
SECTION 5

STUDENTS

Any questions direct to the Superintendent (918) 647-7700

STUDENTS SECTION INDEX

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AGE OF ENTRANCE AND ATTENDANCE

In accordance with state law, children who are at least four (4) years of age but not more than five years of age on or before September 1 shall be entitled to attend the Four-Year Old Program on a first come first served basis as long as there are openings in the sections established. No child shall be enrolled in Kindergarten unless he or she will have reached the age of five (5) on or before September 1 of the school year. No child shall be enrolled in first grade unless he or she will have reached the age of six (6) years on or before September 1 of the school year. However, underage children who were admitted to a Kindergarten class, have satisfactorily completed Kindergarten and have been recommended for promotion to first grade shall be permitted to enroll in first grade. They shall be included in the first grade average daily membership for State Aid Funding. Underage pupils who have been in legal school attendance in a public or private school in another state or in a Department of Defense School for military dependents may be legally enrolled and attend school in Poteau.

Once enrolled a child may be moved to another grade if he or she has demonstrated that his/her most appropriate placement is in the other grade. This policy reflects State Department of Education interpretations of the law, which also require that the state aid for the child moved is to be based on the grade in which the child's age initially placed him or her.

Attendance in the Four-Year Old Program is optional. Kindergarten attendance is required, although the law provides an exception. A parent may delay the start of Kindergarten for a child until age six (6) by sending a certified letter of notice of such intention to the school. Students are entitled to attend school until graduation or until age 21. A student who becomes 21 on or before September 1 of a school year may continue until the end of that school year.

In determining the age of pupils, birth certificates are to be presented as proof of age. Any exception must meet guidelines of the State Department of Education.

All students who are enrolled in Kindergarten shall be screened before entry into first grade. Results of the screening are to be shared with the child's parent or legal guardian, teacher, and administrators.

Revised: July 27, 1998

Revised: February 12, 2007

STUDENT RESIDENCY

The Poteau School District is established for the purpose of serving the educational interests of resident students.

Definitions

1. ***Residency.*** As used in this policy, the terms "residence," "residency" and "legal residence" shall mean the student's present place of abode, **provided** that it is a place where important family activities (such as sleeping, eating, working, relaxing, and playing) take place during a significant part of each day. Mere presence alone is not sufficient to establish residency. Documentary evidence that may be submitted to establish residency is identified in **Procedures for Resolving Residency Disputes**.
2. ***Person having legal custody.*** As used in this policy, the phrase "person having legal custody" means a person who is legally responsible for the care of the child pursuant to the order of a court or governmental agency responsible for making custody determinations and/or placements.
3. ***Homeless children and youth.*** As used in this policy, the phrase "homeless children and youth" means students who lack fixed, regular and adequate nighttime residence, and includes:
 - A. children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
 - B. children and youth who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

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- C. children and youths who are living in cars, parks, public spaces, buildings, substandard housing, bus or train stations, or similar settings; and
 - D. migratory children (as such term is defined in **Section 1309 of the Elementary and Secondary Education Act of 1965**) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses A. through D.
4. **Permanent care and custody.** As used in this policy, the phrase "permanent care and custody" means a person who has assumed the care and custody of the child on a continuous and ongoing basis with the intent not to relinquish such care and custody until the child reaches the age of majority.
 5. **Major degree of support.** As used in this policy, the phrase "major degree of support" means a substantial contribution to the cost of the child's care, but it need not be in excess of one-half of all monies expended in the care and support of the child.

Policy Statement

1. State law provides that a child's residence for school purposes is the school district in which the (1) parents, (2) guardian or (3) person having legal custody of the child holds legal residence.
2. State law also grants school districts the discretion to permit a child to establish residency by residing with an adult who is a legal resident of the school district and does not fit into any of the three categories listed in Policy Statement 1 above if such adult has assumed permanent care and custody of the child.
3. Federal law provides that homeless children and youth, individually or through a parent or guardian, may choose to attend the school in the area in which they are currently living. The Residency Officer will determine whether a student is a homeless child or youth for

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purposes of establishing residency and promptly advise the parent, guardian or person having legal custody of the child of the decision, both orally and in writing, if possible. If there is no such person, the Residency Officer will advise the student. The School District will enroll each homeless student and permit his or her full participation in all school programs, whether or not the student is accompanied by a parent, guardian or person having custody of the child, and without proof of residence, current immunizations and traditional enrollment documentation, such as school records and medical/immunization records. The School District's homeless liaison may assist the student and school in obtaining those items. A parent, guardian or person having legal custody of the child who disagrees with the Residency Officer's determination may appeal the decision to the Board of Education under the procedure identified in paragraph 5.C. below. If there is no parent, guardian or person having legal custody of the child available, the student may appeal the decision.

4. The Board of Education of the Poteau School District has determined that it is in the best interests of the School District to allow a child to establish residency in the School District by residing with an adult who is a legal resident of the School District and has assumed permanent care and custody of the child but does not fit into any of the three categories listed in Policy Statement 1. above.
5. In order for a child to establish residency in the School District by residing with an adult who is a legal resident of the School District and has assumed permanent care and custody of the child but does not fit into any of the three categories listed in paragraph 1. above, the following criteria must be met:
 - A. The adult with whom the child is residing must file a request for determination of residency with the Residency Officer of the School District. The request must include an affidavit in which the adult attests under oath that he or she has assumed permanent care and custody of the child and states the reasons for assuming permanent care and custody of the child. A form affidavit is attached to this policy.

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- B. The Residency Officer shall make an initial residency determination pursuant to the procedures outlined in the section below. The person seeking to establish the child's residency in the School District shall have the right to request the Board of Education to review the Residency Officer's determination pursuant to paragraph 5.C. below.
 - C. The Residency Officer and Board of Education shall consider the facts and unique concerns of each case and shall approve residency only if it is demonstrated that the adult has assumed permanent care and custody of the child and contributes the major degree of support to the child.
6. Pursuant to Oklahoma law, knowingly filing a false affidavit of residency is a misdemeanor punishable by imprisonment in the county jail for not more than one (1) year or a fine of not more than \$500.00 or both.

Procedure for Resolving Residency Disputes

- 1. The School District recognizes that there may be occasions when there is a dispute regarding residency. Upon enrollment in the school system the School District will verify that the student is a resident of the School District or is otherwise entitled to attend school in the School District for any reason authorized by law. As a part of this verification process the School District will obtain an address from each student or the student's parent, guardian, or person having legal custody of the child. In providing an address to the School District that is within the School District's boundaries the student and student's parent, guardian, or person having legal custody of the child represent that this address is the student's residence. The School District may also require, in order

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to verify residency, certified copies of court orders, guardianship documents, written agreements and affidavits relating to the care, custody and control of the student and any other information deemed relevant by the School District.

2. If at any time an administrator of the School District has a reasonable belief that the reported residence may not be the residence of the child for purposes of school attendance, the administrator shall notify the student's parent, guardian, or person having legal custody of the child that there is a question regarding the legal residency of the student. The student's parent, guardian, or person having legal custody of the child shall be given an opportunity to submit information regarding the student's residency to the School District's Residency Officer. All notices required by this policy shall be in writing. Additionally, reasonable alternative arrangements for documenting communications will be made for those persons who are visually impaired or otherwise unable to communicate in writing.
3. Information or documentation to prove student residency in the School District shall include but not be limited to proof of provisions of utilities, payments of ad valorem taxes, local agreements or contracts for purchasing/leasing housing, driver's licenses, income tax returns, notes, mortgages, contracts, and any other source of proof which is not in conflict with statutory provisions relating to the residence of students.
4. Any question or dispute as to the residence of a student shall be determined by the Residency Officer and the School District's Board of Education pursuant to the following procedures:
 - A. The student's parent, guardian, or person having legal custody of the child must notify the Residency Officer in writing of the review request within three (3) school days from the date of written denial of admittance or from the date of written notification that the student is considered not to be a resident of the School District. Upon receipt of a request for review, the Residency

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- B. Officer shall allow the parent, guardian or person having legal custody to provide additional pertinent information in accordance with the School District's criteria and the statutory provisions regarding residency. This information must be submitted with the request for review.

- C. The Residency Officer must render a decision and notify the student's parent, guardian, or person having legal custody of the child of the decision and reasoning therefore in writing within three (3) school days of the receipt of the request for review.

- D. In the event the student's parent, guardian, or person having legal custody of the child disagrees with the Residency Officer's decision, such person shall notify the Residency Officer in writing within three (3) school days of his or her receipt of the Residency Officer's decision. The Residency Officer will submit his/her findings and all documents reviewed to the Board of Education. The Board of Education of the district will review the decision and the documents submitted on behalf of the School District and the student and will render a decision at the next board meeting. The decision of the Board of Education shall be the final administrative decision.

- E. In an effort to place students in school as quickly as possible, timelines shall be followed unless due to emergency circumstances both parties agree to an extension of timelines.

Miscellaneous Policy Provisions for Student Residency

1. Hearings involving more than one student where students are related or residing in the same household may, at the discretion of the Residency Officer and the Board of Education, be consolidated.
2. In the event the residency dispute involves an 18-year old student all notices will be delivered to the student because at 18 the student ceases to be a minor.
3. If already enrolled and attending school in the School District, a student or students involved in a dispute related to the student's residency may remain in school until available appeals are exhausted when the student or the student's parent, guardian, or person having legal custody of the child has filed an appeal in the manner and within the time permitted by this policy.
4. The Residency Officer shall be in charge of maintaining the files related to a residency dispute, ensuring that the principals or others directly involved in such a dispute forward their records of the dispute following their involvement, and otherwise keeping all communications involving the dispute intact.
5. The Residency Officer of the School District is the superintendent or designee
6. The Board of Education understands that there may be some instances where residency may be established on a date other than the date the student was enrolled in the School District. For any period during which a student is enrolled in the School District, but is not a resident of the School District, the School District may charge tuition if it is established that the student's parent, guardian, or person having legal custody of the child knew or should have known that the child or children who are the subject of the residency dispute were not residents of the School District. The tuition shall be based on a per capita cost of educating a student in the School District during the preceding year. This issue may be raised along with other issues related to the residency dispute and shall be heard in the same manner.

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7. The School District shall provide for educational services for homeless children to the extent required by **Public Law 100-77, Title VII, Subsection B.**
8. The School District reserves the right to require reverification of student residency at the beginning of each school term.
9. A copy of this policy shall be given to the student's parent, guardian, or person having legal custody of the child as soon as possible following the inception of any residency dispute.

Revised: July 27, 1998

Revised: February 12, 2007

NON-RESIDENT

Non-residents may attend Poteau Public Schools only after receiving a transfer or paying tuition or through contractual agreement between this district and their resident district or in the case of foreign non-immigrant students by following a process established by the Immigration Department.

Revised: August 9, 1993

Revised: February 12, 2007

OPEN TRANSFER POLICY

A request for an Open Transfer into this School District initiated by or on behalf of a non-resident student will be approved or refused in accordance with this policy. The Open Transfer of a student whose resident district does not offer the grade the student is entitled to pursue will be approved if the student resides within the transportation area of this School District. In accordance with **Okla. Stat. tit. 70 §8-101** as amended, a student shall be limited to one (1) transfer. Following that transfer, a student may apply for any other kind of transfer for which the student is eligible based on the **Education Open Transfer Act.**

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Criteria For Approval Or Denial Of Open Transfers

The fact that the district has adopted an Open Transfer Policy does not mean that every transfer application will be accepted. A transfer will be denied if the administration determines the transfer would detract from the educational experience of currently enrolled students or place additional financial or space burdens upon the district. An Open Transfer Application will **NOT** be approved if this district does not:

1. Provide the courses/educational program(s) in which the applicant desires to enroll or in which this district deems the student is required to enroll in order to comply with state and federal laws and regulations;
2. Have adequate facilities to provide the courses/educational program(s) in which the applicant desires to enroll or in which this district deems the student is required to enroll in order to comply with state and federal laws and regulations;
3. Have adequate space for the student in the courses/educational program(s) in which the applicant desires to enroll or in which the district deems the student is required to enroll in order to comply with state and federal laws and regulations. The administration may reserve preferred space for resident students or new resident students reasonably anticipated to move into the district during the school year. Thus, the district may deny a transfer if approval would result in:
 - A. Placing a financial or education burden on district facilities or staff in the courses/educational programs the student would attend;
 - B. Exceeding class size limitations set by state law or district policy in such courses; or,
 - C. Exceeding a percentage of such class size limitations as set by the superintendent or designee. The administration may determine that a percentage of class size mandates should be reserved for later resident enrollment to prevent the exceeding of class size limits later in the school year due to additional enrollment of reasonably anticipated new resident students.

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4. Have current personnel needed to provide the grade/courses/ programs in which the applicant desires to enroll.

A transfer will NOT be approved if the student:

Has a disciplinary record which provides a reasonable basis to determine the applicant would present a discipline problem if enrolled. Such a reasonable basis will exist if school discipline or court records of the student, from any public or private school within or without the State of Oklahoma or any court within or without the State of Oklahoma, show the student at any time:

1. Has violated school regulations;
2. Has committed an act commonly regarded as being immoral;
3. Has been adjudicated as a delinquent for an offense that is not a violent offense under relevant Oklahoma law;
4. Has been adjudicated as a delinquent for an offense that is a violent offense under relevant Oklahoma law;
5. Has been convicted as an adult for an offense defined in relevant Oklahoma law as an exception to a non-violent offense;
6. Has been convicted as an adult for an offense defined in relevant Oklahoma law as a violent offense;
7. Has committed on school property, in school transportation, or at a school event a violent act or an act showing deliberate or reckless disregard for the health or safety of faculty or others;
8. Has possessed on school property, in school transportation, or at a school event an alcoholic beverage, low-point beer as defined by relevant Oklahoma law, an unauthorized wireless telecommunication device, or missing or stolen property found to have been taken from a student, school employee, or the school during school activities; or,
9. Has possessed on school property, while in school transportation, or at a school event a dangerous weapon or a controlled dangerous substance as defined by relevant Oklahoma law.

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A transfer will NOT be approved if the applicant:

1. Fails to complete the Application Form, provide the district with sufficient educational records, or inform the district in detail of the grades/courses/programs in which the student desires to enroll or participate if the application is accepted so that the criteria above can be applied within the time deadlines set by law for the approval or rejection of a transfer. All such records must be supplied to the district in time for district personnel to make a reasonable review of such records in applying the approval/denial criteria set by this policy. This is particularly important for students with disabilities because all documentation of the resident district will need to be reviewed to make a preliminary determination as to whether the district has the appropriate programs, staff, and services to provide the applicant with the education and services set forth in the student's IEP, and, if a preliminary approval determination is made, to prepare for and conduct a joint IEP conference with the resident district prior to any final approval or rejection of the transfer application. All applicants must consent in writing to the release of educational records from previous schools attended, and applicants for students with disabilities must consent in writing to forward to this district whatever confidential records this district deems is necessary to review in applying the approval/denial criteria of this policy. The superintendent or designee has authority to amend the Application Form by regulation to include additional information needed to review an application request.
2. Fails to timely submit a completed application; or,
3. Provides incorrect information on the application request.

Delegation Of Approval Authority To Superintendent Or Superintendent's Designee

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

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First Priority For Transfer Openings Will Be Reserved For Children Of District Employees

Subject to the foregoing criteria for approval or denial of Open Transfers, priority for transfers first will be given to applications for the enrollment of non-resident students who are children of district employees specifically defined as “teachers” pursuant to ***Okla.Stat. tit. 70 Section 1-116(1)***, namely, any person who is employed as: district superintendent, principal, supervisor, counselor, librarian, school nurse or classroom teacher, or in any other instructional, supervisory, or administrative capacity holding a valid certificate or license, issued by the and in accordance with the rules and regulations of the State Board of Education, to perform the particular services for which he or she is employed.

Any disputes as to whether a district employee, qualifies for this category of first priority shall be resolved by the district superintendent.

Transfer requests for such children will be numbered as received, and the district shall consider requests on a first-come, first-serve basis. Any currently enrolled district student who is a child of a district employee for whom an Open Transfer has been approved in the past and any sibling of such student will be given priority if an application is filed before April 1, and the first-come, first-serve list will be compiled only after such current students and their siblings have been placed on the list.

Time Of Receipt Of Applications Determines Order Of Review

Transfer requests will be numbered as received, and the district shall consider requests on a first-come, first-serve basis. All Open Transfer Applications received by this district shall be dated and time-stamped. Any currently enrolled district student for whom an Open Transfer has been approved in the past and any sibling of such student will be given priority if an application is filed before April 1, and the first-come, first-serve list will be compiled only after such current students and their siblings have been placed on the list.

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Non-discrimination

The district shall not accept or deny an Open Transfer Application based upon the student's ethnicity, national origin, race, color, religion, gender, income level, disabling condition, proficiency in the English language, measure of achievement, aptitude, or athletic ability. Failure to meet the criteria in this policy for approval will not be deemed to be rejection for a discriminatory reason.

Students With Disability

If a student with a disability applies for a transfer, the student must supply all documentation of the resident district relating to the student's previous and current IEPs so that this district may:

1. Determine whether the district currently has appropriate programs, staff, services and placement needed to fulfill the current or anticipated IEP of the student; and,
2. If a preliminary determination is made that the district has the appropriate programs, staff, services and placement needed to fulfill the current IEP of the student if the Open Transfer Application is approved, conduct the statutorily-required joint IEP conference with the district of residence before a final determination of approval or denial is made.

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

Timelines For Open Transfers

An application for a regular transfer must be submitted on a form approved by the State Board of Education, completed by the parent or person having custody of the student, and filed with the district's superintendent not later than May 31st of the school year preceding the school year in which the transfer is requested. On or before May 31st of the school year preceding the school year in which the transfer is requested, the district will notify all resident school districts that an application for the transfer has been filed by a student enrolled in the resident school district.

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This district shall approve or deny the application by July 15th and shall notify the parent or person having custody of the students, in writing, of the decision. If the transfer is approved, the student/parent has until August 1 to notify this district, in writing, that the student will be enrolling in the district. Failure of the parent or person having custody to notify this district as required, in writing, may result in loss of the student's right to enroll in this district for the ensuing school year. By September 1, this district will inform the State Board of Education and the resident district, in writing, of the students who have been granted transfers and their grade levels.

Revised: October 10, 2016

Deaf or hearing impaired students who wish to transfer to a school district with a specialized deaf education program may file an application for transfer at any time during the school year. Upon approval of the receiving school district, the student may transfer to the receiving school district at any time during the school year.

Athletic And Other Competition

A transfer student in grades 9-12, other than a student granted an Emergency Transfer, will not be eligible to participate in school-related interscholastic competition governed by the Oklahoma Secondary School Activities Association ("Association") for a period of one year from the first day of attendance at this district, unless the transfer is from a school district not offering the grade the student is entitled to pursue. Whether a student granted an Emergency Transfer will be eligible to participate in school-related interscholastic competition shall be determined by the Association.

Students who transfer schools during the seventh or eighth grade and no issue has been raised about the student having been influenced to transfer for athletic purposes in violation of OSSAA Rule 9, then the student may participate in athletics without delay, provided the student is eligible under all other OSSAA Rules. A student transferring after the first day of classes will not be eligible to participate in athletics until OSSAA requirements are met, including the Changing Schools/Athletic Participation Form has been completed and student has satisfied the mandatory 15 calendar day sit-out period.

Revised: February 12, 2007

Revised: March 12, 2007

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Emergency Transfers

Students may be granted a transfer on an emergency basis. The parent or person with custody must submit a completed application on a form approved by the State Board of Education. On an adequate showing of an emergency, the superintendent may approve an Emergency Transfer, subject to approval of the State Board of Education. An emergency shall include proof provided by the parent of:

1. The inability of the resident district to provide an education to the transfer applicant due to the destruction or partial destruction of a school building attended by the student;
2. The inability of the resident district to offer the subject the pupil desires to pursue, provided the pupil became a legal resident of the school district after February 1 of the school year immediately prior to the school year for which the pupil is seeking the transfer;
3. A catastrophic medical problem of the student, which means an acute or chronic serious illness, disease, disorder or injury which has a permanent detrimental effect on the body's system or makes the risk of harm unusually hazardous, such that removal from the resident district is medically needed;
4. The total failure of the resident district to provide transportation to and from school;
5. The concurrence of both the resident school district and this receiving district;
6. The unavailability of remote or on-site Internet-based instruction by course title in the district of residence for a student identified as in need of drop-out recovery or alternative education services, provided such student was enrolled at any time in a public school in this state during the previous three school years; or
7. The unavailability of a specialized deaf education program for a student who is deaf or hearing impaired.

Applications for approval of a transfer will not be considered unless the parent has signed an Application Form which will cancel the transfer if the conditions stated in the Application occur. This district shall have complete discretion as to whether to approve or not to approve an Emergency Transfer which is based upon prior approval of the resident district.

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Approval of a Transfer Requires Agreement for Cancellation of Transfer

Approval by this district of any transfer is contingent upon the applicant agreeing in writing to cancellation of this transfer by the district during the school year if the student does not comply with the rules and regulations of this district for student behavior, or if the family of the transferred student fails to remain current in financial obligations owed to the district, including, but not limited to, payment for lunches or lost or destroyed district property. The Board of Education hereby delegates to the superintendent or the superintendent's designee authority to cancel any transfer previously granted by the board of education upon a determination that cancellation is appropriate.

Students Seeking A Transfer From A Non-Accredited School Or A Home School Only Will Be Granted Provisional Approval Pending Review Of Test Results And Application Of Policy Criteria To The Placement Deemed Appropriate

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

Acceptance Of Assignment Required; Subsequent Change Needs Administrative Approval

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Because approval of transfers is based upon criteria of sufficient programs, staffing, and space needs for the particular applicant, a transfer student must accept the school site, courses, and programs to which the student is assigned by the administration. A transfer student will not be allowed at the time of, or after, enrollment to change the grade/courses/programs in which the student stated he or she desired to enroll on the transfer application without specific written permission from the superintendent or superintendent's designee. It will be the responsibility of the transfer student or parent to inform the school official from whom approval for a new assignment is requested that the student is a transfer student, and failure to do so will result in cancellation of the transfer unless excused by the Superintendent or designee.

Revised: 12/13/1999

Revised: 02/12/2007

TUITION

Non-resident students who are unable to secure approval for a transfer from the school district in which the student resides may attend on a tuition basis. Tuition is based on the per capita cost for a similar period of the preceding school year and must be paid in advance yearly or by semester. The district will accept tuition students within the same guidelines as those listed in Board Policy for granting transfers.

If a tuition student withdraws from school, the tuition that has been paid for the days following the withdrawal shall be refunded. The amount refunded will be the daily rate for the per capita cost of the preceding school year, which is the same as the tuition rate.

Revised: July 8, 1991

POTEAU PUBLIC SCHOOLS STUDENTS	<i>NON-RESIDENT</i>
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NON-IMMIGRANT STUDENTS

The Board of Education recognizes the educational merit of association with students from other nations.

The request for admission by students seeking the issuance by this school system of an I20 Form of the Immigration Department so that the students may receive a visa as non-immigrant students shall be handled as follows unless the students come as a part of an exchange program approved by the school administration.

1. A translated copy of the student's transcript shall be provided for the determination of placement and admission. Only students with above average grades shall be admitted.
2. The student must meet the age limitations prescribed by law.
3. Students must have proficiency in the English language as evidenced by a level five competency or better from E.S.L. or successful completion of any exam administered by the State Department (TOFL), or other evidence that is approved by the Superintendent of Schools.
4. There must be an adult resident of the community who has agreed to assume a parental role over the student insofar as school matters are concerned.
5. Except in special cases, students will be admitted only at the beginning of the school year.
6. Considering that funds are limited and that taxpayers of this district have an obligation to provide free public education only for bonafide residents, tuition shall be charged equal to the per capita cost of educating a student in the previous school year.

Adopted: July 25, 1977

Revised: February 12, 2007

POTEAU PUBLIC SCHOOLS STUDENTS	<i>NON-RESIDENT</i>
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EXCHANGE STUDENTS

For those reasons cited in Board Policy regarding non-immigrant students, the acceptance of exchange students is considered to have potential to be beneficial to Poteau students. The governing regulations set by the United States Information Agency (USIA) for Exchange Visitor Programs shall be the guideline for accepting exchange students.

Exchange students on J-1 Visas, issued pursuant to the requirements of federal law, may be accepted.

School officials have the right to accept or reject any exchange student or sponsoring organization.

The student must live with and be sponsored by an adult resident of the district who has agreed to assume a parental role over the student insofar as school matters are concerned.

Adopted: August 1, 1994

Revised: February 12, 2007

PLACEMENT OF STUDENTS FROM NON-ACCREDITED SCHOOLS

Students who enroll in a Poteau School, having come from a non-accredited school, including home schooling, shall be assessed by the professional staff of the receiving school as directed by the school's principal.

Through grade eight Standardized Achievement Tests selected by the professional staff will be administered. Placement will be made at the grade the student would be in had he or she remained in the non-accredited school if the student's Grade Equivalency Score on the complete battery is the same or above that grade level. If it is below, the student will be placed in the grade equal to the Grade Equivalency Score.

POTEAU PUBLIC SCHOOLS STUDENTS	<i>NON-RESIDENT</i>
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For grades nine through twelve a Standardized Achievement Test selected by the professional staff will be administered. The Grade Equivalency Score will determine placement in grades nine (9), ten (10), eleven (11) and twelve (12). Students who score at the grade equivalency level or above the one they would have been in at the non-accredited school will be placed in the grade they would have been in had the student remained in the non-accredited school. Those who score below will be placed at their grade equivalency.

Once placed in a grade credit will be awarded for all classes from the non-accredited school except for the subjects in the fields of English, mathematics, science, and social studies. The sub-test scores of the Standardized Achievement Test administered to the student will be a factor in the awarding of credit for those subjects. Grade level scores equal to or above the grade level of the subject are required for credit in those subjects. If students do not meet the grade equivalency necessary for credit in the district, they may take a test in the courses for which they earned credit in the non-accredited school. The test(s) will be selected by the professional staff and in most cases will be the District-Developed Curriculum Review Tests. Credit will be awarded if the student passes the test(s).

Only grades earned from another high school accredited by the State Department of Education of Oklahoma or another previous home state will be used in computing grade point averages. Credits that the administration accepts from a non-accredited school or through home schooling will be recorded as either "Pass" or "Fail" on district records. Only students earning credits in accredited school districts will be eligible for senior class grade point average recognition at graduation.

Placement exceptions may be made at the discretion of the building principal or the superintendent, but such discretion must be based upon placement tests, parental recommendations, educational records, and other relevant testing information. For children with disabilities, the child's IEP or Accommodation Plan Team will make individualized decisions concerning appropriate placement and enrollment issues.

Revised: June 27, 1998

Revised: March 12, 2007

**ATTENDANCE, TRANSFER AND PLACEMENT OF STUDENTS SUSPENDED
OR REMOVED FROM SCHOOL OR ADJUDICATED OR CONVICTED**

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

Students Suspended by Another School

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

Any student subjected to a Prohibition Term pursuant to this Policy may appeal that decision to the superintendent or designee by requesting an appeal within 48 hours of the student's notice of the decision. Any student dissatisfied with the decision of the superintendent or designee may appeal that decision to the Board of Education by requesting such an appeal within 48 hours of the student's notice of the decision. Student appeal requests to the superintendent and to the board must be made in writing to the superintendent. Failure to timely appeal a decision imposing a Prohibition Term waives all rights to further challenge such decision. On appeal, both the superintendent or designee and the Board of Education will consider the following issues: (1) whether the student is under suspension from another school and (2) the reason for the suspension.

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

POTEAU PUBLIC SCHOOLS STUDENTS	NON-RESIDENT
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If the student was suspended from another school for ***other*** than a violent act or an act showing deliberate or reckless disregard for the health or safety of faculty or other students, then the superintendent or designee and the Board of Education will also consider (3) whether the length of the suspension and any conditions imposed pursuant to the suspension are consistent with the School District's Suspension Policy for the same or similar offenses. If the answer to (3) is in the affirmative, the Prohibition Term will be upheld. The student will be eligible to enroll following the expiration of the Prohibition Term. If the suspension imposed upon the student is found to be inconsistent with the School District's Student Suspension Policy or practices for similar offenses, then the superintendent or designee and the board may consider modifications to the Prohibition Term and/or the conditions associated with that Prohibition Term to make the Prohibition Term consistent with the School District's Suspension Policy or practices. The student will be eligible to enroll following the expiration of the Prohibition Term, as modified.

No Transfer for Student Under Suspension from Another District

The school district will not approve a transfer of any student who is under suspension from another public school district at the time of the student's Proposed Transfer.

Students Adjudicated, Convicted, or Removed From School by Administrative or Judicial Process

The school district will not provide education services in the regular school setting to any student who has been adjudicated as a delinquent or convicted as an adult of an offense defined in ***OKLA. STAT. tit. 57, ' 571*** as an exception to a non-violent offense or who has been removed from a school (public or private) by administrative or judicial process for a violent act or an act showing deliberate or reckless disregard for the health or safety of faculty or other students, until the school district determines that the student no longer poses a threat to himself, other students or faculty. Until the school district determines that the student no longer poses a threat to himself, other students or faculty, the school district will provide education services to the student through an alternative school setting, home based instruction, or other appropriate setting.

**POTEAU PUBLIC SCHOOLS
STUDENTS**

NON-RESIDENT

Any student excluded from the regular school setting pursuant to this Policy may appeal that decision to the superintendent or designee by requesting an appeal within 48 hours of the student's notice of the decision. Any student dissatisfied with the decision of the superintendent or designee may appeal that decision to the Board of Education by requesting such an appeal within 48 hours of the student's notice of the decision. Such appeal requests to the superintendent and to the board must be made in writing to the superintendent. Failure to timely appeal a decision excluding a student from the regular school setting waives all rights to further challenge such decision.

On appeal, both the superintendent or designee and the Board of Education will consider the following issues: (1) whether the student has been (a) adjudicated as a delinquent or convicted as an adult of an offense defined in ***OKLA. STAT.tit. 57, ' 571*** as an exception to a non-violent offense or (b) has been removed from school by administrative or judicial process for a violent act or an act showing deliberate or reckless disregard for the health or safety of faculty or other students; and (2) whether the student poses a threat to himself, other students, or faculty. If the answers to (1) (a) or (b) and (2) are in the affirmative, the student's exclusion from the regular school setting will be upheld. If the answer to either (1) (a) and (b) or (2) is in the negative, the student will be immediately eligible to return to the regular school setting.

The provisions of this Board Policy do not apply to students identified as "disabled" under the ***Individuals with Disabilities Education Act*** or ***Section 504 of the Rehabilitation Act of 1973***. In determining the placement of such students, the School District will follow state and federal law and regulations.

Adopted: July 14, 1997

Revised: February 12, 2007

STUDENT ATTENDANCE

Poteau Public Schools students shall observe the attendance requirements established by Oklahoma law and the State Board of Education. No student who is absent shall be counted present unless he/she is participating in a school-sponsored activity and/or has received the prior approval of the principal. No pupil will be dismissed for private instruction except by specific approval of the principal and then only for academic instruction not available in school.

A student shall be excused from attending school for the purpose of observing religious holy days if before the absence, the parent, guardian, or person having custody or control of the student submits a written request for the excused absence. The student will be excused for the days on which the holy days are observed and for the days on which the student will travel to and from the site where the student will observe the holy days.

The schools shall assist parents or guardians with their legal responsibility of seeing that their children attend school. The parents or guardians will be notified if attendance problems develop. Effort should be made to notify the parent or guardian of truancy in the first instance.

Students shall be required to check out in the school office should it become necessary for them to leave school during their scheduled school day.

The campuses of Poteau Public Schools are closed campuses, the exception being the high school during lunch period.

Revised: July 27, 1998

Revised: February 12, 2007

POTEAU PUBLIC SCHOOLS STUDENTS	<i>Attendance</i>
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TRUANCY REPORTS TO DEPARTMENT OF HUMAN SERVICES

In compliance with Oklahoma law, at the close of each attendance period of the school term, each principal or designee shall advise the Department of Human Services in writing of the name of any student who has not been present eighty percent (80%) of the time except for excused absences so that assistance payments could be withheld as a means to improve school attendance.

Revised: July 24, 1996

Revised: March 12, 2007

TRUANCY - REPORTS TO DISTRICT ATTORNEY

In compliance with Oklahoma law, if a child is absent without valid excuse four (4) or more days or parts of days within a four (4)-week-period or is absent without valid excuse ten (10) or more days or parts of days within a semester, the school shall notify the parent, guardian, or custodian of the child and immediately report such absences to the District Attorney.

Revised: July 25, 1995

Revised: March 12, 2007

**WITHDRAWAL FROM SCHOOL REPORTS
TO DEPARTMENT OF PUBLIC SAFETY**

The school principal or designee shall notify the Department of Public Safety when a student below 18 years of age withdraws from school unless the student is withdrawn due to circumstances beyond his or her control, a lawful excuse, and transfer to another school or home school is confirmed in writing by the parent or guardian.

Adopted: July 24, 1996

Revised: February 12, 2007

POTEAU PUBLIC SCHOOLS STUDENTS	<u>Attendance</u>
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ATTENDANCE - SIX PERIOD DAY

Oklahoma law requires that every senior high school student in grades nine (9) through twelve (12), be enrolled each day in a minimum of six (6) periods of rigorous academic and/or vocational courses, which may include arts, vocal and instrumental music, speech and physical education. Poteau High School operates on a seven (7)-period day and its students shall be enrolled in seven (7) periods. Work for which credit is earned is counted as school attendance. Students who are past their date of expected graduation may attend only the number of periods needed to complete graduation. In special situations Alternative Education Center students may have an abbreviated day. For students with disabilities, each student's IEP or Accommodation Plan Team will determine his or her educational program and placement.

Adopted: July 26, 1999

Revised: February 12, 2007

ATTENDANCE/PASSING GRADES

Students have an 85% attendance requirement at all sites in order to pass a course or be promoted. An Attendance Committee will be formed at each site to provide hearings when necessary. Students will be given the number of days missed plus one (1) day to turn in any missed assignments due to absences.

Revised: July 8, 2013

ABSENCES FROM CLASSES FOR SCHOOL ACTIVITIES

Students are encouraged to attend their regularly scheduled classes so maximum learning can occur. The educational merit of activity programs is recognized and students are encouraged to be involved in them. In rare instances absences for activities, if not monitored, can seriously jeopardize learning in the regularly scheduled classes. In order to facilitate a balance between attendance in regularly scheduled classes and absences for activities, the following guides are established:

1. Following each school year the superintendent shall report to the Board of Education regarding the activities for which students missed classes to participate. The number of students involved and the number of absences by the students plus a consolidation for all activities shall be included. The board shall use the information to formulate any needed policies regarding absences for activities in the next school year.
2. The maximum number of absences for activities, whether sponsored by the school or an outside organization, that removes the student from the classroom shall be ten (10) for any one (1) class period of each school year. School sponsored activities to be included in the ten (10) days are sports, music, speech, drama, debate, publications, clubs (including honor societies), student government, cheerleading, academic bowls, scholastic contests, science fairs, and class (grade) activities and meetings. Like organizations of Kiamichi Technology Center are included. Examples of absences for activities that are not sponsored by the school but that are within the ten (10)-day period are 4-H and scouting.

Activities that are **excluded from the ten (10)-day rule** are: (1) participation by athletes and cheerleaders for meets, academic bowls, tournaments, and contests sponsored by the Oklahoma Secondary School Activities Association (OSSAA) as a part of the State's playoff systems for OSSAA-recognized sports and activities, i.e. (district, regional and state levels); (2) assemblies; (3) field trips; (4) school sponsored picture taking; (5) senior class graduation business (measuring for caps and gowns, purchase of

announcements, etc.); (6) orientations by college recruiters; (7) one (1) visit by a senior to a college he or she is considering attending; (8) purchase and fitting of school rings; (9) serving as a page in the Legislature; and (10) state and national level contests of the State Career Technology Board of Education for which the right to compete must be earned. If a student is enrolled in an activity class and is away from school for that class during the time it is scheduled, it is not considered an absence for an activity.

School sponsors and principals are encouraged to keep the time lost for activities that are excluded from the ten (10) day limit to a minimum and to conduct them outside of class time when practical.

3. Each school shall establish an Internal Activities Review Committee. The Committee shall be responsible for reviewing and recommending to the board any deviation from the above activities policy. The Committee shall consist of the principal, assistant principal, counselor/s, and sponsor/s of the activities affected by the deviation.
4. An addendum to the attendance records shall be developed and maintained to verify the absences of students for activities.
5. Complaints regarding violations of this policy shall be handled in accordance with regulations of the State Department of Education.

Revised: July 27, 1998

Revised: March 12, 2007

THE RIGHTS OF STUDENTS

Members of the Board of Education, administrators, and other faculty members of the Poteau Public Schools recognize that students must be given the opportunity to participate in their school with the basic rights that are guaranteed by the Constitution of the United States. The range in age and maturity of school students and the educational function of school suggests that regulation, advice, counsel, and supervision of students are ingredients of school life. An essential problem is how to maintain the rights of students while at the same time teaching a sense of responsibility and guarding against the excesses to which the inexperience or immaturity of students might lead. It is the responsibility of each faculty under the leadership of its principal to determine when a situation requires a limit on freedom in order to protect the students and the school. The major guideline is that freedom implies the right to make mistakes and to learn from them **so long as the consequences of the acts are not dangerous to life and property, do not infringe on the rights of others, and do not disrupt the academic program.**

It is important for students to understand their rights within their school. Although the rights extend to all grades and ages, their application is greatly restricted for the younger students and increases as the students grow in their ability to exercise their rights in a responsible manner.

Adopted: July 25, 1977

Revised: March 12, 2007

RELIGIOUS FREEDOM

Consistent with the U.S. Constitution, laws and court decisions and the Oklahoma Constitution, the school shall develop no policies, rules or practices that establish religion or prohibit the free exercise thereof. No sectarian or religious instruction shall be taught or inculcated. The school shall not be hostile toward religious groups nor shall it be a promoter of religious groups. Religious beliefs are recognized to be very important and personal matters that are left to the home, church, and other institutions. Teaching about religion may occur. Religious instruction shall not.

Revised: June 11, 1984

PRAYER AT GRADUATION

1. The use of an invocation and/or benediction at a high school graduation exercise shall rest within the discretion of the graduating senior class, with the advice and counsel of the senior class sponsor;
2. The invocation and/or benediction, if used, shall be given by a student volunteer.
3. Consistent with the principle of equal liberty of conscience, the invocation and/or benediction shall be non-sectarian and non-proselytizing.

Revised: June 8, 1993

MOMENT OF SILENCE

It shall be the policy of this Poteau Board of Education that those students who wish to do so may participate in voluntary silent prayer so long as it is during non-instructional time and does not interfere with the rights of other students.

Each school within the district shall observe a moment of silence each day for the purpose of allowing each student to meditate, pray, or engage in any other silent activity that does not interfere with, distract, or impede other students in the exercise of their choice. All school personnel are to afford these options to all students, who will individually make the selection as to which of these behaviors they will engage in during the moment of silence. These options will also be included in the student handbooks.

The moment of silence will be held at the start of the school day and will be announced over the intercom at the appointed time.

Revised: August 12, 2002

FLAG SALUTE AND OATH

Students have a right to abstain from compulsory flag salute and from reciting the pledge. Although this right is protected, it by no means indicates the school encourages abstinence.

Revised: July 25, 1977

EXCHANGE OF IDEAS

Students may express their ideas within the classroom, in school activities, and in informal conversations so long as they refrain from inappropriate or slanderous language and deal with the substance of the subject being considered in the class or activity. Freedom of expression does not include advocating illegal activities.

Revised: July 25, 1977

EMBLEMS

The wearing of emblems, buttons, or other insignia to express a point of view cannot be restricted provided obscene language is not included. The message cannot mock, provoke, or demean others because of race, religion, or national origin. The time and place of distributing insignias can be determined by the administration. Those distributing may be required to remove any resultant litter. If threat of disruption is serious, insignias could be prohibited.

Revised: July 25, 1977

GANG SYMBOLISM

Dress or symbols that might be interpreted as gang related are prohibited.

Adopted: July 14, 1997

PUBLIC ANNOUNCEMENTS

Announcements for the student body or portions of it may be made on specified bulletin boards, printed school bulletins, and on the public address system. Generally announcements will be only those concerning school life. Principals are to approve announcements regarding school organizations and will do so when the information meets the general guidelines for student rights and follows the prescribed procedures for presenting announcements.

Adopted: July 25, 1977

FREEDOM OF THE PRESS

Secondary schools may have one official school paper financed by the school.

Papers must have faculty sponsors. In the middle school, the paper will be printed on the duplication equipment of the school. The senior high school paper may be printed commercially. All paper will conform to the following guidelines:

1. No obscenities or defamation may be printed.
2. Criminal or illegal activities (including drug abuse) will not be encouraged.
3. All articles or letters that present opinion must be by-lined.
4. Articles and letters must be written by students of the school. The sponsor may approve exceptions.
5. Students who are not on the newspaper staff shall have access to its pages through "letters to the editor".
6. The sponsor may review all content to determine if it is appropriate.

**POTEAU PUBLIC SCHOOLS
STUDENTS**

Rights of Students

Students who produce newspapers other than the officially designated paper of a school must conform to the above guidelines. The time and place of distributing such papers may be determined by the administration.

Anthologies and yearbooks shall also conform to the guidelines identified for school papers.

Adopted: July 25, 1977

Revised: March 12, 2007

HANDBILLS OR LEAFLETS

Handbills about school life may be circulated if they originate with the students of the school. They cannot be circulated for advertising or promoting any commercial or non-school group. The time and place of the circulation of any handbill may be specified. The content of handbills must meet the guidelines set for newspapers. Students responsible for distributing are to clean any litter resulting from their activities.

Revised: July 25, 1977

FREEDOM OF ASSEMBLY

Forums may be held by students to discuss issues. Arrangements for sponsors and scheduling forums should be made with the administration. Forums are to be peaceable and respectful of the rights of others. Informal assembly may occur if it is not disruptive.

Revised: July 25, 1977

RIGHTS OF PETITION

Petitions may be circulated for a redress of grievances, but are considered a final act in the democratic process. Petitions will be considered by administrators after the sponsors of the petitions have sought solution to their problems through student government grievance committees or concerned teachers, counselors, or principals.

Resolutions by student governments will be given extensive consideration by administrators. Students are encouraged to make student government more effective by seeking redress of grievances through it and by recommending to it the passage of certain measures.

The time for the collection of signatures for petitions is limited to before and after school hours.

Adopted: July 25, 1977

STATEMENT OF EQUAL OPPORTUNITY

It shall be the policy of the Poteau Public Schools to provide all school programs in such a manner that there shall be no discrimination against students because of race, color, national origin, age, sex, disability, religion, or veteran status. The school district shall comply fully with the letter and the spirit of state and federal laws prohibiting discrimination.

Revised: October 11, 1993

Revised: March 12, 2007

NOTIFICATION

Notification of the policy of non-discrimination shall be made annually at the beginning of each school year to students, parents, employees, and the general public. This may be achieved through the student and employee handbooks and policy manuals. The notification shall include the designated Civil Rights Compliance Coordinator who may be contacted for information concerning the policy or its implementation.

Non-discrimination statements shall be included on application forms and enrollment forms.

Revised: October 11, 1993

COORDINATOR

The superintendent shall designate an employee who will coordinate compliance activities for ***Title IX, Section 504, Title VI, the Age Discrimination in Employment Act, and the Americans With Disabilities Act.*** The Civil Rights Compliance Coordinator shall investigate complaints of discrimination by gathering relevant information and by insuring that any complaint is processed according to procedures. The Coordinator will not be responsible for making a decision or determination about a complaint. The Coordinator shall be knowledgeable of the regulations; be able to provide information to others, including staff and students; respond to inquires; and process any complaints received. The Coordinator should monitor activities, report problems and make recommendations as appropriate.

Revised: August 1, 1994

COMPLAINT PROCEDURES FOR VIOLATION OF IDEA

The State Department of Education (SDE) and Poteau Public Schools each have a formal complaint management system for filing and resolving complaints regarding alleged violations of the requirements of the ***Individuals With Disabilities Education Act (IDEA)***. Complaints to the Poteau Public Schools should be filed with the superintendent. Complainants have the right to request an SDE review of the district's decision on the complaint filed at the local level. The district shall utilize the following complaint procedures.

Formal complaints received by the district will be acknowledged in writing. Copies of this written acknowledgment will be mailed to the involved parties.

Telephone calls and/or other contacts shall be made to determine the circumstances and facts pertaining to the complaint. The parties involved may be requested to submit documentation such as copies of student records or other written verification of actions. Through these inquiries, the context and nature of the complaint will be more clearly defined.

The complainant will be given the opportunity to submit information, either orally or in writing, about the allegations in the complaint.

Activities to assist resolution of the complaint may include consultation, mediation conferences, negotiations, or other intervention. In many instances, early resolution of the complaint may be accomplished through the voluntary participation and agreements of the parties in IEP Meetings and/or mediation conferences and negotiations.

The district will report the findings of its investigation within sixty (60) calendar days from receipt of the formal written complaint. Extensions of time may be granted only if exceptional circumstances exist regarding a specific complaint.

Complainants have the right to have the SDE review the district's decision regarding the complaint.

After facts are gathered, the SDE will report the findings in writing. The findings of fact and conclusions will address whether the complaint of alleged violations under Part B of the IDEA is substantiated and the written decision will include instructions for correcting any substantiated violations.

**POTEAU PUBLIC SCHOOLS
STUDENTS**

Rights of Students

Investigation and resolution of complaints filed with the SDE will be completed within sixty (60) calendar days from receipt of the formal written complaint. Extensions of time may be granted only if exceptional circumstances exist regarding a specific complaint.

Complaints must be written and include: (1) a statement that the district or other responsible public agency has violated a requirement under Part B of the IDEA; (2) the facts on which the statement is based; and (3) the signature of the person(s) filing the complaint. Complaints pertaining to a specific child with a disability should include the child's name, date of birth, and current educational status.

Complaints filed with the district should be addressed to the Superintendent, 100 Mockingbird Lane, Poteau, Oklahoma 74953. Complaints filed at the state level or requests for review of local level decisions should be addressed to: Complaints, Special Education Section, Oklahoma State Department of Education, 2500 North Lincoln Blvd., Oklahoma City, Oklahoma 73105-4599. Copies of complaints filed with the SDE should also be mailed at the same time to the local school administrator.

Translations or other assistance will be provided to complainants if requested.

Adopted: July 24, 1996

Revised: March 12, 2007

SEXUAL HARASSMENT OF STUDENTS

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

1. **Sexual Harassment**

- A. For the purpose of this policy, sexual harassment includes verbal or physical sexual advance, including subtle pressure for sexual activity; touching, pinching, patting, comments regarding physical or personality characteristics of a sexual nature; and sexually-oriented "kidding" "teasing", and jokes.

- B. Demeaning comments about boy's or girl's ability to excel in a class historically considered a subject for the other sex.
- C. Writing graffiti which names a student or otherwise identifies a student is potentially slanderous and constitutes sexual harassment.

2. **Specific Prohibitions**

A. Administrators and Supervisors

- 1. It is sexual harassment for an administrator, supervisor, support employee, or teacher to use his or her authority to solicit sexual favors or attention from students.
- 2. Administrators, supervisors, support personnel, or teachers who either engage in sexual harassment of students or tolerate such conduct by other employees shall be subject to sanctions, as described below.
- 3. Any romantic or sexual affiliation between school personnel and students, including students who have reached the age of majority (18), during school hours will have a negative impact on the educational process and shall constitute a violation of school policy. Such violations may result in suspension of the student and suspension or termination for the employee. Any sexual affiliation between school personnel and students under the age of 18 may constitute a crime under state or federal law.

3. **Report, Investigation, and Sanctions**

- A. It is the express policy of the Board of Education to encourage student victims of sexual harassment to come forward with such claims.
 - 1. Students who feel that administrators, supervisors, support personnel, teachers, or other students are subjecting them to sexual harassment are encouraged to report these conditions to the Civil Rights Compliance

Coordinator or to the appropriate administrator, counselor, or a teacher. If the student's immediate administrator or teacher is the alleged offending person, the report should be made to the next higher level of administration or supervision or to any responsible adult person.

2. Confidentiality will be maintained to the extent possible, and no reprisals or retaliation will be allowed to occur as a result of the good faith report of charges of sexual harassment.
 - B. In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct and the context in which the alleged conduct occurred will be investigated. The Civil Right Compliance Coordinator has the responsibility of investigating complaints of sexual harassment.
 - C. Any employee found to have engaged in sexual harassment shall be subject to sanctions, including, but not limited to warning, suspension, or termination, subject to applicable procedural and due process requirements.
 - D. Any student found to have engaged in sexual harassment of other students shall be subject to sanctions, including, but not limited to warning, suspension or other appropriate punishment subject to applicable procedural and due process requirements.

Adopted: October 11, 1993

Revised: March 12, 2007

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 school-sponsored activities, 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 including video content 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 concern bullying at school.

As used in the ***School Safety Bullying Prevention Act***, bullying has been defined as a “pattern of harassment, intimidation, threatening behavior, physical acts, verbal or electronic communication, or directed toward a student or groups 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.”

Discipline of Students

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 and 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 retention.
4. Detention.
5. Referral to school counselor and/or outside counseling agency.
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. Requiring student to participate in anger management or other school counseling.
13. Referring student to appropriate social agency.
14. Suspension.
15. Other appropriate disciplinary action as required and as indicated by the circumstances which may include, but is not limited to, removal from eligibility to participate or attend extra-curricular 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.

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

**REFERENCE: 210.S. § 850.0
70 O.S. § 24-100.2**

**PROHIBITING 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.

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 identifying information such as e-mail address or web address shall 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 that bullying occurred, the severity of the incident and the potential for future violence.

3. The principal shall make a determination as to whether bullying has occurred. If it is determined that bullying has occurred the principal shall immediately contact the parent of the student bully, victim and any other students affected by the prohibited behavior.
4. 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.
5. 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.
6. Upon completion of the investigation, the principal or superintendent may recommend that available community mental health care options, substance abuse or other counseling options be provided to the student, if appropriate. This may include information about the types of support services available to the student bully, victim, and any other student 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 of 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.
7. The principal shall provide written documentation of the bullying incident, disciplinary actions taken, prevention steps, remediation steps and any other relevant documentation to the superintendent or designee upon completing the investigation.

Definition of Terms

1. ***Statutory definition of bullying:***

70 Okla. Stat. § 24-100.3(C) of the ***School Safety Bullying Prevention Act*** defines the term "bullying" as a "pattern of harassment, intimidation, threatening behavior, physical acts, verbal or electronic communication, or directed toward a student or groups 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."

2. *General Display of Bullying Acts*

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

- a. ***Physical Bullying*** includes harm or threatened harm to another's body or property, including but not limited to, what would reasonably be foreseen as a serious expression of intent to inflict physical harm or property damage through verbal or written speech or gestures directed at the student-victim, when considering the factual circumstances in which the threat was made and the reaction of the intended victim. Common acts include tripping, hitting, pushing, pinching, pulling hair, kicking, biting, starting fights, daring others to fight, stealing or destroying property, extortion, assaults with a weapon, other violent acts, and homicide.
- b. ***Emotional Bullying*** includes the intentional infliction of harm to another's self-esteem, including, but not limited to the following: insulting or profane remarks, insulting or profane gestures, or harassing and frightening statements, when such events are considered in light of the surrounding facts, the history of the students involved, and age, maturity, and special characteristics of the students.
- c. ***Social Bullying*** includes harm to another's group acceptance, including, but not limited to the following: harm resulting from intentionally gossiping about another student or intentionally spreading negative rumors about another student that results in the victim being excluded from a school activity or student group; the intentional planning and/or implementation of acts or statements that inflict public humiliation upon a student; the intentional undermining of current relationships of the victim-student through the spreading of untrue gossip or rumors designed to humiliate or embarrass the student; the use of gossip, rumors, or humiliating acts designed to deprive the student of awards, recognition, or involvement in school activities; the false or malicious spreading of an untrue statement or statements about another student that exposes the victim to contempt or ridicule or deprives the victim of the confidence and respect of student peers; or the making of false statements to others that the student has committed a crime, or has an infectious, contagious, or loathsome disease, or similar egregious representations.

- d. ***Sexual Bullying*** includes harm to another resulting from, but not limited to the following: making unwelcome sexual comments about the student; making vulgar, profane, or lewd comments or drawings or graffiti about the victim; directing vulgar, profane, or lewd gestures toward the victim; committing physical acts of a sexual nature at school, including the fondling or touching of private parts of the victim's body; participation in the gossiping or spreading of false rumors about the student's sexual life; written or verbal statements directed at the victim that would reasonably be interpreted as a serious threat to force the victim to commit sexual acts or to sexually assault the victim when considering the factual circumstances in which the threat was made and the reaction of the intended victim; off-campus dating violence by a student that adversely affect the victim's school performance or behavior, attendance, participation in school functions or extra-curricular activities, or makes the victim fearful at school of the assaulting bully; or the commission of sexual assault, rape, or homicide. Such conduct may also constitute sexual harassment – also prohibited by the Poteau Public School District.

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

1. ***Student and Staff Education and Training***

All staff will be provided with a copy of the ***District's Policy Prevention of the Bullying Students***. All students will be provided a summary of the policy and notice that a copy of the entire policy is available on request. Poteau Public School is committed to providing annual appropriate and relevant training to staff regarding identification of behavior constituting harassment, intimidation, and bullying of students and the prevention and management of such conduct.

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

2. ***Poteau Public School's Safe School Committee***

The District's Safe School Committee has the responsibility of studying and making recommendations regarding unsafe conditions, strategies for students to avoid harm at school, student victimization, crime prevention, school violence, strategies for faculty to recognize bullying, and other issues which interfere with and adversely affect the maintenance of safe schools.

With respect to student harassment, intimidation, and bullying, the Safe School Committee shall consider and make recommendations regarding professional staff development needs of faculty and other staff related to methods to decrease student harassment, intimidation, and bullying and understanding and identifying bullying behaviors. In addition, the Committee shall make recommendations regarding: (1) identification of methods to encourage the involvement of the community and students in addressing conduct involving bullying; (2) methods to enhance relationships between students and school staff in order to strengthen communication; and (3) fashioning of problem-solving teams that include counselors and/or school psychologists.

In accomplishing its objectives, the Committee shall review the board policy on bullying, traditional and accepted harassment, intimidation, and bullying prevention programs utilized by other states, state agencies, or school districts. The Committee shall also review the Oklahoma State Department of Education's list of research-based bullying prevention programs.

Student Reporting

Students are encouraged to inform school personnel if they are the victim of or a witness to acts of harassment, intimidation, or bullying. Any student who knowingly makes a false report of bullying, shall be subject to the district policies regarding the discipline of the student.

Staff Reporting

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

Staff members who witness such events are to complete reports and to submit them to the employee designated by the superintendent to receive them. Staff members who hear of incidents that may, in the staff member's judgment, constitute harassment, intimidation, or bullying, are to report all relevant information to the superintendent or his/her designee.

Parental Responsibilities

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

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

Adopted: August 12, 2002
Revised: February 12, 2007
November 12, 2012

Revised: August 12, 2013

BULLYING INCIDENT REPORT FORM

Date: _____ **Time:** _____ **Room/Location:** _____

Student(s) Initiating Bullying:

_____ **Grade:** _____ **Class:** _____

_____ **Grade:** _____ **Class:** _____

Student(s) Affected:

_____ **Grade:** _____ **Class:** _____

_____ **Grade:** _____ **Class:** _____

Type of Bullying Alleged:

Racial _____ **Sexual** _____ **Religious** _____ **Other** _____

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

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

Describe the Incident: _____

Witnesses Present: _____

Physical Evidence: **Graffiti** _____ **Notes** _____ **E-mail** _____ **Web Sites** _____ **Video/audio tape** _____

Staff Signature: _____

Parent(s) Contacted: **Date** _____ **Time** _____

Administrative response taken: _____

DRESS

Each school has the authority to develop its own standards for dress and grooming. The standards should not contain restrictions except those that protect the student's health and safety, prevent interference with school work, cause undue maintenance problems, or create classroom or school disorder. It is suggested that within these guidelines, the most effective means of having a presentable student body is to deal with each student kindly on an individual basis when his/her attire violates the above guidelines.

Adopted: July 24, 1996

STUDENT RECORDS

Introduction

1. This policy and the procedures included with it are intended to satisfy the provisions of the ***Family Educational Rights and Privacy Act (FERPA)***. The School District is committed to implementing this policy and following its procedures.
2. The Board of Education authorizes the Superintendent of Schools to inform parents, students and the public of the policy and to exercise his or her administrative resources to implement the policy as well as to deal with individuals who violate the policy.
3. If a parent of a student, an eligible student or a citizen of the school district believes that the School District is violating FERPA, that person has a right to file a complaint with the Department of Education. The address is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-4605
Telephone: (202) 260-3887

Definitions

For the purpose of this policy, the following definitions apply:

1. ***Student*** - Any person who attends or has attended a program of instruction sponsored by the Board of Education of the Poteau School District and for whom it maintains education records.
2. ***Eligible student*** - A student or former student who has reached age 18 or is attending a post-secondary school.
3. ***Parent*** - Either natural parent of a student, unless his or her rights under FERPA have been removed by a court order, a guardian or an individual acting as a parent or guardian in the absence of the student's parent or guardian.
4. ***Education records*** - Any 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 school district or an agent of the school district, which is directly related to a student and maintained by the school district or by a party acting for the school district, except:
 - A. Records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record.
 - B. Records of a law enforcement unit of the school district, but only if education records maintained by the school district are not disclosed to the unit, and the law enforcement records are:
 - (1) Maintained separately from education records;
 - (2) Maintained solely for law enforcement purposes; and
 - (3) Disclosed only to law enforcement officials of the same jurisdiction.
 - C. An employment record that 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.)

- D. Records on an eligible student, that are:
- (1) Made or maintained by a physician, psychiatrist, psychologist or other recognized professional or Para-professional acting in his or her professional capacity or assisting in a Para-professional capacity;
 - (2) Made, maintained or used only in connection with treatment of the student (treatment does not include remedial educational activities or activities that are part of the program of school instruction); and
 - (3) Disclosed only to individuals providing the treatment.
- E. Alumni records that relate to the student after he or she no longer attends classes provided by the School District, and the records do not relate to the person as a student.
5. ***Personally identifiable information*** - Any data or information that make 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 or family'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 easily traceable.
6. ***Dates of attendance*** -
- A. The period of time during which a student attends or attended an educational agency or institution. Examples of dates of attendance include an academic year, a spring semester or a first quarter.
 - B. The term does not include specific daily records of a student's attendance at an educational agency or institution.
7. ***Directory information*** - Information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed.

Annual Notification

1. Within the first three weeks of each school year, the school district will post or publish a notice to parents and eligible students of their rights under FERPA and this policy. The school 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.
2. The notice will include the following:
 - A. The right of a student's parents and eligible students to inspect and review the student's education records.
 - B. The intent of the school district 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 FERPA and the criteria for determining who constitutes a school official, and what constitutes a legitimate educational interest, for purposes of disclosure.
 - C. The right of a student's parent or an eligible student to seek to correct parts of the student's education record that he or she believes to be inaccurate, misleading or in violation of student privacy rights, and the procedure for requesting amendment of records.
 - D. The right of any person to file a complaint with the U.S. Department of Education, if the school district violated FERPA.
 - E. The procedure that a student's parent or an eligible student should follow to obtain copies of this policy and the locations where copies may be obtained.
3. The school district will arrange to provide translations of this notice to non-English speaking parents in their native language and to effectively notify parents or eligible students who are disabled.
4. All rights and protections given parents under FERPA and this policy transfer to the student when he or she reaches age 18 or enrolls in a post-secondary school. The student then becomes an "eligible student."

Locations of Education Records

TYPES	LOCATION	CUSTODIAN
Cumulative School Records	School Sites: Poteau Primary Upper Elementary Pansy Kidd Middle School Poteau High School	Principal
Cumulative School Records (Former Students)	School Sites: Poteau Primary Upper Elementary Pansy Kidd Middle School Poteau High School	Principal
Health Records	School Sites: Poteau Primary Upper Elementary Pansy Kidd Middle School Poteau High School	School Nurse
Special Education Records	School Sites: Poteau Primary Upper Elementary Pansy Kidd Middle School Poteau High School	Counselor
School Transportation Records	School Sites: Poteau Primary Upper Elementary Pansy Kidd Middle School Poteau High School	Principal
Occasional Records (Student Education Records not identified above, such as those in Superintendent's office, in the school attorney's office or in the personal possession of teachers.)	School Sites: Poteau Primary Upper Elementary Pansy Kidd Middle School Poteau High School	Principal

Procedure to Inspect Education Records

1. Parents of students and eligible students may inspect and review 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.
2. 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 parents and eligible students wish to inspect records where they are maintained, school principals will make every effort to accommodate their wishes.
3. Parents or eligible students 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.
4. The principal (or other 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).
5. The principal (or other 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 forty-five (45) days or less from the receipt of the request for access.
6. 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.
7. 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.

8. The school district is not required to give an eligible student access to treatment records (as defined by the term "education records" in the Definitions Section of this Policy), but the student may have those records reviewed by a physician or other appropriate professional of the student's choice.

Fees for Copies of Records

1. The school district will not deny parents or eligible students any rights to copies of records because of the following published fees. When the fee represents an unusual hardship, it may be waived in part or entirely by the record custodian. However, the school district reserves the right to make a charge for copies such as transcripts it forwards to potential employers or to colleges and universities for employment or admissions purposes. The school district may deny copies of records (except for those required by FERPA) in the following situations:
 - A. The student has an unpaid financial obligation to the school.
 - B. There is an unresolved disciplinary action against the student that warrants the denial of copies.
2. FERPA requires the school district to provide copies of records:
 - A. When the refusal to provide copies effectively denies access to the records by a parent or eligible student.
 - B. At the request of the parent or eligible student when the school district has provided the records to third parties by the prior consent of the parent or eligible student.
 - C. At the request of the parent or eligible student when the school district has forwarded the records to another school where the student seeks or intends to enroll.

3. The fee for copies provided under FERPA may not include the costs for search and retrieval. This fee will be from no cost to twenty-five cents (\$.25) per page. (Actual copying cost less hardship factor.)
4. 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 (\$.10) to thirty-five cents (\$.35) per page (actual search, retrieval, and copying cost), plus postage, if that is involved.

Directory Information

1. The school district proposes to designate the following information contained in a student's record as "**directory information**," and it will disclose that information without prior written consent:
 - A. The student's name;
 - B. The names of the student's parents;
 - C. The student's dates of attendance;
 - D. The student's grade level (i.e., first grade, tenth grade, etc.);
 - E. The student's participation in officially recognized activities and sports;
 - F. The student's degrees, honors, and awards received;
 - G. The student's weight and height, if a member of an athletic team;
 - H. The student's photograph; and
 - I. The most recent educational agency or institution attended.

2. Within the first three weeks of each school year, the school district will publish in a newspaper of general circulation in the area the above list or a revised list of the 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.
3. After the parents or eligible students have been notified, they will have two weeks to advise the school district in writing (a letter to the Superintendent of School's Office) of any or all of the items they refuse to permit the school district to designate as directory information about that student.
4. At the end of the two-week period, each student's records will be appropriately marked by the records custodian to indicate the items the school district will designate as directory information about that student. This designation will remain in effect until it is modified by the written direction of the student's parent or the eligible student.

Revised: March 14, 2011

Use and Disclosure of Student Education Records

1. To carry out their responsibilities, school officials will have access to student education records for legitimate educational purposes. The school district will use the following criteria to determine who school officials are. An official is:
 - A. A person duly elected to the school board;
 - B. A person certified by the State and appointed by the school board to an administrative or supervisory position;
 - C. A person certified by the State and under contract to the school board as an instructor;
 - D. A person employed by the school board as a temporary substitute for administrative, supervisory, or instructional personnel for the period of his or her performance as a substitute;
 - E. A person employed by or under contact to the school board to perform a special task such as secretary, a clerk, the school board attorney, or auditor for the period of his or her performance as an employee or contractor; or
 - F. A person participating in a school service program or an official school committee.

2. School officials who meet the criteria listed above will have access to a student's records if they have a legitimate educational interest in doing so. A "legitimate educational interest" is the person's need to know in order to:
 - A. Perform an administrative task required (a) by the school employee's position description, or (b) by participation in the school service program.
 - B. Perform a supervisory or instructional task directly related to the student's education; or
 - C. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid.

3. The school district will only release information from or permit access to a student's education record with a parent or eligible student's prior written consent, except that the Superintendent of Schools or a person designated in writing by the superintendent may permit disclosure:
 - A. When a student seeks or intends to enroll in another school district or a post-secondary school. Parents and students have a right to obtain copies of records transferred under this provision;
 - B. When certain Federal, State and local officials need information in order to audit or enforce legal conditions related to federally supported education programs in the school district;
 - C. The parties who provide or may provide financial aid to a student to:
 - (1) Establish the student's eligibility for the aid;
 - (2) Determine the amount of financial aid;
 - (3) Establish the conditions for the receipt of the financial aid;
or
 - (4) Enforce the agreement between the provider and the receiver of financial aid.
 - D. If a State law adopted before November 19, 1974, allowed certain specific items of information to be disclosed in personally identifiable form from student records to State and local officials or authorities concerning the Juvenile Justice System and the system's ability to effectively serve the student whose records are released or if a state law adopted after November 19, 1974, allowed such information to be disclosed to state or local officials concerning the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released;

- E. 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;
- F. To accrediting organizations to carry out their accrediting functions;
- G. To parents of a dependent student, as defined in ***Section 152 of the Internal Revenue Code of 1986***;
- H.
 - (1) To comply with a judicial order or lawfully issued subpoena. The school district will make a reasonable effort to notify the student's parents or the eligible student before making a disclosure under this provision so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with a Federal Grand Jury Subpoena or other subpoena issued for a law enforcement purpose, and the court or issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed;
 - (2) If the school district initiates legal action against a parent or student, the school district may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as plaintiff;
 - (3) If a parent or eligible student initiates legal action against the school district, the school district may disclose to the court, without a court order or subpoenas, the student's education records that are relevant for the school district to defend itself; and
- I. If the disclosure is an item of directory information and the student's parent has not refused to allow the school district to designate that item as directory information for that student.

4. The school district will permit any of its officials to make the needed disclosure from student education records in a health or safety emergency if:
 - A. He or she deems it is warranted by the seriousness of the threat to the health or safety of the student or other persons;
 - B. The information is necessary and needed to meet the emergency;
 - C. The persons to whom the information is to be disclosed are qualified and in a position to deal with the emergency; and
 - D. Time is an important and limiting factor in dealing with the emergency.

5. School district officials may release information from a student's education record if the student's parent or the eligible student gives his or her prior written consent for the disclosure. The written consent must include at least:
 - A. A specification of the records to be released;
 - B. The reasons for the disclosure;
 - C. The person or the organization or the class of persons or organizations to whom the disclosure is to be made;
 - D. The parent or student's signature; and
 - E. The date of the consent and, if appropriate, a date when the consent is to be terminated.

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

7. The school district will not release information contained in a student's education records, except disclosures made to parents of dependent students under 34 C.F.R. 99.31(a)(8), to disclosures pursuant to court orders, lawfully issued subpoenas or litigation under 99.31(a)(9), to disclosures of directory information under 99.31(a)(11), to disclosures made to a parent or student under Sec. 99.31(a)(12), and as otherwise provided by state law concerning releases of information to state and local officials and authorities regarding the juvenile justice system, to any third parties, except its own officials, unless those parties agree that the information will not be re-disclosed without the parent or eligible student's prior written consent.

Records or Requests for Access and Disclosures Made From Education Records

1. 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, each 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 or local officials for the purpose of auditing or enforcing federally supported educational programs.
2. The record will include at least:
 - A. The name of the person or agency that made the request;
 - B. The legitimate interest the person or agency had in the information;
 - C. The date the person or agency made the request; and
 - D. Whether the request was granted, and if it was, the date access was permitted or the disclosure was made.

3. The School District will maintain this record as long as it maintains the student's education record.
4. The record will not include requests for access or access granted to parents of the student or to an eligible student, requests for access or access granted to officials of the school district who have a legitimate educational interest in the student, 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 the disclosure is authorized by such prior consent, for requests for or disclosure of directory information designated for that student, or for access by a party seeking or receiving the records by a Federal Grand Jury or other law enforcement subpoena, when the issuing court or agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed.

Procedures to Seek to Correct Education Records

1. Parents of students and eligible students have a right to seek to change any part of the student's record they believe is inaccurate, misleading, or in violation of student rights. ***(NOTE: Under FERPA, the School District may decline to consider a request to change the grade a teacher assigns for a course.)***
2. 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.

3. To establish an orderly process to review and correct an education record for a requester, the school district may make a decision to comply with the request for a change at several levels in the procedure.
4. ***First level decision*** - When a parent of a student or an eligible student finds an item in the student's education record which 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.
5. If the custodian cannot change the record to the requester's satisfaction or the record does not appear to be obviously incorrect, he or she will:
 - A. Provide the requester a copy of the questioned record at no cost;
 - B. Ask the requester to initiate a written request for the change; and
 - C. Follow the procedure for a second level decision.
6. ***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 school district to make. It should at least identify the item the requester believes is incorrect and state whether he or she believes the item:
 - A. Is inaccurate and why;
 - B. Is misleading and why; or
 - C. Violates student rights and why.

7. The request will be dated and signed by the requester.
8. 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 school 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.
9. 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 he or she has made the change. 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.
10. If the custodian decides the record is correct, he or she will make a written summary of any discussions with other officials and of his or her findings in the matter. He or she will transmit this summary and a copy of the written request to the superintendent.
11. ***Third level decision*** - The 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 Board of Education (in Executive Session). He or she will then make a decision concerning the request and complete the steps at this decision level. Ordinarily, this level of the procedure should be completed within two weeks. If it will take longer, the superintendent will notify the requester in writing of the reasons for the delay and a date when the decision will be made.
12. 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 he or she would if the change had been made at the second level.

13. If the superintendent decides the record is correct, he or she will prepare a letter to the requester which will include:
 - A. The school district's decision that the record is correct and the basis for the decision;
 - B. 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 school district will grant such a hearing;
 - C. Instructions for the requester to contact the superintendent or an officer he or she designates, to discuss acceptable hearing officers, convenient times and a satisfactory site for the hearing. (The school 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
 - D. Advise that the requester may be represented or assisted in the hearing by other parties, including an attorney at the requester's expense.
14. ***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 school district will hold the hearing and who it has designated as the hearing officer.
15. 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).
16. Within one week after the hearing, the hearing officer will submit to the superintendent a written summary of the evidence submitted at the hearing. Along with the summary, the hearing officer will submit his or her recommendation, based solely on the evidence presented at the hearing, that the record should be changed or remain unchanged.

17. The superintendent will prepare the school district's decision within two weeks of the hearing. That decision will be based on the summary of the evidence presented at the hearing and the hearing officer's recommendation. However, the school district's decision will be based solely on the evidence presented at the hearing. Therefore, the superintendent may overrule the hearing officer if he or she believes the hearing officer's recommendation is not consistent with the evidence presented. As a result of the school district's decision, the superintendent will take one of the following actions:
- A. If the decision is that the school 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.
 - B. If the decision is that the school district will not change the record, the superintendent will prepare a written notice to the requester, which will include:
 - (1) The school district's decision that the record is correct and will not be changed;
 - (2) A copy of a summary of the evidence presented at the hearing and a written statement of the reasons for the school district's decision; and
 - (3) Advise the requester that he or she may place in the student's education record an explanatory statement that states the reasons he or she disagrees with the school district's decision and/or the reasons he or she believes the record is incorrect.

18. ***Final administrative step in the procedure*** - When the school district receives an explanatory statement from a requester after a hearing, it will maintain that statement as part of the student's education record as long as it maintains the questioned part of the record. The statement will be attached to the questioned part of the record, and whenever the questioned part of the record is disclosed, the explanatory statement will also be disclosed.

Availability of Policy

Copies of this policy will be available for parent and eligible student review in the principal's office of each school building and at the superintendent's office.

Revised: July 10, 2006

Revised: March 7, 2011

RECORD OF GED SCORES

Former Poteau students who successfully pass the GED and have attended no other K-12 school since attendance in the Poteau Public Schools may present their Official GED Transcript to the District through Poteau High School for the purpose of having the GED become a part of their high school transcript.

Adopted: August 10, 1992

LOCKER SEARCH AND SEIZURE

1. In order to maintain discipline and to ensure the proper functioning of the educational process, school administrators must have access at all times to all school property, including lockers, desks, etc. assigned to students. The administration will maintain a confidential file of all lockers and their combinations and will retain master keys to all lockers, cabinets, etc., as applicable. Thus, although students have privacy rights in their locker contents as against other students, they do not have privacy rights in their

locker contents as against school administrators. No school property will be used to store objects or materials that violate school regulations or state and local ordinances. The school maintains the right to ensure that lockers and desks are properly cleaned and that they do not contain items which should not be kept on school property. Lockers will be opened periodically for cleaning purposes and to locate overdue library and class materials. In addition, school administrators may open and examine student lockers, desks, and all school property assigned to students for general and specific inspections at any time.

2. "Sniffer" dogs may properly be used to discover narcotics and dangerous drugs concealed in school property assigned to students.
3. Illegal items or other possessions or substances reasonably determined to be a threat to the safety or security of others will be seized by school authorities. These items will immediately be turned over to law enforcement officials for disposition as they see fit.
4. Items which are used to disrupt or interfere with the educational process will be temporarily removed from student possession.

Adopted: October 12, 1987

Revised: March 12, 2007

STUDENT SEARCH AND SEIZURE

The school principal or designee is authorized to detain and search any student and any property in the student's possession while on school premises, at school activities, or in transit under authority of the school, for any item possession of which by the student is illegal or prohibited by school rules, or for property believed to have been stolen from another student, an employee, or the school. The search shall be conducted according to the following guidelines:

1. Reasonableness:

- a. The decision to search must be based upon a **reasonable** suspicion that
 - 1) a violation of the law or school rules has occurred or is occurring;
 - 2) the student to be searched has committed the violation; and
 - 3) particular evidence of the violation will be discovered in the search.

- b. In deciding whether a suspicion is reasonable, all the circumstances surrounding the case should be considered, including:
 - 1) the student's age, history, and record in school;
 - 2) the prevalence and seriousness of the suspected violation;
 - 3) the school officials' prior experience in detecting the problem or recognizing suspicious behavior;
 - 4) the need to make a search without delay and further investigation;
 - 5) the specificity and source of the information used as justification for the search; and
 - 6) the particular teacher or school official's experience with the student.

2. Scope.

- a) The scope or extent of the search shall be reasonably related to the kind of objects being searched for, and not excessively intrusive in light of the student's age and sex and the nature of the suspected violation.
- b) A search commenced to discover a particular kind of item may be expanded or continued for additional items if circumstances warrant.

3. Discovered items.

- a) Illegal items or other possessions or substances reasonably determined to be a threat to the safety or security of others may be seized by school authorities. These items will immediately be turned over to law enforcement officials for disposition as they see fit.
- b) Items which are used to disrupt or interfere with the educational process may be temporarily removed from student possession.

4. Refusal to submit to search. A student who refuses to peaceably submit to a search based on reasonable suspicion or who refuses to turn over items discovered as a result of a search may be suspended for such refusals.

5. Reports. The person conducting the search shall prepare a report to be maintained by the principal including the date, time, place, names of witnesses, purpose, basis, and result of the search.

6. **Vehicle Search.** Students who drive a vehicle on to school property do so as a privilege afforded them by the School District and not as a right. Accordingly, any student who drives a vehicle of any kind to school and parks such vehicle on school property is deemed to authorize a search of such vehicle by the school principal or designee at any time and for any reason deemed appropriate by the school principal or the superintendent. Any student who refuses to peaceably submit his or her vehicle to a search when requested to do so may be suspended for such refusal and may thereafter be denied the right to drive his or her vehicle on to school property.

Adopted: August 14, 1989

Revised: March 12, 2007

WIRELESS TELECOMMUNICATION DEVICES

It is the policy of the Board of Education that no student shall possess or use a wireless telecommunication device while on school premises or while in transit under the authority of the school, or while attending any function sponsored or authorized by the school except that a student may possess and use a wireless telecommunication device upon prior written consent of the student's parent or guardian, and the superintendent or a school principal. Such consent shall be granted only upon a showing of medical necessity or other compelling reason as determined by the superintendent or principal.

Revised: 07/14/1997

**INTERROGATION OF STUDENTS BY POLICE, LEGAL AND OTHER
GOVERNMENTAL AUTHORITIES**

Poteau Public Schools will seek to establish and maintain a cooperative relationship with police, legal, and other governmental authorities. Such cooperation is necessary in the interests of the larger welfare of all citizens. To carry out this responsibility, school officials should observe the following procedures.

The police, legal, and other governmental authorities will inform the school principal or designee before interrogating a student enrolled in the Poteau Public Schools on school district property. The term "police, legal, and other governmental authorities" **does not** include agents, officers or employees of the school district, including Poteau police officers while they are serving as security or resource officers for the school district.

As to child abuse investigations, at the request of appropriately identified investigators of DHS or the district attorney's office, the school principal or designee will permit the investigators access to a student about whom DHS has received a child abuse or neglect report. The school principal or designee will arrange the interview in a manner that minimizes embarrassment to the child. School personnel will not contact the parent, guardian, or other person responsible for the child's health or welfare prior to the interview.

As to all other interrogations of Poteau Public Schools' students by police, legal, or governmental authorities on school district property, the school principal or designee will make a reasonable effort to notify the student's parent or guardian prior to the interrogation. Any objection to the interrogation by the student's parent or guardian will be handled between the parent or guardian and the police, legal or other governmental authorities. If an interrogation is to take place on school property, the school principal or designee will make a reasonable effort to arrange the setting in a manner that minimizes embarrassment to the child. One or more school employees will be present during the interrogation, but will not participate in the interrogation of the student. The sole responsibility to ensure compliance with applicable procedural and substantive rights afforded the child by federal, state or local law rests with the police, legal, or other governmental authorities conducting the interrogation.

The police, legal, or other governmental authorities will notify the school principal or designee before removing a student from school property. The school principal or designee will notify the student's parent or legal guardian of the removal as soon as possible.

Adopted: July 14, 1987

Revised: March 12, 2007

PROTECTION OF PUPIL RIGHTS AMENDMENT

For purposes of this policy, the following definitions apply:

“Instructional material” means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

“Invasive physical examination” means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

“Parent” includes a legal guardian or other person standing in loco parentis (such as a grandparent or step-parent with whom the child lives, or a person who is legally responsible for the welfare of the child). All rights provided to parents under this policy transfer to the student when the student turns 18 years old or is an emancipated minor at any age.

“Personal information” means individually identifiable information including (i) a student or parent's first and last name; (ii) a home or other physical address (including street name and the name of the city or town); (iii) a telephone number; or (iv) a Social Security Identification Number.

“Survey” includes an evaluation.

Inspection of Instructional Materials

All instructional materials, including teacher's manuals, films, tapes, or other supplementary instructional material that will be used in connection with any survey, analysis, or evaluation as part of any applicable program shall be available for inspection by the parents of students in the school district. However, teacher lesson plans and tests are confidential records under the ***Oklahoma Open Records Act***. After request by a parent, review of instructional materials shall be at a time mutually convenient to the teacher involved and the parent. Any complaint by a parent regarding the parent's inability to inspect any instructional material shall initially be addressed to the principal of the school where the parent's child attends. If the parent is dissatisfied with the principal's decision, then the parent may request review by the superintendent, or his or her designee, who shall have final authority over the matter.

Establishing a curriculum and determining to include or remove particular materials within the curriculum are the legal responsibilities of the Board of Education subject to statutory and State Board of Education Guidelines. Nothing in this policy is intended to grant or require prior parental approval or control of materials or parental control, approval, or review of teaching techniques or methods.

Surveys

No student shall be required to submit to a survey, analysis, written examination, or evaluation that reveals information concerning:

1. Political affiliations or beliefs of the student or the student's family;
2. Religious practices, affiliations, or beliefs of the student or the student's parent;
3. Sexual behavior or attitudes;
4. Illegal, anti-social, self-incriminating or demeaning behavior;
5. Mental or psychological problems of the student or the student's family;
6. Critical appraisals of other individuals with whom the student has a close family relationship;

7. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers; and
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program), without the parent's prior consent.

Parents may inspect, upon request, a survey created by a third party before the survey is administered or distributed to students. Review of such surveys shall be at a time mutually convenient to the principal involved and the parent. Any complaint by a parent regarding the parent's inability to inspect any such survey shall be addressed to the superintendent, or his or her designee, who shall have final authority over the matter.

The school district will take appropriate steps in compliance with the ***Family Educational Rights and Privacy Act*** to protect student privacy in the event of the administration or distribution of a student survey containing one or more of the items mentioned above.

Psychiatric or Psychological Examinations

Without the prior written consent of the parent or guardian, no student who is an unemancipated minor shall be required, as part of any applicable program, to submit to psychiatric or psychological examination, testing or treatment.

Notification and Opt-Out

The school district will directly notify parents, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the following activities are scheduled or expected to be scheduled:

1. Activities involving the collection, disclosure or use of personal information collected from students for the purpose of marketing or selling that information or providing that information to others for that purpose. These activities do not include information for the

exclusive purpose of developing, evaluating, or providing educational products or services for or to students or educational institutions, such as:

- a. College or other post-secondary education recruitment, military recruitment;
 - b. Book clubs, magazines, and programs providing access to low-cost literary products;
 - c. Curriculum and instructional materials used by elementary and secondary schools;
 - d. Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic clinical, aptitude, or achievement information about students and the subsequent analysis and public release of the aggregate data from such tests and assessments;
 - e. The sale by students of products or services to raise funds for school-related or education-related activities; and
 - f. Student recognition programs.
2. The administration of any survey containing one or more items described above in the Surveys Section of this Policy; and
 3. Any non-emergency, invasive physical examination, or screening that is (i) required as a condition of attendance; (ii) administered by and scheduled by the school in advance; and (iii) not necessary to protect the immediate health and safety of the student or other students. This provision does not apply to any physical examination or screening that is permitted or required by state law, including physical examinations or screening that is permitted without parental notification.

Inspection of Data Collection Instruments

The school district will take appropriate steps in compliance with the ***Family Educational Rights and Privacy Act*** to protect student privacy in the event of such collection, disclosure or use of personal information collected from students for the purpose of marketing or selling that information or providing that information to others for that purpose. Parents and eligible students may inspect, upon request, any instrument used in the collection of such information before the instrument is administered or distributed to students. Review of such instruments shall be at a time mutually convenient to the principal involved and the parent. Any complaint by a parent regarding the parent's inability to inspect any such survey shall be addressed to the superintendent, or his or her designee, who shall have final authority over the matter.

Adopted: July 14, 1987

Revised: March 12, 2007

STUDENTS' VEHICLES

The board recognizes the right of students to utilize private vehicles to transport themselves to and from school. There are savings to the district in its school bus transportation system when students provide their own transportation. In the interest of safety and teaching students to use vehicles in courteous and reasonable ways that prevent parking and traffic problems, administrators, who may choose to incorporate faculty and students in the decisions, are charged with the development of rules concerning driving on campus, parking, movement of vehicles during the school day or at activities outside normal school time, sitting or other activities in parked vehicles and other matters relating to vehicles. Schools may require decals on vehicles or other means to identify who owns or drives a vehicle. The cost of the identifying marker may be borne by the student drivers. Registration of vehicles may be required. Such rules may include penalties when the rules are not followed, and the penalties may include nominal monetary fines, not to exceed \$10.00.

Money received from the sale of identifying markers or fines may be used to fund the programs related to student driver vehicles.

Adopted: July 14, 1997

FREEDOM FROM DISCRIMINATION

No student shall be granted any preference or denied any privilege or right in any aspect of school life because of race, color, national origin, age, sex, religion, disability, or veteran status.

Adopted: July 24, 1996

Revised: March 12, 2007

MARRIAGE AND PREGNANCY

Poteau Public Schools shall not discriminate against any student or exclude any student from its education program or activities, including any class or extra-curricular activity, on the basis of marital status or pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefore unless the student requests voluntarily to participate in a separate portion of the program or activity.

Revised: August 08, 1993

Revised: March 12, 2007

STUDENT BEHAVIOR

The Board of Education of the Poteau School District adopts the following policy and procedures dealing with student conduct and behavior:

General Expectations

The Board of Education recognizes that students do not surrender any rights of citizenship while in attendance at Poteau Public Schools. The school is a community with rules and regulations. Those who enjoy the rights and privileges it provides must also accept the responsibilities that inclusion demands, including respect for and obedience to school rules.

Discipline Code

The following behaviors at school, while in school vehicles or going to or from or attending school events will result in disciplinary action, which may include in-school placement options or out-of-school suspension:

1. Arson;
2. Attempting to incite or produce imminent violence directed against another person because of his or her race, color, religion, ancestry, national origin, disability, gender or sexual orientation by making or transmitting or causing or allowing to be transmitted, any telephonic, computerized or electronic message;
3. Attempting to incite or produce imminent violence directed against another person because of his or her race, color, religion, ancestry, national origin, disability, gender or sexual orientation by broadcasting, publishing or distributing or causing or allowing to be broadcast, published or distributed, any message or material;
4. Cheating;
5. Conduct that threatens or jeopardizes the safety of others;
6. Cutting class or sleeping, eating or refusing to work in class;
7. Disruption of the educational process or operation of the school;
8. Extortion;
9. Failure to attend assigned detention, alternative school, or other disciplinary assignment without approval;
10. Failure to comply with state immunization records;
11. False reports or false calls;
12. Fighting;

13. Forgery;
14. Gambling;
15. Harassment, intimidation, and bullying;
16. Hazing (initiations) in connection with any school activity;
17. Immorality;
18. Inappropriate attire;
19. Inappropriate behavior or gestures;
20. Inappropriate public behavior;
21. Indecent exposure;
22. Intimidation or harassment because of race, color, religion, ancestry, national origin, disability, gender or sexual orientation, including but not limited to: (a) assault and battery; (b) damage, destruction, vandalism or defacing any real or personal property; or threatening, by word or act, the acts identified in (a) or (b);
23. Obscene language;
24. Physical or verbal abuse;
25. Plagiarism;
26. Possession of a caustic substance;
27. Possession of obscene materials;
28. Possession, without prior authorization, of a wireless telecommunication device;
29. Possession, threat or use of a dangerous weapon and related instrumentalities (i.e., bullets, shells, gun powder, pellets, etc.);

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30. Possession, use, distribution, sale, conspiracy to sell or possess or being in the chain of sale or distribution, or being under the influence of alcoholic beverages, low-point beer (as defined by Oklahoma law, i.e., 3.2 beer), and/or controlled substances;
31. Possession of illegal and/or drug related paraphernalia;
32. Profanity;
33. Sexual or other harassment of individuals including, but not limited to, students, school employees, volunteers;
34. Theft;
35. Threatening behavior (whether involving written, verbal, or physical actions);
36. Truancy;
37. Use or possession of tobacco in any form;
38. Use or possession of missing or stolen property if property is reasonably suspected to have been taken from a student, a school employee, or the school;
39. Using racial, religious, ethnic, sexual, gender, or disability-related epithets;
40. Vandalism;
41. Violation of the Board of Education Policies, rules or regulations or violation of school rules and regulations;
42. Vulgarity;
43. Willful damage to school property;
44. Willful disobedience of a directive of any school official;

In addition, conduct occurring outside of the normal school day or off school property that has a direct and immediate negative effect on the discipline or educational process or effectiveness of the school, will also result in disciplinary action, which may include in-school placement options or out-of-school suspension.

Revised: July 26, 1999

Revised: March 12, 2007

BULLYING

It is the policy of this school district that bullying of students by other students, personnel, or the public will not be tolerated. Students are expected to be civil, polite, and fully engaged in the learning process. Students who act inappropriately are not fully engaged in the learning process. This policy is in effect while the students are on school grounds, in school vehicles, at designated bus stops, at school-sponsored activities, or at school-sanctioned events, and while away from school grounds if the misconduct directly affects the good order, efficient management, and welfare of the school district. Bullying of students by electronic communication is prohibited whether or not such communication originated at school or with school equipment, if the communication is specifically directed at students or school personnel and concerns harassment, intimidation, or bullying at school. The school district is not required to provide educational services in the regular school setting to any student who has been removed from a public school or private school in Oklahoma or another state by administrative or judicial process for an act of using electronic communication with the intent to terrify, intimidate or harass, or threaten to inflict injury or physical harm to faculty or students.

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

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

consider consultation with parents to determine the most effective disciplinary measure.

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

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

HARASSMENT (Cont.)

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

1. Verbal, physical, or written harassment or abuse;
2. Repeated remarks of a demeaning nature;

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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

Adopted: November 14, 2016

**SAMPLE DISCIPLINARY OPTIONS APPLICABLE TO
STUDENT MISCONDUCT**

Detention

Detention is a correctional measure used when it is deemed appropriate. Students are to report to the appropriate teacher/principal at the specified time with class work to be studied. Detention may be assigned on a week-day or on a Saturday, as deemed appropriate.

Alternative In-School Placement

Alternative In-School Placement is an optional correctional measure that may be used by the school when deemed appropriate. It involves assignment to a school site, designated by the school, for a prescribed course of education as determined by school representatives.

Corporal Punishment

Corporal punishment is administered to students according to the following policy:

1. Corporal punishment is a form of discipline when the infraction by the student is considered serious or is a repeated infraction of school rules.
2. Corporal punishment will be administered by a certified staff member in an office or designated area and in the presence of another certified person. Punishment must be applied to the buttocks only. The witness should be informed of the infraction in the presence of the student.

3. A written report shall be made for each student receiving corporal punishment. The report will describe the offense and the disciplinary action taken. The report is to be signed by the staff member involved and the witness.

Student Suspensions

The judicial extension of **Fourteenth Amendment** protection to students in the public school emphasizes the need for school administrators to protect the procedural due process rights of students in discipline cases. The policy of the school district must be consistent with the due process rights of students and must provide proper machinery for fair and consistent treatment of students. The term "**out-of-school suspension**" refers to removal out of school for a period not to exceed one calendar year for offenses involving firearms and the remainder of a current semester and the succeeding semester for all other offenses. **ALTERNATIVE IN-SCHOOL PLACEMENT, DETENTION, AND SIMILAR DISCIPLINARY OPTIONS OR CORRECTIONAL MEASURES ARE NOT CONSIDERED BY LAW TO BE OUT-OF-SCHOOL SUSPENSION AND DO NOT REQUIRE OR INVOLVE THE DUE PROCESS PROCEDURES SET FORTH WITHIN THIS POLICY.**

Reference to "**parent**" in this section of the policy refers to a student's parent or legal guardian.

Reference to "**principal**" means the school principal or the school staff member to whom the principal has delegated the responsibility for student discipline.

BEHAVIOR OR CONDUCT WHICH MAY RESULT IN SUSPENSION

Students who are guilty of any of the following acts may be suspended out-of-school by the administration of the school or the district for:

1. Violation of a school regulation;
2. Immorality;
3. **Adjudication as a delinquent for an offense that is not a violent offense**. For the purposes of this section, "violent offense" shall include those offenses listed as the exceptions to the term "non-violent offenses" as specified in Section 571 of Title 57 of the Oklahoma Statutes. "Violent offense" shall include the offense of assault with a dangerous weapon but shall not include the offense of assault;
4. Possession of an intoxicating beverage, low-point beer, as defined by **Section 163.2 of Title 37 of the Oklahoma Statutes**, wireless telecommunication device without prior authorization, or missing or stolen property if the property is reasonably suspected to have been taken from a student, a school employee, or the school during school activities; and
5. Possession of a dangerous weapon or a controlled dangerous substance, as defined in the **Uniform Controlled Dangerous Substances Act**. Possession of a firearm shall result in out-of-school suspension as provided in the School District's Policy related to firearms

In the event of a suspension in excess of five (5) days for any of the reasons listed above, an education plan as discussed in the Individualized Plans for Out-of-School Suspension Section of this Policy, below, shall be applicable for acts which fall within parts "1" through "4," above. As allowed by law, no education plan will be provided for acts which fall within part "5," above.

Students suspended for a violent offense directed toward a classroom teacher shall not be allowed to return to the teacher's classroom without the teacher's prior approval. Whether an offense is considered a violent offense, requiring an affected teacher's approval as a condition of return to a particular classroom, shall be based on applicable provisions of the Oklahoma School Law regarding student suspension and applicable Oklahoma Criminal Law distinguishing between violent and nonviolent offenses.

**SCHOOL DISTRICT'S OBLIGATION
APPLICABLE TO ALL OUT-OF-SCHOOL SUSPENSIONS**

Alternative In-School Placements:

Before the school district's designated representatives, recommend out-of-school suspension, alternative in-school placements including, but not limited to: placement in an alternative school setting, reassignment to another classroom, placement in in-school detention, or other available disciplinary or correctional options shall be considered. These shall ***not*** be considered as an out-of-school suspension but shall be treated as disciplinary or correctional actions that may be used, if warranted, as an alternative to out-of-school suspension. **STUDENTS IDENTIFIED AS DISABLED UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT OR SECTION 504 OF THE REHABILITATION ACT OF 1973 AND WHO ARE SUSPENDED OUT-OF-SCHOOL OR RECEIVE DISCIPLINARY REMOVAL FROM THE CLASSROOM MAY REQUIRE ADDITIONAL PROCEDURAL CONSIDERATIONS.**

Pre-Conference Applicable to Out-of- School Suspensions:

1. When a student violates board policy or a school rule or regulation or has been adjudicated as a delinquent for an offense that is not a violent offense (as set out in ***OKLA. STAT. tit. 57, § 571***), the principal shall conduct an informal conference with the student.
2. At the conference with the student the principal shall read the policy, rule or regulation which the student is charged with having violated and shall discuss the conduct of the student which is a violation of the policy, rule or regulation.
3. The student shall be asked whether he/she understands the policy, rule or regulation and be given a full opportunity to explain and discuss his/her conduct.
4. If it is concluded that an out-of-school suspension is appropriate, the student shall be advised that he/she is being suspended and the length of the out-of-school suspension.

5. The principal shall immediately notify the parent by phone and in writing that the student is being suspended out of school and that alternative in-school placement or other available options have been considered and rejected. The written notice should state that alternative in-school placement or other available options have been considered and why they were rejected. Elementary and middle school students shall ***not*** be dismissed before the end of the school day without advance notice to the parent.

Immediate Out-of-School Suspension Without a Pre-Out-of-School Suspension Conference:

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

Conferences With Parents:

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

3. At the conclusion of the conference the principal shall state whether he/she will terminate or modify the out-of-school suspension. In all cases the parent will be advised of his/her right to have the out-of-school suspension reviewed by the Superintendent of Schools, the Board of Education, or the Out-of-school Suspension Review Committee as provided by this Policy. If the parent is in agreement with the principal's decision, he/she will be requested to sign a Waiver of Review.

Out-of-School Suspension Requirements:

1. An out-of-school suspension shall be long-term or short-term. A long-term out-of-school suspension shall be an out-of-school suspension in excess of ten (10) school days. A short-term out-of-school suspension shall be a period of ten (10) or fewer school days.
2. In no event should an out-of-school suspension extend beyond the current school semester and succeeding semester, except in the case of possession of a firearm, in which case an out-of-school suspension for up to one calendar year is appropriate. Out-of-school suspensions involving firearms are governed by the **School District's Gun-Free Schools Policy**. Out-of-school suspensions should have a definite commencement and ending date; indefinite out-of-school suspensions are not permitted. It is recommended that out-of-school suspensions beyond ten (10) days be imposed only in serious situations.
3. Out-of-school suspensions should be consistent; that is, one student should not be suspended out of school for a few days and another student suspended out of school for an extended period for the same or similar offense. However, the principal may take previous conduct and previous disciplinary actions, and out-of-school suspensions of the student into consideration.
4. Out-of-school suspensions until the student performs some remedial act are not permitted; however, the student may be advised that an out-of-school suspension of definite length will be terminated at an earlier date if he/she performs a prescribed remedial act or acts.

Individualized Plans for Out-of-School Suspension:

Out-of-school suspensions in excess of five (5) days shall include an Individualized Plan for Out-of-School Suspension ("Plan") which shall describe either a home-based school work assignment setting or other appropriate work assignment setting. The Plan shall be prepared by the principal with the assistance of other school employees as warranted by the circumstances of the out-of-school suspension.

The Plan shall provide for the core units in which the student is enrolled. Core units shall consist of the minimum English, mathematics, Science, Social Studies and Art units required by the Oklahoma State Department of Education for grade completion in grades Kindergarten through eight and for high school graduation in grades nine through twelve.

A copy of the Plan shall be provided to the student and parent or guardian. The parent or guardian shall be responsible for provision of a supervised, structured environment in which the parent or guardian shall place the student. The parent or guardian shall bear responsibility for monitoring the student's educational progress until the student is readmitted into school. The Plan shall set out the procedure for education and shall also address academic credit for work satisfactorily completed.

Records and Reports:

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

**LONG-TERM OUT-OF-SCHOOL SUSPENSIONS
OUT-OF-SCHOOL SUSPENSIONS FOR MORE THAN
TEN (10) SCHOOL DAYS**

Right of Appeal:

A parent or the student may appeal the principal's out-of-school suspension decision in excess of ten (10) school days to the Superintendent of Schools and, following the appeal to the Superintendent, to the Board of Education, or, if appointed by the Board, a Hearing Officer.

Method of Appeal to the Superintendent of Schools or Designee:

1. An appeal can be presented by letter to the Superintendent of Schools.
2. If no appeal is received within five (5) calendar days after the principal's decision is received by the parent or student, the principal's out-of-school suspension decision will be final and non-appealable.
3. The Superintendent of Schools or his/her designee should hold a conference with the parent or guardian as soon as possible after receipt of the appeal. The conference will be held during the regular school hours, Monday through Friday, with consideration given to the hours of working parents whenever possible.
4. At the conference, the Superintendent of Schools or his/her designee will read the policy, rule or regulation which the student is charged with having violated and will briefly outline the conduct on the part of the student. The parent should be asked by the Superintendent of Schools or his/her designee if he/she understands the rule and the charges against the student.
5. At the conclusion of the conference the Superintendent of Schools or his/her designee will state whether he/she shall terminate or modify the out-of-school suspension. In all cases the parent shall be advised of the parental right to have the out-of-school suspension reviewed as determined by the Board of Education. If the parent is in agreement with the decision of the Superintendent of Schools or the Superintendent's designee, the parent shall be requested to sign a Waiver of Final Review by the Board.

Method of Appeal to the Board of Education or the Board's Hearing Officer:

1. An appeal can be requested by letter to the Superintendent of Schools or to the Clerk of the Board of Education.
2. If no appeal is received within five (5) calendar days after the decision of the Superintendent of Schools or his/her designee is received by the parent or student, the decision of the Superintendent or his/her designee will be final and nonappealable.

Hearing the Appeal:

1. The Board will hear the appeal as soon as possible, or it may appoint a Hearing Officer to hear the appeal. The Board's decision, or the Hearing Officer's decision, is final and non-appealable.
2. The parent and student will be notified in writing of the date, time and place of the hearing.
3. The parent and student will have the right to an "open" or "closed" hearing, at their option.
4. Reasonable efforts will be made to accommodate the work schedule of parents.

Procedure for Student Out-of-School Suspension Appeal Hearing Before the Board of Education:

1. The Board President or the appointed Hearing Officer should:
 - a. Announce that the next agenda item is an out-of-school suspension review hearing for the student. In order to protect the confidentiality and privacy of the student, the student's initials should be used and not the student's name.

- b. Ask whether the parents/child wish the hearing to be open to the public or in executive session. The offer of an open hearing and their response is to be made a part of the minutes of the meeting. If parents/child request a closed hearing, a motion to go into Executive Session per their request should be made and voted on.
 2. The Board President or Hearing Officer should advise the parents/child:
 - a. That they are entitled to legal counsel, if they desire it.
 - b. That the administration will present its witnesses first and that after each witness the parents or their legal counsel will be given an opportunity to cross-examine.
 - c. That the parents/child will be given an opportunity to call any relevant witnesses and present any relevant evidence they may wish, subject to cross-examination by legal counsel for the administration.
 - d. That the Board or its Hearing Officer will consider the evidence and documents and reach a decision which will be recorded by vote in open session.
 - e. That the parents/child may ask any questions about the procedure.
 3. Following presentation of 1 and 2 above, all administration witnesses and documents should be presented subject to cross-examination.
 4. Parents/child may call any witnesses and present any documents subject to cross-examination.
 5. After each witness is presented School Board Members may ask the witness any questions.

6. Parents'/child's closing statement.
7. Administration's closing statement.
8. Deliberate in private. (If the hearing is not in Executive Session, the Board or its Hearing Officer may deliberate in Executive Session only with permission of the parents or student.)
9. Return to Open Session and vote. After adopting a motion making certain findings of fact the Board must make a motion to: (1) affirm the out-of-school suspension; (2) modify the out-of-school suspension (increase or decrease severity of the out-of-school suspension); or (3) revoke the out-of-school suspension. If the hearing is before a Hearing Officer, no motions will be required as a part of the hearing process; otherwise, the Hearing Officer will have the same obligations as the Board with respect to rendering a decision.

Attendance at School Pending Appeal Hearing:

Pending the appeal hearing of an out-of-school suspension to the Board, the student will have the right to attend school under such "in-house" restrictions as the principal deems proper, except that at the discretion of the principal, the student may be prohibited from attending school pending any appeal hearing if in the judgment of the principal:

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

**SHORT-TERM OUT-OF-SCHOOL SUSPENSIONS
OUT-OF-SCHOOL SUSPENSIONS OF TEN (10) OR FEWER SCHOOL DAYS**

The Board of Education recognizes that student out-of-school suspensions of ten (10) or fewer school days (referred to as "short-term out-of-school suspensions") involve less stigma and require less formal due process procedures than are required for out-of-school suspensions of greater than ten (10) school days. Appellate rights in such instances are satisfied in an effective and expedient manner by giving the student the right to appeal the out-of-school suspension decision to a committee composed, at the superintendent's discretion, of administrators, teachers, or both. The composition of the committee shall be reserved to the school district's discretion.

Right of Appeal:

A student who has been suspended out of school for a period of ten (10) or fewer school days is entitled to all pre-appeal rights presently accorded by school district policy to students who have been suspended out of school for periods of greater than ten (10) school days. A student who has been given a short-term out-of-school suspension and that student's parent have a right to appeal an out-of-school suspension decision to a committee composed of administrators and/or teachers. A student with a short-term out-of-school suspension and his/her parent shall be informed by the principal of this right and the method of submitting an appeal.

Method of Appeal to the Committee:

1. An appeal to the committee can be requested by letter to the school principal, which must be received within five (5) calendar days after the principal's out-of-school suspension decision is received by the student or his/her parent. The out-of-school suspension decision will become final and nonappealable if a request is not timely submitted.

2. Upon receipt of the request, the school principal shall confirm that the student's out-of-school suspension falls within the category of out-of-school suspensions to which an appeal to the committee is authorized. If the school principal determines that the period of out-of-school suspension is greater than ten (10) school days, or if for any reason, the short-term out-of-school suspension is extended beyond ten (10) school days prior to the committee hearing, the procedures applicable to long-term out-of-school suspensions must be followed and the student must be given the opportunity to appeal any adverse decision as provided by this policy for long-term suspension.

Hearing the Appeal:

1. The Superintendent of Schools shall appoint a review committee consisting of not less than three school district employees who shall be certified administrators and/or teachers, and shall designate a chairperson for the committee. No administrator or teacher is eligible to serve on the committee who was a witness to the student's conduct, nor is any teacher eligible to serve who has the student in his/her class for the current school term.
2. The Superintendent of Schools shall schedule the committee hearing as soon as possible during regular school hours, Monday through Friday. Reasonable consideration shall be given to accommodate the work schedules of the parent or guardian whenever possible. The student and his/her parent or guardian will be notified in writing of the date, time and place of the hearing. The principal who issued the out-of-school suspension decision shall attend the committee hearing. Either party choosing to have legal counsel at the committee hearing shall give the other party twenty-four (24) hours advance notice of that decision. The failure to give such notice will preclude the party's right to have counsel attend the hearing.

3. The committee will conduct a full investigation of the student's out-of-school suspension in an informal manner. The principal will briefly outline the student's conduct, read the policy, rule or regulation which the student's conduct violated, and present any evidence and witnesses that support the principal's decision to suspend the student. The student and his/her parent or guardian will be asked by the committee if they understand the rule and charges against the student. The student and his/her parent or guardian will then briefly explain the student's conduct, and present any evidence and witnesses that support the student's position.
4. At the conclusion of the presentation of the evidence, the committee shall retire to render a decision by a majority vote as to the guilt or innocence of the student. The committee shall also determine the reasonableness of the term of the out-of-school suspension. The committee's decision shall be confirmed in writing and a copy will be mailed to the parent or guardian of the student, the principal and the Superintendent of Schools.
5. The decision of the committee shall be final and nonappealable.

**STUDENT PRIVILEGES WHILE UNDER OUT-OF-SCHOOL SUSPENSION OR
UNDER OTHER DISCIPLINARY OR CORRECTIONAL MEASURES**

Participation in the extracurricular activities of the school is a privilege and not a right. Accordingly, when a student's behavior results in a determination by the principal of an out-of-school suspension, the student ***immediately***, notwithstanding the filing of an appeal, forfeits the privilege of participating in all extracurricular activities of the school. In addition, when a principal determines to impose alternative in-school disciplinary or other correctional measures against a student, then the student will not be permitted to participate in any extracurricular activities offered by the school during the term of the discipline unless, in the sole judgment of the principal, such participation is appropriate given the nature of the offense committed by the student.

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

Revised: July 27, 1998, March 12, 2007

Revised: April 14, 2014

RULES FOR STUDENTS REGARDING DRUGS AND ALCOHOL
**Under the Drug-Free Schools and
Communities Act Amendments of 1989**

Illegal and Illicit Drugs and Alcohol

1. Use of illicit drugs and unlawful possession and use of alcohol is wrong and harmful.
2. Students are prohibited from using, being under the influence of, possessing, furnishing, distributing, selling, conspiring to sell or possess or being in the chain of sale or distribution of alcoholic beverages, low-point beer (as defined by Oklahoma law, i.e., 3.2 beer), illegal or illicit drugs, or other mood-altering substances at school, while on school vehicles, or at any school-sponsored event.
3. "Illicit drugs" includes steroids and prescription and over-the-counter medications being used for an abusive purpose, i.e., when they are not used in compliance with the prescription or directions for use and are not being used to treat a current health condition of the student. "Mood-altering substances" includes paint, glue, aerosol sprays, and similar substances.
4. Violation of this rule will result in imposition of disciplinary measures, which may include suspension for the remainder of the current semester and the following semester.
5. Student violation of this rule which also constitutes illegal conduct will be reported to law enforcement authorities.

Necessary Medications

1. Students may retain possession of and self-administer medication at school only as permitted by school district policy.
2. Students who have a legitimate health need for over-the-counter or prescription medication at school shall deliver such medications to the school nurse or principal with a parental authorization, in compliance with Oklahoma law and school policy and procedures regarding administering medicine to students.
3. Violations of this rule will be reported to the student's parents by the principal, and may result in discipline which can include suspension.

Distribution of Information

1. Information for students and their parents about drug and alcohol counseling and rehabilitation and re-entry programs in this geographic area is available from the principal or counselor at each student's school.
2. Copies of these Rules shall be provided to all students and their parents at the beginning of each school year.

Adopted: August 14, 2000

Revised: March 12, 2007

STUDENT ACTIVITIES DRUG TESTING POLICY

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

Statement of Purpose and Intent

Although the Board of Education, administration, and staff desire that every student in the Poteau Public School District refrain from using or possessing illegal drugs, district officials realize that their power to restrict the possession or use of illegal and performance-enhancing drugs is limited. Therefore, this policy governs only performance-enhancing and illegal drug use by students participating in extra-curricular activities. The sanction imposed for violations of this policy will be limitations solely upon limiting the opportunity of any student determined to be in violation of this policy to a student's privilege to participate in extra-curricular activities. No suspensions from school or academic sanctions will be imposed for violations of the policy. This policy supplements and complements all other policies, rules, and regulations of the Poteau School District regarding possession or use of illegal drugs.

Participation in school-sponsored extra-curricular activities at Poteau Public School District is a privilege. Students who participate in these activities are respected by the student body and are representing the school district and community. Accordingly, students in extra-curricular activities carry a responsibility to themselves, their fellow students, their parents and their school to set the highest possible example of conduct, sportsmanship, and training, which includes avoiding the use or possession of illegal drugs. Additionally, this school district is contracted to follow the rules and regulations of the **OSSAA whose Rule No. 4, Section 1 (a) specifically states: "A student whose conduct or character at school is under discipline or whose conduct or character outside the school is such as to reflect discredit upon the school shall be ineligible until reinstated."** **ADOPTED-June 8, 2009; Revision-July 1, 2009; Revision-August 9, 2010**

The purposes of this policy are five-fold:

1. To educate students of the serious physical, mental, and emotional harm caused by illegal drug use.
2. To alert students with possible substance abuse problems to the potential harms that drug use poses for their physical, mental, and emotional well-being and offer them the privilege of competition as an incentive to stop using such substances.
3. Ensure that students adhere to a training program that bars the intake of illegal and performance-enhancing drugs.
4. To prevent injury, illness, and harm for students that may arise as a result of illegal and performance-enhancing drug use.
5. To offer students practices, competition, and school activities free of the effects of illegal and performance-enhancing drug use.

Illegal and performance-enhancing drug use of any kind is incompatible with the physical, mental, and emotional demands placed upon participants in extra-curricular activities and upon the positive image these students project to other students and the community on behalf of the Poteau Public School District. For the safety, health, and well being of students in extra-curricular activities, the Poteau Public School District has adopted this policy for use by all participating in extra-curricular activities in grades 7-12.

The administration may adopt regulations to implement this policy.

I. Definitions.

“Activity Student” means a member of any middle school or high school Poteau Public School District sponsored extra-curricular organization. This includes any student who represents Poteau Public Schools in any extra-curricular activity.

“Drug use test” means a scientifically substantiated method to test for the presence of illegal or performance-enhancing drugs or the metabolites thereof in a person’s urine or saliva.

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

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

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

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

“Positive” when referring to a drug use test administered under this policy means a toxicological test result which is considered to demonstrate the presence of an illegal or a performance-enhancing drug or the metabolites thereof using the standards customarily established by the testing laboratory administering the drug use test.

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

II. Procedures (For the 2012-2013 school year, all students enrolled in a school activity will be required to submit a sample before participation.)

A physical examination signed by a parent/guardian is required before a student may participate on a Poteau School competitive athletic team.

Each activity student shall be provided with a copy of the “***Student Drug Testing Consent Form***” which shall be read, signed, and dated by the student, parent or custodial guardian, and coach/sponsor before such student shall be eligible to practice or participate in any extra-curricular activities. The consent requires the activity student to provide a sample; (a) when the activity student is selected by the random selection basis to provide a sample; and (b) at any time there is reasonable suspicion to test for illegal or performance-enhancing drugs. **No student shall be allowed to practice or participate in any extra-curricular activities unless the student has returned the properly signed “Student Drug Testing Consent Form”.**

Prior to the commencement of drug testing each year an orientation session will be held with each student athlete or participant in extra-curricular activities to educate them about the sample collection process, privacy arrangements, drug testing procedures, and other areas which may help to reassure the activity student and help avoid embarrassment or uncomfortable feelings about the drug testing process.

Each student athlete or participant in extra-curricular activities shall receive a copy of the student activities Drug Testing Policy. The head coach or sponsor shall be responsible for explaining the Policy to all prospective students, and for preparing an educational presentation to acquaint the student with the harmful consequences of drug and alcohol use and abuse.

All student activity participants shall be required to provide a sample for drug use testing for illegal drugs. Student athletes who have physical examinations done by their physician must nonetheless comply with the policy requirements set out below regarding drug use testing.

Drug use testing for extra-curricular students will also be chosen on a random selection basis monthly from a list of all extra-curricular students who are involved in off-season or in-season activities. The Poteau Public School District will determine a monthly number of student names to be drawn at random to provide a sample for drug use testing for illegal or performance-enhancing drugs.

**POTEAU PUBLIC SCHOOLS
STUDENTS**

Due Process & Equal Protection

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

The Poteau Public School District will set a fee to be collected from the student when this consent form is signed and returned to the coach or sponsor before the beginning of the season. The fee for 2012-2013 will be \$10.00 which will be collected and receipted by the sponsor.

Any drug test will be administered by or at the direction of a professional laboratory chosen by the Poteau Public School District. The professional laboratory shall be required to use scientifically validated toxicological testing methods, have detailed written specifications to assure chain of custody of the specimens, and proper laboratory control, and scientific testing.

All aspects of the drug use testing programs, including the taking of specimens, will be conducted so as to safeguard the personal and privacy rights of the student to the maximum degree possible. The test specimen shall be obtained in a manner designed to minimize intrusiveness of the procedure. If at any time during the testing procedure the monitor has reason to believe or suspect that a student is tampering with the specimen, the monitor may stop the procedure and inform the principal/athletic director who will then determine if a new sample should be obtained. The monitor shall give each student a form on which the student may list any medications legally prescribed for the student he or she has taken in the preceding thirty (30) days. The parent or legal guardian shall be able to confirm the medication list submitted by their child during the twenty-four (24) hours following any drug test. The medication list shall be submitted to the lab in a sealed and confidential envelope and shall not be viewed by district employees.

An initial positive test result will be subject to confirmation by a second and different test. The second test will use the gas chromatography/mass spectrometry or urinalysis technique. A specimen shall not be reported positive unless the second test utilizing the gas chromatography/mass spectrometry/urinalysis procedure is positive for the presence of an illegal drug or the metabolites thereof. The unused portion of a specimen that tested positive shall be preserved by the laboratory for a period of six (6) months or the end of the school year, whichever is shorter. Student records will be retained until the end of the school year.

III. Confidentiality

The laboratory will notify the principal/athletic director or designee of any positive test. To keep the positive test results confidential, the principal/athletic director or designee will only notify the student, the head coach/sponsor, and the parent or custodial guardian of the student of the results. The principal/athletic director or designee will schedule a conference with the student and parent or guardian and explain the student's opportunity to submit additional information to the principal/athletic director or to the lab. The Poteau Public School District will rely on the opinion of the laboratory which performed the test in determining whether the positive test result was produced by something other than consumption of an illegal or performance-enhancing drug.

Test results will be kept in files separate from the student's other educational records, shall be disclosed only to those school personnel who have a need to know, and not be turned over to any law enforcement authorities.

IV. Appeal

An extra-curricular student who has been determined by the principal/athletic director to be in violation of this policy shall have the right to appeal the decision to the Superintendent or his/her designee(s). Such request for a review must be submitted to the Superintendent in writing within five (5) calendar days of notice of the positive test. A student requesting a review will remain eligible to participate in any extra-curricular activities until the review is completed. The Superintendent or his/her designee(s) shall then determine whether the original finding was justified. No further review of the Superintendent's decision will be provided and his/her decision shall be conclusive in all respects. Any necessary interpretation or application of this policy shall be in the sole exclusive judgment and discretion of the Superintendent which shall be final and non-appealable.

V. Consequences

Any extra-curricular student who tests positive in a drug test under this policy shall be subject to the following restriction:

A. For the First Offense:

The parent/guardian will be contacted immediately and a private conference will be scheduled to present the test results to the parent/guardian. A meeting will then be set up with the student, parent/guardian, athletic director, and principal concerning the positive drug test. In order to continue participation in the activity the student and parent/guardian must, within five (5) days of the joint meeting, show proof that the student has received drug counseling from a qualified drug treatment program, counseling entity, or school counselor. Additionally, the student must voluntarily submit to a second drug test to be administered within two (2) weeks in accordance with the testing provisions of this policy.

If parent/guardian and student agree with these provisions, the student will continue to participate in the activity. Should the parent/student not agree to these provisions the consequences listed in this policy for the second offense will be imposed.

B. For the Second Offense:

Suspension from participation in all extra-curricular activities for (14) calendar days, and successful completion of four (4) hours of substance abuse education/counseling provided by the school. The student may not participate in any meetings, practice, scrimmages or competitions during this period. The student will be randomly tested monthly for the remainder of the school year. The time and date will be unknown to the student and determined by the principal/athletic director or designee.

These restrictions and requirements shall begin immediately, consecutive in nature, unless a review appeal is filed following receipt of a positive test. Provided, however, a student who on his or her own volition informs (self refers) the athletic director, principal, or coach/sponsor of usage before being notified to submit to a drug use test will be allowed to remain active in all extra-curricular activities. Such student will however, be considered to have committed his/her first offense under the policy, and will be required to re-test as would a student who tested positive.

C. For the Third Offense (in the same school year):

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

VI. Refusal to Submit to Drug Use Test

A participating student who refuses to submit to a drug use test authorized under this policy, shall not be eligible to participate in any extra-curricular activities including all meetings, practices, performance and competitions for the remainder of the school year. Additionally, such student shall not be considered for any extra-curricular activity honors or awards given by the school.

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

Adopted: March 12, 2012

Revised: May 12, 2014

POTEAU PUBLIC SCHOOL DISTRICT
Student Drug Testing Consent Form

Statement of Purpose and Intent

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

Drug use of any kind is incompatible in extra-curricular activities on behalf of the Poteau Public School District. For the safety, health, and well being of the students of Poteau Public School District, the Poteau Public School District has adopted the attached Student Activities Drug Testing Policy and the Student Drug Testing Consent for use by all participating students at the middle school and high school levels.

Participation in Extra-Curricular Activities

Each extra-curricular activity student shall be provided with a copy of the Student Activities Drug Testing Policy and Student Drug Testing Consent which shall be read, signed, and dated by the student, parent or custodial guardian, and coach/sponsor before such student shall be eligible to practice or participate in any extra-curricular activities. The consent shall be to provide a urine or saliva sample: a) as part of their annual physical or for eligibility for participation; b) as chosen by the random selection basis; and c) at any time requested based on reasonable suspicion to be tested for illegal or performance-enhancing drugs. No students shall be allowed to practice or participate in any extra-curricular activities unless the student has returned the properly signed Student Drug Testing Consent.

Student's Last Name

First Name

MI

I understand after having read the “**Student Activity Drug Testing Policy**” and “**Student Drug Testing Consent**” that, out of care for my safety and health, the Poteau Public School District enforces the rules applying to the consumption or possession of illegal and performance-enhancing drugs. As a member of a Poteau extra-curricular activity, I realize that the personal decision that I make daily in regard to the consumption or possession of illegal or performance-enhancing drugs may affect my health and well-being as well as the possible endangerment of those around me and reflect upon any organization with which I am associated. If I choose to violate school policy regarding the use or possession of illegal or performance-enhancing drugs any time while I am involved in in-season or off-season activities, I understand upon determination of that violation I will be subject to the restriction on my participation as outlined in the policy.

Signature of Student

Date

We have read and understand the Poteau Public School District “**Student Activities Drug Testing Policy**” and “**Student Drug Testing Consent.**” We desire that the student named above participate in the extra-curricular programs of Poteau Public School District, and we hereby voluntarily agree to be subject to its terms. We accept the methods of obtaining urine or saliva samples, testing and analysis of such specimens, and all other aspects of the program. We further agree and consent to the disclosure of the sampling, testing, and results as provided in this program.

Signature of Parent or Custodial Guardian

Date

Signature of Coach/Sponsor

Team/Activity

MEDICATION LIST

I, _____, am currently taking or have taken the following drugs, substances, or medications in the last thirty (30) days: (Medications must be legally prescribed for extra-curricular activity students.)

Additional Information: _____

**SAFE SCHOOL COMMITTEES AND
HEALTHY AND FIT SCHOOL ADVISORY COMMITTEES**

Due to the growing concern of safety and the ever constant threat of violence in the public schools, the Oklahoma Legislature has enacted certain statutory mandates to assist in combating this rising problem. This policy will implement the legislative mandate for the establishment and operation of safe school committees in this School District as follows:

1. The principal at each school site within this district where students are regularly present during the school day shall establish a Safe School Committee for the principal's school site to be composed of at least six members, with an equal number of teachers, parents and students. All members of each Safe School Committee shall serve until the following June 30 unless earlier removed from the Committee by the principal for any reason. The principal who appoints the Safe School Committee members shall advise the superintendent of schools, in writing, of the names, addresses and phone numbers of the committee members. In case of a resignation, death or removal of any committee member, the principal shall immediately appoint a successor committee member so as to maintain the composition of the committee as set forth above. Committee members are eligible to serve consecutive terms.
2. Each Safe School Committee shall study and make recommendations, in writing, to the school principal regarding: unsafe conditions, possible strategies for students to avoid harm at school, student victimization, crime prevention, school violence, and other issues which prohibit the maintenance of a safe school.
3. Each Safe School Committee shall meet at least once each semester. Each Safe School Committee shall appoint its committee chairperson who shall maintain written minutes of each meeting. The committee chairperson will be responsible for notifying all committee members of meetings, preparing agendas for each meeting, and posting such agendas in the principal's office for a reasonable period prior to the date and time of each meeting. All agendas, minutes and other documents related to each Safe School Committee shall be retained by the principal of each respective school site.

**POTEAU PUBLIC SCHOOLS
STUDENTS**

Due Process & Equal Protection

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4. Prior to the last day of school of each school year, each Safe School Committee shall make a written report to the school principal. The school principal shall transmit a copy of the report to the superintendent of schools. The superintendent of schools shall maintain the reports in the records of the school district and shall transmit a copy of each Safe School Committee Report to each School District Board Member.

Healthy and Fit School Advisory Committees

The district also establishes **Healthy and Fit School Advisory Committees** which shall be combined with the **District's Safe Schools' Committees**. The Healthy and Fit School Committees are established pursuant to *Okla. Stat. tit. 70, Section 24-100a* which created the *Healthy and Fit Kids Act of 2004*.

The Committees shall be composed of no fewer than 6 individuals who may be the same individuals appointed to the District's Safe Schools' Committees. The composition of the Advisory Committees may include teachers, administrators, parents of students, health care professionals and business community representatives.

The Advisory Committee at each school site shall study and make recommendations to the school principal regarding:

1. Health education;
2. Physical education and physical activity; and
3. Nutrition and health services.

School principals shall give consideration to the recommendations of their respective advisory committees. The Advisory Committee, for purposes of timelines, shall follow the same schedule as established for the District's Safe Schools' Committees.

Adopted: July 24, 1996;

Revised: September 11, 2006

Revised: March 12, 2007

ADMINISTRATION OF MEDICINE TO STUDENTS

Under Oklahoma law, a school nurse, an administrator or a designated school employee may administer prescription and nonprescription medications to students.

For purposes of this policy, "medicine" or "medications" includes prescription medications and over-the-counter medicines such as but not limited to aspirin, cough syrup, and medicated ointments and any other item used to treat an illness, disease or malady.

The term "legal custodian" means a parent, a court appointed guardian or a person having legal custody.

Except as provided below, students may not retain possession of or self-administer any medicine. Violation of this rule will be reported to the student's parents and may result in discipline including suspension.

Medicine shall not be administered to students by teachers or administrators except pursuant to the provisions of this policy.

Only designated employees who have successfully completed specific training in the administration of non-prescription and prescription medications may administer such medications.

As further set out below, the district retains the discretion to reject requests for the administration of medication and to discontinue the administration of medication.

A student who has a legitimate health need for a medicine shall deliver the medicine to the school nurse or school administrator in its original container with the written authorization of the student's parent or guardian for administration of the medicine. The parent's authorization must identify the student, the medicine, and include or refer to the label for instructions on administration of the medicine. The medicine will be administered to the student only by the school nurse, an administrator or a designated employee pursuant to the parent's instructions and the directions for use on the label or in the physician's prescription. A new authorization form must be completed for each change of

medication. If there are no changes, the authorization must be renewed yearly. If a student brings medications to school without a properly completed authorization form the school will inform the student's legal custodian of district policy and the inability to give the medication. The student's legal custodian may, however, come to the school and dispense the medication to the student. When medication is completed and/or at the end of the school year the authorization form will be placed in the student's health folder and will be deemed part of the student's health record. Forms for parental authorization of administration of medicines are available in the office of the principal.

The administration of each school shall keep a record of the students to whom medicine is administered, the date of administration, the person who administered the medicine, and the name or type of medicine administered.

Medications must be stored in a separate locked drawer and not readily accessible to persons other than the persons who will administer the medication. Medications requiring refrigeration will be refrigerated in a secure area.

Any person administering medicine to a student will be annually trained by October 1 of each year by a school nurse to administer medication. Only those successfully completing the training will be authorized to give medication. A current list of those authorized to give medication will be kept at each school and by the school nurse. Training will include:

1. review of state statutes and school regulations (including this policy) regarding administration of medication by school personnel.
2. procedures for administration, documentation, handling and storage of medication.
3. medication needs of specific students, desired effects, potential side effects, adverse reactions and other observations.

Students who are able to self administer specific medications (inhalers, etc.) may do so provided such medication and special equipment are transported and maintained under the students' control within all of the following guidelines:

A licensed physician or dentist provides a written order that the student has a particular medical condition (asthma, etc.), is capable of and has been instructed in the proper method of, self-administration of medication. It is the student's legal custodian's responsibility to contact the physician and have the physician complete and sign the required order.

There is a written legal custodian authorization for self administration of medication.

Parents and guardians who elect to have the student self medicate are accepting that the District, its agents and employees shall incur no liability for any adverse reaction or injury suffered by the student as a result of the self-administration of medication and/or using the specialized equipment.

The written authorization will terminate at the end of the school year and must be renewed annually.

If the legal custodian and physician authorize self medication, the district is not responsible for safeguarding the students' medications or specialized equipment such as asthma inhalers.

Students who self medicate are prohibited from sharing or playing with their medication, special equipment, i.e., inhalers, etc. If a student engages in these activities the legal custodian will be contacted and a conference will be scheduled with the legal custodian, student, nurse and other appropriate persons.

Students will not be allowed to self administer:

1. narcotics
2. prescription pain killers
3. Ritalin
4. other medication hereafter designated in writing by the District.

Students may self administer injectables only in the school office in the presence of authorized school personnel.

The district strongly recommends that students who must self medicate should wear Medic Alert bracelets or necklaces.

The legal custodian will provide any emergency supply of their student's inhaled asthma medication to be administered by school personnel according to state law.

Non-prescription medication will only be administered by school staff with written authorization of the legal custodian. The non-prescription medication will be administered according to label directions or written instructions from the student's physician. The medication must be in the original container that indicates:

1. student name (affixed to the container)
2. ingredients
3. expiration date
4. dosage and frequency
5. administration route, i.e., oral, drops, etc.
6. other directions as appropriate

Aspirin (acetylsalicylic acid) and products containing salicylic acid will only be administered with written instructions of the student's physician. It is the responsibility of the legal custodian to maintain the supply.

Prescription medication will only be administered by school staff with written authorization and instructions. Prescription medication must be in original container that indicates:

1. student name
2. name and strength of medication and expiration date
3. dosage and directions for administrations
4. name of the licensed physician or dentist
5. date, name, address and phone number of the pharmacy

It is the responsibility of the legal custodian to maintain the supply.

Any medication that is not reclaimed by the legal custodian by the last official day of school closing or reclaimed within seven days of being discontinued by the prescribing physician will be destroyed by the designated employee or the school nurse in the presence of a witness according to the following procedures:

Medication will be destroyed in a non-recoverable fashion.

1. Liquid medication will be poured into a sink or toilet.
2. Pills or tablets will be poured into toilet.

The following information will be charted on the student's health card and signed by the designated employee and a witness:

1. Date of destruction
2. Time of destruction
3. Name and quantity of medication destroyed
4. Manner of destruction of medication

Any and all controlled substances will be destroyed according to state law.

The designated employee will advise the principal and school nurse if discontinuance of medication is appropriate and assist in informing the legal custodian before mailing a discontinuance letter. Legitimate reasons for discontinuing administration of medication would include but not be limited to:

a legitimate lack of space or facility to adequately store specific medication;

lack of cooperation by the student, parent or guardian and/or prescribing doctor and the District;

an unexpected and/or adverse medical reaction to the medication at school, i.e., mood change, allergic reaction, etc., considered to be deleterious to the health and well being of the student;

any apparent change in the medication's appearance, odor, or other characteristics that question the quality of the medication; and

the medication expiration date has passed.

Adopted: August 1, 1994

Revised: September 11, 2006

COMMUNICABLE DISEASES

The Board of Education has concern for the health of students and staff in the district. A student infected with a contagious disease may be prohibited from attending school. The Board of Education recognizes the possibility of students and staff acquiring and/or transmitting a communicable disease that may or may not be life threatening. Communicable disease conditions shall be evaluated on an individual basis considering three prime factors:

1. Degree of life threatening condition;
2. Degree of communicability; and
3. Whether or not the communicable disease has been or should be confirmed by medical practitioners.

Responsibility for evaluating the conditions of life threatening communicable diseases shall rest with the school administration after consultation with the County Health Department and/or other qualified medical personnel or agencies.

Adopted: July 27, 1998

Revised: September 11, 2006

HEAD LICE

The purpose of this policy is to minimize cases of pediculosis through parent support and education and to attempt to limit the exclusion of infested students from school.

In accordance with recommendations of the Oklahoma State Department of Health, the Poteau Public School's maintains a "No Nit Policy" to provide the most objective means of head lice control.

The School District will maintain at least two persons on staff at each school site who are trained to screen children for head lice.

The principal at each school site may determine that it is appropriate to conduct general screenings of all students for head lice one or more times during the school year. School personnel will notify the parents of infested children, and the students found to be infested during screening should be sent home with information on treatment and nit removal.

If a student is found to have lice or nits, a school staff member will contact the parent and ask him or her to meet with the principal or designee when he or she picks up the child. The timing of this meeting will depend upon circumstances such as the severity of the infestation, the ability of the parents to leave work and the emotional state of the child. At the discretion of the principal or designee, the child may remain at school until the end of the school day. School staff should provide the parent with educational materials detailing proper treatment and methods of nit removal. School staff should advise the parent that the student is expected to return to school the following day after shampoo treatment and nit removal have been accomplished.

When a child has been sent home for head lice treatment, a trained school staff member will screen the student the next school day following treatment for reentry into school. If significant improvement has occurred and no live lice and essentially no nits are found, the staff member may allow the child to return to school. A note from a medical provider is not necessary to allow reentry of the child under these circumstances, as the child has not been excluded. A trained school staff member will perform a recheck in seven to ten days to ensure the child has remained free of nits and lice. However, if infestation is still a problem on the next school day following treatment, school staff should work with the parent, demonstrate nit removal and send the child home with the parent for the day with instructions on nit removal. School staff should again advise the parent that the child is expected to return to school the following day with nit removal accomplished. In case of such exclusion, the parent must provide the District with a note from a representative of the public health department or the child's medical provider that declares the child to be lice and nit free before the student may reenter school.

Depending on the circumstances of each situation, the principal may determine that screening of the entire classroom is warranted. School staff should send a notice home to the parents of all classmates when a case has been identified in the classroom and recommend that parents screen each child.

In cases of severe infestation, inability of the family to rid the child of infestation, chronic infestation, repeated infestation (reinfestation of the same child more than two times within six months) or possible impetigo, school staff should refer the parent to the public health department or the family's physician/medical care provider for treatment. In such cases, the child should be excluded from attending school until he or she is no longer infested.

Adopted: September 11, 2006

**ADMISSION AND MANAGEMENT OF STUDENTS WITH
ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS)**

Acquired Immune Deficiency Syndrome (AIDS) is one of a number of communicable diseases, which require special precautions to prevent transmission in the school environment. Because there is no cure for AIDS and because it is a life-threatening disease, it is imperative that specialized procedures be followed in the management of a student who is diagnosed as a carrier of the AIDS virus.

Nature of the AIDS Virus

AIDS is a disease that disables the body from fighting infection. The cause of the disease is infection by the Human Immunodeficiency Virus (HIV). Three categories of outcomes result from infection by HIV. The first, AIDS, is the most severe form of the infection. The second form of infection is AIDS-Related Complex (ARC), a milder form with less severe symptoms. The third and most common form of infection by HIV causes the affected person to be an Asymptomatic Carrier, having no symptoms but still believed capable of transmitting the virus to others. Based upon the medical evidence presently available, it appears that each of the three levels or stages of HIV infection is contagious under certain conditions.

Transmission of AIDS

Unlike many other communicable diseases, AIDS is not believed by most medical authorities to be transmissible through casual contact in the normal school environment. Pending further research, however, any spill of body fluid--blood, tears, semen, saliva, vomitus, urine or excrement--by an AIDS infected individual should be considered as a possible source of infection.

Cleanup of Body Fluids

Since it is not always known whether a student is infected with the HIV Virus, district personnel will comply with the district's policy and procedures concerning blood borne pathogens in cleaning up any spill of body fluid.

Referral of AIDS Students

Following a thorough analysis of the case, a multidisciplinary team will make a recommendation as to whether and under what conditions the student should continue in a school-based educational placement. If an alternative educational program is required, the program will be established in the least restrictive environment possible.

The principal is to establish a separate file on that student to which only the principal and identified employees are to have access. No entry regarding the AIDS condition is to be made on the student's cumulative record, health card, the computerized student database or other record.

Revised: July 27, 1998

Revised: September 11, 2006

**CHILD ABUSE, NEGLECT AND EXPLOITATION:
REPORTING AND INVESTIGATION**

Introduction

School district employees have a legal obligation under Oklahoma law to report child abuse, neglect and exploitation to the Oklahoma Department of Human Services. The purpose of this Policy is to provide guidelines to assist school district employees in fulfilling their legal responsibility.

Definitions

Certain items used in this Policy have the following definitions:

1. **"Abuse and neglect"** means harm or threatened harm through action or inaction to a child's health or welfare, including non-accidental physical pain or injury, or mental injury or anguish, sexual abuse, sexual exploitation, or negligent treatment or maltreatment, including but not limited to the failure or omission to provide adequate food, clothing, shelter or medical care or protection from harm or threatened harm, by a person responsible for the child's health or welfare.
2. A **"person responsible for a child's health or welfare"** includes a parent, a legal guardian, a custodian, a foster parent, a person 18 years of age or older with whom the child's parent co-habitates or any other adult residing in the home of the child, an agent or employee of a public or private residential home, institution or facility, or an owner, operator or employee of a child care facility as defined by **Title 10, Section 402 of the Oklahoma Statutes**.

3. **"Sexual abuse"** includes but is not limited to rape, incest and lewd or indecent acts or proposals, as defined by law. "Sexual exploitation" includes but is not limited to allowing, permitting or encouraging a child to engage in prostitution, as defined by law, or allowing, permitting, encouraging or engaging in the lewd, obscene or pornographic photographing, filming or depicting of a child in those acts as defined by state law.
4. **"Exploitation"** means an unjust or improper use of the resources of a child for the profit or advantage, pecuniary or otherwise, of a person other than the child, through the use of undue influence, coercion, harassment, duress, deception, false representation or false pretenses.

Reporting Suspected Child Abuse, Neglect or Exploitation

Any school district employee having reasonable cause to believe that a student under the age of 18 years is suffering from abuse, neglect or exploitation shall immediately report this matter to the principal of the student's school.

In accordance with Oklahoma law, the school principal, the reporting employee, and any other employees whom the school principal believes may have had opportunity to observe the student shall review the available information and indications of abuse, neglect or exploitation. The school principal shall report the suspected abuse, neglect or exploitation to the **statewide toll free hotline of the Department of Human Services ("DHS")**. The **statewide Department of Human Services hotline number is 1-800-522-3511**. The report may also be made to the office of the district attorney in the county in which the suspected abuse, neglect or exploitation occurred, the local municipal police department or the sheriff's department. The report may be made by telephone.

If any employee involved in the review believes a report should have been made to DHS when it was not or at any point believes that the student is in imminent physical danger, the employee should report the situation to the appropriate office of DHS, with or without the concurrence of the other employees involved. The employee making the report shall notify the school principal. Neither the Board of Education nor any school district employee will discharge or in any manner discriminate or retaliate against the person who in good faith provides such reports or information, testifies, or is about to testify in any proceeding involving child abuse, neglect or exploitation, provided that the person did not perpetrate or inflict the abuse, neglect or exploitation.

If the DHS or other law enforcement office is notified of suspected abuse, neglect or exploitation by telephone, the oral report shall be followed by a written report from the school principal or other employee making the telephone report containing the date and time of the telephone contact, the name of the person to whom the school district employee made the oral report, the names and addresses of the child, the parents, and any other responsible persons, the child's age, the nature and extent of injuries, any previous incidents, and any other helpful information. The school district will keep a copy of any written report forwarded to DHS or another law enforcement office.

Information Concerning Child Abuse, Neglect or Exploitation

When a school district employee reports suspected abuse, DHS should forward to the school principal a summary of any confirmed report of sexual abuse or severe physical abuse concerning the child. The school principal will forward to a subsequent school in which the child enrolls all confirmed reports of sexual abuse and severe physical abuse received from DHS, and the principal will notify DHS of the child's new school and address, if known.

All information or documents generated or received by the School District in regard to the matter are confidential and shall not be disclosed except to investigators of DHS, the school district's attorneys, the district attorney's office, a subsequent school district in which the child enrolls, a person designated to assist in the treatment of or with services provided to the child or other state or federal officials in connection with the performance of their official duties. The information or documents shall be maintained and transmitted by the School District in the same manner as special education records. Such records shall be destroyed when the child reaches the age of 18.

Investigating Child Abuse, Neglect or Exploitation

At the request of appropriately identified investigators of DHS or the district attorney's office, the school principal shall permit the investigators access to a student about whom DHS has received a child abuse or neglect report. The school principal will arrange the interview in a manner that minimizes embarrassment to the child. The school principal will not contact the parent, guardian or other person responsible for the child's health or welfare prior to the interview. No school district employee will be present during the interview. However, a school district employee may be present prior to the interview if the employee believes that his or her temporary presence will make the child more comfortable.

Miscellaneous

Oklahoma law provides that any school employee who in good faith and exercising due care makes a report to DHS or another appropriate law enforcement office, allows access to a child by persons authorized to investigate a report concerning the child or participates in any judicial proceeding resulting from a report, shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed.

Revised: July 25, 1995;
July 24, 1996;
September 11, 2006
October 10, 2011

DEALING WITH CRISIS INTERVENTION

Suicide Prevention

- A. When school personnel detect something in a student's behavior that causes them to believe the student has been thinking of suicide they should notify the school counselor or principal. The school's responsibility is to notify the parent and help the parent take appropriate action. In addition, closer monitoring of the student and counseling at the level of a school counselor's training should occur. However, the level of counseling required for a suicidal student may be beyond a school counselor's expertise and time constraints. Referral, therefore, may be necessary to secure the help required.
- B. At the time a principal learns of a potential suicide or other serious crisis, the principal may form a team to respond to the situation. Likely team members could be a counselor, teacher(s), school psychologist and the referring person. The superintendent should be advised of the formation of such a team and the reasons for its existence.
- C. Faculty, staff and administrators will receive periodic in-service training regarding the procedures to be followed in a crisis situation. This in-service may include:
 - 1. Referral agencies (LCYS, Guidance Center, etc.)
 - 2. When to refer
 - 3. How to refer
 - 4. Confidentiality issues

Post-vention (Action following a crisis)

If suicide or another incident, such as a fatal accident, occurs that results in an unhealthy emotional response from a large segment of the student body, the principal, with the help of the school psychologist, will take steps to assist students individually and/or as a group to deal with the situation appropriately.

The principal, after consulting with the school psychologist, superintendent and others he or she may choose will determine if further action is appropriate. Care should be taken to avoid 'memorializing' a suicide victim, thereby possibly leading disturbed students to think suicide is a desirable response. Preventive actions may include individual counseling for those who express a need or are referred. If individuals express suicidal wishes that are revealed to the school principal the prevention measures of this policy will be followed. Some small group or class size counseling may be conducted by school personnel, such as counselors, school psychologist, teachers and other professional staff. If the problem is one for which additional expertise is needed, community agencies or personnel should be contacted.

Action taken following a crisis that has stirred the emotional state of the student body to a potentially dangerous level should take place as quickly as effective action can be implemented. The steps taken should be implemented in as short a time period as is reasonably possible.

Other Crisis Situations

In other crisis situations, such as the death or injury of a student, the crisis team may be formed and will function in the manner described in this policy.

The safety plans developed to deal with emergencies provide instruction for crisis situations.

Revised: 7/26/1999

Revised: September 11, 2006

EDUCATIONAL SERVICES UNDER SECTION 504

The school district recognizes its responsibilities to children who are or may be individuals with disabilities under **Section 504** of the **Rehabilitation Act of 1973 ("Section 504")** and to children with disabilities under the Individuals with **Disabilities Education Act**, as amended (the "IDEA"). In an effort to ensure that school district employees understand and implement the requirements of Section 504, the school district adopts the following policy.

Under **Section 504**, an "**individual with a disability**" is a person who (a) has a physical or mental impairment that substantially limits one or more major life activities, (b) has a record of such an impairment or (c) is regarded as having such an impairment. For purposes of this policy, which governs educational services for students in pre-school, elementary and secondary school settings, only the (a) portion of this definition is relevant.

A "**physical or mental impairment**" means (a) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genito-urinary; hemic and lymphatic; skin; and endocrine; or (b) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

"**Major life activities**" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, working and learning.

For purposes of this policy, a "**qualified individual with a disability**" (or "**qualified handicapped person**") is an individual with a disability who is (a) of an age during which nondisabled persons are provided educational services or (b) of an age during which Oklahoma law or the IDEA requires educational services for disabled persons.

The school district will provide each "**qualified individual with a disability**" a free appropriate public education. A "**free**" education means the provision of educational and related services without cost to children with disabilities or their parents except those fees that are charged to all students. An "**appropriate**" education means the provision of regular or special education and related aids

and services that (a) are designed to meet the individual educational needs of children with disabilities as adequately as the needs of nondisabled persons are met and (b) are based upon adherence to procedures that satisfy the requirements of regulations implementing **Section 504**.

Upon referral of a child who, because of disability, needs or is believed to need special education or related services under **Section 504**, the district will conduct an evaluation of the student. The district will use tests and other evaluation materials that have been validated for the specific purpose for which they are used. The tests and other evaluation materials will include those tailored to assess the student's specific areas of educational need, not merely those designed to provide a single general IQ Score. Trained personnel will administer the tests and other evaluation materials in conformance with the instructions provided by their producer. They will select and administer tests so as best to ensure that, when a test is administered to a student with impaired sensory, manual or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual or speaking skills, unless those skills are the factors the test purports to measure. An appropriate evaluation will precede initial placement in regular or special education and any subsequent significant change in placement.

In interpreting evaluation data and making placement decisions, the school district will draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background and adaptive behavior. A Multi-disciplinary Team, including persons knowledgeable about the child, the meaning of the evaluation data and the placement options, will document and consider carefully information obtained from all such sources in making eligibility and placement decisions. When the Multi-disciplinary Team determines that a child is eligible for educational services under **Section 504**, it will prepare an Accommodation Plan for the child. The Accommodation Plan will identify the educational services, related services and supplementary aids and services needed to meet the child's individual educational needs, the person(s) responsible for implementing each component of the Plan, the starting and ending dates for each component and a date, no less than annually, on which to review the Plan. At least every three years, the Multi-disciplinary Team will consider re-evaluation for each student provided special education and related services under **Section 504**.

The school district will educate children with disabilities and provide them non-academic and extra-curricular services and activities with non-disabled children to the maximum extent appropriate to the needs of the child. "**Non-academic and extra-curricular services and activities**" may include counseling services, physical recreational athletics, transportation, health services, recreational activities, school-sponsored special interest groups or clubs, referrals to agencies that provide assistance to individuals with disabilities and employment of students, including both employment by the school and assistance in making available outside employment.

The Multi-disciplinary Team may determine that the child's individual educational needs require placement in a special setting for some portion of the school day. However, the Team will remove a child with a disability from the regular education environment only after written notice to the parent and **only** if it can demonstrate that the child cannot be educated satisfactorily in the regular education environment with the use of supplementary aids and services. In such cases, the Team will document the reason(s) for removal from the regular education environment. The school district will provide the child's parent or guardian with written notice of the child's proposed placement in a special setting (and other significant changes in his or her placement). The child's parent or guardian may request an administrative due process hearing to contest the proposed placement (or other significant change in placement).

Whenever the school district takes action to consider the identification, evaluation or educational placement of children who need or are believed to need special instruction or related services under **Section 504**, it will provide the child's parents with the **Section 504 Information and Procedural Safeguards Notice** ("Procedural Safeguards"). The school district will provide the parents with the Procedural Safeguards each time it schedules a meeting to discuss the child's eligibility for services, evaluation or educational program and placement under **Section 504**, upon each parent request for such notice and when the parent or the district requests an administrative due process hearing regarding the identification, evaluation or educational placement of the child.

Upon the filing of an administrative due process hearing request, the school district will request that the Oklahoma State Department of Education ("SDE") appoint a hearing officer to consider the issues raised in the hearing request. The school district or its legal representative will provide the person who requested the hearing a copy of the Procedural Safeguards and this policy. If the

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school district requests such a hearing, the school district or its legal representative will provide the parent or guardian with a copy of the Procedural Safeguards and this policy. Any party aggrieved by the hearing decision may request an appeal by sending written notice of his or her intent to appeal to SDE within 30 calendar days after the appealing party receives the initial hearing decision. The school district will request that SDE appoint an appeal officer to review the issues raised by a timely notice of appeal.

If SDE will not appoint a hearing officer to hear the issues raised by the **Section 504** hearing request, the school district will appoint an impartial third party to consider the issues. Any party aggrieved by the hearing decision rendered by the hearing officer may request an appeal by sending written notice of his or her intent to appeal to the school district. The notice must be received by the school district within 30 calendar days after the appealing party receives the initial hearing decision. If SDE will not appoint an appeal officer to review the issues raised by a timely notice of appeal, the school district will appoint an impartial third party to review the issues.

Any **Section 504** hearing or appeal will be conducted in accordance with the requirements of Section 504, its implementing regulations and any applicable SDE guidelines.

Revised: September 12, 2005

DISCIPLINARY REMOVAL OF CHILDREN WITH DISABILITIES

Definitions

For purposes of this policy, the following definitions apply:

1. "**Controlled substance**" means a drug or other substance identified under schedules I, II, III, IV or V in Section 202(c) of the **Controlled Substances Act**, 21 U.S.C. § 812(c).
2. "**Illegal drug**" means a controlled substance, but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health care professional or that is legally possessed or used under any other authority under the **Controlled Substances Act** or under any other provision of federal law.
3. "**Serious bodily injury**" means bodily injury that involves –
 - a. a substantial risk of death;
 - b. extreme physical pain;
 - c. protracted and obvious disfigurement; or
 - d. protracted loss or impairment of the function of a bodily member, organ or mental faculty.
4. "**Weapon**" means a dangerous weapon as defined by 18 U.S.C. § 930(g)(2), specifically, a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2½ inches in length.
5. "**School day**" means any day, including a partial day, that children are in attendance at school for instructional purposes.

Case-By-Case Determination

District personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement is appropriate for a child with a disability who violates the **District's Code of Student Conduct**.

Short-Term Disciplinary Removal

District personnel may remove a child with a disability who violates the **District's Code of Student Conduct** from the child's current placement to an appropriate interim alternative educational setting, another setting or suspension, for not more than ten (10) consecutive school days and for additional removals of not more than ten (10) consecutive school days in the same school year for separate incidents of misconduct, as long as those additional removals do not constitute a change of placement.

A change of placement occurs if

- a. the removal is for more than ten (10) consecutive school days; **or**
- b. the child has been subjected to a series of removals that constitute a pattern.

Under the ***Individuals with Disabilities Education Act*** and its implementing regulations, school personnel determine whether a pattern exists by considering the following factors:

- a. the series of removals total more than ten (10) school days in a school year;
- b. the child's behavior is substantially similar to the child's behavior in the incidents that resulted in the series of removals, and
- c. such additional factors as the length of each removal, the total amount of time the child has been removed and the proximity of the removals to one another.

However, in an effort to promote uniformity in the decision-making process, the Board of Education has determined that it is in the district's best interest that it not require school personnel to weigh these factors to determine the existence of a pattern in each instance. Instead, when the student's short-term removals exceed ten (10) school days over the course of the school year, the district will follow the process identified in this policy for implementing a long-term removal.

Educational Services During a Short-Term Disciplinary Removal

The district will provide a child with a disability the same level of services it provides children without disabilities during removals for ten (10) school days or less during the school year.

After a child with a disability has been removed from his or her current placement for ten (10) school days in the same school year, if a subsequent removal is imposed for not more than ten (10) consecutive school days and is not a change of placement, district personnel, in consultation with at least one (1) of the child's teachers, will determine the extent to which services are needed. So as to enable the child to continue to participate in the general curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

Long-Term Disciplinary Removal

For disciplinary changes in placement that would exceed ten (10) consecutive school days, if the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the child's disability, then district personnel may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to children without disabilities.

Special Circumstances

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

- a. carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function under the district's jurisdiction;
- b. knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises or at a school function under the district's jurisdiction; or
- c. has inflicted serious bodily injury upon another person while at school, on school premises or at a school function under the district's jurisdiction.

Making a Manifestation Determination

Except for removals that will be for not more than ten (10) consecutive school days and will not constitute a change of placement, within ten (10) school days of any decision to change the placement of a child with a disability because of a violation of the **District's Code of Student Conduct**, the district, the parent and relevant members of the child's IEP Team (as determined by the parent and the District), will review all relevant information in the student's file, including the child's IEP, any teacher observations and any relevant information provided by the parents to determine:

- a. if the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- b. if the conduct in question was the direct result of the district's failure to implement the IEP.

The conduct will be determined to be a manifestation of the child's disability if the District, the parent and relevant members of the child's IEP Team determine that a condition in either (a) or (b) of this paragraph was met.

If the district, he parent and relevant members of the child's IEP Team determine that the conduct in question was the direct result of the district's failure to implement the IEP, the district will take immediate steps to remedy those deficiencies.

Determination that Behavior Is a Manifestation

If the district, the parent and relevant members of the IEP Team determine that the conduct was a manifestation of the child's disability, the IEP Team will either:

- a. conduct a functional behavioral assessment, unless the district had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a Behavioral Intervention Plan for the child; or
- b. if a Behavioral Intervention Plan already has been developed, review the Behavioral Intervention Plan and modify it, as necessary, to address the behavior.

Except as provided in Section 6 of this policy, the IEP Team will return the child to the placement from which the child was removed, unless the parent and the district agree to a change of placement as part of the modification of the Behavioral Intervention Plan.

Educational Services During a Long-Term Disciplinary Removal

Except as provided in Sections 3 and 4 of this policy, a child with a disability who is removed from the child's current placement will:

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

If the removal is for more than ten (10) consecutive school days or is a change of placement, the child's IEP Team will determine appropriate services and the location in which services will be provided. These services may be provided in an interim alternative educational setting determined by the IEP Team.

Notification

On the date on which the decision is made to make removal that constitutes a change of placement of a child with disability because of a violation of the District's Code of Student Conduct. District personnel will notify the child's parents of the decision and provide the parents a copy of the District's Parents Rights in Special Education: Notice of Procedural Safeguards Form.

Appeal to Hearing Officer

The parent of a child with a disability who disagrees with any decision regarding placement or the manifestation determination under this policy or the District, if District personnel believe that maintaining the current placement of the child is substantially likely to result in injury to the child or others may appeal the decision by filing a due process hearing complaint seeking an expedited hearing.

In making the determination, the hearing officer may:

- a. return the child with a disability to the placement from which the child was removed if the hearing officer determines that the removal was a violation of the applicable provisions of the IDEA or that the child's behavior was a manifestation of the child's disability; or
- b. order a change of placement of the child to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.

These procedures may be repeated, if the district that returning the child to the original placement is substantially likely to result in injury to the child or to others.

When an appeal has been requested by either the parent or the district, the child will remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period set for the placement, whichever occurs first, unless the parent and the district agree otherwise.

The district may also seek a court order to remove a child with a disability from school or change the child's current educational placement if district personnel believe that maintaining the current placement of the child is substantially likely to result in injury to the child or others.

Adopted: September 12, 2005

Revised: February 12, 2007

CONCUSSIONS AND HEAD INJURIES

The Poteau Board of Education recognizes that concussions and head injuries are commonly reported injuries in contact sports.

On an annual basis, a concussion and head injury information sheet shall be completed and returned to the school district by the youth athlete and the youth athlete's parent or guardian prior to the youth athlete's participation in practice or competition. The athletic director shall provide written instructions to all coaches to ensure that no youth athletes are allowed to participate in practice or competition prior to the receipt of a concussion and head injury information sheet. Any coach or staff allowing a youth athlete to participate in practice or competition prior to the receipt of a signed concussion and head injury information sheet shall be disciplined and may be terminated from employment in the extra duty assignment.

A youth athlete who is suspected of sustaining a concussion or head injury during a practice or game shall be removed from participation at that time. Any youth athlete removed from participation shall not be allowed to participate until the athlete is evaluated by a licensed health care provider trained in the evaluation and management of concussion and receives written clearance to return to participation from that health care provider. "Return to learn" guidelines shall be provided to teachers and relevant school personnel pertaining to athletes returning to the classroom after sustaining a concussion or head injury. "Graduated return to athletic participation" guidelines shall be provided to coaches and staff members pertaining to youth athletes returning to activity after sustaining a head injury or concussion.

The school district shall impose the following minimum penalties for failing to remove an athlete from an activity:

1st offense: The coach or staff member will be required to attend additional training.

2nd offense: The coach or staff member will be suspended from the sport or activity until an appearance in front of the board of education. The appearance

before the board of education may involve a determination as to whether the coach or staff member will continue employment in the extra duty assignment.

Additional free online concussion training programs are available at The Center for Disease Control at <http://www.cdc.gov/HeadsUp/index.html> and at the National Federation of State High School Associations at <http://nfhslearn.com/?courseID=38000>.

Return to learn guidelines are located at:
http://www.cdc.gov/headsup/pdfs/schools/tbi_classroom_tips_for_teachers-a.pdf

Graduated return to participation guidelines are located at:
http://www.cdc.gov/headsup/pdfs/custom/headsupconcussion_fact_sheet_for_schools.pdf

REFERENCE: 70 O.S. §24-155

POLICY NOTE: SB 1164 (2016) requires that a school policy include links to one or more online concussion training programs provided by the Center for Disease Control, the National Federation of State High School Associations or comparable programs or resources. We have linked two above in the final paragraph of this policy.

Graduation Standards for 2016/2017 School Year

All seniors will pass 2/4 required EI tests: English Language Arts, Mathematics (80% Algebra I, 20% Geometry), Biology, US History.

Alternate test options for students who do not pass 2/4 EOI test:

1. Work Keys
2. Pre ACT
3. Oklahoma Academic Standards-based project

If the student does not score satisfactory on one of the alternate tests, the students may go before a committee to review their academic success and the committee will determine if the student has met graduation standards.

When exceptional circumstances exist Senate Bill 1370 allows for the acceptance and completion of one (1) year of a full-time, three-hour career and technology program leading to an Industry credential/certificate (endorsed or aligned) or college credit to count for a third math credit to meet graduation requirements for students on the CORE curriculum.

Board Approved 10/10/16