school dress code. In meeting requests for assistance, principals, or their designees, shall consider community resources such as clothing donations from school personnel, merchants, parent organizations, and charitable organizations, financial assistance in purchasing clothing for a student, and providing additional time for a student to obtain clothing that complies with the school dress code.



**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. 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.

“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: 21 O.S. §1190**

***THIS POLICY REQUIRED BY LAW.***

## BULLYING

It is the policy of this school district that bullying of students 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. The school district is not required to provide educational services in the regular school setting to any student who has been removed from a public school or private school in Oklahoma or another state by administrative or judicial process for an act of using electronic communication with the intent to terrify, intimidate or harass, or threaten to inflict injury or physical harm to faculty or students.

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 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. Such behavior is specifically prohibited.

In administering discipline, consideration will be given to alternative methods of punishment to insure 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 administrated by the office of Juvenile Affairs
13. Suspension
14. Performing Campus-site services for the school district
15. 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 (Cont.)**

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 will be furnished to each student and teacher in this school district.**

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

***THIS POLICY REQUIRED BY LAW.***

## PROHIBITING HARASSMENT, INTIMIDATION AND BULLYING (REGULATION)

The Newkirk Public Schools' student conduct code prohibits bullying. This regulation further explains the negative effects of that behavior and seeks to promote strategies for prevention.

### Statement of Board Purpose in Adopting Policy

The board of education recognizes that bullying of students causes serious educational and personal problems, both for the student-victim and the initiator of the bullying. The board observes that this conduct:

1. Has been shown by national and state studies to have a substantial adverse effect upon school district operations, the safety of students and faculty, and the educational system at large.
2. Substantially disrupts school operations by interfering with the district's mission to instruct students in an atmosphere free from fear, is disruptive of school efforts to encourage students to remain in school until graduation, and is just as disruptive of the district's efforts to prepare students for productive lives in the community as they become adults.
3. Substantially disrupts healthy student behavior and thereby academic achievement. Research indicates that healthy student behavior results in increased student academic achievement. Improvement in student behavior through the prevention or minimization of intimidation, harassment, and bullying towards student-victims simultaneously supports the district's primary and substantial interest in operating schools that foster and promote academic achievement.
4. Substantially interferes with school compliance with federal law that seeks to maximize the mainstreaming of students with disabilities and hinders compliance with Individual Educational Programs containing objectives to increase the socialization of students with disabilities. Targets of bullying are often students with known physical or mental disabilities who, as a result, are perceived by bullies as easy targets for bullying actions.
5. Substantially interferes with the district's mission to advance the social skills and social and emotional well-being of students. Targets of intimidation, harassment, and bullying are often "passive-target" students who already are lacking in social skills because they tend to be extremely sensitive, shy, display insecurity, anxiety and/or distress; may have experienced a traumatic event; may try to use gifts, toys, money, or class assignments or performance bribes to protect themselves from intimidation, harassment, or bullying; are often small for their age and feel vulnerable to bullying acts; and/or may resort to carrying weapons to school for self-protection. Passive-target victims who have been harassed and demeaned by the behavior of bullies often respond by striving to obtain power over others by becoming bullies themselves, and are specifically prone to develop into students who eventually inflict serious physical harm on other students, or, in an effort to gain power over their life or situation, commit suicide.
6. Substantially disrupts school operations by increasing violent acts committed against fellow students. Violence, in this context, is frequently accompanied by criminal acts.
7. Substantially disrupts school operations by interfering with the reasonable expectations of other students that they can feel secure at school and not be subjected to frightening acts or be the victim of mistreatment resulting from bullying behavior.

**PROHIBITING HARASSMENT, INTIMIDATION AND BULLYING, REGULATION (Cont.)**

Bullying often involves expressive gestures, speech, physical acts that are sexually suggestive, lewd, vulgar, profane, or offensive to the education or social mission of this school district, and at times involves the commission of criminal acts. This behavior interferes with the curriculum by disrupting the presentation of instruction and also disrupts and interferes with the student-victim's or bystander's ability to concentrate, retain instruction, and study or to operate free from the effects of bullying. This results in a reluctance or resistance to attend school.

Definition of Terms

1. Statutory definition of harassment, intimidation, and bullying:

70 O.S. §24-100.3(c) of the School Safety and Bullying Prevention Act defines the terms "bullying," as including, but not limited to a 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 that a reasonable person should recognize will:

- A. Harm another student;
  - B. Damage another student's property;
  - C. Place another student in reasonable fear of harm to the student's person or damage to the student's property; or
  - D. Insult or demean any student or group of students in such a way as to disrupt or interfere with the school's educational mission or the education of any student.
2. The "Reasonable Person" Standard

In determining what a "reasonable person" should recognize as an act placing a student in "reasonable" fear of harm, staff will determine "reasonableness" not only from the point of view of a mature adult, but also from the point of view of an immature child of the age of the intended victim along with, but not limited to, consideration of special emotional, physical, or mental needs of the particular child; personality or physical characteristics, or history that might cause the child to be particularly sensitive to efforts by a bully to humiliate, embarrass, or lower the self esteem of the victim; and the discipline history, personality of, and physical characteristics of the individual alleged to have engaged in the prohibited behavior.

3. General Display of Bullying Acts

Bullying, for purposes of this section of the regulation, includes harassment and intimidation, and vice versa. According to experts in the field, bullying in general is the exploitation of a less powerful person by an individual taking unfair advantage of that person, which is repeated over time, and which inflicts a negative effect on the victim. The seriousness of a bullying act depends on the harm inflicted upon the victim and the frequency of the offensive acts. Power may be, but is not limited to, physical strength, social skill, verbal ability, or other characteristics. Bullying acts by students have been described in several different categories.

**PROHIBITING HARASSMENT, INTIMIDATION AND BULLYING, REGULATION (Cont.)**

- A. Physical Bullying includes harm or threatened harm to another's body or property, including, but not limited to, what would reasonably be foreseen as a serious expression of intent to inflict physical harm or property damage through verbal or written speech or gestures directed at the student-victim, when considering the factual circumstances in which the threat was made and the reaction of the intended victim. Common acts include tripping, hitting, pushing, pinching, pulling hair, kicking, biting, starting fights, daring others to fight, stealing or destroying property, extortion, assaults with a weapon, other violent acts, and homicide.
- B. Emotional Bullying includes the intentional infliction of harm to another's self-esteem, including, but not limited to, insulting or profane remarks, insulting or profane gestures, or harassing and frightening statements, when such events are considered in light of the surrounding facts, the history of the students involved, and age, maturity, and special characteristics of the students.
- C. Social Bullying includes harm to another's group acceptance, including, but not limited to, harm resulting from intentionally gossiping about another student or intentionally spreading negative rumors about another student that results in the victim being excluded from a school activity or student group; the intentional planning and/or implementation of acts or statements that inflict public humiliation upon a student; the intentional undermining of current relationships of the victim-student through the spreading of untrue gossip or rumors designed to humiliate or embarrass the student; the use of gossip, rumors, or humiliating acts designed to deprive the student of awards, recognition, or involvement in school activities; the false or malicious spreading of an untrue statement or statements about another student that exposes the victim to contempt or ridicule or deprives the victim of the confidence and respect of student peers; or the making of false statements to others that the student has committed a crime, or has an infectious, contagious, or loathsome disease, or similar egregious representations.
- D. Sexual Bullying includes harm to another resulting from, but not limited to, making unwelcome sexual comments about the student; making vulgar, profane, or lewd comments or drawings or graffiti about the victim; directing vulgar, profane, or lewd gestures toward the victim; committing physical acts of a sexual nature at school, including the fondling or touching of private parts of the victim's body; participation in the gossiping or spreading of false rumors about the student's sexual life; written or verbal statements directed at the victim that would reasonably be interpreted as a serious threat to force the victim to commit sexual acts or to sexually assault the victim when considering the factual circumstances in which the threat was made and the reaction of the intended victim; off-campus dating violence by a student that adversely affects the victim's school performance or behavior, attendance, participation in school functions or extracurricular activities, or makes the victim fearful at school of the assaulting bully; or the commission of sexual assault, rape, or homicide. Such conduct may also constitute sexual harassment – also prohibited by Newkirk Public Schools.

Procedures Applicable to the Understanding of and Prevention of Bullying of Students

1. Student and Staff Education and Training

All staff will be provided with a copy of the district's policy on prevention of bullying of students. All students will be provided a summary of the policy and notice that a copy of the entire policy is available on request. Newkirk Public Schools is committed to providing appropriate and relevant training to staff regarding

**PROHIBITING HARASSMENT, INTIMIDATION AND BULLYING, REGULATION (Cont.)**

identification of behavior constituting bullying of students and the prevention and management of such conduct.

Students, like staff members, shall participate in an annual education program that sets out expectations for student behavior and emphasizes an understanding of bullying of students, the district's prohibition of such conduct, and the reasons why the conduct is destructive, unacceptable, and will lead to discipline. Students shall also be informed of the consequences of bullying conduct toward their peers.

**B. Newkirk Public Schools' Safe School Committee**

The safe school committee has the responsibility of studying and making recommendations regarding unsafe conditions, strategies for students to avoid harm at school, student victimization, crime prevention, school violence, and other issues that interfere with an adversely affect the maintenance of safe schools.

With respect to student harassment, intimidation, and bullying, the safe school committee shall consider and make recommendations regarding professional staff development needs of faculty and other staff related to methods to decrease student harassment, intimidation, and bullying and understanding and identifying bullying behaviors. In addition, the committee shall make recommendations regarding: identification of methods to encourage the involvement of the community and students in addressing conduct involving bullying; methods to enhance relationships between students and school staff in order to strengthen communication; and fashioning of problem-solving teams that include counselors and/or school psychologists.

In accomplishing its objectives, the committee shall review traditional and accepted harassment, intimidation, and bullying prevention programs utilized by other states, state agencies, or school districts. (See also policy BDFC.)

**Student Reporting**

Students are encouraged to inform school personnel if they are the victim of or a witness to acts of harassment, intimidation, or bullying.

**Staff Reporting**

An important duty of the staff is to report acts or behavior that the employee witnesses that appears to constitute harassing, intimidating, or bullying. Employees, whether certified or noncertified, shall encourage students who tell them about acts that may constitute intimidation, harassment, or bullying to complete a report form. For young students, staff members given that information will need to provide direct assistance to the student.

Staff members who witness such events are to complete reports and to submit them to the building principal... Staff members who hear of incidents that may, in the staff member's judgment, constitute harassment, intimidation, or bullying, are to report all relevant information to the building principal.

**PROHIBITING HARASSMENT, INTIMIDATION AND BULLYING, REGULATION (Cont.)**Parental Responsibilities

Parents/guardians will be informed in writing of the district's program to stop bullying. An administrative response to bullying may involve certain actions to be taken by parents. Parents will be informed of the program and the means for students to report bullying acts toward them or other students. They will also be told that to help prevent bullying at school they should encourage their children to:

1. Report bullying when it occurs;
2. Take advantage of opportunities to talk to their children about bullying;
3. Inform the school immediately if they think their child is being bullied or is bullying other students;
4. Watch for symptoms that their child may be a victim of bullying and report those symptoms; and
5. Cooperate fully with school personnel in identifying and resolving incidents.

Discipline of Students

In administering discipline, consideration will be given to alternative methods of punishment to insure 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
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



**PROHIBITING HARASSMENT, INTIMIDATION AND BULLYING, REGULATION (Cont.)**

from the privilege of attending or participating in the graduation ceremony, school dances, prom, prom activities, and/or class trips.

The above consequences will be imposed for any person who commits an act of bullying as well as any person found to have falsely accused another as a means of retaliation, reprisal, or as a means of bullying. Strategies will be created to provide counseling or referral to appropriate services, including guidance, academic intervention, and other protection for students, both targets and perpetrators, and family members affected by bullying, as necessary.

**Publication of Policy**

Annual written notice of this policy will be provided to parents, guardians, staff, volunteers, and students with age-appropriate language for students. Notice of the policy will be posted at various locations within each school site, including but not limited to, cafeterias, school bulletin boards, and administrative offices. The policy will be posted on the school district's website at [www.newkirk.k12.ok.us](http://www.newkirk.k12.ok.us) and at each school site that has an Internet website. The policy will be included in all student and staff handbooks.

## PROHIBITING HARASSMENT, INTIMIDATION AND BULLYING (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 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. The matter should immediately be reported to the building principal. 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 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. If it is determined that an act of bullying has occurred, a referral will be made to a delinquency prevention and diversion program administered by the Office of Juvenile Affairs.
5. Upon completion of the investigation, the principal or superintendent 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,

**INVESTIGATION PROCEDURES (Cont.)**

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. This information should be provided within 10 days of the conclusion of the investigation.
7. Upon completion of an investigation, timely notification shall be provided to the perpetrator of the documented and verified bullying. This information should be provided within 10 days of the conclusion of the investigation.

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 establish that timely notification was provided to the parents of the victim and the parents of the perpetrator.

HARASSMENT/BULLYING INCIDENT REPORT FORM

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Room/Location: \_\_\_\_\_

Student(s) Initiating Bullying/Harassment:

\_\_\_\_\_ Grade: \_\_\_\_\_ Class: \_\_\_\_\_

\_\_\_\_\_ Grade: \_\_\_\_\_ Class: \_\_\_\_\_

Student(s) Affected:

\_\_\_\_\_ Grade: \_\_\_\_\_ Class: \_\_\_\_\_

\_\_\_\_\_ Grade: \_\_\_\_\_ Class: \_\_\_\_\_

Type of Harassment Alleged:

Racial \_\_\_\_\_ Sexual \_\_\_\_\_ Religious \_\_\_\_\_ Other \_\_\_\_\_

Check all spaces below that apply. Adult stated or identified inappropriate behaviors as:

- |  |   |
|--|---|
| <input type="checkbox"/> Name Calling            | <input type="checkbox"/> Spitting               |
| <input type="checkbox"/> Stalking                | <input type="checkbox"/> Demeaning Comments     |
| <input type="checkbox"/> Inappropriate Gesturing | <input type="checkbox"/> Stealing               |
| <input type="checkbox"/> Staring/Leering         | <input type="checkbox"/> Damaging Property      |
| <input type="checkbox"/> Writing/Graffiti        | <input type="checkbox"/> Shoving/Pushing        |
| <input type="checkbox"/> Threatening             | <input type="checkbox"/> Hitting/Kicking        |
| <input type="checkbox"/> Taunting/Ridiculing     | <input type="checkbox"/> Flashing a Weapon      |
| <input type="checkbox"/> Inappropriate Touching  | <input type="checkbox"/> Intimidation/Extortion |
| <input type="checkbox"/> Other _____             |   |

Describe the incident:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witnesses Present: \_\_\_\_\_

Physical evidence: Graffiti \_\_\_\_\_ Notes \_\_\_\_\_ E-mail \_\_\_\_\_ Web sites \_\_\_\_\_ Video/audio tape \_\_\_\_\_  
Other \_\_\_\_\_

Staff signature \_\_\_\_\_

Parent(s) contacted: Date \_\_\_\_\_ Time \_\_\_\_\_

Administrative response taken:

\_\_\_\_\_

## REPORTING STUDENTS UNDER THE INFLUENCE OF OR POSSESSING ALCOHOLIC BEVERAGES OR CONTROLLED DANGEROUS SUBSTANCES

It is the policy of the Newkirk Board of Education that any administrator, teacher, or counselor who has reasonable suspicion that a student may be under the influence of, or has in his or her possession, alcoholic beverages - including the legally nonintoxicating beverage commonly referred to as 3.2 beer (low-point beer) - or a controlled dangerous substance as defined by law shall immediately notify the principal of such suspicions. The principal shall immediately notify the superintendent of schools and a parent or legal guardian of said student's possession of a controlled or counterfeit substance or suspected abuse thereof.

Any search, seizure, or subsequent disciplinary action shall be subject to applicable school policies, regulations, state laws, or student handbook rules.

Every administrator, teacher, or counselor employed by the board of education who has reason to believe that a student is under the influence of, or has possession of, alcoholic beverages (including 3.2 beer) or a controlled dangerous substance and who reports such information to appropriate school officials shall not be subject to civil liability unless such referral was made in bad faith or with malicious purpose.

This policy shall be distributed to each classroom teacher. Receipt shall be acknowledged in a form to be determined by the superintendent.

**REFERENCE:** 70 O.S. §24-138  
63 O.S. §2-101, et seq.  
70 O.S. §24-102  
37 O.S. §163.2

**NOTE:** A copy of this policy must be filed with the State Superintendent of Public Instruction in accordance with 70 O.S. §24-138. While the cited statute requires only that school districts develop a written policy requiring only *teachers* to report students under the influence of certain substances, the State Department of Education has interpreted the civil liability exemption statute (70 O.S. §24-132) as requiring school administrators, teachers, or counselors to make such reports. Therefore, a school district's policy may be written to require reporting by administrators, teachers, and counselors.

**THIS POLICY REQUIRED BY LAW.**

## STUDENT DRUG TESTING PROGRAM EXTRACURRICULAR ACTIVITIES

The Newkirk Board of Education, in an effort to protect the health and safety of its students from illegal and/or performance-enhancing drug use and abuse, thereby setting an example for all other students of the Newkirk Public School District, has adopted the following policy for drug testing of students participating in extracurricular activities.

### Purpose and Intent

It is the desire of the board of education, administration, and staff that every student in the Newkirk Public School District refrain from using or possessing illegal drugs. The administration and board of education realize that their power to restrict the possession or use of illegal drugs is limited. The sanctions of this policy relate solely to limiting the opportunity of any student determined to be in violation of this policy to participate in extracurricular activities. This policy is intended to complement all other policies, rules, and regulations of the Newkirk Public School District regarding possession or use of illegal drugs.

Participation in school-sponsored extracurricular activities such as interscholastic athletics at the Newkirk Public School District is a privilege. Students who participate in extracurricular activities are respected by the student body and are expected to hold themselves as good examples of conduct, sportsmanship, and training. Accordingly, students in extracurricular activities 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. Additionally, this school district is contracted to follow the rules and regulations of the OSSAA whose rules specifically state: A student under a discipline plan or whose conduct or character outside the school is such as to reflect discredit upon the school shall be ineligible until reinstated.

The purposes of this policy are to prevent illegal drug use, to educate students as to the serious physical, mental, and emotional harm caused by illegal drug use; to alert students with possible substance abuse problems to the potential harms of illegal drug use; to help students avoid drugs; to help students get off drugs; to prevent injury, illness, and harm as a result of illegal drug use; and to strive within this school district for an environment free of illegal drug use and abuse. This policy is not intended to be disciplinary or punitive in nature. The sanctions of this policy relate solely to limiting the opportunity of any student found to be in violation of the policy to participate in any extracurricular activities. There will be no academic sanction for violation of this policy.

Illegal drug use of any kind is incompatible with participation in any extracurricular activities on behalf of the school district. For the safety, health, and well-being of the students of the district, this policy has been adopted for use by all participant students in grades 7-12.

### Definitions

1. **Student athlete or athlete** means a member of the middle school or high school district-sponsored interscholastic sports team. This includes athletes and cheerleaders.
2. **Extracurricular** means those activities that take place outside the regular course of study in school and **participants** are those students involved in those activities.
3. **Drug use test** means a scientifically substantiated method to test for the presence of illegal or performance-enhancing drug or the metabolites thereof in a person's urine.

## STUDENT DRUG TESTING PROGRAM, EXTRACURRICULAR ACTIVITIES (Cont.)

4. **Random tests** are given monthly to participants from the pool.
5. **Random selection basis** means a mechanism for selecting students for drug testing that:
  - A. Results in an equal probability that any student from a group of 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 athlete or extracurricular activities participant selected under the mechanism.
6. **Follow-up tests** can be (i) at random, (ii) any time a student may be under suspicion of being under the influence, or (iii) monthly, after a student has tested positive twice in an academic year.<sup>1</sup>
7. **Illegal drugs** means any substance that an individual may not sell, possess, use, distribute, or purchase under either federal or state law. Illegal drugs include, 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.
8. **Performance-enhancing drugs** include 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 that can be lawfully purchased in over-the-counter transactions.
9. **Positive**, when referring to a drug use test administered under this policy, means a toxicological test result which is considered to demonstrate the presence of an illegal or a performance-enhancing drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug use test.
10. **Reasonable suspicion** means a suspicion based on specific personal observations concerning the appearance, speech, or behavior of a student athlete or extracurricular participant, and reasonable inferences drawn from those observations in the light of experience. Information provided by a reliable source, if based on personal knowledge, shall constitute reasonable suspicion. In the context of performance-enhancing drugs, reasonable suspicion specifically includes unusual increases in size, strength, weight, or other athletic abilities.
11. **Self-referral** is when a participant believes he/she will test positive for illegal or performance enhancing drugs, prior to submission for a drug-test under this policy, so notifies the principal, athletic director, coach, or sponsor of such belief.

### Procedures

A physical examination signed by a parent/guardian is required before a student may participate on a school district athletic team.

<sup>1</sup> See *Todd v. Rush Cty. Schs.*, 133 F.3d 984, 985 (7th Cir. 1998); *Nw. Sch. Corp. v. Linke*, 763 N.E.2d 972, 976 (Ind. 2002)

**STUDENT DRUG TESTING PROGRAM, EXTRACURRICULAR  
ACTIVITIES (Cont.)**

Student participants in extracurricular activities shall be provided with a copy of this policy and an extracurricular activities student drug testing program consent form that must be read, signed, and dated by the student, parent or custodial guardian, and coach/sponsor before a participant student shall be eligible to practice in any extracurricular activity. The consent shall provide a urine sample (a) at the beginning of each school year or when the student enrolls in an extracurricular activity; (b) as chosen by the random selection basis; and (c) at any time requested based on reasonable suspicion to be tested for illegal or performance-enhancing drugs. No student shall be allowed to practice or participate in any extracurricular activity unless the student has returned the properly signed consent form.

All extracurricular activities participants shall be required to provide a urine sample for drug use testing for illegal drugs and/or performance enhancing drugs.

Drug use testing for extracurricular participants will also be chosen on a monthly selection basis from a list of all extracurricular participants in off-season or in-season activities. The school district will determine a monthly number of students' names to be drawn at random to provide a urine sample for drug use testing for illegal or performance-enhancing drugs.

In addition to the drug test required above, any extracurricular participant may be required to submit to a drug use test for illegal drugs or performance-enhancing drugs or the metabolites thereof at any time upon reasonable suspicion by the athletic director, principal, sponsor, or coach of the student.

Any drug use test required by the school district under the terms of this policy will be administered by or at the direction of a professional laboratory chosen by the school district that uses scientifically validated toxicological methods. The professional laboratory shall be required to have detailed, written specifications to assure chain of custody of the specimens, proper laboratory control, and scientific testing.

All aspects of the drug use testing program, including the taking of specimens, will be conducted to safeguard the personal and privacy rights of students to a maximum degree possible. The test specimen shall be obtained in a manner designed to minimize intrusiveness of the procedure. In particular, the specimen must be collected in a restroom or other private facility with an enclosed stall or stalls. The athletic director/sponsor shall designate a coach or other school employee of the same sex as the student to accompany the student to a restroom or other private facility. The monitor shall not observe the student while the specimen is being produced, but the monitor shall be present outside the stall to listen for the normal sounds of urination in order to guard against tampered specimens and to ensure an accurate chain of custody. The monitor shall verify the normal warmth and appearance of the specimen. If at any time during the testing procedure the monitor has reason to believe or suspect that a student is tampering with the specimen, the monitor may stop the procedure and inform the athletic director/sponsor who will then determine if a new sample should be obtained. The monitor shall give each student a form on which the student may list any medications he/she has taken or is taking or any other legitimate reasons for having been in contact with illegal drugs or performance-enhancing drugs in the preceding 30 days. The parent or legal guardian shall be able to confirm the medication list submitted by their child during the 24 hours following any drug test. The medication list shall be submitted to the lab in a sealed and confidential envelope.



**STUDENT DRUG TESTING PROGRAM, EXTRACURRICULAR  
ACTIVITIES (Cont.)**

If the initial drug use test is positive, the initial test result will be subject to confirmation by a second and different test of the same specimen. The second test will use the gas chromatography/mass spectrometry technique. A specimen shall not be reported positive unless the second test utilizing the gas chromatography/mass spectrometry procedure is positive for the presence of an illegal drug or the metabolites thereof. The unused portion of a specimen that tested positive shall be preserved by the laboratory for a period of six months or to the end of the school year, whichever is shorter. Student records will be retained until the end of the school year.

Confidentiality

If the drug use test for any student has a positive result, the laboratory will contact the athletic director or designee with the results. Procedures for maintaining confidentiality will be practiced. The athletic director or designee will contact the principal, the student, the head coach/sponsor, and the parent or custodial guardian of the student and schedule a conference. At the conference, the student will be given the opportunity to submit additional information to the athletic director or to the lab. The school district will rely on the opinion of the laboratory that performed the test in determining whether the positive test result was produced by other than consumption of an illegal drug or performance-enhancing drug. Under no circumstance will results from a drug test under this policy be turned over to any law enforcement officer or agency.

Appeal

A student who has been determined by the athletic director or designee to be in violation of this policy shall have the right to appeal the decision to the superintendent or the superintendent's designee(s). Such appeal must be lodged within five business days of notice of the initial report of the offense as stated in this policy, during which time the student will remain eligible to participate in any extracurricular activities. The superintendent or designee(s) shall then determine whether the original finding was justified. There is no further appeal right from the superintendent's decision and the 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, which shall be final and nonappealable.

Consequences

1. **First positive test.** The student will be suspended from participation in all extracurricular activities for ten school days. The student must attend one counseling session during the suspension period. The student must also attend one follow-up counseling session with the Newkirk Public Schools counselor.
2. **Second positive retest.** The student will be suspended from participation in any extracurricular activity for the remainder of the current season and the next season. The student will be subject to follow-up tests for a 12-month period, starting the date of the second positive test.
3. **Third positive test.** The student will be suspended from participation in any extracurricular activity for 180 school days. The student will be subject to follow-up tests for a 12-month period, starting the date of the third positive test.

**STUDENT DRUG TESTING PROGRAM, EXTRACURRICULAR  
ACTIVITIES (Cont.)**

4. **Self Referral.** A student who self-refers to the athletic director, principal, coach, or sponsor before being notified to submit to a drug test will be allowed to remain active in all extracurricular activities. However, the student will be considered to have committed his/her first offense under this policy, and will be required to retest as would a student who has tested positive.
5. **Refusal to submit to a drug test.** If a participant student refuses to submit to a drug test under this policy, such student shall not be eligible to participate in any extracurricular activity, including all meetings, practices, performances, and competition for 180 school days, upon completion of which, the participating student shall again be subject to this policy.

The cost per test is subject to change and will be determined by the board of education on an annual basis.

## WEAPONS-FREE SCHOOLS

It is the policy of this school district to comply fully with the Gun-Free Schools Act.

1. Any student in this school district who uses or possesses a firearm at school, at any school-sponsored event, or in or upon any school property including school transportation or school-sponsored transportation may be removed from school for one full calendar year or longer.

The superintendent or designee may modify the provisions of this policy on a case-by-case basis. However, any substantial modification must be reported to the board of education at its next meeting.

Firearms are defined in Title 18 of the United States Code, Section 921, as (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device including any explosive, incendiary or poison gas, 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 device similar to the above.

Such firearm or weapon will be confiscated and released only to a law enforcement authority.

2. Oklahoma Statutes, Title 21, Section 1280.1 prohibits any person to have in such person's possession on any public or private school property or while in any school bus or vehicle used by any school for transportation of students or teachers any firearm or weapon as defined in Title 21, Section 1272, below:

"...any pistol, revolver, shotgun or rifle whether loaded or unloaded, or any dagger, bowie knife, dirk knife, switchblade knife, spring-type knife, sword cane, knife having a blade which opens automatically by hand pressure applied to a button, spring, or other device in the handle of the knife, blackjack, loaded cane, billy, hand chain, metal knuckles, or any other offensive weapon, whether such weapon is concealed or unconcealed."

Students with disabilities are subject to this policy and will be disciplined in accordance with the Individuals with Disabilities Act and Section 504 of the Rehabilitation Act.

An exception to this policy may be made for students participating in an authorized extracurricular activity or team involving the use of firearms or archery equipment. In addition, exceptions will be made for a gun, knife, bayonet or other weapon in the possession of a member of a veterans group, the national guard, active military, the Reserve Officers' Training Corp (ROTC) or Junior ROTC, in order to participate in a ceremony, assembly or educational program approved by the principal or chief administrator of a school district where the ceremony, assembly or educational program is being held; provided, however, that the gun or other weapon that uses projectiles is not loaded and is inoperable at all times while on school property.

A handgun may be carried in a motor vehicle pursuant to a valid handgun license authorized by the Oklahoma Self-Defense Act onto property set aside by a public or private elementary or secondary school for the use or parking of any vehicle; provided, however, said handgun shall be stored and hidden from view in a locked motor vehicle when the motor vehicle is left unattended on school property

Any student who violates this policy will be subject to discipline which may include suspension for the remainder of the semester and the entire succeeding semester or up to one full calendar year or longer (for firearms) or for any term

**WEAPONS-FREE SCHOOLS (Cont.)**

less than one calendar year (for weapons other than firearms) as determined by the superintendent or the superintendent's designee. Disciplinary action will be determined on a case-by-case basis.

Students found to be in violation of this policy shall be referred to the appropriate criminal or juvenile justice system. Any firearms found on the premises shall be reported to law enforcement and will immediately be turned over to local law enforcement as per state law requirements.

**REFERENCE:** 18 U.S.C. §921  
21 O.S. §1271.1, §1280.1  
70 O.S. § 24-132.1

**NOTE :** The district is required to include, in each application to the State Department of Education for assistance under the Elementary and Secondary Education Act of 1965, a description of the circumstances surrounding any expulsions imposed under this policy, including the name of the school; the number of students expelled from the school, and the type of weapons concerned.

***THIS POLICY REQUIRED BY LAW.***

\*\* Underlined language is effective on November 1, 2014

## SEARCH OF STUDENTS (REGULATION)

In accordance with the policy of the board of education, searches of students shall be conducted under the following circumstances:

The superintendent, principal, teacher, or security personnel of this school (authorized personnel) may detain and search any student or students on the premises of the public schools, or while attending, or while in transit to, any event or function sponsored or authorized by the school only under the following conditions:

1. When any authorized person has reasonable suspicion that the student may have on the student's person or property alcohol, dangerous weapons, unauthorized electronic paging devices, controlled dangerous substances as defined by law, stolen property if the property in question is reasonably suspected to have been taken from a student, a school employee, or the school during school activities, or any other items which have been or may reasonably be disruptive of school operations or in violation of student discipline rules.
2. School lockers and school desks are the property of the school, not the student. Students have no expectation of privacy concerning lockers, desks, or other school property. The users of lockers, desks, and other storage areas or compartments have no reasonable expectation of privacy from school employees as to the contents of those areas. Lockers, desks, and other storage areas or compartments may be subjected to searches at any time with or without reasonable suspicion. Students are not to use any school area or property to contain any item that should not be at school. Students shall not exchange lockers or desks or use any lockers or desks other than those assigned to them by the principal.
3. Authorized personnel may search a student, within the limits of state and federal law (or this policy), whenever the student consents to such a search. However, consent obtained through threats or coercion is not considered to be freely and voluntarily given.
4. Authorized personnel conducting a search shall have authority to detain the student or students and to preserve any contraband seized.
5. Any searches of students as outlined herein will be conducted by an authorized person who is the same sex as the person being searched and shall be witnessed by at least one other authorized person who is of the same sex as the person being searched.
6. Strip searches are forbidden. No clothing except cold weather outer garments will be removed before or during a search.
7. Items that may be seized during a lawful search - in addition to those mentioned in paragraph 1 above - shall include, but not be limited to, any item, object, instrument, or material commonly recognized as unlawful or prohibited. For example: prescription or nonprescription medicines, switchblade knives, brass knuckles, billy clubs, and pornographic literature are commonly recognizable as unlawful or prohibited items. Such items, or any other items which may pose a threat to a student, the student body, or other school personnel, shall be seized, identified as to ownership if possible, and held for release to proper authority.

**SEARCH OF STUDENTS, REGULATION (Cont.)**

8. Any student found to be in possession of dangerous weapons, controlled dangerous substances, or other unlawful or prohibited items may be suspended by the superintendent for a period not to exceed the current school semester and the succeeding semester. Such suspension may be in addition to any civil or criminal liability.

**REFERENCE:** 70 O.S. §24-102  
70 O.S. §24-101.3

**WIRELESS TELECOMMUNICATION DEVICES**

It is the policy of the Newkirk Board of Education that a student may possess a wireless telecommunications device while on school premises, or while in transit under the authority of the school, or while attending any function sponsored or authorized by the school upon prior written consent of both the student's parent or guardian, and the superintendent or the superintendent's designee.

Upon reasonable suspicion, the superintendent, principal, teacher, or security personnel shall have the authority to detain and search, or authorize the search of, any student or property in the possession of the student for unauthorized wireless telecommunication devices.

Students found to be using any electronic communications device for any illegal purpose, violation of privacy, or to in any way send or receive personal messages, data, or information that would contribute to or constitute cheating on tests or examinations shall be subject to discipline and the device shall be confiscated and not returned until a parent conference has been held. Students violating this rule will be disallowed from carrying any personal communication device following the incident unless a bona fide health emergency exists.

Students found to be in possession of a wireless telecommunications device in violation of the rules shall be subject to disciplinary action under the student discipline policy, including confiscation of the device pending parent/guardian conference, detention, or suspension. Where appropriate, police authorities may be contacted.

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

***THIS POLICY REQUIRED BY LAW.***

**WIRELESS TELECOMMUNICATION  
DEVICES AND NUISANCE ITEMS  
(i.e., Cell Phones, IPod, MP3 Players, etc.)**

**Wireless Telecommunication Devices**

In an age of technology advancements, wireless telecommunication devices have affected the lives of not only adults but that of children as well. With this has come the possession of wireless telecommunication devices by the students of Newkirk Schools at various ages. Subsequently, it has become an issue of interfering with instruction and learning in the classrooms. Therefore, the following policy has been established by Newkirk Public Schools.

**High School/Middle School Students:**

- I. Use of devices for emergency purposes or for the accommodation of a disability must be authorized by administration and documentation carried by the student.
- II. Students and parents are strongly encouraged to not have or allow wireless telecommunication devices to be brought to school. This is to help avoid potential distractions or problems with use during unauthorized times.

**NOTE:** The faculty and staff of Newkirk High School and Newkirk Middle School have a mission to provide the best possible education and learning environment for all of our students. Please help us in this endeavor.

- III. Wireless telecommunication devices shall not be visible, heard, or used during class time and passing time between classes whether inside or outside of the school buildings. Students in high school moving from Agriculture, Music, Technology Education, and Physical Education classes shall not use any unauthorized devices during this passing time as well. **For high school students this would be from 7:55 a.m. to 3:05 p.m., and for middle school students this would be from 7:45 a.m. to 3:00 p.m.**
- IV. **Exception:** Wireless telecommunication devices may be used by *high school students* during the scheduled lunch period, 12:05 to 12:35 p.m., and shall be outside of any school facility and can be used in Pride Park during the lunch period.
- V. If a wireless telecommunication device is visible, heard, or used during an unauthorized time, it shall be collected from the student and held in the school office vault.
- VI. If a student calls for someone to come to the school for any reason, or if a school employee receives information that a phone call was made and is confirmed, even if they were not observed making the call, this is considered, an infraction as if the phone was observed being used. Upon confirmation that the phone call was made, the student will appropriately be assigned a consequence.
- VII. Only a parent or guardian shall be allowed to pick up the device from the office once a conference is held with the administrator assigned at the time.  
*NOTE: A designee by the building principal may authorize a device pick with prior written approval.*
- VIII. A form shall be signed and dated by the parent or guardian that the confiscated device was picked up by them and understands the consequences of future infractions.



**WIRELESS TELECOMMUNICATION DEVICES AND NUISANCE ITEMS (Cont.)**

- IX. At no time will a confiscated device be released back to a student or any other unauthorized person without prior administrative approval in writing.

Disciplinary Action

1. First Offense: 1 day of ISD
2. Second Offense: 3 days of ISD
3. Third Offense: 3 days OSS
4. Fourth Offense: 5 days OSS
5. Fifth Offense: Alternative Placement as designated by the administrator

**Elementary School Students**

Parents are strongly encouraged to not allow wireless electronic devices be brought to school. This is to help avoid potential distractions or problems with use during unauthorized times. Students at Newkirk Elementary School with parent and administrator permission are allowed to possess cell phones. The school or district is not liable or responsible for theft, damage or loss of such devices. The devices shall be turned off during the regular school hours. Devices should not be seen nor heard during the school day. Students may use such devices after school, outside of the school building. Violation of this policy will result in confiscation of devices.

- 1) First Offense - Student claims device from office at end of day.
- 2) Second Offense - Student's parent(s) must come to office and claim device.
- 3) Third Offense - Conference between parent/administration/student.
- 4) Fourth Offense - Conference with parents and In School Detention.

**Nuisance Items**

Radios, video games, tape players, music media-playing devices of any kind, water guns, Hackey sacks, cards and other similar items are considered "nuisance items" and should NOT be brought to school.

Any such items will be confiscated and returned to the student only at the end of the school day or at another time designated by the administrator dealing with the situation.

**REFERENCES:** 70 O.S. 24-101.1 (Section 488, School Laws of Oklahoma)  
HE 2130, 1997 Legislative Session  
HB 1092, 2001 Legislative Session

*Note: HB 1092 allows school districts to set their own policy concerning cellular phones, pagers and other wireless devices. This policy is required, but may be adjusted to an individual school district. However, HE 1092 removes the term "wireless communication device" from the list of items for which schools have the authority to detain and search.*

## NEWKIRK HIGH SCHOOL BYOD/BYOT POLICY AND CONTRACT

The Newkirk Public School District strongly believes in the educational value of electronic services and recognizes their potential to support its curriculum and student learning by facilitating resource sharing, innovation, and communication. However, we also acknowledge that if misused or used improperly they can have a detrimental effect on learning. In addition we currently are unable to provide technology to every student within our current budget. Therefore we will allow and encourage students to bring their own devices to school to be used in an educational manner. But only with the following stipulations agreed upon. You and your child's Signatures will indicate acknowledgment and understanding of the following standards.

### Definition of "Technology"

For purposes of BYOT, "Technology" means a privately owned wireless and/or portable electronic hand held equipment that includes, but is not limited to, existing and emerging mobile communication systems and smart technologies, portable internet devices, Personal Digital Assistants (PDAs), hand held entertainment systems or portable information technology systems that can be used for word processing, wireless Internet access, image capture/recording, sound recording and information transmitting/receiving/storing, etc. This includes such devices as cell phones, tablets, and laptops.

### Internet

Only the internet gateway provided by the school may be accessed while on campus. Personal internet data plan use is not permitted to be used to access outside internet sources at any time.

### Security and Damages

Responsibility to keep the device secure rests with the individual owner. NPS is not liable for any device stolen or damages on campus. If a device is stolen or damaged, it will be handled through the administrative office similar to other personal artifacts that are impacted in similar situations. It is recommended that skins (decals) and other custom touches are used to physically identify your device from others. Additionally, protective cases for technology are encouraged.

### B.Y.O.T. Student Agreement

The use of technology to provide educational material is not a necessity but a privilege. A student does not have the right to use his or her laptop, cell phone or other electronic device while at school. When abused, privileges will be taken away. When respected, they will benefit the learning environment as a whole.

Students and parents/guardians participating in B.Y.O.T. must adhere to the student handbook, as well as all Board policies, particularly Internet Acceptable Use (Policy IFBG) and Internet Safety (Policy IFBGE).

Additionally, technology:

- Student takes full responsibility for his or her device and keeps it with himself or herself at all times. The school is not responsible for the security of the device.
- Must be in silent mode while on school campuses and while riding school buses.
- May not be used to cheat on assignments or tests, or for non-instructional purposes (such as making personal phone calls and text/instant messaging).
- May not be used to record, transmit or post photographic images or video of a person, or persons on campus during school activities and/or hours, unless instructed to do so for educational purposes by a teacher.

**NEWKIRK HIGH SCHOOL BYOD/BYOT POLICY AND CONTRACT (Cont.)**

- Students are to use only assigned accounts, refrain from distributing private information about others or themselves, keep all account information private, and refrain from attempting to access accounts that are not their own.
- Students will not destroy or damage data, networks, or other resources that do not belong to them, without clear permission of the owner.
- Students will follow copyright laws (not making illegal copies of music, games, or movies), and cite sources when using others' work (not plagiarizing).
- Students are strictly forbidden from any threatening, bullying, or inappropriate contact amongst students on technology.
- Student accesses only files on the computer or internet sites which are relevant to the classroom curriculum. Games, social networking, and any non-instructional use is not permitted.
- Student complies with teachers' request to shut down the computer or close the screen.
- Student acknowledges that the school's network filters will be applied to one's connection to the internet and will not attempt to bypass them.
- Although the district does filter its internet access at times inappropriate, objectionable, and/or offensive material may circumvent the filter as well as the supervision and be viewed by students. Students are to report the occurrence to their teacher or the nearest supervisor.
- Parents will instruct students if there is additional material that they think it would be inappropriate for them to access. The District fully expects that students will follow parent's instructions in this matter.
- Student understands that bringing on premises or infecting the network with a Virus, Trojan, or program designed to damage, alter, destroy, or provide access to unauthorized data or information is in violation of the AUP policy and will result in disciplinary actions.
- Student realizes that processing or accessing information on school property related to "hacking", altering, or bypassing network security polices is in violation of the AUP policy and will result in disciplinary actions.
- The school district has the right to collect and examine any device that is suspected of causing problems or was the source of an attack or virus infection.
- Student realizes that printing from personal laptops will not be possible at school.
- Laptop is charged prior to bringing it to school and runs off its own battery while at school.

**Consequences for Violation**

Violations of these rules may result in disciplinary action, including the loss of a user's privileges to use the school's information technology resources. Further discipline maybe imposed in accordance with the student handbook up to and including suspension or expulsion depending on the degree and severity of the violation.

I understand and will abide by the above policy and guidelines. I further understand that any violation is unethical and may result in the loss of my network and/or laptop privileges as well as other disciplinary action.

\_\_\_\_\_  
Signature of Student

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Parent/Guardian

\_\_\_\_\_  
Date

## STUDENT DISCIPLINE

The Newkirk 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. Occasionally, corrective actions are necessary for the benefit of the individual and the school. The teacher in a public school has the same rights as a parent or guardian to control and discipline a child while 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. The superintendent's child will be disciplined by someone other than the superintendent.

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;
- 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 or 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 detention/late room
6. Smoking
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. Distributing obscene literature
15. Destroying/defacing school property
16. Racial discrimination including racial slurs or other demeaning remarks concerning another person's race, ancestry, or country of origin and directed toward another student, an employee, or a visitor
17. Sexual Harassment
18. Gang related activity or action
19. Cheating

**STUDENT DISCIPLINE (Cont.)**

In administering discipline, consideration will be given to alternative methods of punishment to insure 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
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.

Parents, guardians, and students enrolled in this school district shall be notified at the beginning of each school year that this policy is in effect. A copy of this policy will be made available upon request to parents or guardians at any time during the school year.

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 and no reason shall be necessary for such search. Student property may be searched with reasonable suspicion.

Teachers, parents, guardians, and students are invited and encouraged to participate in the formulation of disciplinary policies, rules, and regulations by suggesting to administrators appropriate means of discipline for specific infractions.

**REFERENCE:** 10 O.S. §7115  
70 O.S. §6-114  
70 O.S. §24-101.3

***THIS POLICY REQUIRED BY LAW.***

## **DISCIPLINE OPTIONS AND ACTIONS REGULATION**

Depending on the seriousness of the wrongdoing committed by the student, discipline may consist of a verbal warning, after-hours supervised time, corporal punishment, in-school suspension or suspension if in compliance with state law, removal of privileges, parent contact, apologies or personal restitution for items or equipment stolen or destroyed. Disciplinary action will be determined by the teacher or the administrator in charge, in compliance with board policy.

Major offenses are items that warrant severe disciplinary action, including but not limited to smoking, chewing or dipping tobacco, drinking alcoholic beverages, fighting, disrespect and classroom conduct that warrants removal from class. A "Student Disciplinary Action Form" shall be completed for each offense. This form shall state the facts of the situation, the person or persons involved and the disciplinary action taken. The parent or guardian shall be notified. It shall be understood that, if further major offenses occur, definite action to suspend the student may occur if in compliance with state law. In very serious cases including fighting (resulting in injury), drugs, theft, abuse of an employee or other serious offenses, a first-time incident may result in expulsion.

Each minor offense shall be recorded with a "Student Disciplinary Action Form." An accumulation of these forms shall be treated as a major offense.

**CONTROL AND DISCIPLINE POLICY**

The board of education believes that the school's primary goal is to educate, not discipline. However, when the behavior of an individual student interferes with the rights of others, corrective action may be necessary for the benefit of the individual as well as the school. A student who has been suspended for a violent offense directed towards a teacher shall not be allowed to return to that teacher's classroom without the approval of that teacher.

Oklahoma Law, Title 70, Section 6-114, provides teachers with the same rights as parents to control and discipline school children in accordance with local school policies. The following schedule of infractions is provided as an aid to teachers in exercising control and discipline of students. The schedule is not intended to include all possible infractions. Therefore, behavior that is not included in the following schedule may warrant appropriate disciplinary measures. The following schedule shall not be used in determining discipline for any child on an IEP or Section 504 plan until such time as the student's IEP team has determined that the infraction is in no way a manifestation of that student's disability.

<u>Infractions</u>	<u>Minimum Action &lt;</u>	<u>&gt; Maximum Action</u>
1. Unexcused tardiness		---- Refer to Attendance Policy ----
2. Disruption of class or assembly	School Conference	Parent Conference      Suspension
3. Lunchroom misconduct	School Conference	Parent Conference      Suspension
4. Bus/playground misconduct		---- Refer to Bus Conduct Policy ----
5. Negligence in completing classwork	School Conference	Parent Conference      Suspension
6. Cutting class		---- Refer to Attendance Policy ----
7. Leaving school without permission		---- Refer to Leaving School Grounds (Closed Campus) Policy ----
8. Truancy		---- Refer to Attendance Policy ----
9. Tobacco on school grounds	School Conference	Parent Conference      Suspension <sup>1</sup>
10. Drugs or Alcohol possession	Parent Conference	Suspension <sup>1,2</sup>
11. Gambling	School Conference	Parent Conference      Suspension
12. Theft	Parent Conference	Suspension <sup>1,2</sup>
13. Assault-physical or verbal	Parent Conference	Suspension <sup>1,2</sup>
14. Fighting	Parent Conference	Suspension
15. Destruction of property, vandalism	Parent Conference	Suspension <sup>1,2</sup>
16. Threats/Harassment	School Conference	Parent Conference      Suspension <sup>2</sup>
17. Extortion	School Conference	Suspension <sup>1,2</sup>
18. Refusal to obey school officials	School Conference	Parent Conference      Suspension
19. Possession of weapons or other items with the potential to cause harm		Suspension <sup>2</sup>

- 1. May require counseling and rehabilitative efforts before reinstated in school programs
- 2. May require notification of legal authorities

Other possible corrective actions include warning students that continued infraction may result in more severe consequences, removing students from class, before or after school detention, alternative placements, financial restitution, if necessary, and referral to social agencies, if appropriate. The administration may impose punishment that would prevent a student from participation in and attendance at extracurricular activities. In addition, student discipline consequences may include an inability to participate in the graduation ceremony, prom, prom activities, school dances, and/or a class trip.

Suspension alternatives may include in-house suspension or out-of-school suspension. Refer to the Suspension Policy (see policy FOD) for requirements for short-term suspensions (1-10 days) and long term suspensions (11 or more days).

## SUSPENSION OF STUDENTS

It is the policy of the Board of Education that the superintendent or designee may suspend a student for:

- Violations of policy or regulations
- Possession of an intoxicating beverage, low-point beer (See policy FNCE)
- Possession of missing or stolen property if the property is reasonably suspected to have been taken from a student, a school employee, or the school during school activities
- Possession of a dangerous weapon or a controlled dangerous substance while on or within two thousand (2,000) feet of public school property, or at a school event (Uniform Controlled Dangerous Substances Act) (See policies FNCE and FNCGA)
- Possession of a firearm shall result in out-of-school suspension of not less than one year (See policy FNCGA)
- Any act which disrupts the academic atmosphere of the school, endangers or threatens fellow students, teachers, or officials or damages property
- Students in grades six through twelve found to have assaulted, attempted to cause physical bodily injury, or acted in a manner that could reasonably cause bodily injury to a school employee or person volunteering for a school shall be suspended for the remainder of the current semester and the next consecutive semester. The term of the suspension may be modified by the school district superintendent on a case-by-case basis.

Before a student is suspended out-of-school, the principal shall consider and apply, if appropriate, alternative in-school placement options that are not to be considered suspension, such as placement in an alternative school setting, reassignment to another classroom, or in-school detention. A student suspended out-of-school shall be placed in a supervised, structured environment in either a home-based school work assignment setting or another appropriate setting in accordance with a plan prescribed by the school administration that provides education in accordance with the supporting regulations. Parents or guardians will be provided a copy of the education plan and will bear the responsibility of monitoring the student's educational progress until the student is readmitted to school. Students suspended from school shall be ineligible to participate in extracurricular activities. Additionally, any student serving suspension during the time of graduation activities shall not be allowed to participate in or attend ceremonies or programs honoring graduates.

No school board member, administrator, or teacher may be held civilly liable for any action taken in good faith, which is authorized by law under the provisions of this policy.

The superintendent is directed to establish regulations, subject to board approval, which support this policy. Such regulations shall include provisions for appeal of suspension to a suspension appeals committee and/or the board of education. The superintendent may delegate authority for suspensions of students to building principals.

**REFERENCE:** 10 O.S. §7005-1.2  
10 O.S. §7303-5.3  
10 O.S. §7307-1.2  
37 O.S. §163.2  
70 O.S. §24-101.3, §24-102, §24-103, et seq.

***THIS POLICY REQUIRED BY LAW.***

*Adoption Date: December 12, 2016*

*Revision Date(s):*

*Page 1 of 1*



## SUSPENSION OF STUDENTS (REGULATION)

In accordance with the policy of the board of education, the following regulation shall govern the suspension of students from school.

The authority to suspend a student from a school in the school district is delegated to the respective building principals.

1. Any student may be suspended for:
  - Violations of policy or regulations
  - Possession of an intoxicating beverage, low-point beer (37 O.S. §163.2) (See policy FNCE)
  - Possession of missing or stolen property if the property is reasonably suspected to have been taken from a student, a school employee, or the school during school activities
  - Possession of a dangerous weapon or a controlled dangerous substance while or within two thousand (2,000) feet of public school property, or at a school event (Uniform Controlled Dangerous Substances Act) (See policies FNCE and FNCGA)
  - Possession of a firearm may result in out-of-school suspension of not less than one year (See policy FNCGA)
  - Any act which disrupts the academic atmosphere of the school, endangers or threatens fellow students, teachers, or officials, or damages property
  - Students in grades six through twelve found to have assaulted, attempted to cause physical bodily injury, or acted in a manner that could reasonably cause bodily injury to a school employee or person volunteering for a school shall be suspended for the remainder of the current semester and the next consecutive semester. The term of the suspension may be modified by the school district superintendent on a case-by-case basis.
2. A full suspension shall not extend beyond the present semester and the succeeding semester except for violations of the Gun-Free Schools Act which provides suspensions for up to one calendar year or longer. (See policy FNCGA.)
3. Except under circumstances that require the immediate removal of a student or students, the parent(s) or legal guardian(s) shall be informed before a student is released from school.
4. Any student who has been adjudicated as a delinquent and has been removed from a public or private school in this state or any other state for such act, will not be enrolled in a regular class room setting in the district but may be provided an alternative education solution until such time as that student no longer poses a threat to self, other students, or faculty.
5. Students suspended out-of-school who are on an individualized education plan pursuant to IDEA, P.L. No. 101-476, shall be provided the education and related services in accordance with the student's IEP.
6. A student who has been suspended for a violent offense that is directed towards a classroom teacher shall not be allowed to return to that teacher's classroom without the approval of that teacher.

**SUSPENSION OF STUDENTS, REGULATION (Cont.)**Procedural Steps to Suspension

Before a student is suspended from school, the principal of that school shall consider and apply, if appropriate, alternative in-school placement options that are not to be considered suspensions. Such placements can include an alternative school setting, reassignment to another classroom, or in-school detention. If such alternate placement is rejected, written justification must be placed in the student's permanent record.

1. Probation. A student may be placed on probation with or without additional disciplinary action. If probation is elected by the principal as a suitable alternative to suspension, both the student and the parent(s) shall be notified of the probation and the reasons therefor.
2. In-school placement. In-school placement is an alternative to out-of-school suspension. In-school placement will be imposed by the student's principal, and the student will be placed in a supervised, structured environment. This placement will not be considered suspension and may include an alternative school setting, reassignment to another classroom, or in-school detention. Both the student and the parent(s) shall be notified of the placement, the reasons therefor, and the right to appeal the placement to the suspension appeals committee.
3. Out-of-school suspension.
  - A. Both the student and the parent(s) shall be notified of the suspension, the grounds therefor, and the right to appeal the suspension to the board of education. A student suspended out-of-school will be placed in a supervised, structured environment in either a home-based school work assignment setting or another appropriate setting.
  - B. If a student is suspended out-of-school for five (5) days or less, the district may provide an education plan. If a student is suspended for more than five (5) days and is found guilty of acts as described above, the school administration shall provide the student with an education plan designed for the eventual reintegration of the student into school which provides for the core units in which the student is enrolled. The minimum core units shall consist of English, mathematics, science, social studies, and art. The plan shall set out the procedure for education and shall address academic credit for work satisfactorily completed. A copy of the plan shall be provided to the student's parents or guardian, and the parents or guardian shall be responsible for the provision of a supervised, structured environment in which the parent or guardian shall place the student and bear responsibility for monitoring the student's educational progress until the student is readmitted to school.

Suspension Appeals Committee

A suspension appeals committee is hereby established which will consist of 3 administrators or teachers or a combination thereof. The members of the committee shall be appointed by the superintendent and may include the superintendent. However, any member of the committee who initiated a suspension in a case shall be excused from the committee during any appeal of that particular case.

**SUSPENSION OF STUDENTS, REGULATION (Cont.)**Appellate Procedures

1. Any student who has been suspended for ten (10) days or less under the steps listed above, or the student's parent(s), may appeal the suspension to the suspension appeals committee. The following procedures shall govern the appellate process:
  - A. The student, or the student's parent(s), shall notify the superintendent within ten (10) days following the suspension or the notice of the intent to suspend of their intent to appeal the suspension.
  - B. Upon receiving notice of a student's intent to appeal, the superintendent shall advise the suspension appeals committee. The suspension appeals committee shall hear the appeal within ten (10) days from the date the notice of intent is filed with the superintendent. The superintendent, at his/her discretion, may permit the suspended student to attend classes pending the outcome of the appeal.
  - C. During the hearing of the appeal before the suspension appeals committee, the student or the student's parent(s) shall have the right to provide evidence as to why the suspension, or the duration thereof, is inappropriate. The student shall not have the right to be represented by legal counsel, unless the school district is represented by legal counsel.
  - D. The suspension appeals committee shall determine the guilt or innocence of the student, and the reasonableness of the term of the suspension. The suspension appeals committee may uphold, overrule, or modify the suspension. The student and the student's parent(s) shall be notified within five (5) days of the decision.
  - E. Decisions of the suspension appeals committee may not be appealed to the board of education. The decision of the suspension appeals committee shall be final.
2. Any student who has been suspended for greater than ten (10) days under the steps listed above, or the student's parent(s), may request a review of the suspension with the administration. If the administration does not withdraw the suspension, the student shall have the right to appeal the decision to the board of education. The following procedures shall govern the appellate process:
  - A. The student, or the student's parent(s), shall notify the superintendent within ten (10) days following the suspension or the notice of the intent to suspend of their intent to appeal the suspension.
  - B. Upon receiving notice of a student's intent to appeal, the superintendent shall advise the board of education. The board of education may conduct the hearing or may appoint a hearing officer to conduct the hearing. The board of education or hearing officer shall hear the appeal within ten (10) days from the date the notice of intent is filed with the superintendent. The superintendent, at his/her discretion, may permit the suspended student to attend classes pending the outcome of the appeal.
  - C. During the hearing of the appeal before the board of education or hearing officer, the student or the student's parent(s) shall have the right to provide evidence as to why the suspension, or the duration thereof, is inappropriate. The student shall not have the right to be represented by legal counsel, unless the school district is represented by legal counsel.

SUSPENSION OF STUDENTS, REGULATION (Cont.)

D. The board of education or hearing officer shall determine the guilt or innocence of the student, and the reasonableness of the term of the suspension. The board of education or hearing officer may uphold, overrule, or modify the suspension. The student and the student's parent(s) shall be notified within five (5) days of the decision. The decision of the board of education or hearing officer shall be final.

**NOTE:**

70 O.S. §24-101.3 (E) states that a student who has been suspended from a public or private school in the state of Oklahoma or another state for a violent act or an act showing deliberate or reckless disregard for the health or safety of faculty or other students shall not be entitled to enroll in a public school of this state, and no public school shall be required to enroll such student, until the terms of the suspension have been met or the time of suspension has expired.

*THIS POLICY REQUIRED BY LAW.*

**STUDENTS:  
FEES, FINES, AND CHARGES**

It is the goal of the Darlington Board of Education to provide a free, appropriate, public education to all the children of this district. However, there are certain areas in which the payment of fees, fines, or charges may be required. The superintendent is directed to establish a regulation designating such areas and setting forth methods of payment.

**STUDENTS:  
FEES, FINES, AND CHARGES  
(REGULATION)**

In accordance with the policy of the board of education, the following areas will require payment of a fee, fine, or charge by the student:

1. Membership dues in student organizations or clubs and admission fees or charges for attending extracurricular activities when membership or attendance is voluntary.
2. Security deposits for the return of material, supplies, or equipment.
3. Items of personal use such as student publications, class rings, annuals, and graduation announcements.
4. Any authorized student health or accident benefit plan.
5. A reasonable fee, not to exceed the actual annual maintenance cost for the use of musical instruments and uniforms owned or rented by the district.
6. Items of personal apparel that become the property of the student and which are used in extracurricular activities.
7. Parking fees and fees for identification cards if applicable.
8. Fines assessed for lost, damaged, or overdue library books.
9. Other fees, fines, or charges specifically permitted or required by law.

Payments to schools for lost or damaged instructional materials will be deposited in the school activity fund as a line item account and will be used to purchase replacement materials as necessary.

Students who are financially unable to make payment for lost or damaged instructional materials will be allowed to arrange to work off their debts in a program approved by the superintendent or his designee.

All lost or damaged materials must be paid for before the end of the school year in which the loss or damage occurs or before a student officially withdraws from the school district.

Students in the 12<sup>th</sup> grade who have not fulfilled these obligations also will be denied a cap and gown and the privilege of participating in the graduation ceremonies of the class.