



SECTION VI: BUSINESS, TECHNOLOGY & OPERATIONS POLICY 6000

ACTIVITY FUND ACCOUNTING AND EXPENDITURE PROCEDURES

The Board of Education is directed by state law to exercise control over all funds on hand or received from students or other extracurricular activities conducted in the school district. In compliance with Section 5-129 of the Oklahoma School Code (Okla. Stat. tit. 70, §5-129) the following local policies are established to govern Activity Fund Accounting and Expenditures.

Any funds derived from sources specified in Section 5-129 (B) which have been designated by the Board of Education as "Activity Funds" shall be deposited with the Chief Financial Officer of Broken Arrow Public Schools for further credit to specific sub-accounts within the Administrative Office Activity Fund as may be directed by the Board of Education in accordance with the guidelines and procedures established in the Policy. Each school within the District shall have an activity fund designated as that site's School Activity Fund for receipt of such revenues. Any Activity Funds received by the Chief Financial Officer which are not allocated by Board of Education resolution for distribution to specific School Activity Fund site accounts shall be retained in the Administrative Office Activity Fund. The Board of Education may direct, by written resolution, that any balance in excess of the amount needed to fulfill the function or purpose for which the Administrative Office Activity Fund was established may be transferred to another account. The Chief Financial officer shall be the Custodian of the Administrative Office Activity Fund.

Custodians of Activity Funds shall be the principals of each school in the district or such other persons as may be designated from time to time by the Board of Education. All Activity Fund Custodians must become familiar with all provisions of activity fund accounting under the requirements of Section 5-129.

In addition to the accounting procedures and requirements set forth by Section 5-129, the Board of Education has adopted the following additional guidelines and policies which must be observed carefully by all Activity Fund Custodians.

Deposit of Funds

The Board of Education designates that revenues generated from the following sources shall be designated as Activity Funds:

1. Admissions to athletic contests, school or class plays, carnivals, parties, dances and all summer camps.
2. Sale of student activity tickets.
3. Concession sales.
4. Dues, fees, donations to student clubs or other organizations provided that membership in such clubs or organizations shall not be mandatory.
5. Income or Revenue resulting from the operation of student organizations or club projects, provided such revenue is not derived from the sale of property, supplies, products or other assets belonging to the school district.



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6. Deposits for or collections for the purchase of class pictures, rings, pins, announcements, calling cards, annuals, banquets, student insurance, and other such personal items; provided the cost of such items shall not be charged against other school funds.
7. Other income collected for use by school personnel and other school-related adult functions.

All other income, revenue, deposits or collections of any nature, including but not limited to: laboratory fees, fees for the use of equipment owned by or rented by the school district; deposits or assessments for breakage or supplies used in instructional courses; sale, exchange, lease or rental of property, supplies or products originally acquired from funds belonging to the school district or through the management, use of production of property belonging to the school district; shall be deposited in accordance with the provisions of Section 335 of Title 62 of the Oklahoma Statutes.

Disbursements from the School Activity Funds shall be made by check signed by the Activity Fund Custodian and countersigned by the Co-Custodian of the School Activity Fund. Activity Funds shall not be used for any purpose other than that for which the account was originally created. The Board of Education, at the beginning of each fiscal year and as needed during each fiscal year, shall approve all School Activity Fund sub-accounts, all sub-account fund-raising activities and all purposes for which the monies collected in each sub-account can be expended. Provided, the Board of Education may direct by written resolution that any balance in excess of the amount needed to fulfill the function or purpose for which the Administrative Office Activity Fund, any School Activity Fund or sub-account within any School Activity Fund was established, may be transferred to another account or sub-account by the Custodian of the fund.

Funds in other Activity Funds and similar organizations are subject to control of the Board of Education as part of the district's activity funds if the activities are actually those of students acting under the guidance and direction of adults.

Regulations for Administration of Activity Funds

The State Board of Education and the Broken Arrow Board of Education establish the following regulations for the administration of activity funds:

The Board of Education may appoint a Custodian for each school to administer the school's School Activity Fund sub-account. Unless otherwise specified by the board, the building principal shall serve in that capacity and the building secretary shall serve as treasurer of the fund.

The Administrative Office Activity Fund Custodian and each School Activity Custodian shall give a Surety Bond of not less than \$1,000.00, and such bond shall be filed with the clerk of the Board of Education. Payment for the bond is to be made from the General Fund.

Deposits to or transfers from any account may be authorized by the Board of Education except that no transfers shall be made from the School Lunch Account, Clearing Account, and Petty Cash Account.



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The School Activity Fund Custodian shall not use funds in one account for another purpose unless a transfer is granted as provided by law. (This requires a written resolution by the Board of Education as authority for the transfer.)

Sub-accounts for the Administrative Office Activity Fund or for any School Activity Fund may be established by the Board of Education by whatever name or style deemed best suited to fit needs for which the revenue was collected. When approved by the Board of Education, student organizations or club projects may include fund raising activities, the revenues from which may be used for the purpose of purchasing goods or services otherwise considered to be General Fund Expenditures.

Separate bank accounts may be established for School Lunch (Child Nutrition Fund) or other programs, but funds shall be accounted for by the Activity Fund Custodian in charge, and disbursements shall be made as provided by law.

A general or miscellaneous account may be established within the Administrative Office activity fund or any School Activity Fund to which all unobligated or uncommitted monies may be transferred.

Receipts for collections shall be given by the School Activity Fund Custodian and should be given in all other cases where possible. Tickets shall be used for admissions in order to establish an internal control and check system for the activity fund.

Restrictions on Use of Activity Fund Accounts

The following restrictions are imposed by the Board of Education as local requirements:

For fundraising efforts that are accomplished through school wide initiatives and does not involve individual student fundraising, these funds shall be deposited in either the teacher or student activity account as deemed appropriate by the site administrator.

Funds deposited into a sub-account which is derived directly from profits solely obtained through the work efforts of teachers or through purchase of items by teachers, may be expended for purchases which may be used or appreciated by the teaching faculty.

Purchase of any property for personal use (i.e., a gift for teacher, individual, etc.) is prohibited from any activity account funded by student efforts unless said funds were raised with the express intent to make such purchases and this fund purpose was approved by the Board. Accounts established by and for adults may be used to buy gifts of a personal nature within established guidelines.

Source: *Administrative Policy effective December, 1985.*
Broken Arrow Board of Education policy revised, June 20, 1988.
Broken Arrow Board of Education policy revised, February 15, 1999.



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Broken Arrow Board of Education policy revised, July 13, 2009.

Broken Arrow Board of Education policy revised, July 10, 2017.

Broken Arrow Board of Education policy revised, May 13, 2019.

Broken Arrow Board of Education policy revised, November 7, 2022.



SECTION VI: BUSINESS, TECHNOLOGY & OPERATIONS POLICY 6110

INTERNET AND TECHNOLOGY SYSTEMS SAFETY AND APPROPRIATE USE

It is the policy of the Broken Arrow School District to:

1. Prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications;
2. Prevent unauthorized access and other unlawful online activity;
3. Prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and
4. Comply with the Children's Internet Protection Act [Pub. L. No. 106-554 and 47 U.S.C. § 254(h)] and Oklahoma law [OKLA. STAT. tit. 70. § 11-201].

Definitions

The determination of what is "inappropriate" for minors shall be determined by the district. It is acknowledged that the determination of such "inappropriate" material may vary depending upon the circumstances of the situation and the age of the students involved in online research and activity.

The terms "minor," "child pornography," "harmful to minors," "obscene," "technology protection measures," "sexual act," and "sexual contact" shall be defined in accordance with the Children's Internet Protection Act, Oklahoma law, and any other applicable laws/regulations as appropriate and implemented by the district.

Access to Inappropriate Material

To the extent practical, technology protection measures (or "Internet Filters") shall be used to block or filter Internet (or other forms of electronic or digital communications) access to inappropriate information. Specifically, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors. Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes.

Inappropriate Network Usage

To the extent practical, steps shall be taken to promote the safety and security of users of the Broken Arrow School District online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications. Specifically, as required by the Children's Internet Protection Act, prevention of inappropriate network usage includes:

1. Unauthorized access, including so-called "hacking", and other unlawful activities; and
2. Unauthorized disclosure, use, and dissemination of personal identification information regarding minors.



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With respect to promoting the safety and security of minors, it shall be the responsibility of the Broken Arrow School District to educate minors about appropriate online behavior, including cyber bullying awareness and response and interacting with other individuals on social networking sites and in chat rooms. The Broken Arrow School District may implement this requirement in a number of different ways, including but not limited to:

1. Distribution of this policy to all students at the first of the year which contains such information;
2. Including such information in orientation for students at the beginning of each year in each computer class;
3. Talking to students about such matters each time an incident occurs that involves these matters; and
4. Any other manner deemed appropriate by the Superintendent or Board.

Supervision and Monitoring

The District will take reasonable efforts to maintain computer network security, whether threatened by security breach, human error, hardware malfunction, or otherwise. The Technology Department shall be responsible for securing and actively monitoring the District's computer network ("network") to identify, contain, mitigate, and report any security incident, which may include contracting with a third party for such services.

It shall be the responsibility of all staff of the Broken Arrow School District to supervise and monitor usage of the online computer network and access to the Internet in accordance with the district's technology policies, the Children's Internet Protection Act, Oklahoma law. Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the Superintendent or designated representatives.

Unacceptable uses of computer and electronic communications resources includes use that jeopardizes personal safety, use that involves illegal and prohibited activities, and use that threatens the security of the District's technology resources.

The Technology Department shall also develop a disaster recovery or business continuity plan to be implemented in the case of a disaster or serious security incident which compromises the District's network and/or the data stored thereon. This plan shall include procedures for routinely backing-up District data to a secured, off-site location or onto appropriate backup media at a secure, off-site location. The District may contract with a third party for such services. At least annually, the Technology Department shall conduct contingency testing to ensure the speedy restoration of District systems and information in the event of a security incident or a disaster.

Personal Safety

Employees and students shall not use the District's technology resources in any manner that jeopardizes or poses a threat to personal safety. The following directives are essential to ensuring personal safety:



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1. Users shall not post personally identifiable information about themselves or others. For example, it is not permissible to put people's photographs on the web and identify them by name.
2. Student users shall not agree to meet or meet with someone they have met online, without parental approval.
3. Student users shall promptly disclose to their instructor or another school employee any message the user receives that is inappropriate or makes the user feel uncomfortable.
4. Users shall receive or transmit communications using only District-approved and District-managed communication systems. For example, users may not use free, web-based e-mail, messaging, videoconferencing or chat services, except in special cases where arrangements have been made in advance and approved by the District's authorized supervisory personnel.
5. Users shall not attempt major repair of District-owned technology resources without the assistance of the District support mechanism. Major repair is defined as any repair or modification which has the potential to impact the District infrastructure, more than one workstation, disrupt business operations or requires the user to add or remove hardware. However, users are encouraged to perform troubleshooting and minor repairs in conjunction with the District technology support segment.

Illegal Activities

Engaging in illegal and prohibited activities involving use of the District's technology is prohibited. The emerging and fast-paced developments in technology make it impossible for the District to anticipate every potential use or misuse of its technology resources. Accordingly, users are instructed that the District's technology is not to be used for illegal activities. Among other things, users are expected to abide by the following:

1. Users shall not plagiarize works that are found on the Internet or any other electronic resource. Plagiarism is presenting the ideas or writings of others, as one's own.
2. Users shall respect the rights of copyright owners. Copyright infringement occurs when the user inappropriately reproduces a work that is protected by a copyright. Users shall not illegally copy protected works, or make copies of such works available. Users are responsible for observing any copyright or licensing agreement that may apply when downloading materials. Users may not download any material for which a fee or license agreement is required without the approval of appropriate District supervisory personnel. Users shall not install any software (including public domain software or freeware) which is not on the District's approved software list.
3. District staff will not support or maintain any computer operating system or application software that does not meet District standards.
4. Illegal installation of copyrighted software is prohibited. Illegal copying of software from any District computer, network, or program diskette is prohibited. Computer software and



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data protected under copyright laws may not be downloaded or uploaded to a computer owned or leased by the District without the written consent of the copyright holder. Any software or data located on a computer or file server owned or leased by the District found to be in violation of copyright laws will be removed.

5. Users shall not attempt to gain unauthorized access or attempt to go beyond authorized access to District resources or to any other computer system. This includes attempting to log in through another person's account or access another person's files.
6. Users shall not make deliberate attempts to disrupt the District's computer system or other portions of the technology resources or destroy data by spreading computer viruses or by any other means.
7. Users shall not congest the District's technology resources or interfere with the work of others within or outside of the District when accessing the Internet, including the transmission or posting of messages that are intended or likely to result in the loss of the recipient's work or systems.
8. Users shall not use the District's technology resources to engage in any activities which interfere with the operation of the District or its educational programs or compromise the safety and security of the District's technology resources.

Security of District's Technology

The District spends substantial monies to provide students and staff with technology resources appropriate for the diverse educational and training interests associated with education objectives in a technology rich world. Users are required to adhere to the highest standards of use to avoid compromise or destruction of the District's resources. Security with respect to the District's technology resources requires adherence to the following:

1. Users shall access the Internet in a manner which does not compromise the security and integrity of the District's technology resources, such as allowing intruders or viruses into the District's technology resources. Users wishing to download any document, file or software from non-District sources must observe District policies and procedures for virus checking and system security.
2. Users are responsible for their individual logon passwords and e-mail account passwords and should take all reasonable precautions to prevent others from being able to use these passwords. Users shall not share e-mail passwords, provide e-mail access to an unauthorized user, or access another user's e-mail without authorization.
3. A computer logged into the District wide area network or the internet should not be left unattended. Users are responsible for all transactions made under their User ID and Password.
4. Users must immediately notify the e-mail administrator if they identify a possible security problem.



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5. Users are responsible for the appropriate storage and backup of their data.
6. The administration, faculty or staff of the District may request a system administrator to deny, revoke or suspend specific user accounts for violation of these policies or procedures.

Inappropriate Communications

Inappropriate communications are prohibited and can result in removal of access, or other disciplinary action. Users must adhere to the following directives:

1. Users shall not use, view, download, copy, send, post or access obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful information, communications, language, images, or video, or material that advocates illegal acts, violence, or discrimination towards others. Restrictions against inappropriate language, images or video apply to public messages, private messages, material posted on web pages, and files stored or created on the District's technology resource.
2. If a user mistakenly accesses inappropriate information, the user must immediately inform his/her teacher or the network supervisor of the location of that information.
3. Parent or guardians should instruct the student user if there is additional material that they think it would be inappropriate for their child to access. The District fully expects that student users will follow the instructions of their parents or guardians in this matter.
4. Users shall not post information that could cause damage or pose a danger of disruption to the operations of the technology resources or the District.
5. Users shall not harass another person. Harassment is persistently acting in a manner that distresses or annoys another person. If a user is told by another person to stop any activity which that person finds harassing, the user must stop immediately. Individuals who believe they are the victim of harassment should immediately contact their supervisor, campus administrator, or the Superintendent.
6. Users shall not knowingly or with reckless indifference post messages that are false or defame or libel any person or organization, or that infringe the privacy rights of others.

Certification and Verification

The district shall provide certification, pursuant to the requirements of the Children's Internet Protection Act, to document the district's adoption and enforcement of its Internet and Technology Safety Policy, including the operation and enforcement of technology protection measures for all district computers with Internet access.

The district shall also obtain verification from any provider of digital or online library database resources that all the resources they provide to the district are in compliance with Oklahoma law and the district's Internet and Technology Safety Policy. If any provider of digital or online library resources fails to comply, the district shall withhold payment, pending verification of compliance.



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If any provider of digital or online library resources fails to timely verify compliance, the district shall consider the provider's act of noncompliance a breach of contract.

Reporting

No later than December 1 of each year, Oklahoma law provides that libraries shall submit to the Speaker of the Oklahoma House of Representatives and President Pro Tempore of the Oklahoma State Senate an aggregate written report on any issues related to provider compliance with Internet technology measures as required under Oklahoma law.

Employee Liability

Employees of the district shall not be exempt from prosecution for willful violations of state law prohibiting indecent exposure to obscene material or child pornography as provided under Oklahoma law [OKLA. STAT. tit. 21, § 1021.

Disciplinary Action

The use of District's technology resources is a privilege, not a right. Violation of District policies and procedures may result in cancellation of computer-use privileges and/or other disciplinary action up to and including termination of employment for employees and suspension from school for students. If Federal and/or State laws are violated, the offender is also subject to being reported to proper authorities for prosecution.

Reference: 47 U.S.C. § 254(h); OKLA. STAT. tit. 70. § 11-201; OKLA. STAT. tit. 21, § 1021.

Source: *Broken Arrow Board of Education policy adoption, July 13, 2009.*
Broken Arrow Board of Education policy revised, July 10, 2017.
Broken Arrow Board of Education policy revised, November 9, 2020.
Broken Arrow Board of Education policy revised, November 7, 2022.



SECTION VI: BUSINESS, TECHNOLOGY & OPERATIONS POLICY 6160
PURCHASING AND PROCUREMENT

This policy shall govern the purchase of all goods and services by the District, and all contracts entered into by the District.

The Board of Education authorizes the Superintendent and/or designee to establish written procedures for the procurement of supplies and services in accordance with federal and state law, this policy, and generally accepted governmental purchasing practices. Purchasing of goods and services is contingent upon the availability of funding. All non-salary related purchases, debts and/or financial obligations against the District shall be incurred as authorized and processed in accordance with this policy and corresponding purchasing manual.

Purchase Orders and Requisitions

Purchase orders will be issued only upon submission and approval of a requisition. The requisition will contain a clear description of the materials or services desired, accompanied by appropriate documentary materials, and including an encumbrance charged against an appropriate appropriations account. The requisition must include the approval of the initiator and the administrators within the designated requisition path to verify the appropriateness of the expenditure and availability of appropriations. The head of the Purchasing Department shall issue a purchase order only after completion of this process. The Board of Education authorizes the Superintendent or designee to issue purchase orders for less than \$50,000 without prior Board of Education approval. All purchase orders of \$50,000 or more shall be issued only with the prior approval of the Board of Education.

A report of encumbrances shall be submitted to the Board of Education in the order of their issuance. This report shall be submitted at each regular meeting of the Board, reflecting encumbrances authorized since the last day of the previous encumbrance report. Approved encumbrances shall become a part of the minutes of the Board of Education meeting and be posted on the District web site.

Requisitions and/or purchase orders cannot be split to avoid bidding, quotation and/or Board approval requirements.

Purchase Order Adjustments

Minor adjustments to approved encumbrances and/or purchase orders may be made without additional Board approval with the following limitations and under the following conditions by the Superintendent or designee:

1. Encumbrances and purchase orders may be reduced by any amount and may be increased by the greater of \$1,000 or 15% of the original, approved amount.
2. An encumbrance or purchase order may be revised administratively for various corrections including vendor address, OCAS coding, substitutions for like goods, and meeting/participant cancellations or changes that do not alter the quantity or amount, except as provided in this section.



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3. A purchase order may be cancelled after the administrator requesting the purchase approves the cancellation. The purchasing or cancelling administrator is then responsible for notifying the vendor of the cancellation.

Minor adjustments to encumbrances and/or purchase orders, not requiring additional Board approval shall be referenced to the original encumbrance.

Emergency Purchases

The Superintendent or designee may declare an emergency and authorize the issuance and payment of emergency encumbrances and purchase orders less than \$50,000 in amount without complying with the bidding and quotation requirements contained in this policy. An emergency may be declared to address conditions resulting from a sudden, unexpected happening or unforeseen occurrence or condition which threatens to endanger public health or safety or where prompt action is required to avoid interruption of critical school business or are necessary to protect the property of the District. As to emergencies involving construction contracts of less than \$35,000, the Board delegates to the Superintendent the authority to declare an emergency under the Competitive Bidding Act. The term “emergency” shall be as defined in said Act.

Bidding, Quotation, and Proposal Requirements

The solicitation for bids, proposals and quotations shall be conducted in accordance with the provisions of this policy and the District’s written purchasing procedures as approved by the Superintendent or designee. Unless otherwise exempted herein, the following informal and formal bidding and quotation limits shall be followed for the purchase of all goods and services procured with all funds. The limit amounts listed are applicable to the entire purchase or project; therefore, no requisition and/or purchase order can be split to avoid bidding, quotation and/or Board approval requirements.

Specific Bidding, Quotation, and Proposal Requirement

1. Less than \$25,000 – Oral or written quotes encouraged from two or more vendors
2. \$25,000 to \$49,999 - Written quotes required from three or more vendors
3. \$50,000 and above – Sealed Proposals in response to a District-initiated Request for Proposal or by sealed bids. The procurement shall be coordinated through the purchasing department.

The Board of Education authorizes the Superintendent or designee to use electronic sealed bids provided there are adequate procedures and controls. Formal sealed proposals or bids shall have a specific opening date, time, and location. Two District representatives, one of which must be an administrator, shall be present during the opening. All proposals and bids will be stamped with the date and time of receipt; opened at the designated time and location and read out loud. Each District representative present shall initial each proposal or bid and/or have a tabulation sheet upon opening the proposals or bids. Bids and quotes shall be awarded to the lowest qualified and responsible bidder who submits the lowest and best bid. The District may consider, in determining



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the lowest and best bid, which bid represents the “best value” in the sole opinion of the District, taking into consideration the total cost of ownership, including purchase price, quality, ability to deliver, maintenance and service, durability and longevity.

The Public Competitive Bidding Act applies to contracts for new construction and for repairs and maintenance to public buildings.

Bus purchases must be made by sealed bid in accordance with the requirements of OKLA. STAT. tit. 70, § 9-109.

Activity Fund Quotation Requirements

Individual purchases of any quantity of one specific item having a total cost equal to or greater than \$2,500 may be made upon written authorization from the Purchasing department after receiving written price quotations from a minimum of 3 vendors.

Purchases of any single item having a total cost equal to or in excess of \$5,000 are not permitted. No capital assets or outlays are permitted from Activity Funds.

Items Exempt from Bidding, quotation, or Proposal

Because of the unique nature of some goods and services, the items listed below shall be exempt from bidding. However, every effort must be made to create a fair and competitive environment where all vendors who have requested to quote or bid on these items are given the opportunity to have their offer considered.

The method for creating a competitive environment must be in accordance with District quality standards and purchasing procedures. All purchases of \$50,000 or more must still be approved by the Board of Education prior to issuance of an encumbrance or purchase order.

The following goods and services are exempt from bidding, quotation, or proposal requirements:

1. Professional services (audit services, construction management services, architectural services, legal services, insurance, medical services, demographic studies, employment services, drug and alcohol testing and professional consulting services)
2. Travel service (airfare, accommodations, etc.)
3. Goods purchased for student activity fund raisers
4. Goods purchased for resale
5. Textbooks, student workbooks, library/media books, maps and globes, and educational and training videos



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6. Utilities
7. Postage
8. Software upgrades and specialized source software (excluding off-the-shelf software)
9. Training classes and associated equipment rental
10. Catering events
11. Items available for purchase on an existing state contract, or through the cooperative bidding of another governmental entity, when this is determined to be the best method of purchase
12. Used furnishings, equipment and uniforms
13. District Vehicles, excluding buses, are exempt from sealed bidding. The Director of Purchasing is authorized to directly purchase vehicles for general District use after obtaining quotes and negotiating specifications.

Single (Sole) Source Selections

Single source procurements shall be exempt from bidding provided that said procurements meet the following criteria:

1. The goods and services are unique to a manufacturer/supplier/distributor and no other similar (equal in function, performance, and fit) or like goods or services are available from another supplier.
2. Single source procurements also may be permitted where compatibility of equipment, accessories or replacement parts is of paramount consideration or where service work on the original equipment must be performed to not negate existing warranties.

A single source affidavit will be completed for all single source items over \$5,000 and submitted to the Board of Education.

Reimbursement of Purchased Goods or Services

Employees of the district may be personally reimbursed for the purchase of goods or services under the following conditions:

1. The vendor will not accept a District purchase order
2. No alternate vendor is available
3. A situation exists which constitutes an emergency
4. There exists an unforeseen or extenuating circumstance necessitating the personal reimbursement



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Such purchases must be authorized in advance of the purchase, and the reimbursement must not be merely for the convenience of the requestor. If authorized, employees shall be reimbursed for the cost of the goods or services plus any associated tax once the goods or services have been received. All requests for reimbursement must be supported with the original itemized receipt. The District assumes no liability for the unauthorized purchase of goods or services by an employee.

Procurement/Purchasing Cards (P-Cards)

P-Cards may be utilized to pay for purchases of goods and services as authorized by state law with the approval of the Superintendent or designee. The procedure for use will be addressed in the District purchasing manual. Purchases made with the P-Card must be supported with a proper purchase order and encumbrance charged against the proper funding source. All P-Card purchases are subject to audit and review. Use of the P-Card does not circumvent any other provision of this policy.

Contracts

A contract is an agreement which creates an obligation to do or not to do a particular thing including, but not limited to, the payment of money. A valid contract requires competent parties, legal consideration, legal subject matter and mutuality of consent and obligation. All contracts must be in writing.

The Board of Education is the only legal entity that may enter into a valid contract obligating the District in any way. School sites, activities, clubs and departments are not legal entities and may not enter into valid contracts for themselves or for the District. Each contract must be approved by the Board and be signed by the President of the Board. Provided, however, the Board of Education may authorize the Superintendent or designee to execute contract documents on behalf of the Board of Education after Board approval of the contract. Contracts signed or authorized by anyone else will not be binding on the District and could result in personal liability for the person signing the contract.

Construction Contracts

In accordance with the Public Competitive Bidding Act of 1974, OKLA. STAT. tit. 61, §§ 101-138, public construction contracts of more than \$100,000 for the purpose of erecting any public building or structure, or making any improvements to a building or structure, or minor maintenance or repair work to public school property shall be made only upon submission of sealed bids and shall be awarded to the lowest responsible bidder by the Board of Education. These bids shall be subject to the procedures of the Public Competitive Bidding Act of 1974. No contract shall be split into two or more contracts involving sums below this threshold for the purpose of avoiding the requirements of the Act. The Act does not prohibit the district from erecting a building or making improvements on a force account basis. The term “force account” means the purchase of necessary materials and the use of the district’s regularly employed staff to provide necessary labor.

Contracts for minor maintenance or repair to public school property equal to or greater than \$25,000 but less than \$50,000 shall be awarded to the vendor with the lowest written quote. Contracts for less than \$25,000 for minor maintenance or repair may be negotiated with a qualified contractor. Any contract resulting from such negotiations must be approved by the Board. No



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contract shall be split into two or more contracts involving sums below this threshold for the purpose of avoiding the requirements of the Act.

E-Rate Procurement

In selecting service providers for all eligible goods and/or services for which Universal Service Fund (E rate) support will be requested, the District shall:

1. Make a request for competitive bids for all eligible goods and/or services for which e-rate funding will be requested and comply with applicable state and local procurement processes included in its documented policies and procedures.
2. Wait at least four weeks after the posting date of the FCC Form 470 on the USAC Schools and Libraries website before making commitments with the selected service providers.
3. Consider all bids submitted and select the most cost-effective offering, with price being the primary factor considered.
4. Keep control of the competitive bidding process by not surrendering control to a service provider who is participating in the bidding process and not including service provider contact information on the FCC Forms 470. It is the administration's policy to retain all E-Rate records for a period of five years after the last date of service in accordance with FCC fifth report and order (para. 47, FCC 04-190, adopted August 4, 2004).

Food Procurement for Child Nutrition Program

All Child Nutrition purchases for goods and services shall be procured in compliance with 7 C.F.R. Part 3016 and State Law and in accordance with the guidelines of the purchasing manual. All purchases will be made pursuant to a Board approved purchase order or contract.

Per Federal Regulations (2 CFR200.321), Broken Arrow Schools Child Nutrition Program complies with the Buy American provision and supports small, minority, and women-owned businesses whenever possible.

Child Nutrition will adhere to the Board of Education approved Child Nutrition Procurement Plan.

Federal Funds

All purchases with federal funds will be made in accordance with the specific requirements associated with those funds (i.e., child nutrition, Title I, grants, etc.). These expenditures must be made in accordance with the Uniform Guidance, when applicable.

Reference: 61 OKLA. STAT. §103, 70 OKLA. STAT. §9-109.

Prohibited Purchasing Practices

District employees and Board Members are expressly forbidden from accepting gratuities from any vendor or supplier. Gratuities as specified under this policy include anything of value (cash or



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assets easily convertible to cash, travel, lodging, appliances, automobiles or their use, or any other form of special treatment paid or given to an employee or Board Member) which might influence the employee's selection of a vendor or supplier.

Promotional and advertising novelties or meals with a total value of \$100 or less per year, per employee/Board Member, per vendor, are not considered gratuities under this policy.

With prior Board approval, the District may accept vendor provided travel, lodging and registration for the purpose of attending professional development conferences, workshops, presentations or training.

Employees or members of the Board of Education are not permitted to make purchases for personal use through any fund of the District, including the school activity funds.

Collusion in buying, kickbacks or other agreements or arrangements with vendors intended to benefit or advantage the vendor or to benefit or provide personal advantage to school personnel is strictly prohibited by law and Board policy. This policy in no way restricts clearly stated discounts or benefits to the District.

Violations of Purchasing Policy

District employees violating this policy, exceeding their purchasing authority or incurring an expense without a pre-approved purchase order may be held personally and financially liable and subject to disciplinary action including, but not limited to, suspension, demotion, termination or legal action.

Other

The District will maintain a vendor list. In an effort to create a fair and competitive opportunity for vendors to do business with the District, any vendor or supplier may request to be added to the District's master vendor list. Vendors who fail to satisfy their obligations to the District may be removed by the Board or the Superintendent from the vendor list at any time and for any length of time.

Procurement/Purchase Cards as authorized by state law must be approved by the Superintendent or designee. The procedure for use will be addressed in the District purchasing manual.

The District will only be legally obligated to pay vendors for delivered materials, supplies and services ordered pursuant to state purchasing laws and District purchasing policies and regulations. This policy applies to all funds. Individuals and entities who do business with the District are placed on notice that no bill will be paid unless relevant statutes, policies and regulations governing purchases with the District have been followed, and that no District employee has authority to obligate the District for materials, supplies, or services ordered on behalf of the District unless the individual has complied with the purchasing rules of the District.

Source: *Broken Arrow Board of Education policy adoption, February 17, 1992.*



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- Broken Arrow Board of Education policy revised, February 7, 2000.*
- Broken Arrow Board of Education policy revised, September 18, 2000.*
- Broken Arrow Board of Education policy revised, September 15, 2008.*
- Broken Arrow Board of Education policy revised, July 13, 2009.*
- Broken Arrow Board of Education policy revised, November 8, 2010.*
- Broken Arrow Board of Education policy revised, August 1, 2011.*
- Broken Arrow Board of Education policy revised, November 12, 2012.*
- Broken Arrow Board of Education policy revised, July 15, 2013.*
- Broken Arrow Board of Education policy revised, August 10, 2015.*
- Broken Arrow Board of Education policy revised, July 10, 2017.*
- Broken Arrow Board of Education policy revised, November 12, 2018.*
- Broken Arrow Board of Education policy revised, December 10, 2018.*
- Broken Arrow Board of Education policy revised, May 13, 2019.*
- Broken Arrow Board of Education policy revised, October 11, 2021.*
- Broken Arrow Board of Education policy revised, November 7, 2022.*