



## **SECTION III: INSTRUCTION**

## **POLICY 3030**

### CONCURRENT ENROLLMENT GUIDELINES FOR JUNIOR AND SENIOR STUDENTS

Concurrent enrollment provides junior and senior students in good academic standing an opportunity to gain college and high school credit while simultaneously completing a high school education. State law requires that each high school student be made aware of the opportunity to participate in concurrent enrollment.

Qualified juniors and seniors who are regularly enrolled, who meet the standards set forth by the Oklahoma State Regents for Higher Education, and who are able to meet the Broken Arrow High School graduation requirements, may be authorized to take courses for college credit while completing high school requirements for graduation. These guidelines for concurrent enrollment have been approved by the Broken Arrow Board of Education, and are in accordance with existing policies of the Oklahoma State Board of Education and the Oklahoma Regents for Higher Education that affect the participation of junior and senior students in concurrent enrollment.

The high school counseling office and the principal or designee must verify that a student is in good academic standing and will stay on course for graduation pending enrollment in college courses.

Qualified juniors and seniors may concurrently enroll in a maximum of six (6) college courses each semester (a full high school load) not to exceed a total enrollment of high school and college work load equal to nineteen (19) credit hours. Each high school course is counted as three (3) credit hours, and college course credit hours will be determined by the college or university guidelines. Students may use one of the approved hours as a travel period, with no more than one travel period allowed per day.

Concurrently enrolled students who elect to withdraw from a college course prior to completion and after the 10 day drop period for that course will receive a WF (withdrawal failing) on their transcript and are required to notify high school administration. Students will be enrolled in a course of comparable credit. The only exception is a student who drops and changes their high school schedule within the first ten (10) days of the semester, as stated in our add/drop policy. Students who receive a WF or F in their concurrent class or classes will not be considered for concurrent enrollment the subsequent semester and may be subject to academic probation or suspension at the partnering college or university. All concurrent course grades will be calculated into the high school GPA.

Concurrently enrolled students are responsible for their own transportation to and from college courses unless they are participating in *Excelerate* (TCC/NSU-BA partnership), and they are responsible for the tuition and other expenses involved in concurrent enrollment. Funding assistance may be available through ACE, *Excelerate*, Attend College Early Bill or other sources. Students are encouraged to check with their guidance counselor regarding these opportunities.

Concurrent enrollment courses taken for high school credit (dual credit) must be aligned to Oklahoma Academic Standards and be approved by the principal or designee prior to the student's enrollment in the concurrent course. Concurrent core classes (math, science, history/social science, English) or those pre-approved by administration will be awarded a weighted credit of 5 points for an A, 4 points for a B, 3 points for a C, 2-1 for a D, and no credit for a failing grade. Failure to pass these classes could jeopardize on-time graduation. To qualify for high school credit, a student must present to the



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Broken Arrow registrar, within ten (10) days upon completion of the college course, an official transcript from the college or university where the course was successfully completed. All grades, regardless of passing or failing, will be calculated into the student's high school GPA.

Students who successfully complete the concurrent (1) semester core class, Composition I may be awarded 1 full unit (2 credits) of either English 11 or English 12. Credits awarded will be based on cohort year. Students who successfully complete the concurrent (1) semester core class, Composition II, will be awarded 1 full unit (2 credits) of English 12.

Students who are enrolled in the eleventh or twelfth grade and qualify for concurrent enrollment in accordance with the district's policy may enroll in a maximum of nine semester credit hours during the summer session at a college or university prior to the junior or senior year of high school.

Source: *Broken Arrow Board of Education policy adoption, April 21, 1997.*  
*Broken Arrow Board of Education policy adoption, July 13, 2009.*  
*Broken Arrow Board of Education policy revised, August 15, 2011.*  
*Broken Arrow Board of Education policy revised, October 28, 2013*  
*Broken Arrow Board of Education policy revised, December 11, 2017.*  
*Broken Arrow Board of Education policy revised, June 25, 2018.*  
*Broken Arrow Board of Education policy revised, <DATE>.*



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### **PROHIBITION ON RACE AND SEX DISCRIMINATION IN CURRICULUM AND INSTRUCTION**

#### **PROHIBITION ON RACE AND SEX DISCRIMINATION IN CURRICULUM AND INSTRUCTION**

SBOE Emergency Rule: OKLA. ADMIN. CODE § 210: 10-1-23

*The Board has approved this policy to address the requirements of HB 1775 (codified as OKLA. Stat. tit. 70, § 24-157) and the State Board of Education’s Emergency Rule: (codified as OKLA. ADMIN. CODE § 210:10-1-23), issued pursuant to legislative direction. Because this policy is based on a combination of a new law effective July 1, 2021 and the State Board’s Emergency Rule that is, at the time of the Board’s consideration and approval of this policy, temporary and unsigned by the governor, it is possible that changes will occur in the policy and its application. Accordingly, the Board authorizes the Superintendent and the Superintendent’s designees to take those actions, pending further action of the district’s Board, that are necessary to interpret and apply legal requirements to best meet the intent of the law to support and affirm Oklahoma Academic Standards while prohibiting race and sex discrimination.*

#### **Race and Sex Discrimination Prohibited**

The district does not engage in and prohibits discrimination on the basis of race or sex in the form of bias, stereotyping, scapegoating, classification, or the categorical assignment of traits, morals, values, or characteristics based solely on race or sex. The district does not and shall not engage in race or sex-based discriminatory acts through utilizing these methods which can result in treating individuals differently on the basis of race or sex or can result in the creation of a hostile environment.

As an accredited State of Oklahoma public school, the district is required to teach students history, social studies, English language arts, biology, and other subject matter areas consistent with the Oklahoma Academic Standards as adopted and approved by the State Board of Education and Oklahoma Legislature. In the performance of this obligation, no teacher, administrator, or other employee of the district shall require, or make part of a course, the following concepts or principles (the “Prohibited Concepts”):

- One race or sex is inherently superior to another race or sex.
- An individual, by virtue of his or her sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.
- An individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.
- Members of one race or sex cannot and should not attempt to treat others without respect due to race or sex.



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- An individual's moral character is necessarily determined by his or her race or sex.
- An individual, by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex.
- An individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex.
- Meritocracy or traits, such as a hard work ethic, (a) are racist or sexist, or (b) were created by members of a particular race to oppress members of another race.

Importantly, none of the Prohibited Concepts shall prevent the teaching of principles that align to the Oklahoma Academic Standards.

#### **Further Prohibitions to Ensure Compliance**

Additionally, the district does not and shall not:

- Provide, contract to provide, or sponsor any course<sup>1</sup> that includes, incorporates, or is based on any of the Prohibited Concepts.
- Use any public funds, property, or other assets or resources to engage in race or sex-based discrimination, including the Prohibited Concepts.
- Adopt programs or utilize textbooks, instructional material, curriculum, classroom assignments, orientation, interventions, or counseling that include, incorporate, or are based on the Prohibited Concepts.
- Execute contracts or agreements with internal or external entities, persons, companies, or businesses to provide services, training, professional development, or any other assistance that includes, incorporates, or is based on the Prohibited Concepts.
- Receive or apply to receive monies that require, as a condition of receipt, the adoption of courses, policies, curriculum, or any other instructional material that includes, incorporates, or is based on the Prohibited Concepts.
- Adopt diversity, equity, or inclusion plans that incorporate Prohibited Concepts. Diversity officers are prohibited from providing any service or performing duties that include, incorporate, or are based on discriminatory practices identified in the Prohibited Concepts.
- Mandate diversity training that includes, incorporates, or is based on discriminatory practices identified in the Prohibited Concepts. This includes providing such training to employees, contractors, staff members, parents, students, or any other individual or group.

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<sup>1</sup> For the purposes of this policy, "course" means any forum where instruction or activities tied to the instruction are provided, including courses, training, seminars, professional development, lectures, sessions, coaching, tutoring, or any other class.



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- Adopt policies, including grading or admissions policies, or provide any other benefit or service that applies to students or any school employee differently on the basis of race or sex, unless specifically permitted by Title IX of the Education Amendments of 1972. Except as permitted by Title IX in specific circumstances, this prohibition includes segregated classes, programs, training sessions, extracurricular activities, or affinity groups.

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#### Parent Right to View and Inspect Instructional Materials

Parents and legal guardians of students shall have the right to inspect curriculum, instructional materials, classroom assignments, and lesson plans to ensure compliance with this Policy. This right of inspection is subject to any applicable limitations contained in existing law, including Oklahoma's Open Records Act (OKLA. STAT. tit. 51, §§ 24A.1-24A.32).

#### Reporting and Complaint Procedure

Any parent, student, teacher, district employee, or member of the public may file a Complaint alleging a violation of this Policy, which addresses the provisions of OKLA. STAT. tit. 70, § 24-157, and regulations regarding it adopted by the State Department of Education. To be accepted for investigation, the Complaint must:

- (1) be submitted in writing;
- (2) be dated;
- (3) contain the handwritten or electronic signature of the complainant;
- (4) identify the date(s) the alleged discriminatory act occurred; and
- (5) explain the alleged violation(s) / discriminatory conduct and how Section 24-157 or an administrative regulation thereto has been violated.

While not mandatory, a complainant is encouraged to also identify witnesses to the alleged violation(s) / discriminatory conduct so that such witness(es) can be interviewed by the district.

The district has designated the following individual(s) to receive reports of alleged violation(s) / discriminatory conduct (referred to as the Section 24-157 Coordinator”):

[Title] Executive Director of Secondary Education  
701 S. Main Street  
Broken Arrow, OK 74012  
[Phone Number] 918-259-7725  
[Email address] [sjames@baschools.org](mailto:sjames@baschools.org)

The Section 24-157 Lead or Deputy Coordinator shall, within 10 days of receipt of the Complaint, notify the complainant that the Complaint has been received, whether it is legally sufficient (i.e., contains the mandatory information set forth above) and whether it will be investigated.

#### Investigation and Determination of Complaint



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Within ninety (90) days of receipt of a Complaint accepted for investigation, the Section 24-157 Lead or Deputy Coordinator will be responsible for ensuring that the district investigates and makes a determination as to whether a violation has occurred. The complainant will be notified of the district's determination of the Complaint, as well as the district's findings of whether a violation occurred.

#### **Options for Filing Complaint**

In lieu of filing a Complaint with the district, a complainant may file a Complaint directly with the State Department of Education. A complainant may not file a Complaint simultaneously with the district and State Department of Education. Additionally, a complainant who believes that the district has incorrectly refused to investigate a Complaint or has evidence that the district has reached an incorrect determination may file a Complaint with the State Department of Education upon conclusion of the district-based complaint process.

With regard to Complaints made to the district, the Section 24-157 Lead or Deputy Coordinator is required to report each Complaint to the State Department of Education within thirty (30) days of resolution of the Complaint.

#### **Anti-Retaliation**

No individual shall be retaliated against for (1) filing a Complaint alleging a violation / discriminatory conduct prohibited by Section 24-157 or any regulation related to it with the district or the State Department of Education, or (2) the purpose of interfering with any right or privilege secured by federal civil rights laws and regulations. Any school employee who retaliates against a complainant shall be subject to disciplinary action by the district, in accordance with district employee disciplinary policies, and the State Department of Education and State Board of Education.

#### **Whistleblower Protection**

Any teacher who files a complaint alleging a violation / discriminatory conduct prohibited by Section 24-157 or any regulation related to it with the district or the State Board of Education, or otherwise discloses information the teacher reasonably believes evidences a violation of Section 24-157 or any regulation related thereto shall be entitled to the Whistleblower Protections in applicable laws, including those at OKLA. STAT. tit. 70, § 6-101.6b.

#### **False Reporting**



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Any teacher who willfully, knowingly and without probable cause makes a false complaint alleging a violation / discriminatory conduct prohibited by Section 24-157 or any regulation related thereto with the district or the State Board of Education shall be subject to disciplinary action in accord with the district’s employee conduct policies and by the State Department of Education and State Board of Education.

Complaints by School Staff

Any school employee who is discriminated against by the district in the form of race or sex-based harassment, bias, stereotyping, scapegoating, classification, or the categorical assignment of traits, morals, values, or characteristics based solely on race or sex in violation Section 24-157, may file an employment discrimination complaint with the Oklahoma Attorney General’s Office of Civil Rights Enforcement.

References:    OKLA. STAT. tit. 70, § 24-157 (effective July 1, 2021)  
                  OKLA. ADMIN. CODE § 210: 10-1-23 (emergency rule)  
                  OKLA. STAT. tit. 70, § 24A.16(A).

Source:      *Broken Arrow Board of Education policy adoption, <DATE>.*

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The district participates in a variety of federal programs and receives funding (“Awards”) through those programs. All district representatives will comply with all regulatory guidance and laws applicable to the individual programs.

The district will regularly monitor its compliance efforts and make appropriate information available to the federal awarding agency (“FAA”), state pass-through entity (“State Entity”), inspectors general, and/or US comptroller. The district will make required performance reports using OMB approved information collections reports.

#### Audits

If the district expends \$750,000 or more in federal awards during the fiscal year, it will have an audit conducted.

#### Employee Compensation

Regardless of the source of the funds, employees are paid pursuant to the district’s salary schedule for all work performed. If personnel costs are paid with Awards, those costs will be calculated as wages and fringe benefits permitted in 2 C.F.R. § 200.431 for services rendered during the relevant time period.

Employees who are paid with Award funds – in whole or in part - must maintain adequate records documenting the time spent performing each set of duties so that their compensation can be correctly allocated to the Award. 2 C.F.R. § 200.430

#### Travel and Conference Expenses

The district will follow its standard travel reimbursement and professional development policies and procedures when spending Award funds, except when a federal requirement is more stringent, in which case the district will adhere to the more stringent requirement. Any travel, conference / professional development participation and expenses will be reasonable, necessary, and related to the federal program tied to the Award.

#### Conflict of Interest / Mandatory Disclosure Regarding Contracting

The district will make written disclosure of any potential conflict of interest to the FAA or State Entity in accordance with the FAA’s policy.



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All members of the board, officers, employees and agents of the district are expected to maintain high ethical standards and use good judgment in conducting school business. Board Members are also required to follow the same standards of professional conduct required of all district employees. Board members, officers, employees and agents of the district specifically agree to refrain from using their position for any unfair personal or business advantage or engaging in any action which gives the appearance of such misconduct. Any board member who violates this policy will be subject to censure by the board, may be referred to the Oklahoma ~~State~~-Ethics Commission, and may be referred for criminal prosecution. Any officer, employee or agent of the district will be subject to disciplinary action, including but not limited to termination and/or prosecution for violation of the requirements related to standards of conduct and conflict of interest.

#### Business Arrangements and Financial Transactions

All board members are required to familiarize themselves with and comply with all the requirements of OKLA. STAT. tit. 70 § 5-124.

As required by law, the district will not contract with any member of the board or any company, individual or business concern in which any member of the board is directly or indirectly interested. A member of the board is considered to be interested in any contract with a company, individual or business concern if the member of the board or any member of the immediate family (including a partner) of the member of the board owns any substantial interest in the same, or if an organization employs or is about to employ one of these parties. The only exceptions will be those allowed by OKLA. STAT. tit. 70 § 5-124.

If a contract is allowed by an exception listed in OKLA. STAT. tit. 70 § 5-124, then the board will not give special consideration to any company based on its affiliation with a board member or a board member's family or partner. If the board is seeking to conduct business with a company affiliated with a board member (or a board member's family member or partner) that member will abstain from the contracting process unless a statutory exception applies.

#### Gifts

Board members may not seek or accept gifts, payments, services, entertainment, travel, valuable privileges, etc. from individuals or vendors who do business or seek to do business with the district, although board members may accept common courtesies such as meals and promotional items as are customarily exchanged in the normal course of business. These courtesies must be of nominal value only. Board members are expected to use good judgment in accepting such courtesies and must avoid any conflict of interest or even the appearance of impropriety.



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#### Reporting Misconduct

In the event a board member engages in misconduct such as fraud, bribery, or gratuity violations, the board president, or the vice president if the president is the board member engaging in the misconduct, will report the violation to the FAA or State Entity in order to help prevent or prosecute waste, fraud, and abuse.

#### Financial Management Procedures

##### Internal Controls

~~Federal Programs Department CFO~~ is responsible for implementing appropriate internal controls over Award funds which are consistent with 2 C.F.R. Part 200 Subpart E. This includes, but is not limited to, reviewing and comparing Awards, budgets, and allocations to determine whether the Awards are being expended appropriately and in compliance with relevant guidelines. ~~Federal Programs Department CFO~~ is also responsible for taking prompt action if noncompliance is discovered. ~~Federal Programs Department CFO~~ is required to take reasonable measures to safeguard protected personally identifiable and protected information.

##### General Recordkeeping

The district will expend all Awards and account for those Awards in accordance with all applicable laws and regulations. ~~Federal Programs Department CFO~~ Director of Federal Programs is responsible for maintaining appropriate records, documentation, and oversight related to all Awards. This includes, but is not limited to the following:

- information to prepare all required reports
- compliance documentation to establish conformity with federal statutes, regulations, and the specific terms and conditions of an Award
- proof of the appropriate expenditure of Awards
- records of receipt / expenditure of Awards, including the federal program under which the Award was made, any applicable CFDA number, Award identification number and year, name of the FAA, and name of any applicable State Entity



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- accurate, current, and complete disclosure of the financial results of all Awards in accordance with current OMB standards and the terms of the Award
- source documents showing the application for funds, authorizations, obligations, unobligated balances, assets, expenditures, and income and interest related to an Award
- evidence that all Award funds, property, and other assets have been safeguarded and are used solely for authorized purposes
- a comparison of Award expenditures and budgets
- the district's written procedures to minimize the elapsed time between the transfer of funds and disbursement by the district, when possible, to receive funds in advance from the FAA
- the district's written procedures for determining the allowability of costs in accordance with 2 CFR part 200 subpart E and the terms and conditions of the Award

#### Records Retention Timeline

The district will maintain all records pertinent to any Awards it receives. All documents will be maintained a minimum of 3 years from the date of submission of the final expenditure report OR 3 years from the date of the quarterly or annual financial report UNLESS there are pending claims related to project OR the FAA has notified the district the records should be maintained longer OR the records have been transferred to or are maintained by the FAA or State Entity. The district will retain records for real property and equipment maintained for 3 years after final disposition.

#### Interest

~~Director of Treasury~~ CFO Director of Treasury is responsible for maintaining advance Award payments in an interest bearing account unless:

- the district receives less than \$120,000 in Awards per year
- the district would earn less than \$500 per year in interest on federal cash balances



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- the depository would require an unfeasible minimum balance
- the banking system prohibits interest bearing accounts

~~Director of Treasury~~ CFO Director of Treasury is responsible for retaining up to \$500 per year of interest earned on Awards for the district to utilize for administrative expenses. ~~Director of Treasury~~ CFO Director of Treasury is responsible for remitting any additional earned interest to the Department of Health and Human Services Payment Management System.

#### Budgeting

Federal Programs Department is responsible for regularly reviewing budgets and expenses and making appropriate reports and requests for deviations in the budget or project scope.

#### Real Property, Equipment, and Supplies

The district will appropriately insure all real property, equipment, and supplies (“Property”) acquired or improved with Awards, and will take reasonable steps to safeguard and adequately maintain the Property. All Property will be labeled.

The district will not encumber Property acquired or improved with an Award without prior approval from the FAA.

The district will maintain appropriate records of the Property. These records will include, as applicable, a description, serial/identification number, source of funding (including the Federal Award Identification Number), name of title holder, acquisition date, cost, percentage of federal participation in the project’s cost, location, use and condition, disposition data (including date of disposal and sale price).

The district will conduct an inventory of Property at least every 2 years, and will review/update the inventory annually. The district will include the following information on the inventory: fund source, description, serial number, acquisition date, acquisition cost, and location.

The district will use the Property as long as needed, and may make the Property available for other federal projects as long as this will not disrupt the intended use.

Once the Property is no longer needed, it will be disposed of in accordance with current federal standards.



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Property purchased for a Title I, Part A Targeted Assistance program will be reserved only for identified students.

#### General Procurement Standards and Vendor Selection

##### General Standards

The district will follow its standard procurement policies and procedures when spending Award funds, except when a federal requirement is more stringent, in which case the district will adhere to the more stringent requirement. Federal Programs Department is responsible for overseeing that contractors perform in accordance with the terms of their contracts / purchase orders.

Any employee who has oversight or compliance responsibilities for administering an Award will comply with the district's stated conflict of interest policy above.

The district will use processes and analysis designed to avoid acquiring unnecessary and duplicative items and will actively attempt to make economical purchases with Award funds.

The district will only award contracts to responsible vendors/contractors possessing the ability to successfully perform. In determining whether a vendor/contractor is a responsible vendor/contractor, the district will consider integrity, compliance with public policy, record of past performance, and financial and technical resources.

The district will maintain adequate records detailing the history of procurement, including the rationale for the procurement method, selection of the contract type, contractor selection or rejection, and the basis for the contract price for all Awards.

In procurement with Awards, the district will only use time and material type contracts after determining that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. If such a contract is used, the district will utilize extra oversight on the project.

The district will utilize good practices and sound business judgment to settle all procurement issues related to Awards, including source evaluations, protests, disputes, and claims.

##### Procurement Methods



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For procurement processes with Award funds, the district will make technical specifications on proposed procurements available to the FAA or State Entity if requested.

All contracts connected with an Award will comply with 2 C.F.R. §§200.318-.326.

For all procurements using funds from an Award, the district will utilize one of the procurement methods identified below:

- Micro-purchase will be utilized for purchases under \$10,000 (or \$2,000 if the purchase is subject to the Davis-Bacon Act). The district will attempt to distribute these purchases equitably among qualified suppliers, and the district will not solicit competitive quotations if the district believes a purchase price is reasonable.
- Small purchase procedures will be utilized for purchases under the Simplified Acquisition Threshold (\$250,000). When utilizing this procurement method, the district will obtain quotes from an adequate number of qualified sources.
- Sealed bids will be utilized when complete, adequate, and realistic specifications are available, multiple bidders are willing and able to compete effectively for the business and the procurement lends itself to a firm fixed price and the successful bidder can be made principally on the basis of price. When utilizing this procurement method, the district will timely and publicly issue the invitation for bids - including adequate information about the project. All the bids will be publicly opened as prescribed in the invitation for bids, and the contract will be awarded in writing to the lowest responsible bidder. If a sealed bid is rejected, the district will document the reason for the rejection.
- Competitive proposals will be utilized when other procurement methods are not appropriate. The first step of the competitive proposal process is getting an independent estimate. When utilizing this procurement method, the district will publicize the evaluation factors and their relative importance to an adequate number of qualified sources and will consider all responses. The district will use an established, written method for conducting technical evaluations of the proposals (including receiving independent estimates before receiving bids or proposals) and award the project to the proposal which is most advantageous to the district.

The district may also use competitive proposals for qualifications-based procurement of architectural/engineering (A/E) services to award proposals to the most qualified competitor – subject to fair and reasonable compensation. The district will not use this type of procurement to purchase other types of services through A/E firms.



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- Noncompetitive proposals will be utilized when an item is only available from a single source, there is an urgent situation which precludes the delays associated with competitive selection, the FAA or State Entity has expressly authorized this method, or solicitation from multiple sources has yielded inadequate competition.
- Negotiating Profit will be negotiated as a separate element of the price for each contract if there is no price competition and in all cases where cost analysis is performed.

For all procurements using funds from an Award, the district:

- will not utilize a cost plus a percentage of cost or percentage of construction cost method of contracting
- will not accept bids or proposals from a contractor that develops or drafts specifications, requirements, statements of work, invitations for bids, or similar documents
- will not unnecessarily restrict bidders to a specific geographic area
- will ensure that if a list of prequalified persons, firms or products are used, that the list is current and includes enough qualified sources to ensure maximum open and free competition
- will take appropriate affirmative steps to ensure that small and minority businesses, women's business enterprises, and labor surplus area firms ("target groups") are included in its contracting process, including:
  - including target groups on the solicitation list and ensure that these target groups are solicited whenever they are potential sources
  - dividing total requirements, if economically feasible, to permit maximum participation by target groups
  - establishing delivery schedules, when possible, which encourage target groups to participate
  - utilizing groups which interface with the target groups (e.g., Small Business Administration, Minority Business Development Agency of the Department of Commerce, etc.)





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- requiring the prime contractor, if using subcontracts, to take these same affirmative steps to include target groups
- ensuring the district and all its contractors comply with the with § 6002 of the Solid Waste Disposal Act, including procuring only items which contain the highest percentage of recovered materials practicable for purchases over \$10,000, procuring solid waste management services which maximize energy and resource recovery, and establishing an affirmative procurement program for procuring recovered materials identified in EPA guidelines

#### Suspension and Debarment

The following language shall be included within the terms of any contract for goods and services that will be paid for using federal funding:

#### Certification Regarding Debarment, Suspension and Ineligibility

To the best of its knowledge and belief, the contractor or any of its principals are not presently debarred, suspended, proposed for debarment or otherwise declared ineligible for the award of contracts by any Federal agency by the inclusion of the contractor or its principals in the current “LIST OF PARTIES EXCLUDED FROM FEDERAL PROCUREMENT OR NONPROCUREMENT PROGRAMS” published by the U.S. General Services Administration Office of Acquisition Policy.

The prospective lower tier participant shall provide immediate written notice to the District if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances. Should the prospective lower tier participant enter into a covered transaction with another person at the next lower tier, the prospective lower tier participant agrees by accepting this agreement that it will verify that the person it intends to do business with is not excluded or disqualified.

Source: *Broken Arrow Board of Education policy adoption, November 4, 2019.*  
*Broken Arrow Board of Education policy revised, <DATE>.*



## **SECTION III: COMMUNITY RELATIONS** **INSTRUCTION POLICY 20303085**

### COMPLAINT PROCEDURES

#### UNDER PART B OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT

To comply with the requirements of state and federal law, the School District has established the following procedures for filing and resolving formal written complaints regarding alleged violations of the requirements under Part B of the Individuals with Disabilities Education Act (IDEA), as amended.

Formal written complaints filed with the School District should be addressed to the superintendent or a District administrator. The complaint must include a statement that the District has violated a requirement under Part B of the IDEA, the facts on which the statement is based; the signature and contact information for the complainant; and, if alleging violations with respect to a specific child, the name and address of the residence (or contact information) of the child; the name of the school the child is attending; a description of the nature of the problem of the child, including facts relating to the problem; and a proposed resolution of the problem to the extent known and available to the party at the time the complaint is filed. The complaint must allege that a violation occurred not more than one (1) year prior to the date the District received the complaint.

Upon receipt of a formal written complaint alleging violation of Part B of the IDEA, the District will acknowledge receipt of the complaint in writing and provide the complainant with a copy of Parents Rights in Special Education. The District will provide the complainant an opportunity to voluntarily engage in mediation with the District in an effort to resolve the formal written complaint.

The District will promptly investigate formal written complaints. As part of the investigation, District personnel will give the complainant an opportunity to submit additional information, either orally or in writing, about the allegations in the complaint. District personnel will review all relevant information and make an independent determination whether it is violating a requirement of Part B of the IDEA.

Within 60 calendar days from receipt of the formal written complaint, the District will issue a written decision to the complainant. The decision will address each allegation in the complaint and contain findings of fact and conclusions and the reasons for the final decision. The decision will also include procedures for effective implementation of the decision, if needed, including technical assistance activities and corrective actions to achieve compliance. The District will extend the time limit for the decision only if exceptional circumstances exist regarding a specific complaint or the complainant and the District agree to extend the time to engage in mediation or other available alternative means of dispute resolution.

In the written decision, the District will advise the complainant of the right to request review of the District's decision by the Oklahoma State Department of Education (SDE) and how to request SDE review. A complainant may choose to file his or her complaint directly with SDE rather than filing with the District.

Source: *Broken Arrow Board of Education policy adoption, July 13, 2009.*  
*Broken Arrow Board of Education policy revised, <DATE>.*



**SECTION III: ~~COMMUNITY RELATIONS~~**  
**INSTRUCTION POLICY 20903115**

ELEMENTARY GUIDANCE MATERIALS

Selection of materials for use in the elementary school guidance program should be made carefully, with materials selection and use to be reviewed regularly by the counselor, principal or designee, and instructional division staff members from the Office of the Superintendent of Schools. The following guidelines shall be observed in the use of elementary guidance materials:

1. The certified counselor in each building shall be the only person designated to use guidance materials with students. That responsibility shall not be delegated to a teacher or any other person in the building.
2. Parents may request exemption of their child from a guidance activity by submitting a written statement to the building principal or designee. The student will then be excused and will be provided other activities in another area of the building during the time the program is being administered.
3. If a counselor discovers controversial material in parts of the program, the matter should be discussed with the school administrator to determine whether or not the material should be deleted from the program entirely.
4. The time spent in the program by each student should not infringe, significantly, on regular classroom instructional programs.

Source: *Broken Arrow Board of Education policy adoption, January 17, 1978.*  
*Broken Arrow Board of Education policy adoption, July 13, 2009.*  
*Broken Arrow Board of Education policy revised, <DATE>.*



## **SECTION III: INSTRUCTION      POLICY 3145** **ACADEMIC CREDIT**

### **ACADEMIC CREDIT**

The district will provide students/families with regular notice of the academic standards required to graduate from the district. This information will be distributed annually to middle and high school students ~~[at school pre-enrollment, ]~~ can be found in school handbooks ~~[other: specify]~~ and will include details regarding:

- Number and types of credits needed to graduate
- Minimum enrollment requirements
- Standardized assessment
- Proficiency based promotion
- Concurrent enrollment options

Students/families are expected to work with the assigned counselor to ensure that their student meets all the necessary requirements for successful completion of the district's program.

#### **Optional Section**

#### **AIM Programs – Apprenticeship, Internship, & Mentorship**

High school sophomores aged sixteen (16) or older, juniors, and seniors may also obtain ~~up to~~ [AMOUNT] unit of elective credit by participating in an internship, apprenticeship, or mentorship experience (an AIM Program); however, if the State Board of Education develops rules to determine if apprenticeships, internships, and mentorships established pursuant to the AIM Act are eligible for academic credit toward meeting the graduation requirements set forth in OKLA. STAT. tit. 70, § 11-103.6, the district will allow participating students to earn credit toward those graduation requirements. The following requirements must be met in order to participate:

- The student must make advance arrangements with the school counselor/administrator [DESIGNEE]. These arrangements must address, at a minimum, issues such as AIM Program learning objectives and evaluation, scheduling, and other issues which the counselor/administrator [DESIGNEE] deems appropriate to the situation.
- The student's parent/guardian must consent, in writing, to AIM Program participation.



## SECTION III: INSTRUCTION      POLICY 3145 ACADEMIC CREDIT

- The student or his/her parent/guardian must assume responsibility for all transportation to and from the AIM Program site.
- The student's participation in the AIM Program must not create scheduling conflicts, excessive absences, or otherwise impede the student's overall academic progress.

AIM Program sites are required to agree in advance to adhere to reasonably accepted safety standards, conform to the district's non-discrimination commitment, supervise the student in a meaningful experience, and regularly evaluate the student's performance.

A fully completed AIM Program written plan must be on file in the counselor/administrator's [DESIGNEE]'s office prior to the student's first day of participation in the AIM Program.

The Board of Education may, but is not required to, obtain liability insurance coverage to protect a student who participates in an apprenticeship, internship, or mentorship program under this policy. If obtained by the district, coverage shall be obtained from a reliable insurer authorized to do business in Oklahoma and shall not exceed the amount that is deemed reasonably necessary in the opinion of the Board. The Board may not directly or indirectly charge a student or the student's parent or legal guardian for the cost of providing this insurance coverage. The failure of the Board to obtain this insurance coverage, or to obtain a specific amount of coverage, may not be construed as placing any legal liability on the Board.

Reference: OKLA. STAT. tit. 70, § 1210.528-1 (2021)

Source: Broken Arrow Board of Education policy adoption, <DATE>.



**READING SUFFICIENCY ACT TESTING AND PROCEDURES**

Every student enrolled in kindergarten shall be assessed at the beginning, middle and end of each school year using a screening instrument approved by the State Board of Education for the acquisition of reading skills including, but not limited to, phonemic awareness, phonics, reading fluency, vocabulary, and comprehension, for the grade level in which enrolled. Every first, second, and third grade student shall be assessed at the beginning, middle and end of each school year using a screening instrument approved by the State Board of Education for the acquisition of reading skills including, but not limited to, phonemic awareness, phonics, reading fluency, vocabulary, and comprehension, for the grade level in which enrolled. Any student who is assessed and who is not meeting grade-level targets in reading shall be provided a program of reading instruction designed to enable the student to acquire the appropriate grade level of reading skills.

Progress of Reading Instruction and Proficiency Team

The program of reading instruction shall align with the State subject matter standards, shall be based on a three--tiered Response to Intervention (“RtI”) model, and shall include provisions of the Reading Enhancement and Acceleration Development (READ) Initiative adopted by the school district. The plan may include, but is not limited to:

1. Sufficient additional in-school instructional time sufficient for the acquisition of phonemic awareness, phonics, reading fluency, vocabulary, and comprehension,
2. If necessary, tutorial instruction after regular school hours, on Saturdays, and during the summer, and
3. Assessments identified for diagnostic purposes and periodic monitoring to measure the acquisition of reading skills as identified in the student’s program of reading instruction.

A student enrolled in first or second grades who has been assessed and found not to be meeting grade-level targets in reading, shall be entitled to supplemental instructional services and supports in reading until the student is determined by the results of a screening instrument to be meeting grade-level targets in reading. The program of reading instruction for each student shall be developed by a Student Reading Proficiency Team and shall include supplemental instructional services and supports. Each team shall be composed of ~~the~~:

1. The parent or guardian of the student,



## SECTION III: INSTRUCTION

## POLICY 3155

### READING SUFFICIENCY ACT TESTING AND PROCEDURES

2. The teacher assigned to the student who had responsibility for reading instruction in that academic year,
3. A teacher who is responsible for reading instruction and is assigned to teach in the next grade level of the student, and
4. A certified reading specialist, if one is available.

The reading progress of kindergarten students at risk for reading difficulties at the beginning of the school year shall be monitored throughout the school year and measured mid-year and at year-end. Kindergarten students who are not meeting grade-level targets by mid-year in reading shall be provided a program of reading instruction designed to enable the student to acquire the appropriate grade-level reading skills.

A Probationary Promotion Reading Proficiency Team ~~The Reading Proficiency Team~~ may evaluate a student for probationary promotion if the student is enrolled in third grade, is not eligible for automatic promotion, and does not meet the criteria established by the Commission for Educational Quality and Accountability on the reading portion of the third grade statewide criterion-referenced test. The Probationary Promotion Reading Proficiency Team shall be composed of:

1. The parent or guardian of the student,
2. The teacher assigned to the student who had responsibility for reading instruction in that academic year,
3. A teacher who is responsible for reading instruction and is assigned to teach in the next grade level of the student, and
4. A certified reading specialist, if one is available.

The principal and superintendent must approve the probationary promotion. For a student who is approved for probationary promotion, the Probationary Promotion Reading Proficiency Team shall continue to review the student's reading performance and repeat the evaluation and recommendation process each academic year until the student demonstrates he or she is meeting grade-level targets on an approved screening instrument such that the student is on track to be college and career ready.

Throughout the school year, progress monitoring shall continue, and diagnostic assessment, if determined appropriate, shall be provided. Year-end reading skills shall be measured to determine reading success. The program of reading instruction shall continue until the student is



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## POLICY 3155

### READING SUFFICIENCY ACT TESTING AND PROCEDURES

determined ~~by the results of approved reading assessments~~ to be meeting grade-level targets by the results of approved reading assessments. If a reading instruction program is being provided for a student on an Individualized Education Program (IEP), a special education teacher must be consulted and the plan may be a separate document from the IEP, or an IEP team meeting may be convened and the plan could then be included in the student's IEP.

#### Grade Promotion After Participation in Summer Academy Programs

If, by the end of the second quarter of the school year, a teacher determines that a third grade student is not reading at grade level, the parent or guardian shall be notified of the student's current reading level, the proposed program of reading instruction for the student, and the potential need for the student to participate in a summer academy (if offered by the district that school year) or other program designed to assist the student in attaining grade-level reading skills.

A teacher who determines that a third grade student is unable to meet the reading competencies required for completion of third grade may, after consultation with the parent or guardian of the student, recommend that the promotion of the student to the fourth grade be contingent upon the participation in, and successful completion of the required reading competencies, at a summer academy or other program. If the student does not participate in the summer academy or other program or does not successfully complete the reading competencies in the summer academy or other program, the student shall be retained in the third grade.

#### Program of Reading Instruction and Retention

For any third grade student not reading at grade level, as determined by the screening instruments for the acquisition of reading skills approved by the State Board of Education, a new program of reading instruction shall be developed and implemented. The new program of reading instruction shall include provisions of the READ Initiative adopted by the school district and may include specialized tutoring.

The minimum criteria for grade-level performance of third-grade students pursuant to the Reading Sufficiency Act shall be that students are able to read and comprehend grade-level text. To determine the promotion and retention of third-grade students pursuant to the Reading Sufficiency Act, the State Board of Education shall use only the scores for the standards for reading foundations/processes and vocabulary portions of the statewide third-grade assessment administered pursuant to 70 O.S. Section 1210.508 and shall not use the scores from the other language arts portions of the assessment. The performance levels established by the Commission for Educational Quality and Accountability pursuant to Section 1210.508 shall ensure that students meeting the performance-level criteria are performing at grade level on the reading foundations and vocabulary portions of the statewide third-grade assessment.





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### READING SUFFICIENCY ACT TESTING AND PROCEDURES

Each program of reading instruction shall be based upon a three-tiered Response to Intervention ("RtI") model and shall include:

1. For students identified for Tier I intervention, a minimum of ninety (90) minutes of uninterrupted daily scientific-research-based reading instruction;
2. For students identified for Tier II intervention, at least an amount of uninterrupted scientific-research-based reading instructional time that is:
  - A. Based on specific student needs;
  - B. Reflects the needed intensity and/or frequency as identified on a screening tool, diagnostic assessment and/or progress monitoring instrument; and
  - C. Is determined by the classroom teacher reading specialist (if available) and building principal.
3. For students identified for Tier III intervention, at least forty-five (45) to sixty (60) minutes of additional uninterrupted daily scientific-research-based reading instruction in addition to the ninety (90) minutes of uninterrupted daily reading instruction provided under Tier I.

The parent of any student who is found to have a reading deficiency and is not meeting grade-level reading targets, and has been provided a reading assessment plan, shall be notified in writing of the following:

1. That the student has been identified as having a substantial deficiency in reading;
2. A description of the current services being provided to the student pursuant to a conjoint measure model such that a reader and a text are placed on the same scale;
3. A description of the proposed supplemental instructional services designed to remediate the reading deficiency that will be provided to the student;
4. That the student will **not** be promoted to the fourth grade if the reading deficiency is not remediated by the end of the third grade, unless the student is otherwise promoted pursuant to the school district's Student Retention and Promotion Policy or is exempt for good cause;
5. Strategies for parents to use in helping their child succeed in reading proficiency;



## SECTION III: INSTRUCTION

## POLICY 3155

### READING SUFFICIENCY ACT TESTING AND PROCEDURES

6. The grade-level performance scores of the student;
7. That, while the results of statewide assessments are the initial determinant, they are not the sole determiner of promotion and that portfolio reviews and assessments are also available in considering promotion or retention; and
8. The specific criteria and policies of the school district for mid-year promotion.

Only the scores from the~~for~~ reading comprehension portions ~~foundations/processes and vocabulary portions~~ of the third grade criterion-referenced test shall be used to determine the promotion and retention of third grade students pursuant to the Reading Sufficiency Act. For students who do not meet the academic requirements for promotion, the school district may promote the student only as provided for in the school district's Student Retention and Promotion Policy. For details on the good-cause exceptions and other requests to exempt students from the academic requirements for promotion, see the school district's Student Promotion and Retention Policy.

Students who do not meet the performance criteria established by the Commission for Educational Quality and Accountability on the reading portions of the statewide third-grade assessment and who are not subject to a good cause exemption, and who do not qualify for promotion or "probationary promotion", shall be retained in the third grade and provided intensive instructional services and supports.

#### Instruction and Interventions for Retained Students

The school district shall conduct a review of the reading instruction program for all students who do not meet the performance criteria established by the Commission for Educational Quality and Accountability on the reading portions of the statewide assessment administered to the student. The review shall address additional supports and services needed to remediate the identified areas of reading deficiency. A student portfolio shall be completed for each retained student.

Students retained due to a reading deficiency will be provided intensive interventions in reading as well as intensive instructional services and supports to remediate the identified areas of reading deficiency, including a minimum of ninety (90) minutes of daily, uninterrupted, scientific-research based reading instruction. Retained students shall be provided other strategies prescribed by the school district, which may include, but are not limited to:

1. small group instruction,
2. reduced teacher-student ratios,



## **SECTION III: INSTRUCTION**

## **POLICY 3155**

### **READING SUFFICIENCY ACT TESTING AND PROCEDURES**

3. more frequent progress monitoring,
4. tutoring or mentoring,
5. transition classes containing third and fourth grade students,
6. extended school day, week, or year, and
7. summer reading academies, if available.

Additionally, students who are retained will be provided a high-performing teacher who can address the needs of the student, based on student performance data and above-satisfactory performance appraisals. In addition to the required reading enhancement and acceleration strategies, students who are retained will be provided at least one of the following instructional options:

1. supplemental tutoring in scientific research-based reading programs in addition to the regular reading block, including tutoring before or after school,
2. a parent-guided “Read at Home” assistance plan developed by the State Department of Education,
3. a mentor or tutor with specialized reading training.

The school district may, in accordance with rules of the State Board of Education, use screening assessments, alternative assessments, or portfolio reviews in order to reevaluate a retained third grade student for mid-year promotion to the fourth grade. See the school district’s Promotion and Retention Policy for details on mid-year promotion.

Copies of the results of all assessments administered shall be made a part of the student’s permanent record.

#### Reading Enhancement and Acceleration Development (READ) Initiative

The school district establishes the following READ Initiative. The focus of the school district’s READ Initiative is to prevent the retention of third grade students by offering intensive accelerated reading instruction to third grade students who have failed to meet the reading standards for promotion to fourth grade, and to kindergarten through third grade students who are exhibiting a reading deficiency.



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### READING SUFFICIENCY ACT TESTING AND PROCEDURES

The school district's READ Initiative will be provided to all kindergarten through third grade students at risk of retention as identified by the reading assessments administered to the student. The school district's READ Initiative program will be provided during regular school hours in addition to the regular reading instruction and will provide a reading curriculum that at a minimum, meets the following specifications:

1. assists students assessed as exhibiting a reading deficiency in developing the ability to read at grade level,
2. provides skill development in phonemic awareness, phonics, reading fluency, vocabulary, and comprehension,
3. provides scientific–research-based and reliable assessment,
4. provides initial and ongoing analysis of the reading progress of each student,
5. is implemented during regular school hours,
6. -establishes at each school an Intensive Acceleration Class for retained third-grade students who subsequently do not meet the performance criteria established by the Commission for Educational Quality and Accountability on the reading portions of the statewide assessment. The focus of the Intensive Acceleration Class shall be to increase the reading level of a child at least two grade levels in one school year.
7. provide reports to the State Department of Education, upon request, on the specific intensive reading interventions and support implemented, and
8. provide to a student who has been retained in the third grade and has received intensive instructional services but is still not ready for grade promotion, the option of being placed in a transitional instructional setting. A transitional instructional setting shall specifically be designed to produce learning gains sufficient to meet fourth grade performance standards while remediating the student's areas of reading deficiency.

#### The Intensive Acceleration Class shall:

1. be provided to any student in the third grade who does not meet the performance criteria established by the Commission for Educational Quality and Accountability on the reading portion of the statewide assessments and who was retained in the third grade the prior year because of not meeting the performance



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### **READING SUFFICIENCY ACT TESTING AND PROCEDURES**

criteria established by the Commission for Educational Quality and Accountability on the reading portions of the statewide assessments,

2. have a reduced student-teacher ratio,
3. provide an uninterrupted reading instruction for the majority of student contact time each day and incorporate opportunities to master the fourth grade state standards in other core subject areas,
4. use a reading program that is scientific-research-based and has proven results in accelerating student reading achievement within the same school year,
5. provide intensive language and vocabulary instruction using a scientific-research-based program, including use of a speech-language therapist,
6. include weekly progress monitoring measures to ensure progress is being made.

#### Board of Education Reporting Requirements

The board of education will annually publish on the school district's website, and report in writing in the format prescribed by the State Department of Education, to the State Board of Education by September 1 of each year the following information on the prior school year:

1. the progression of the school district's students identified as having reading deficiencies and the policies and procedures of the school district on student retention and promotion,
2. the number and percentage of all students in grade three that did not meet the performance criteria established by the Commission for Educational Quality and Accountability on the reading portion of the statewide assessment,
3. by grade, the number and percentage of all students retained in grades three through ten,
4. information on the total number and percentage of students who were promoted for good cause, by each category of good cause as specified in the District's Promotion and Retention Policy, and



## SECTION III: INSTRUCTION

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5. any revisions to the policies of the school district on student retention and promotion from the prior year.

#### Professional Development

Beginning with the 2022-2023 school year, if the district receives more than \$2,500 in funds allocated to provide remediation and intervention in reading for enrolled students in grades prekindergarten through grade five, the district shall spend no less than 10% of the allocated funds on professional development for teachers of these grade levels. This professional development shall include training in the science of how students learn to read as well as instructional materials required for implementation. In accordance with this policy and Oklahoma law, the district shall utilize professional development programs that are evidence-based and directly address the cognitive science of how students learn to read for which the district is permitted to use received funds. The district shall select these programs from the OSDE's published list of programs, which will be available from the OSDE no later than June 30, 2022.

Reference: OKLA. STAT. tit. 70, § 1210-508C, OKLA. STAT. tit. 70, § 1210-508E; OKLA. STAT. tit. 70. § 1210-508D

Source: *Broken Arrow Board of Education policy adoption, November 4, 2019.*  
*Broken Arrow Board of Education policy revised, <DATE>.*



**ASVAB TESTING AND STUDENT ACCESS TO MILITARY RECRUITERS**

It is the policy of the board of education to take part in testing programs with the aim of providing all students with information designed to help them recognize their talents and to assist them in planning their education and career paths. Therefore, the district will provide students in grades ten through twelve (10–12) an opportunity to take the Armed Services Vocational Aptitude Battery test (ASVAB), or an alternative assessment as provided below, and to consult with a military recruiter.

The ASVAB or alternative assessment will be scheduled during normal school day hours and at a time that limits conflicts with extracurricular activities. The district will provide to students and their parents or legal guardians in grades ten through twelve (10–12) the date, time, and location of the scheduled administration of the ASVAB or alternative assessment.

At the discretion of the board of education, the district may administer an alternative assessment in lieu of the ASVAB, provided the alternative assessment meets the following criteria:

1. it assesses a student’s aptitude for success in a career field other than a career field that requires postsecondary education;
2. is free to administer;
3. requires minimal training and support of school faculty and staff to administer the test; and
4. provides each student with a professional interpretation of the test results that allows the student to explore occupations that are consistent with each student’s interests and skills and to develop strategies to attain career goals.

Regardless of whether the district offers the ASVAB or an alternative assessment, the district will permit each student taking the assessment with an opportunity to consult with a military recruiter. Individual student meetings with recruiters will be permitted on dates and times approved by the building principal or the principal’s designee, which will be advertised to students and their parents and legal guardians.

Reference: OKLA. STAT. tit. 70, § 1210.508-5.

SOURCE: Broken Arrow Board of Education policy adoption, <DATE>.



## SECTION III: INSTRUCTION POLICY 3240

### UNITED STATES COPYRIGHT LAW

#### UNITED STATES COPYRIGHT LAW

The district does not condone, and will not allow, violations of the United States copyright laws. Employees are expected to ensure that their actions comply with copyright law and to impress upon students the importance of compliance with copyright law.

#### Ownership of Copyrighted Works

Copyright protection applies to original works of authorship fixed in any tangible medium of expression, from which they can be perceived, reproduced, or otherwise communicated. Examples of copyrighted works include books, pictures, drawings, sound recordings, motion pictures, television shows, sheet music and scripts. In general, the copyright protections that apply to printed materials also apply to visual and digital formats.

#### Exclusive Rights of Copyright Holders

Subject to certain specific exceptions, the owner of a copyright to a work has the exclusive right to reproduce, adapt, distribute, perform, or display the copyrighted work or to authorize such reproduction, adaptation, distribution, performance, or display.

#### Exceptions to Exclusive Rights

The following exceptions may authorize the use of a copyright work without violating the exclusive rights of the copyright holder. Employees that reproduce, distribute, perform or display copyrighted works are responsible for ensuring that their planned use of a copyrighted work falls under one or more of the exceptions set forth below.

##### A. Fair Use

~~An exception to the exclusive rights is the Doctrine of Fair Use.~~ The “fair use” of a copyrighted work for purposes of teaching, scholarship, or research is not an infringement of copyright. The following factors shall be considered in determining whether a given use of a copyrighted work is considered fair use; for all works other than broadcast programming:

1. ~~The Purpose~~ purpose and nature of the use; whether the use is of a commercial nature or for non-profit educational purposes.
2. The nature of the copyrighted work.



3. The amount and importance of the portion used in relation to the copyrighted works as a whole.
4. The effect of the use upon the potential market for, or the value of, the copyrighted work.

The United States Copyright Office has published a regulatory guidance document entitled “Reproduction of Copyrighted Works by Educators,” also known as “Circular 21,” which sets forth a series of “safe harbor” rules providing that certain specific uses of copyrighted works are considered fair use. Circular 21 is available at the Copyright Office’s website (<https://www.copyright.gov/circs/>). Employees should familiarize themselves with these rules and, to the extent doing so is feasible, use copyrighted works in ways that are consistent with the safe harbor requirements.

#### B. Face-to-Face Teaching Activities

A further exception to the exclusive rights of copyright holders applies to the performance or display of a work by instructors or students in the course of face-to-face teaching activities in a classroom or other place devoted to instruction.

This exception does not apply to the performance/display of a copy of a motion picture or other audiovisual work that the person responsible for the performance/display knew or had reason to know was not lawfully made.

#### C. Electronic Transmission During Distance Learning Class Sessions

A further exception applies to the performance or display of a copyrighted work as a regular part of a class session conducted via distance learning if the following conditions are met:

1. The copyrighted material is directly related to and of material assistance to the teaching content of the class.
2. The amount of material provided is comparable to that typically displayed in a live classroom session. A performance of an entire nondramatic literary or musical work may also satisfy this requirement.
3. Students are provided with notice that materials distributed in the course may be subject to copyright protection.
4. The transmission of copyrighted material is limited to students enrolled in the class to the extent technologically feasible,
5. Copyrighted works are made available to students for a limited duration no longer than the class session. Students may not be permitted to retain a permanent copy of the material or to further disseminate it.

6. The instructor does not interfere with technological measures used by copyright owners to prevent unauthorized retention/dissemination of copyrighted works.
7. The district provides appropriate informational materials to faculty, students, and relevant staff members that accurately describe, and promote compliance with, the laws of the United States relating to copyright.

This exception does not apply to the conversion of print or other analog versions of works into digital formats unless: (1) no digital version of the work is available, or (2) the digital version employs technological protection measures that prevent its use.

This exception does not apply to the performance/display of a copy of a motion picture or other audiovisual work that the instructor knew or had reason to know was not lawfully made.

#### D. Public Domain

Works that are in the public domain are no longer under copyright protection or do not meet the requirements for copyright protection.

#### Use of Copyrighted Works with Permission

In order to obtain authorization to make use of a copyrighted work in a way that is not permitted by one or more of the exceptions detailed above, district employees may also seek to obtain permission for such use from the copyright holder.

A request for permission should include detailed information about the nature of the permission sought, including (1) a specific description of the item to be copied (title, author, edition, page numbers, frames, excerpts, etc.), (2) the type of duplication and number of copies, and (3) plans for usage and distribution of copies and the frequency of use. Any permission received from a copyright owner for use of a work must be in writing.

#### Copyright Infringement

Unless an exception applies or appropriate permission has been obtained from the copyright holder, engaging in the reproduction, distribution, performance, or display of a copyrighted work constitutes unlawful copyright infringement, which may carry civil and/or criminal penalties.

Employees who engage in copyright infringement do so at their own risk, and assume all liabilities and responsibilities associated with such conduct, and may be subject to disciplinary action.

#### Broadcast Programs

A "broadcast program" is any television program transmitted by a television station without charge to the general public.

~~Teachers may not record a broadcast program for classroom use, but may request that the district record a broadcast program for the teacher's one-time instructional use. The broadcast program must be used within ten (10) school days of the recording and must be destroyed within forty-five (45) calendar days of recording. Teachers may also view the program to determine whether to purchase the program and add it to the curriculum.~~

~~The district will not record multiple copies of the same broadcast program for an individual teacher, and will not record broadcast programs without first receiving a request to record.~~

~~No broadcast program will be altered (but teachers are permitted to play only an excerpt), displayed without its copyright notice, or combined with other media to make an anthology.~~

### Exceptions

~~A further exception to the copyright law includes the performance or display of a work by instructors or students in the course of face-to-face teaching activities in a classroom or other place devoted to instruction.~~

Reference: 17 U.S.C. §§ 102, 106, 107, 110, 112, 201, and 501.

SOURCE: Broken Arrow Board of Education policy adoption, <DATE>.



## **SECTION III: INSTRUCTION**

## **POLICY 3250**

### **FOSTER CARE PLAN**

#### **FOSTER CARE PLAN**

This plan addresses the requirements of the foster care provisions under Title I of the *Every Student Succeeds Act* (ESSA) that the district collaborates with Child Welfare Agencies and Tribal Child Welfare Agencies (CWAs) to ensure stability in education for children in foster care.

The district is committed to providing all students with educational experiences that are free from disruptions and recognizes that children in foster care often face barriers regarding enrollment, attendance, and school success. This policy is designed to promote stability for children in foster care so that they can continue their education without disruption, maintain meaningful relationships with peers and educators, and be ready to succeed in postsecondary education and careers.

This policy ensures that children in foster care have the same access to free, appropriate public education as other children and that students in foster care are not separated from the mainstream school environment because of foster care placement. This educational stability includes assurances that (1) a child in foster care will remain in the child's school of origin, unless a determination is made that it is not in the child's best interest in that school; and (2) if a determination is made that it is not in the child's best interest to remain in the school of origin, the child will be immediately enrolled in the school of residence, even if the child is unable to produce records normally required for enrollment.

#### **School District Assurances**

Each plan for ensuring the educational stability of a child in foster care will include the following assurances:

- Each placement of the child in foster care takes into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement;
- The state child welfare agency will coordinate with appropriate local educational agencies to ensure that the child remains in the school in which the child is enrolled at the time of placement;
- If it is not in the best interest of the child to return to the resident school, the child will immediately be provided appropriate enrollment in the district; and

- The district will gather and maintain educational records and promptly send them to any district to which the student moves.

### **Foster Care Child Liaison (POC)**

The district will assign at least one person to serve as a Foster Care Child Liaison, or Point of Contact (POC). The POC may also be the homeless student coordinator. The name of this person will be annually submitted to the Oklahoma State Department of Education (OSDE) through the online Grants Management System by September 30th. If additional staff members are needed to meet the requirements, the district will make assignments as necessary. The POC will work in the best interest of the child to ensure that all educational requirements are being met. The POC will have access to available training and materials to keep them informed of any changes to foster care laws. The POC will work closely with CWAs to:

- Coordinate with corresponding child welfare agencies on the implementation of Title I provisions,
- Lead the development of a process for making best interest determinations,
- Document best interest determinations,
- Facilitate transfer of records and immediate enrollment,
- Facilitate data sharing with child welfare agencies consistent with the *Family Educational Rights and Privacy Act (FERPA)* and other privacy protocols,
- Develop and coordinate local transportation procedures,
- Manage best interest determinations and transportation cost disputes,
- Ensure that children in foster care are enrolled in and regularly attend school, and
- Provide professional development and training to school staff on Title I provisions and the educational needs of children in foster care.

### **Decision-Making Process**

To determine the appropriate placement of each child in foster care, a committee will meet that is comprised of the site administrator or representative, the POC, and a member of the CWA. In emergency circumstances, a CWA has the authority to make an immediate decision regarding a child's school placement, then consult with the district and revisit the best interest determination for the child. The determining factors that may be evaluated include the following:

- Proximity of the resource family home to the child's present school;
- Safety considerations;
- Age and grade level of the child as it relates to the other best interest factors;
- Needs of the child, including social adjustment and well-being;
- Child's performance, continuity of education, and engagement in the school where the child presently attends;
- Child's special educational programming if the child is classified;
- Point of time in the year;
- Child's permanency goal and likelihood of reunification;
- Anticipated duration of the placement;

- Preferences of the child;
- Preferences of the child's parent(s) or educational decision maker(s);
- The child's attachment to the school, including meaningful relationships with staff and peers;
- Placement of the child's sibling(s);
- Influence of the school climate on the child, including safety;
- Availability and quality of the services in the school to meet the child's educational and socioemotional needs;
- History of school transfers and how they have impacted the child;
- How the length of the commute would impact the child, based on the child's developmental stage;
- Whether the child is a student with a disability under the IDEA who is receiving special education and related services or a student with a disability under Section 504 who is receiving special education or related aids and services and, if so, the availability of those required services in a school other than the school of origin; and
- Whether the child is an EL and is receiving language services, and, if so, the availability of those required services in a school other than the school of origin.

\* Transportation costs will not be considered when determining a child's best interests.

In the event of a disagreement regarding school placement of a child in foster care, the child welfare agency should be considered the final decision maker in making the best interest determination. The child welfare agency is uniquely positioned to assess vital non-educational factors such as safety, sibling placements, the child's permanency goal, and other components of the case plan. The child welfare agency also has the authority, capacity, and responsibility to collaborate with and gain information from multiple parties including parents, children, schools and the court in making these decisions.

### **Enrollment of Students**

Foster care parents, social workers or other legal guardians will be allowed to immediately enroll children in the district. The district understands that all necessary paperwork (birth certificates, shot records, academic records, special education records, etc.) may not be immediately available and wants to provide a smooth transition for the student into the district. The district will contact the child's home school district for records and make adaptations as needed. After enrollment, the following guardianship or legal custody documents shall be provided for verification by the foster family or CWA:

- Power of attorney
- Affidavit
- Court Order

### **IDEA Students**

Part B of the IDEA directs school districts to make a Free Appropriate Public Education (FAPE) available to all eligible children with disabilities in the Least Restrictive Environment (LRE). FAPE under the IDEA includes the provision of special education and related services at no cost

to the parents in accordance with a properly developed Individualized Education Program (IEP). Each child's placement decision must be made by a group of knowledgeable persons.

The district will operate in accordance with all state and federal laws regarding special education students. Special education services will be provided to foster care students just as they are to all district students following the guidelines below:

- Educational placement will be determined annually and will be based on the child's IEP in accordance with the child's individual needs;
- The child will be placed in the least restrictive environment and, unless they require some other arrangements, will attend the school that he/she would attend if not disabled;
- Timely and expedited evaluations and eligibility determinations for highly mobile children with disabilities will be made when possible;
- Children in foster care will have access to related aids and services that are designed to meet their educational needs;
- Children will have access to comparable services including summer and extended school year services if applicable; and
- Children in foster care will not be discriminated against and are considered a protected group.

### **EL Students**

The district will ensure that EL students in foster care will participate meaningfully and equally in educational programs by doing the following:

- Identifying and assessing all potential EL students in a timely, valid and reliable manner;
- Provide EL students with a language assistance program that is educationally sound and proven successful;
- Sufficiently staff and support the language assistance programs for EL students;
- Ensure that EL students have equal opportunities to meaningfully participate in all curricular and extracurricular activities;
- Avoid unnecessary segregation of EL students;
- Ensure that EL students with disabilities are evaluated in a timely and appropriate manner for special education and disability-related services and that their language needs are considered in these evaluations and delivery of services;
- Meet the needs of EL students who opt out of language assistance programs;
- Monitor and evaluate EL students in language assistance programs following federal guidelines;
- Continue to evaluate the effectiveness of school district language assistance programs and progress of each student; and
- Ensure meaningful communication with the parents of the students.

### **Transportation**

The district will collaborate with the CWA to develop and implement clear written procedures governing how transportation is provided to maintain children in foster care in their schools of origin and will also work with the CWA to reach an agreement regarding transportation costs. The agreement will cover how transportation will be provided, arranged, and funded for the duration of the child's time in foster care. Each agreement can/will vary greatly because the needs of each child should be considered in making transportation decisions.

The regular transportation policies approved by the district will be followed in transporting foster care students. Drivers will be appropriately licensed, certified, and have required DMV and background checks. Various public school vehicles may be used to transport students depending on circumstances. Students who must be transported out-of-state will be approved by the school board as required by Oklahoma law.

### **Student Records**

The district will share education records with the CWA as allowed by FERPA and the IDEA. This allows educational agencies to disclose educational records of students in foster care to State and Tribal agencies without parental consent.

Source: *Broken Arrow Board of Education policy adoption, <DATE>.*





## **SECTION III: COMMUNITY RELATIONS** **INSTRUCTION POLICY 2125 3260**

### PARENTAL INVOLVEMENT (Parents' Bill of Rights)

The board supports parents' efforts to be involved in the district's education programs. This policy outlines the district's efforts to educate parents and support parent involvement in response to the 2014 Parents' Bill of Rights.

Parents have the right to be involved in their minor child's education, including directing that education. Parents are encouraged to exercise their rights in conjunction with district guidance so as not to inadvertently impede their minor child's compliance with federal and state mandated requirements – including requirements related to graduation. Parents also have the right to review school records related to their minor child.

Parents generally have the right to consent prior to an audio or video recording being made of their minor child. This right does not preempt the district's right to make recordings (without specific parental approval) related to:

- Safety, general order and discipline
- Academic or extracurricular activities
- Classroom instruction
- Security/surveillance of the buildings or grounds
- Photo ID cards

Parents have the right to receive prompt notice if their minor child is believed to be the victim of a crime perpetrated by someone other than the parent, unless law enforcement or DHS officials have determined that parental notification would impede the related investigation. These notice provisions do not apply to matters which involve routine misconduct typically addressed through student discipline procedures. School personnel will not attempt to encourage or coerce a child to withhold information from parents.

1. The district will promote parent participation at the site level with the goal of improving parent and teacher cooperation in areas such as homework, attendance and discipline. This will be accomplished through activities such as:
  - Parent Teacher Conferences
  - Back-to-School/Meet-the-Teacher Nights
  - School Newsletters
  - School Messenger Parent Notification System
  - Home Access Center
  - Canvas - Learning Management System
  - District sponsored webpages with class information available to parents
2. The district will inform parents about their children's course of study by disseminating this information:
  - During annual enrollment
  - In student handbooks
  - Home Access Center
  - Canvas – Learning Management System



## **SECTION III: COMMUNITY RELATIONS** **INSTRUCTION POLICY 2125 3260**

### PARENTAL INVOLVEMENT (Parents' Bill of Rights)

- Conferences with student's school counselor
- Parents may review learning materials affecting their minor children's course of study, including supplemental materials, by making a request through the building principal.
3. Parents who object to a learning material or activity may withdraw their minor child from the class or program in which the material is used. In order to withdraw a student, the parent must submit a written request, signed and dated by a parent, to the building principal. Parents who choose to withdraw their minor child from a required class are responsible for making alternate arrangements for the child to earn credit for the class.
  4. The district offers growth and development education to fourth grade girls and fifth grade boys, and sex education to all students in grades 7, 9 and 10. Parents who object to their minor child participating in the district's sex education program must submit a written notice, signed and dated by a parent, to the principal in order for their child to be excused from participation. Students who are not participating in the district's sex education program will be permitted to study in the school library or office during sex education instruction.
  5. If a teacher is going to provide instruction or presentations regarding sexuality in a course apart from formal sex education, the teacher will send written notice home to parents in advance of the presentation. Parents who object to their minor child's participation in such instruction may send a written request to the building principal to have the student excused from the presentation. Any such student will be permitted to study in the school library or office during the presentation.
  6. Parents may learn about the nature and purpose of clubs and activities, which are part of the school curriculum by reviewing student handbooks and the district's website.
  7. Parents have numerous rights and decision-making responsibilities concerning their minor children. To assist parents in meeting these responsibilities and to fulfill its obligations under the 2014 Parents' Bill of Rights, the district has compiled the following information for parents:
    - A. The district provides sex education and growth and development education. Parents may opt their student out of the district's sponsored sex education program by following the procedures established in item 4 above.
    - B. Parents who are not residents of the district may enroll their minor children in the district's schools in accordance with the district's open transfer policy. A copy of that policy is available on the district's website.
    - C. The district utilizes a number of resources to educate students. Parents who object to an assignment based on sex, morality or religion may opt their minor child out of the assignment by following the procedures established in item 3 above.



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- D. Students are generally required to receive a predetermined set of immunizations prior to enrolling in school and to receive additional boosters throughout enrollment in the district. This requirement may be waived if the parent submits a note from the minor child's physician stating that the child should be excused from the immunization for health reasons or if the parent submits a note objecting to the immunization of the child.
- E. Students are required to meet certain obligations in order to be promoted to a subsequent grade, particularly with regard to learning to read. Parents can learn about these requirements – including efforts the district will take in order to help students become successful readers – by reviewing the district's policies on Reading Sufficiency Act testing and student promotion. Copies of these policies are available on the district's website.
- F. Students are required to meet certain obligations in order to graduate from high school. Parents can learn about these requirements each year during course enrollment. This information is also available in student handbooks and on the Oklahoma State Department of Education's website ([www.ok.gov/sde/](http://www.ok.gov/sde/)).
- G. The district provides AIDS education for students in grades 7, 10 and 12. Parents may opt their minor student out of this education by submitting a written request, signed and dated by a parent, to the building principal. Students who are not participating in the district's AIDS education program will be permitted to study in the school library or office during the scheduled instruction.
- H. Parents have the right to review student test results related to their minor student. Parents may review the results of classroom exams by contacting their child's teacher. Parents may review the results of state-wide testing by contacting their child's building principal.
- I. Qualifying students have the right to participate in the district's gifted and talented program in accordance with the District's program guidelines. A description of the program is available on the district's website under the *Academics* menu item.
- J. Parents have the right to review teachers' manuals, films, tapes or other supplementary instructional material if the materials are being used in connection with a research or experimentation program or project. In order to review these materials, the parent should contact the building principal.
- K. Parents have the right to receive a school report card. Information regarding these report cards will be provided through school publications, but a copy of the actual report card is available in the superintendent's office.



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- L. Students are required to attend school regularly, and the district is required to notify parents of any student absence unless the parent has already contacted the school to report the absence. The district will send a written notice to parents if their minor student appears to be in danger of exceeding the maximum allowable number of absences and will notify the district attorney and the parent if a child may be considered truant. Parents may contact the child's principal for additional information regarding student absences.
- M. Parents have the right to review the district's courses of study and textbooks. Arrangements for this review can be made through the building principal.
- N. Students may be excused from school for religious purposes provided the parent contacts the building principal to request such an absence.
- O. Parents have the right to review all district policies, including parental involvement policies. Copies of these policies are available on the district's website.
- P. Parents have the right to participate in parent-teacher organizations. Information regarding these groups will be made available during activities such as enrollment, schedule pickups and back to school night. Parents who wish to have additional information regarding these groups can obtain more detail through the principal's office.
- Q. Parents may opt out of selected district level data collection related to state longitudinal student data system reporting. Parents may not opt out of necessary and essential record collecting. Parents may file an opt-out request through the superintendent's office.
- R. The district will not procure, solicit to perform, arrange for the performance of, perform surgical procedures or perform a physical examination upon a minor student or prescribe any prescription drugs to a minor student without first obtaining a written consent for the proposed assessment or treatment. The written consent will be effective for the school year for which it was granted, and must be renewed each subsequent school year. If the assessment or treatment for which the written consent is provided is performed through telemedicine at a school site, and if the written consent is provided by the Parent and is currently effective, the health professional shall not be required to verify that the parent is at the school site.
- S. The district will not procure, solicit to perform, arrange of the performance of or perform an assessment for mental health therapy on a minor student without first obtaining consent of a parent or legal guardian of the minor. The written consent will be effective for the school year for which it was granted, and must be renewed each subsequent school year. If the assessment or treatment for which the written consent is provided is performed through telemedicine at a school site, and if the written consent is provided by the Parent and is currently effective, the health professional



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shall not be required to verify that the parent is at the school site. However, a student shall not be seen without consent.

- T. A student shall not be vaccinated at school or on school grounds or receive a vaccine as part of the mobile vaccination effort without prior written authorization, including the signature of the parent or legal guardian of the student for the vaccine or group of vaccines to be administered during a single visit.

Parents requesting information outlined in this policy should submit written requests for information through the building principal or superintendent's office, as noted in the respective section. Appropriate school personnel will either make the information available or provide a written explanation of why the information is being withheld within ten (10) days of the request. Any parent whose request is denied or who does not receive a response within fifteen (15) days may submit a written request for the information to the board of education. The board will include an item on its next public meeting agenda (or the following meeting, if time does not permit inclusion of the item on the agenda) to allow the board to formally consider the parent's request.

OKLA. STAT. tit. 70 §1-116.2

OKLA. STAT. tit. 25 § 2001

OKLA. STAT. tit. 25 §2004, et seq.

*Source: Broken Board of Education policy adopted, October 13, 2014.  
Broken Arrow Board of Education policy revised, December 11, 2017.  
Broken Arrow Board of Education policy revised, October 7, 2019.  
Broken Arrow Board of Education policy revised, November 4, 2019.  
Broken Arrow Board of Education policy revised, <DATE>.*



## **SECTION III: COMMUNITY RELATIONS** **INSTRUCTION POLICY 2160 3265**

### TITLE I PARENT INVOLVEMENT

It is recognized by Broken Arrow Public Schools (BAPS) that it has an obligation to ensure the participation of parents in the Title I Program as provided by the No Child Left Behind Act, specifically Title I, Section A of the Elementary and Secondary Education Act (ESEA) as reauthorized by the Every Student Succeeds Act (ESSA) of 2015. The following opportunities and procedures shall guide the parent involvement activities of the District. Such opportunities and procedures shall adhere to the requirements for parent involvement as provided by the ESSA in Section 1118, including future changes, modifications, and/or amendments enacted according to federal law.

The Board of Education recognizes that when schools and parents work together with families to support learning, children are inclined to succeed in school. It is the Board's intent to continue the District's efforts to establish positive partnerships with parents through the Title I Parent Involvement Committee and other activities that will increase parental involvement and participation in promoting the social, emotional, and academic growth of children.

The district and Title I schools will provide information on the state's academic content, achievement standards and assessments through a link on the district's website that is connected to the Oklahoma State Department website. Further assistance in understanding these topics, including Title I Part A requirements, will be provided through district and site meetings.

The district and its Title I schools will provide information regarding Title I meetings and other activities to parents of participating children including those with limited English proficiency, parents with disabilities and parents of migratory children.

The District will encourage parents of children in Title I programs to be involved in supporting the education of their children in at least the following ways:

1. The District will provide coordination, technical assistance, and other support necessary to assist participating schools in planning and implementing effective parental involvement.
2. The District will work to build the parents' and schools' capacities for strong parental involvement.
3. Parents will be involved in the joint development of the Title I program and the parent involvement policy.
4. Create and utilize a school/home compact which addresses the responsibilities of the parent, teacher, and student in the educational experience and includes information on how to monitor student educational progress.
5. Parents will be involved in the review of the Title I plan and may suggest improvements to the plan.
6. The District will periodically review, with the involvement of parents, the content and effectiveness of the parental involvement policy.



**SECTION III: ~~COMMUNITY RELATIONS~~**  
**INSTRUCTION POLICY 2160 3265**

TITLE I PARENT INVOLVEMENT

7. The District will use the review findings to determine if revisions are needed in the parental involvement policies and procedures at the District and building/site levels.

The district will provide information on the district Title I program to coordinators of preschool programs such as Head Start, Oklahoma Parents as Teachers (OPAT) and the BAPS four year old program that encourages and supports parents in more fully participating in the education of their children.

The designated Title I coordinator for the District shall be responsible for the development and implementation of procedures consistent with this policy and Section 1118 of the ESSA.

Source: *Broken Arrow Board of Education policy adopted, December 12, 2005.*  
*Broken Arrow Board of Education policy revised, May 9, 2007.*  
*Broken Arrow Board of Education policy revised, October 26, 2009.*  
*Broken Arrow Board of Education policy revised, July 10, 2017.*  
*Broken Arrow Board of Education policy revised, November 4, 2019.*  
*Broken Arrow Board of Education policy revised, <DATE>.*