

**SICK LEAVE
CERTIFIED PERSONNEL
(REGULATIONS)**

The board of education shall provide sick leave benefits to all certificated personnel in order to promote a sense of security and permit an ease of mind that is essential to the satisfactory performance of professional services. The board sets forth the following provisions for administering this policy:

1. The superintendent or designee shall administer this plan.
2. Teachers may be absent from duty because of personal accidental injury, illness or pregnancy, or injury, illness or death in the immediate family without loss of salary not to exceed ten days during each school year. The right to such sick leave shall be vested at the beginning of the school year. Certificated employees who have an eleven-month contract shall receive eleven sick leave days per year and those who have a twelve-month contract shall receive twelve days. If an employee is injured as a result of an assault or battery upon the person of the employee while the employee is in the performance of any duties as an education employee, the employee shall be entitled to a leave of absence from employment with the school without loss of leave benefits.
3. If sick leave is taken for bereavement purposes, the leave for that period may extend to the date of the funeral and a reasonable time thereafter to allow for travel as long as the employee has leave available to use.
4. Unused sick leave shall be cumulative to a total of sixty days and is transferable to any other district in Oklahoma. Up to a maximum of sixty days of sick leave earned in another Oklahoma school district may be transferred to this district. Sick leave so transferred must be certified by the sending district.
5. Any employee who attempts to take unfair advantage of sick leave benefits shall be subject to dismissal or other disciplinary action as provided by contract and/or state law. Any employee may be required to submit appropriate evidence concerning the cause of his absence in order to qualify for sick leave benefits.
Appropriate evidence may include the following:
 - A. Physician's statement endorsed by the employee
 - B. Employee statement endorsed by the principal or immediate supervisor
 - C. Copies of claim submitted for insurance benefits
 - D. Other information as may be indicated by the circumstances
6. Appropriate evidence will be submitted when requested by the principle, immediate supervisor, or the superintendent in the following situations:
 - A. Sick leave claim on days of unusual or inclement weather
 - B. Sick leave claim during the last four weeks of employment
 - C. Sick leave claim on days immediately preceding or immediately following holidays or non-work days other than weekends.

D. Reasonable cause exists to believe that sick leave benefits are being abused

SICK LEAVE, CERTIFIED PERSONNEL, REGULATIONS (cont.)

7. When a teacher's accrued sick leave is exhausted and the teacher is absent due to personal accidental injury, illness, or pregnancy, the teacher shall receive full salary less the amount that would be paid a substitute teacher for a maximum of 20 days.
8. After an employee has exhausted all accumulated sick leave, personal leave, and vacation time, the employee may be eligible for up to 12 work weeks of unpaid leave under the family leave policy.
9. Sick leave benefits may be paid in addition to workers' compensation benefits; however, the sum of the payments will not exceed 100% of the employee's net pay, as it existed prior to injury.

NOTE: The term "immediate family" has been defined as those close family members such as a spouse or children residing within the same household as the employee. Sick leave may also be taken for the life-threatening illness of non-dependent children, mother, father, sister, brother, grandparents, mother-in-law, or father-in-law.

Reference: 70 O.S §6-104
 70 O.S. §6-147
 Atty. Gen. Op. No.84-12
 Atty. Gen. Op. No. 91-632

CROSS REFERENCE: Policy DECA, Family Leave

OSSBA POLICY SERVICES REVIEW NOTES:

Payment for unused sick leave days may be made only upon termination of employment. Please see referenced AG opinions. In reference to the Putnam City Schools audit, the provision of an incentive bonus appears to be a gift in conflict with Article 10, §15(A) of the Oklahoma Constitution.

**SICK LEAVE
SUPPORT PERSONNEL
(REGULATIONS)**

The board of education will provide sick leave benefits to all support employees in order to promote a sense of security and permit the ease of mind essential to the satisfactory performance of services. In compliance with Oklahoma Statutes, Title 70, Section 6-104, the following guidelines are set forth:

1. For the purposes of this policy, support employees is defined as a full-time employee of the school district as determined by the standard period of labor which is customarily understood to constitute full-time employment for the type of services performed by the employee who is employed a minimum of 172 days and who provides those services which are not performed by certified teachers, principals, superintendents or administrators and which are necessary for the efficient and satisfactory functioning of a school district.
2. The superintendent of schools, or designee, shall be responsible for administering this plan.
3. The support employee may be absent from duty due to a personal accidental injury, illness, or pregnancy, or accidental injury, illness or death in the immediate family without loss of salary. Benefits shall include paid sick leave of one day per month of employment. The one sick day leave per month equals the number of hours the employee normally works per day. If an employee is injured as a result of an assault or battery upon the person of the employee while the employee is in the performance of any duties as an education employee, the employee shall be entitled to a leave of absence from employment with the school without a loss of leave benefits.
4. Unused sick leave shall be cumulative to a total of 60 days.
5. The sick leave granted to support employee under this policy shall be vested at the time of accrual, that is, upon the completion of the first month's employment, the employee shall have accrued one sick leave day.
6. Accumulated sick leave may be transferred to another school district where a support employee is employed the next succeeding school year in accordance with that district's policies.
7. Support personal who are employed for the first time in this district and who were employed at another school district during the year immediately preceding their employment with this district may transfer a maximum of 60 sick leave days.
8. Sick leave benefits may be paid in addition to workers' compensation benefits; however, the sum of the payments will not exceed 100% of the employee's net pay as it is existed prior to injury.

REFERENCE: 70 O.S. §6-101.40
70 O.S. §6-104
70 O.S. §6-147
Atty. Gen. Op. No. 84-12
Atty. Gen. Op. No. 91-632

**PERSONAL BUSINESS LEAVE
(REGULATIONS)**

The board of education shall provide for a minimum of three days for personal business leave for teachers and support personnel. Such leave shall be limited to personal business matters that cannot be conducted before or after school hours or on weekends. Personal business leave is noncumulative.

Requests for personal business leave shall be made in writing and in advance when possible. If advance request is not possible, the written request shall be filed within one day after returning to work. The request shall include a signed statement that the leave was not used for personal entertainment, recreation, gainful employment, or to seek another position. The request shall be considered by the principal and superintendent who shall approve or disapprove.

The types of situations that may qualify for personal business leave are varied. The following examples serve only as guidelines:

1. Family illness other than immediate family
2. Emergency business transactions
 - A. Loan closings
 - B. Other banking matters
 - C. IRS reviews
3. Legal Matters
 - A. Meetings with an attorney for personal, spouse, or children's business
 - B. Court appearances
 - C. Settling of estates
4. Miscellaneous
 - A. Attend business convention with spouse
 - B. Military obligations
 - C. Attendance at a school activity if son or daughter is participating
 - D. Attending funerals

The following examples are types of absences that will NOT be approved for personal business leave:

1. Pleasure trips or vacations

PERSONAL BUSINESS LEAVE, REGULATIONS (Cont.)

2. Attending school activities or sporting events when son or daughter is not competing
3. Seeking other employment
4. Participating in political or social activities
5. Performing any service for compensation

REFERENCE: 70 O.S. §6-104
Atty. Gen. Op. No. 77-217 (Aug. 19, 1977)

NOTE: Referenced statute requires each school district to provide a minimum of three days for personal leave to certified and support personnel. However, "a local board of education is authorized to adopt reasonable rules, regulations and policies defining activity which shall be deemed to constitute or qualify as 'personal business' leave. In adopting such a definition, the ordinary and every day commonly understood meaning of the phrase 'personal business' should be followed." Atty. Gen. Op. No. 77-217 (Aug. 19, 1977)

EMERGENCY LEAVE (REGULATIONS)

The board of education shall provide not more than 2 days each year for emergency leave. These days shall not be chargeable to sick leave and will be noncumulative. The term emergency should be construed to mean a situation or occurrence of a serious nature, developing suddenly and unexpectedly, and demanding immediate attention. Emergency leave will be granted at the discretion of the principal or designee. The School district will pay the substitute's salary.

The board of education may grant leave with pay not to exceed fifteen (15) working days to an employee who is affected by a presidentially declared national disaster in Oklahoma after May 1, 1999, if:

1. The employee suffered a physical injury as a result of the disaster;
2. A relative or household member of the employee suffered a physical injury or died as a result of the disaster; or
3. The domicile of the employee or the domicile of a relative of the employee was damaged or destroyed as a result of the disaster.

REFERENCE: 70 O.S. §6-104
70 O.S. §6-104.7

NOTE: 70 O.S. §6-104 allows emergency leave to be granted at the discretion of the board. However, the board may not provide more than five days.

**DRUG-FREE WORKPLACE
NOTICE TO EMPLOYEES**

This school district supports the "Drug-free Workplace Act of 1988" (P.L. 100-690) and all employees must individually certify their understanding of the following conditions of employment and this act:

1. Each employee is hereby notified that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in all workstations in the school district. Such action is prohibited by any employee during that employee's work hours or in the performance of any duties for the school system.
2. Employees are further notified that as a condition of their employment, they are required to abide by the terms of this policy and that violation of any requirement will result in appropriate disciplinary action that may include (a) probation, (b) suspension, and/or (c) termination. Employees may be required to satisfactorily participate in a drug abuse assistance or rehabilitation program as approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.
3. It shall be the responsibility of the employee to report to the district any and all convictions of a criminal drug statute violation occurring in the workplace no later than five days following such conviction. The district must also notify the federal contracting officer or grant source (if any) within ten (10) days after receiving notification from an employee or otherwise receiving actual notice of such conviction. Appropriate personnel action shall follow such disclosure within 30 days of such notice.
4. Each employee will attend a district drug-free awareness program at which employees will be informed about:
 - A. The dangers of drug abuse in the workplace;
 - B. The district policy of maintaining a drug-free workplace;
 - C. Available drug counseling, rehabilitation and employee assistance programs;
 - D. Penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

It is a requirement of the board of education that each current employee receive a copy of this policy and that all new applicants receive a copy of this policy upon a conditional offer of employment. This policy statement shall be published in appropriate documents for proper distribution, and shall be posted at a prominent employee access area.

The district must also demonstrate a good faith effort to maintain a drug-free workplace through implementation of paragraphs 1-4, above.

This is to certify that on Howe I received a copy of this policy pertaining to the Drug-Free Schools and Communities Act of 1989, P.L. 101-226, from the Howe Board of Education.

Employee's Signature

TEACHING ABOUT DRUGS, ALCOHOL, AND TOBACCO

It is the goal of the Howe Board of Education to develop a program of instruction concerning drugs, alcohol, and tobacco so that students may learn the adverse and dangerous effects of drugs on the human mind and body and the proper usage of prescription and nonprescription medicines.

The philosophy of this school district is that drug abuse includes any physical or mental state resulting from the use of a drug for any purpose other than its medically prescribed use if appropriate. The board believes that prevention requires education, and that the most important aspect of the policies and guidelines of the district should be the education of each individual student.

It is the intent of this school district to coordinate its efforts and activities with appropriate state and local health and law enforcement agencies and drug and alcohol abuse programs within the community which provide drug education, prevention, treatment and rehabilitation.

For the purposes of this policy, the following definitions are adopted:

"Alcohol" means any nonintoxicating alcoholic beverage or alcoholic beverage as defined in Oklahoma Statutes, Title 37;

"Drug" means articles recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them; articles intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals; articles, other than food, intended to affect the structure or any function of the body of man or other animals; and articles intended for use as a component of any article specified herein. Illicit drugs includes tobacco and tobacco products.

Objectives of the Drug Education Curriculum

1. To create an awareness of the drug problem including prevention, education, treatment, rehabilitation, and law enforcement on the local, state, national, and international levels.
2. To inform students of the effect of narcotics, sedatives, hallucinogens, and other drugs.
3. To relate the use of drugs and alcohol to physical, mental, social, and emotional consequences.
4. To encourage students to adopt appropriate attitudes toward pain, stress, and discomfort.
5. To understand the need for seeking professional advice in dealing with problems related to physical and mental health.
6. To understand the personal, social, and economic problems causing the misuse of drugs and alcohol.
7. To develop an interest in preventing illegal use of drugs in the community.

TEACHING ABOUT DRUGS, ALCOHOL, AND TOBACCO (Cont.)

The superintendent is directed to develop a drug education curriculum implementing these objectives. The superintendent is further directed to develop an addendum to this policy describing the health hazards of drug usage.

REFERENCE: 70 O.S. §1210.229-1, et seq.
Public Law 101-226

DRUG-FREE WORKPLACE

In recognition of the clear danger resulting from drug abuse, and in good faith effort to promote the health, safety, and welfare to employees, students and the community, it is the policy of this school district to provide a drug-free workplace in compliance with the Drug-Free Schools and Communities Act Amendment of 1989 (P.L. 101-226).

The superintendent is directed to develop regulations that shall be incorporated into this policy.

NOTE: A copy of this policy and the accompanying regulations must be distributed to each affected employee 30 days prior to implementation of the policy. This notice is also required prior to the implementation of any changes to this policy or to the regulations.

THIS POLICY REQUIRED BY LAW.

WORKPLACE DRUG AND ALCOHOL TESTING (REGULATIONS)

The board of education may require drug and alcohol testing of all new applicants upon a conditional offer of employment. Substances tested shall be for drugs and alcohol. The refusal of a job applicant who has been offered conditional employment to take the test will be considered as a basis for not employing the applicant. Each case will be reviewed to assure compliance with current regulations of the Americans with Disabilities Act.

The school district may request or require an employee to undergo drug and/or alcohol testing as set forth below and when the superintendent at any time reasonably believes that the employee may be under the influence of drugs or alcohol, including, but not limited to, the following:

- a. drugs or alcohol on or about the employee's person or in the employee's vicinity,
- b. conduct on the employee's part that suggests impairment or influence of drugs or alcohol,
- c. a report of drug or alcohol use while at work or on duty,
- d. information that an employee has tampered with drug or alcohol testing at any time,
- e. negative performance patterns, or
- f. excessive or unexplained absenteeism or tardiness;

Substances tested shall be for drugs and alcohol.

This school district will require school bus drivers, mechanics, maintenance employees, and any employee who is required to obtain a commercial driver's license (CDL) to undergo drug or alcohol testing prior to employment and on a random selection basis. The superintendent shall ensure that employees who are selected for random testing are selected on a basis that is entirely random and on a basis which results in an equal probability that any employee from a group of employees subject to the selection mechanism will be selected and does not give the district discretion to waive the selection of any employee selected. (See also policy DCCB and DCCB-R.)

This school district will require bus drivers, mechanics, maintenance personnel, and any district employee who is required to obtain a commercial driver's license (CDL) to undergo drug or alcohol testing during routine employee fitness-for-duty medical examinations. (See also policy DCCB and DCCB-R.)

This school district will require periodic drug and alcohol testing without prior notice of any employee who has tested positively under this policy, who has participated in a drug or alcohol dependency treatment program as a result of this policy, or an employee who is required to obtain a commercial driver's license (CDL).

Any employee who refuses to submit to drug or alcohol testing may be subject to disciplinary action including, but not limited to, termination of employment subject to all applicable due process procedures. Employees who refuse to undergo a drug or alcohol test shall be considered to have been discharged for misconduct for purposes of unemployment compensation benefits. In order to prove misconduct, the employer need only provide proof of a testing policy and either a refusal to take a drug or alcohol test or a positive test result with chain of custody and opportunity to retest.

Drug Testing Procedures

Drug and alcohol testing standards and procedures of this school district shall conform fully to the provisions of the State Board of Health. Testing facilities used by this district shall provide evidence of having met all licensing and/or certification requirements of the State Board of Health including the following:

WORKPLACE DRUG AND ALCOHOL TESTING, REGULATIONS (Cont.)

1. Samples shall be collected and tested only by individuals deemed qualified by the State Board of Health. Such samples may be collected on the premises of the school district or at a testing facility.
2. Only samples deemed appropriate by the State Board of Health for drug and alcohol testing shall be collected.
3. The collection of samples shall be performed under reasonable and sanitary conditions.
4. Samples shall be collected in sufficient quantity for splitting into two separate specimens, pursuant to rules of the State Board of Health, to provide for any subsequent independent analysis in the event of challenge of the test results of the main specimen.
5. Samples shall be collected and tested with due regard to the privacy of the individual being tested. In the instances of urinalysis, no representative, agent, or designee of the school district shall directly observe an applicant or employee in the process of producing a urine sample; provided, however, collection shall be in a manner reasonably calculated to prevent substitutions or interference with the collection or testing of reliable samples.
6. The testing facility will provide the necessary documentation of testing procedure and test results to the employer requesting testing services as may be required by a court or administrative proceeding.
7. A written record of the chain of custody of the sample shall be maintained from the time of the collection of the sample until the sample is no longer required.

Testing Results

The following steps will be taken when an employee's medical exam is positive for the presence of drugs or alcohol:

1. The employee will be notified of the results of the test. The applicant or employee has a right to obtain all information and records relating to that individual's testing.
2. The employee will be advised of the outcome of the drug screening and will be immediately removed from the current job assignment.
3. The employee will be given a reasonable opportunity for confidential rebuttal of the results.
4. To continue employment with the district, the employee must develop a written plan for improvement with the employee's supervisor. As an element of every plan for improvement, the employee will be encouraged to voluntarily seek professional assistance and/or participate in an appropriate

rehabilitation program. Drug and alcohol dependency evaluation and referral services for substance abuse counseling, treatment, or rehabilitation shall be provided to the employee.

5. The employee will be suspended until the employee has tested negative on a follow-up drug screening. The follow-up drug screening will be administered no earlier than seven nor more than forty-five (45) calendar days following the initial positive drug screening. The physician who administered and interpreted the initial drug

WORKPLACE DRUG AND ALCOHOL TESTING, REGULATIONS (Cont.)

screening will make a recommendation to the district as to the amount of time that is appropriate before administering the follow-up drug screening, depending on the type and amount of chemical substance initially detected in the employee's system. The employee may use existing accrued leave during this suspension. If the employee does not have sufficient accrued leave to cover the absence, the leave will be without pay unless prohibited by applicable law. All employees hereby affected by this policy and regulation will be provided appropriate due process procedures.

6. If the follow-up drug screening is negative, the employee may be returned to regular assignment. If the drug screening is positive, procedures for the employee's termination will be implemented in accordance with this policy and the district's employment termination policies.
7. Any employee whose drug screening is positive a second time, regardless of the length of time which has passed since the first positive test, will be recommended to the board for dismissal. Any employee who has once tested positive may be subject to random drug screening sampling for a period of two years, commencing with the employee's return to work, and/or may be recommended for dismissal.

Confidentiality

The school district shall maintain the results of any drug/alcohol test in confidentiality to the extent possible. The employee who participates in a drug/alcohol test will be provided an opportunity to review and to obtain copies of any information and records pertaining to the drug/alcohol test.

1. The school district will maintain all drug and alcohol test results and related information, including, but not limited to, interviews, reports, statements, and memoranda, as confidential records, separate from other personnel records. Such records, including the records of the testing facility, shall not be used in any criminal proceeding, or any civil or administrative proceeding, except in those actions taken by the district or in any action involving the individual tests and the district or unless such records are ordered released pursuant to a valid subpoena or other court order.
2. The records described above and maintained by the district shall be the property of this school district and, upon the request of the applicant or employee tested, shall be made available for inspection and copying to the applicant or employee. The district will not release such records to any person other than the applicant, employee, or the district's review officer, unless the applicant or employee has expressly granted permission in writing, following receipt of the test results, for the district to release such records or pursuant to a valid court order.
3. A testing facility, or any agent, representative or designee of the facility, or any review officer, shall not disclose to the district, based on the analysis of a sample collected from an applicant or employee for the purpose of testing for the presence of drugs or alcohol, any information relating to the general health, pregnancy or other physical or mental condition of the applicant or employee.—

A testing facility shall release the results of the drug or alcohol test, and any analysis and information related thereto, to the individual tested upon his/her request.

WORKPLACE DRUG AND ALCOHOL TESTING, REGULATIONS (Cont.)Other Provisions

Drug/alcohol tests required pursuant to this policy will be conducted during, prior to, or immediately after the regular work period for current employees and shall be deemed work time for purposes of compensation and benefits for current employees.

The school district shall pay all costs of testing for drugs or alcohol including any school requested confirmation tests and the costs of transportation to the drug/alcohol test site. Any individual who requests a retest of a sample in order to challenge the results of a positive test shall pay all costs of the retest, unless the retest reverses the findings of the challenged positive test in which case the school district shall reimburse the individual for the costs of the retest.

A copy of this policy shall be posted in a prominent employee access area and shall be provided to each job applicant upon the applicant's receipt of a conditional offer of employment.

Any employee or applicant for employment who refuses to undergo drug or alcohol testing conducted in accordance with board policy and these regulations may be disciplined up to and including termination of employment. An employee discharged on the basis of a refusal to undergo drug or alcohol testing or a confirmed positive drug or alcohol test conducted in accordance with the provisions of the Standards for Workplace Drug and Alcohol Testing Act shall be considered to have been discharged for misconduct and shall be disqualified for unemployment compensation.

REFERENCE: 40 O.S. §2-406A
40 O.S. §551, et seq.

HYGIENE AND SANITATION (BLOODBORNE PATHOGENS)

The Board of Education recognizes that body fluids of any person may contain infectious or contagious bacteria or viruses, and that such bacteria or viruses may be spread from one person to another by accidental or careless handling of body fluids during sanitation or custodial work or the administration of emergency first aid.

The superintendent is directed to prepare regulations establishing proper procedures for handling body fluids during normal housekeeping. Such procedures shall include methods for the handling and disposal of body fluids in school buildings and on school equipment and material. The district will make personal protective equipment available to employees for use in handling and disposing of body fluids.

The superintendent will also direct the identification of employees who could be reasonably anticipated as the result of their job duties to face contact with blood or other potentially infectious materials. Any employees so identified will be offered Hepatitis B vaccinations at district cost. Such vaccinations will be provided at a reasonable time and place, under the supervision of a licensed physician or health care professional and according to the latest recommendations of the U.S. Public Health Service.

School district employees who have had an exposure incident to body fluids will participate in a follow-up confidential medical evaluation documenting the circumstances of exposure, identifying and testing the source individual if feasible, testing the exposed employee's blood if the employee consents, post-exposure prophylaxis, counseling and evaluation of reported illnesses. Health care professionals must be provided specified information to facilitate the evaluation and their written opinion on the need for Hepatitis B vaccination following exposure. Information such as the employee's ability to receive the Hepatitis B vaccine must be supplied to the employer. All diagnoses must remain confidential.

REFERENCE: 63 O.S. §1-502, et seq.
29 CFR Part 1910.1030, OSHA

CROSS-REFERENCE: Policy DI, Health, Personnel
Policy EHAI, AIDS Prevention Education for Students
Policy FFAAB, Acquired Immune Deficiency Syndrome (AIDS)

**HYGIENE AND SANITATION
(BLOODBORNE PATHOGENS)
(REGULATION)**

In accordance with the policy of the board of education, the following regulation and attached procedures contains guidelines for cleaning and disposal of body fluids. For the purpose of this regulation, the term "body fluids" shall include reference to blood, semen, feces, urine, vomit, drainage from scrapes and cuts, and respiratory secretions.

1. Wear gloves. All personnel will wear disposable gloves during the cleanup and disposal of any of the body fluids listed above. When in doubt about material, assume it to be a body fluid. After each use, gloves should be destroyed or disposed of. Under no circumstances should gloves be recycled or used for more than one incident.
2. If gloves are not available and contact with body fluids or open wounds is necessary, hands should be carefully washed as follows:
 - A. Use liquid soap and water with vigorous washing under running water for at least 10 seconds;
 - B. Dry hands thoroughly with a paper towel. Use the paper towel to turn off the faucet and discard the towel in a proper container.
 - C. Use hand lotion if desired. CAUTION: Dry, cracked hands provide openings in the skin for bacteria to enter.
3. A 1 to 10 solution of household bleach and water may be stored in proper containers in areas where soap and water are not readily available. Such containers should be clearly marked as to the contents. The solution may be used in cleaning body fluid spillage and hands (if soap and water are not available) following cleanup.
4. Materials used in the cleanup of body fluids or suspected body fluids will be sealed in a plastic bag and discarded in appropriate trash containers. Soiled clothing articles, including sanitary napkins will be sealed in plastic bags and discarded. Other non-disposable cleaning items such as mops, towels, buckets, and other items will be thoroughly rinsed in the bleach and water solution and carefully washed in hot, soapy water.
5. Personnel will use the same procedures for washing non-disposable cleaning equipment as for handling body fluids and soiled clothing or other personal apparel.
6. Sanitary absorbents may be used to clean spilled body fluids. The absorbent should be swept up or vacuumed. Carpets should also be shampooed with a germicidal rug shampoo. Sweepings or used vacuumed bags should be sealed in a plastic bag for disposal. Brooms, dustpans, and vacuum brushes should be washed in a solution of 1 part bleach to 10 parts water.
7. Any liquid disinfectant used in cleaning floors, equipment, or materials should be discarded in a suitable and appropriate sewage drain.
8. Clothing, towels, and similar cleaning equipment should be washed in hot soapy water with one-half to one cup of bleach added to the wash water.

**HYGIENE AND SANITATION, BLOODBORNE PATHOGENS,
REGULATION (Cont.)**

9. Custodians and sanitation personnel should wear latex disposable gloves during any cleaning operation where the possibility of encountering body fluid exists whether or not the fluid is touched.
10. Careful handwashing is the single most effective method of preventing the spread of contagious diseases. Hands should be washed in hot soapy water before and after any cleanup operation.
11. A copy of the Routine Procedures for Sanitation and Hygiene When Handling Body Fluids will be provided to each employee and must be followed when appropriate and necessary. (See DIAF-P.)

ROUTINE PROCEDURES FOR SANITATION AND HYGIENE WHEN HANDLING BODY FLUIDS

Definitions

1. Bloodborne Pathogens means pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, Hepatitis B virus (HBV) and human immunodeficiency virus (HIV).
2. Contaminated means the presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.
3. Contaminated Laundry means laundry which has been soiled with blood or other potentially infectious materials or may contain sharps.
4. Exposure Incident means a specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties.
5. Methods of Compliance - General-Universal precautions shall be observed to prevent contact with blood or other potentially infectious materials. Under circumstances in which differentiation between body fluid types is difficult or impossible, all body fluids shall be considered potentially infectious materials.
6. Occupational Exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.

Equipment Needed

Water	Disposal Bags	Baggies
Hand Soap	Dust Pans/Brush/Broom	Paper Towels
Towelettes	Disposable Gloves	Utility Gloves
Trash Cans & Plastic Liners		Mops & Buckets
Sanitary Napkin Container		

Disinfectant - Should use one or more of these:

- A. Sodium hypochlorite solution (household bleach)
 - One (1) part bleach to ten (10) parts water
 - Ex: 1½ cups bleach to 1 gallon of water
 - Needs to be prepared each time used on inanimate objects.
- B. ViroGuard-Q - Distributed by Health Services
 - One (1) oz. of ViroGuard-Q to 128 oz. of water.
 - ViroGuard-Q is a germicidal product which is to be used on inanimate objects. ViroGuard-Q has bactericidal efficacy and fungicidal efficacy, mildew stat efficacy, virucidal efficacy, and sanitizing efficacy.
- C. Hydrogen Peroxide 3% - to be used on skin surfaces.

ROUTINE PROCEDURES FOR SANITATION AND HYGIENE WHEN HANDLING BODY FLUIDS (Cont.)

D. Isopropyl Alcohol - to be used on some skin surfaces and for rinsing the hands.

E. Sanitary absorbing agent (e.g., chlora-sorb).

Procedure

1. General

- A. Wear disposable gloves before making contact with body fluids during care, treatment, and all cleaning procedures.
- B. Discard gloves after each use.
- C. Wash hands with germicidal soap after handling fluids and contaminated articles, whether or not gloves are worn.
- D. Discard disposable items including tampons, used bandages, and dressings in plastic lined trash containers; close bags and discard daily.
- E. Do not reuse plastic trash bags.
- F. Use disposable items to handle body fluids whenever possible.
- G. Use paper towels to pick up and discard any solid waste materials such as vomitus or feces.
- H. Use general purpose utility gloves (e.g., rubber household gloves) for housekeeping chores involving potential blood contacts and for general cleaning. Utility gloves can be cleaned and reused but should be discarded if they are peeling, cracked or discolored, or if they have punctures, tears or other evidence of deterioration.

2. Handwashing

- A. Use germicidal soap and running water. Soap suspends easily removable soil and microorganisms, allowing them to be washed and rinsed away.
- B. Rub hands together for approximately ten (10) seconds to work up a lather.
- C. Scrub between fingers, knuckles, back of the hands and nails. Nails should be short and trimmed. Jewelry should not be worn.
- D. Rinse hands under running water. Running water is necessary to carry away debris and dirt.

**ROUTINE PROCEDURES FOR SANITATION AND HYGIENE
WHEN HANDLING BODY FLUIDS (Cont.)**

- E. Use paper towels to thoroughly dry hands.
- F. Use paper towel to turn water off, discard paper towel.
- 3. Washable Surfaces (bottles, dishes, toys, tables, desks, etc.)
 - A. Use ViroGuard-Q solution or use household bleach solution, mixed fresh. Scrub as needed.
 - B. Rinse with water.
 - C. Allow to air dry.
 - D. When bleach solution is used, handle carefully.
 - 1. Gloves should be worn since the solution is irritating to the skin.
 - 2. Avoid applying to metal, since it will corrode most metals.
 - E. Toys which are placed in children's mouths should be cleaned with water and detergent, disinfected, and rinsed before handling by another child.
 - F. All frequently touched toys should be cleaned and disinfected daily.
 - G. The use of soft, non-washable toys in classrooms should be discouraged.
- 4. Floors
 - A. Use household bleach solution, mixed fresh, or multi-purpose disinfectant.
 - B. Use the two (2) bucket system: One bucket to wash the soiled surface and one bucket to rinse, as follows:
 - 1. In bucket #1, dip, wring, mop up vomitus, blood, etc.
 - 2. Dip, wring, and mop once more.
 - 3. Dip and wring out mop in bucket #1.
 - 4. Put mop into bucket #2 (rinse bucket) that has clean bleach solution.
 - 5. Mop or rinse area.
 - 6. Return mop to bucket #2 to wring out. This keeps the rinse bucket clean for second spill in the area.
 - 7. After spills are cleaned, proceed with #3.
 - C. Soak mop in the bleach solution after use.
 - D. After cleanup is completed, discard contents of bucket #1. Bucket #2 is now bucket #1; mix fresh bleach solution for bucket #2.

**ROUTINE PROCEDURES FOR SANITATION AND HYGIENE
WHEN HANDLING BODY FLUIDS (Cont.)**

- E. Water and disposable cleaning equipment should be placed in a toilet or plastic bag, as indicated.
- F. Rinse nondisposable cleaning equipment (dustpan, buckets) in disinfectant.
- G. Dispose of disinfectant solution down the drain pipe.
- H. Remove gloves, if worn, and discard in the appropriate receptacle.
- I. Wash hands as described above.
- 5. Non-Washable Surfaces (rugs and upholstery, etc.)
 - A. Apply sanitary absorbing agent, let dry, vacuum.
 - B. If necessary, use broom and dustpan to remove soiled materials.
 - C. Apply rug or upholstery shampoo as directed. Re-vacuum according to directions on shampoo.
 - D. Spray soiled area with ViroGuard-Q solution, air dry.
 - E. Clean dustpan and broom, if used. Rinse in ViroGuard-Q solution or household bleach solution.
 - F. Wash hands as described above.
- 6. Soiled Washable Materials (clothing, towels, uniforms, etc.)
 - A. Rinse items under running water, using gloved hands, if appropriate.
 - B. Place items in plastic bag and seal until items are washed. Plastic bags containing soiled, washable material must be clearly identified.
 - C. Wash hands as described above.
 - D. Wipe sink with paper towels, discard towels.
 - E. Machine wash soiled items separately.
 - 1. If material is bleachable, add ½ cup bleach to the wash cycle. If it is not bleachable, add ½ cup non-chlorine bleach (Clorox II/Borateem) to the wash cycle.
 - 2. Wash in hot water: 160° F for 25 minutes, using detergent with disinfecting agent.
 - 3. Discard plastic bag.
 - 4. After handling soiled items, wash hands as described above.

**ROUTINE PROCEDURES FOR SANITATION AND HYGIENE
WHEN HANDLING BODY FLUIDS (Cont.)**

7. To Clean Blood or Body Fluid Spills (blood from nose, mouth, and skin lesions)
 - A. Put on gloves.
 - B. Use disposable wipes, cotton balls, or gauze pads which have been immersed in 3% peroxide.
 - C. Proceed to clean blood spills with the solution soaked materials.
 - D. Place soiled materials in a plastic bag for disposal.
 - E. Remove gloves, include with soiled materials and discard.
 - F. Wash hands as described above.
8. Toileting and Diapering
 - A. Toileting and toilet training equipment should be maintained in a sanitary condition.
 - B. Diaper changing surfaces should be nonporous and sanitized between uses for different children.
 - C. Soiled disposable diapers or soiled disposable wiping cloths should be disposed of in a secure plastic lined container.
 - D. Diapers should be able to contain urine and stool and minimize fecal contamination of the children, providers, and environmental surfaces and objects.
 - E. Diapers should have an absorbent inner lining attached to an outer covering made of waterproof material that prevents escape of feces and urine. Outer and inner lining must be changed as a unit and not reused.
 - F. Fecal contents may be placed in toilet, but diapers must not be rinsed. Preferably, dispose of diaper and contents as a total unit.
 - G. Diaper changing areas should never be located in food preparation areas and should never be used for temporary placement of foods.
9. Potty Chairs
 - A. Potty chairs must be emptied into a toilet after each use, cleaned in a utility sink, and disinfected after each use.
 - B. Gloves should be used if wiping a child. Leave gloves on until cleaning procedure is finished.

**ROUTINE PROCEDURES FOR SANITATION AND HYGIENE
WHEN HANDLING BODY FLUIDS (Cont.)**

- C. Staff should sanitize potty chairs, flush toilets, and diaper changing areas with the household bleach solution or ViroGuard-Q solution.
 - D. Wash hands as described above.
- 10. Sleeping Equipment
 - A. Each item should be used by only one child.
 - B. The sleeping equipment should be cleaned and sanitized prior to assignment to another child.
 - C. Crib mattresses should be cleaned and sanitized when soiled or wet.
 - D. Sleeping mats should be stored so that contact with the surface of another mat does not occur.
 - E. Bedding should be assigned to each child and cleaned when soiled or wet.
- 11. General Information
 - A. CPR - Use disposable mouth piece and/or face shield (will be kept in the clinic).
 - B. ViroGuard-Q will be requested from the school and kept in the clinic in a spray bottle, ready for use.
 - C. Prepare a "cleanup baggie" by placing in a baggie a towelette moistened with hydrogen peroxide. Keep cleanup baggie and gloves in your desk or pocket. Use for recess or duty, if not used pass it to the next person on the duty schedule.
 - D. P.E. teachers, coaches, and trainers need cleanup baggies ready for use in classes, at athletic events, and during team practice sessions.
 - E. Take cleanup baggies and gloves on field trips.
 - F. All cleaning supplies must be labeled regardless of container.
- 12. Personal Hygiene Measures
 - A. Wash hands in soap and water immediately after evacuating bowels or bladder and always before handling food or eating.
 - B. Keep hands and unclean articles or utensils that have been used for bodily purposes by others away from the mouth, eyes, nose, ears, and wounds.

**ROUTINE PROCEDURES FOR SANITATION AND HYGIENE
WHEN HANDLING BODY FLUIDS (Cont.)**

- C. Avoid using common or unclean eating utensils, drinking cups, towels, combs, handkerchiefs or disposable tissues.
- D. Avoid exposure to other persons' spray from the nose or mouth as in coughing, sneezing, laughing, or talking.
- E. Wash hands thoroughly after handling another person's belongings.

COMMUNICABLE DISEASE RISK EXPOSURE REPORT

The filing of this report and all information entered on it are to be held in strictest confidence in conformance with 63 O.S. Supp. 1988, Section 1-502.1, et seq.

EXPOSED WORKER SECTION (Please Print)

1. Employee Name: _____ 2. Birthdate: _____
 (Last) (First) (Middle Initial) Mo/Day/Yr
3. Profession/Job Title: _____ 4. Employer/Company Name: _____
5. Work Site/Telephone: _____ Tel. Ext. #: _____
 (Site) (Street Address)
6. Home Address/Telephone: _____ () _____
 (Street) (City) (Zip) AC Telephone #
7. Supervisor's Name/Telephone: _____ Tel. Ext. #: _____
 (Last) (First)
8. Date of Exposure: (Mo/Day/Yr) ____/____/____ 9. Time of Exposure: _____ AM or PM (Circle One)
10. Detailed Description of Potential Exposure: _____

11. Exposed Worker _____ has _____ has not completed the full series of Hepatitis B vaccine.
12. Source Person's Name: _____
 (Last) (First) (Middle Initial)
13. Disposition of Source Person (include address): _____

TO BE COMPLETED BY EMPLOYER'S DESIGNEE

The employer agrees to be responsible for all reasonable charges incurred in the disposition of this risk exposure incident.

Employer Designee Reviewing Form:

14. Name _____ 15. _____ 16. ____/____/____
 (Please Print) Signature (Mo/Day/Yr)

TO BE COMPLETED BY THE EMPLOYER'S PHYSICIAN

_____ In my professional judgment, this was a parenteral, permucosal, or significantly cutaneous exposure to blood or other body fluids which has the potential for transmission of a communicable disease such as Hepatitis B, HIV, or meningococcus. Post exposure evaluation procedures and counseling should be provided. The employee has been told about any medical conditions resulting from exposure that requires further treatment.

_____ This incident does not constitute an exposure under the OSHA standard. NOTE: If this exposure does not warrant medical follow-up, please return the form to the Employer's Designee and indicate to that individual why it does not need follow-up.

_____ The employee has received or is beginning the Hepatitis B vaccination series.

17. _____ 18. _____ 19. ____/____/____
 Physician's Name (Please Print) (Physician's Signature) (Mo/Day/Yr)

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.

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

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

1. Conference with student
2. Conference with parents
3. In-school suspension
4. Detention
5. Referral to counselor
6. Behavioral contract
7. Changing student's seat assignment or class assignment
8. Requiring a student to make financial restitution for damaged property
9. Requiring a student to clean or straighten items or facilities damaged by the student's behavior
10. Restriction of privileges
11. Involvement of local authorities

12. Referring student to appropriate social agency or to a delinquency prevention and diversion program administrated by the Office of Juvenile Affairs
13. Suspension
14. Other appropriate disciplinary action as required and as indicated by the circumstances which may include, but is not limited to, removal from eligibility to participate or attend extracurricular activities as well as removal from the privilege of attending or participating in the graduation ceremony, school dances, prom, prom activities, and/or class trips.

BULLYING (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.

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 suspension 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.

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 3 (three) 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 3 (three) 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.

REPORTING SUSPECTED CHILD ABUSE AND/OR NEGLECT

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

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

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

1. Child abuse as defined in Section 843.5 of Title 21 of the Oklahoma Statutes;
2. Sexual abuse or sexual exploitation as defined in Section 1-1-105 of Title 10A of the Oklahoma Statutes;
3. Contributing to the delinquency of a minor as defined in Section 856 of Title 21 of the Oklahoma Statutes;
4. Trafficking in children, as defined in Section 866 of Title 21 of the Oklahoma Statutes;
5. Incest as described in Section 885 of Title 21 of the Oklahoma Statutes;
6. Forcible sodomy, as described in Section 888 of Title 21 of the Oklahoma Statutes;
7. Maliciously, forcibly or fraudulently taking or enticing a child away, as described in Section 891 of Title 21 of the Oklahoma Statutes;
8. Soliciting or aiding a minor child to perform or showing, exhibiting, loaning or distributing obscene material or child pornography, as described in Section 1021 of Title 21 of the Oklahoma Statutes;
9. Procuring or causing the participation of any minor child in any child pornography or knowingly possessing, procuring or manufacturing child pornography, as described in Section 1021.2 of Title 21 of the Oklahoma Statutes;
10. Permitting or consenting the participation of a minor child in any child pornography, as described in Section 1021.3 of Title 21 of the Oklahoma Statutes;
11. Facilitating, encouraging, offering or soliciting sexual conduct with a minor, as described in Section 1040.13a of Title 21 of the Oklahoma Statutes;
12. Offering or offering to secure a minor child for the purposes of prostitution or any other lewd or indecent act, as described in Section 1087 of Title 21 of the Oklahoma Statutes;

Reporting Suspected Child Abuse (Con't)

13. Causing, inducing, persuading or encouraging a minor child to engage or continue to engage in prostitution, as described in Section 1088 of Title 21 of the Oklahoma Statutes;

14. Rape or rape by instrumentation, as described in Sections 1111.1 and 1114 of Title 21 of the Oklahoma Statutes; and

15. Making any oral, written or electronically or computer-generated lewd or indecent proposals to a minor child under the age of sixteen (16) as described in Section 1123 of Title 21 of the Oklahoma Statutes.

The reporting obligations under this section are individual, and no employer, supervisor or administrator of a person required to provide information pursuant to this section shall discharge, or in any manner discriminate or retaliate against, any such person who in good faith provides such child abuse reports or information, testifies, or is about to testify in any proceeding involving child abuse or neglect; provided, that such person did not perpetrate or inflict such abuse or neglect. Any such employer, supervisor, 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 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: 10A O.S. § 1-2-101
 10A O.S. § 1-2-104
 63 O.S. §1-120 (G)
 70 O.S. §1210.162
 Atty. Gen. Op. No. 78-202 (Dec. 28, 1978)

CUSTODIAL AND NONCUSTODIAL PARENTAL RIGHTS

It is the policy of the Howe Board of Education that a parent who is awarded legal custody of a child by court action shall file a copy of the court decree awarding such custody with the school. If the custodial parent does not wish the child to be released to the noncustodial parent, an appropriate written instruction should also be filed with the school.

All staff members are instructed to refer any questions to the appropriate building principal or the superintendent.

Absent a court decree to the contrary, both natural parents have the right to view the student's school records; to receive school progress reports; to visit the child briefly at school; and to participate in parent and teacher conferences (not necessarily together in the same conference).

REFERENCE: 43 O.S. § 109.6
 43 O.S. § 110

DIABETES MEDICAL MANAGEMENT PLAN

This plan was created by the personal health care team of Howe. This document sets out the health services that may be needed by the student at school.

The student shall be permitted to attend to the management and care of the diabetes of the student as follows:

1. Performing blood glucose level checks;
2. Administering insulin through the insulin delivery system used by the student;
3. Treating hypoglycemia and hyperglycemia;
4. Possessing on his/her person at any time any supplies or equipment necessary to monitor and care for the diabetes of the student; and
5. Otherwise attending to the management and care of the diabetes of the student in the classroom, in any area of the school or school grounds, or at any school-related activity. A private area will be available for the student to attend to the management and care of the student's diabetes.

The school nurse or a volunteer diabetes care assistant will assist the student with the management of their diabetes care as provided in this plan. The specific person assigned to assist this student is: _____.

In addition to the above, the following shall be included as a part of the student's diabetes management plan:

Agreed this ____ day of _____, 20____.

Parent or Guardian of Student

Principal (or designee)

School Nurse

Physician of Student

REFERENCE: 70 O.S. §1210.196.1, et seq.

COMPLIANCE WITH FAMILY EDUCATIONAL 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 Educational 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;

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

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.

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

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

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 Educational Rights and Privacy Act and this policy:

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

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

LOCATIONS OF EDUCATION RECORDS

TYPES	LOCATION	CUSTODIAN
Cumulative School Records	HS/ELEM SCHOOL	PRINCIPALS
Cumulative School Records (Former Students)	HS/ELEM SCHOOL	PRINCIPALS
Health Records	ELEM/ NURSE'S OFFICE	NURSE
School Transportation Records	HS/ELEM SCHOOL	PRINCIPALS
Speech Therapy Records	ELEM SCHOOL	SPEECH PATHOLOGIST
Psychological Records	HS/ELEM SCHOOLSPED RM	SPED TEACHERS

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 EDUCATIONAL 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;

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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.) 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.);
5. The student's extracurricular participation;
6. The student's achievement awards or honors;
7. The student's weight and height if a member of an athletic team;
8. The student's photograph.

(NOTE: A district may designate all, some, or none of this information as directory information.)

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.

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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;
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;

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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;
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

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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 an emergency; or

When certain federal and state officials need information in order to audit or enforce legal

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

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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 an 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.

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.

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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

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

PROCEDURES TO SEEK TO CORRECT EDUCATION RECORDS

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

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

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

First Level Decision

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

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

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

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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.

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.

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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.

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

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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.