

**NORTHWEST TECHNOLOGY CENTER
2025-2026 POLICY MANUAL
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HAZCOM PROGRAM

The board of education values the health and safety of its employees and students, and the technology center will comply with all state and federal laws regarding the presence of hazardous chemicals at school. The board expects all individuals to use non-hazardous materials at school when feasible, to follow established safety procedures at all times, and to promptly report any suspected violations of this commitment to the technology center's BIS Directors.

The technology center's BIS Directors will develop, implement and maintain a comprehensive HazCom Program for use throughout the district. All technology center employees are required to participate in appropriate training on the new HazCom Program.

Reference: 29 C.F.R. 1910.1200

BLOODBORNE PATHOGEN EXPOSURE CONTROL PLAN

This plan delineates specific rules and procedures relating to protecting employees of the technology center from occupational exposure to bloodborne pathogens (e.g., Hepatitis B Virus ("HBV"), Human Immunodeficiency Virus ("HIV"), etc.) as required by law.

Employees who are occupationally exposed to bloodborne pathogens include those who are reasonably anticipated to have skin, eye, mucous membrane or parenteral contact with blood or other potentially infectious materials during the performance of their duties. Other infectious materials include: (1) the following human body fluids: semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid and any body fluid that is visibly contaminated with blood or where it is difficult or impossible to differentiate between body fluids; (2) any unfixed tissue or organ from a human, living or dead; (3) HIV-containing cell or tissue culture, organ culture and HIV-or HBV-containing culture medium or other solutions; and blood, organs or tissues from experimental animals infected with HIV or HBV. Any exposure to feces, nasal secretions, breast milk, sputum, sweat, tears, urine, vomitus or saliva, which is not visibly contaminated with blood, does not routinely constitute a risk of transmission of HBV or HIV. Saliva, if injected through a human bite, may pose a risk of HBV transmission.

This Exposure Control Plan delineates rules and procedures to be followed by employees to comply with the OSHA Bloodborne Pathogens Regulation previously cited. Appendix A defines the terms used throughout this Plan.

Employee Exposure Determination

The likelihood of exposure to bloodborne pathogens among employees of the technology center varies among divisions and job classifications. Most job classifications within the technology center have no increased potential for occupational exposure to blood or potentially infectious materials as defined by the OSHA Bloodborne Pathogens Regulation.

Appendix B lists all technology center employee exposures to bloodborne pathogens by job classification and specific groups of occupational tasks. All potential exposures to blood and potentially infectious materials listed in the tasks shown in Appendix B are based upon risks incurred without the use of personal protective equipment. Based upon this analysis, the technology center has determined that the following groups of employees are likely to have occupational exposure to bloodborne pathogens: custodians and instructors of health care related clinic. These employees will receive the training and will be offered the Hepatitis B vaccinations as required by the OSHA Bloodborne Pathogens Regulation. The technology center will review this Exposure Control Plan and the exposure potential for specific jobs and occupational tasks shown in Appendix B annually or when new or modified tasks or procedures for job positions within the technology center alter potential occupational exposures.

Methods of Compliance with Regulation

Because some tasks present the potential for employee exposure to blood and other potentially infectious materials, a number of engineering and work-practice controls have been adopted to minimize such exposures. Universal precautions are observed throughout the technology center to prevent contact with potentially infectious materials. Employees should consider all body fluids as potentially infectious because it is often difficult to differentiate between body fluid types. Where occupational exposure exists despite compliance with engineering and work practice controls, the use of appropriate personal protective equipment is required, which varies with the specific work tasks involved.

Engineering controls, including handwashing facilities, are maintained and replaced appropriately to insure their effectiveness. Any employee who observes an ineffective or malfunctioning control item or equipment should take immediate appropriate action to replace, discontinue use of and/or seek repair of the item or equipment.

Handwashing

Handwashing by all exposed employees is required. The importance of handwashing as the primary prevention of contamination cannot be overemphasized. It is the single most important means of preventing the spread of infection. Handwashing facilities are interspersed throughout each technology center building.

All employees of the technology center who have routine occupational exposure are provided with antiseptic hand cleaner for disinfection purposes when handwashing is not immediately feasible. However, hand cleaners are not provided with the intent of substituting for handwashing. Employees should wash hands with soap and water as soon as possible following use of such antiseptic hand cleaners. Employees are also required to wash their hands immediately after removing gloves or other personal protective equipment. Employees must ensure that hands and any other skin which becomes contaminated with blood or other potentially infectious material are immediately washed with soap and water and that any mucous membrane exposed to blood or other potentially infectious material is flushed with water as soon as possible.

Protection of Food, Drink, Etc.

Eating, drinking, smoking, applying cosmetics or lip balm and handling contact lenses is prohibited in work areas of the technology center where any risk of occupational exposure exists. The storage of food and drink in refrigerators, freezers or cabinets or on shelves, countertops or benchtops where blood or other potentially infectious materials are present is also prohibited.

Personal Protective Equipment

The technology center provides appropriate personal protective equipment, including gloves, gowns and other appropriate devices, at no cost to any employee with occupational exposure. Appropriate personal protective equipment is that equipment which does not permit blood or other potentially infectious materials to pass through to the employee's work clothes, street clothes, skin, eyes, mouth or other mucous membranes under normal use and for the duration of time the protective equipment is in use.

All occupationally exposed employees of the technology center are required to use appropriate personal protective equipment. The only exception to this requirement allowed by the OSHA Bloodborne Pathogens Regulation might occur when the employee temporarily and briefly declines use of the equipment when "under rare and extraordinary circumstances, it [is] the employee's professional judgment that in the specific instance its use would have prevented the delivery of health care or public safety service or would have posed an increased risk to the safety of the worker or co-worker." When such a judgment is made, the circumstances will be investigated and documented to determine whether changes should be instituted to prevent future recurrence.

Personal protective equipment appropriate for the work tasks in each division are readily accessible at the work site for all employees. Cleaning and laundering of reusable personal protective equipment is provided by the technology center through an outside vendor. Contaminated laundry is disposed of in the appropriate biohazard laundry containers provided by that vendor. Disposable personal protective equipment (e.g., disposable gloves) are discarded in sealed plastic bags.

If a garment becomes penetrated by blood or other potentially infectious materials during the course of its use, it should be removed immediately, or as soon as feasible, and disposed of appropriately. All personal protective equipment must be removed prior to leaving the work area.

Gloves

Latex or vinyl gloves will be worn when it is reasonably anticipated that the employee will have hand contact with blood or other potentially infectious materials, mucous membranes or non-intact skin and when touching contaminated items or surfaces. Disposable (single use) gloves must be replaced as soon as practical when contaminated or when they are torn, punctured or their ability to function as a barrier is compromised. Disposable gloves are not to be washed or decontaminated for reuse.

Utility gloves, such as those used in housekeeping, sterilization and clean-up activities, may be decontaminated for reuse if the integrity of the glove is not compromised, but they must be discarded if they are cracked, torn, punctured or exhibit signs of deterioration. Hypoallergenic gloves or glove liners or powderless gloves are provided to employees who are allergic to the gloves normally provided. Employees with contact dermatitis caused by gloves may find protective skin creams helpful in preventing further irritation.

Protective Body Clothing

Appropriate body clothing must be worn in occupational exposure situations. The types and characteristics of the protective clothing depend upon the task and degree of exposure anticipated. The need for protective body clothing will be rare in the school environment.

Masks, Eye Protection and Face Shields

Because no employees engage in occupational activities in which splashes, spray, splatter or droplets of blood or other potentially infectious materials are likely to be generated and eye, nose or mouth contamination can be reasonably anticipated, masks, eye protection and face shields are not provided.

Housekeeping

Worksites which are subject to contamination by blood and other potentially infectious materials are maintained in clean and sanitary condition by the designated custodial staff who have cleanup responsibility. Appendix C presents the written cleaning and decontamination schedules for the nurse's office.

All equipment, environmental and working surfaces are cleaned and decontaminated after contact with blood or other potentially infectious materials upon completion of procedures and immediately, or as soon as feasible, when surfaces are overtly contaminated or following any spill of blood or other potentially infectious materials. All work surfaces are cleaned and decontaminated at the end of each work shift if the surfaces have become contaminated since the last cleaning. One or more of the following solutions are to be used in disinfection of work surfaces, countertops and equipment: commercially-prepared germicidal disinfectants; commercially prepared disinfectants with an isopropyl alcohol content of 40% to 70%; commercially-prepared disinfectants with a hydrogen peroxide content of 3%; or an individually-prepared solution of one part chlorine bleach to ten parts water. Cleaning and disinfection of floors and walls may be accomplished using commercial cleaning formulations containing quaternary ammonia.

Bins, pails, cans and other similar receptacles intended for re-use that have a potential for becoming contaminated with blood or other potentially infectious materials are inspected and decontaminated on a regular basis and immediately, or as soon as feasible, upon visible contamination.

Spill Cleanup

Spill cleanup requires the use of appropriate protective equipment including gloves, as appropriate. Spills are cleaned up by the individual responsible for the spill in most cases. Appendix D details specific procedures for biological spills cleaning and decontamination.

Broken glassware which may be contaminated is not picked up directly with the hands. Cleanup is effected using mechanical means such as a brush and dust pan. Contaminated broken glassware is discarded in sealed plastic bags.

Waste Disposal

Disposal of waste contaminated with blood or other potentially infectious materials is in sealed plastic bags with the technology center's other non-regulated waste.

Laundry

All contaminated laundry generated by exposed employees of the technology center is bagged or containerized at the location where it is used in appropriately labeled containers. Heavily soiled laundry is bagged in leak-proof plastic bags before being placed in laundry containers, if appropriate. The technology center contracts with an off-site commercial laundry company for laundry services. Laundry is not sorted, rinsed or processed in any other manner on site. Employees who have contact with contaminated laundry wear protective gloves and other appropriate personal protective equipment.

Hepatitis B Vaccination

Each technology center employee who has occupational exposure is offered the Hepatitis B vaccine series within ten (10) days of initial work assignment and after he or she has received the required training unless the employee has previously received the vaccination series, antibody testing has revealed immunity or the vaccination is contraindicated for medical reasons. The technology center will provide the health care professional responsible for the employee's Hepatitis B vaccination with a copy of the OSHA Bloodborne Pathogens Regulation. Vaccinations are performed by or under the supervision of a licensed physician or by or under the supervision of another licensed health care professional in accordance with U.S. Public Health Service recommendations during normal working hours, at a reasonable location and at no cost to the employee. Participation in a prescreening program is not a prerequisite for receiving the Hepatitis B vaccination. Employees who decline to accept the Hepatitis B vaccination are required to sign the declination statement included as Appendix E to this Plan.

Any employee who initially declines the Hepatitis B vaccination, but at a later date decides to accept the vaccination, is provided the vaccination at that time without cost. Any future recommended routine booster, dose or doses of Hepatitis vaccine recommended by the U.S. Public Health Service will also be provided to exposed employees without cost.

The Hepatitis B vaccination record or signed declination statement is maintained in each employee's confidential medical record in the office of the superintendent (see Recordkeeping-Medical Records).

Post-Exposure Evaluation and Follow-Up

All technology center employees who experience an occupational exposure incident will complete the Incident Report attached as Appendix F immediately after the exposure, or as soon thereafter as feasible.

Each exposed employee is provided a confidential medical evaluation and follow-up, including prophylaxis, at no cost to the employee, by a licensed health care professional of the technology center's choice. As part of the post-exposure evaluation and follow-up, the routes of exposure and the circumstances under which the incident occurred is documented, including identification and documentation of the source individual, unless infeasible or prohibited by law, and testing of the source individual's blood and the exposed employee's blood is completed, as soon as feasible and after consent is obtained. Completion of the Record of Occupational Exposure to Blood or Potentially Infectious Body Fluids included as Appendix G to this Plan satisfies the Regulation's documentation requirements.

The technology center will provide the licensed health care professional who evaluates the exposed employee with the following information: a copy of the OSHA Bloodborne Pathogens Regulation; a description of the exposed employee's duties as they relate to the exposure incident; documentation of the route(s) of exposure and circumstances under which exposure occurred; results of the source individual's blood testing, if available; and all medical records relevant to the appropriate treatment of the employee, including vaccination status, that are the technology center's responsibility to maintain.

The licensed health care professional's written opinion of the post-exposure evaluation is to be provided to the employee within fifteen (15) days of completion of the evaluation and is

to be limited to the following: whether Hepatitis B vaccination is indicated for the employee and if the employee has received such vaccination, that the employee has been informed of the results of the evaluation and that the employee has been told about any medical condition resulting from exposure to blood or other potentially infectious materials that require further evaluation or treatment. All other findings or diagnoses are to remain confidential and are not to be included in the written report.

Confidential medical records relating to post-exposure evaluation and follow-up are maintained in the office of the superintendent (see Recordkeeping -Medical Records).

Labels and Signs

To the extent required, the technology center uses red color coding and/or fluorescent orange or orange-red biohazard labels to mark all hazardous items. The standard biohazard label and symbol is used for this purpose. Items contaminated with blood or other potentially infectious body fluids which are color coded or posted with biohazard labels include the following: contaminated laundry.

Recordkeeping

1. **Medical Records.** Confidential medical records are kept on all technology center employees with occupational exposure to blood or other potentially infectious materials in the office of the superintendent. Each record includes the employee's name, Social Security number, Hepatitis B vaccination record (or declination form), copies of all results of examinations, medical testing and follow-up procedures relating to any exposure incidents and a copy of the health care professional's consultation and written opinion relating to any exposures.

All employee medical records are kept for the duration of employment, plus thirty (30) years in accordance with the OSHA Bloodborne Pathogens Regulation.

2. **Training Records.** Records documenting the provision of information and training relating to occupational exposure to bloodborne pathogens are maintained for three (3) years from the date of training by the technology center's training coordinator. These records include the dates of training sessions, a summary of the training session, names and qualifications of the persons conducting the training sessions and the names and job titles of all persons attending the training sessions. An outline of the technology center's Bloodborne Pathogens Training Program is included as Appendix H to this Plan. A Training Record form is attached as Appendix I.

Information and Training

Information and training pertaining to bloodborne pathogens is provided to all technology center employees with occupational exposure without cost and during normal working hours. This training is provided within ten (10) days of initial assignment to tasks where occupational exposures occur and annually thereafter or whenever modifications of tasks or procedures or the institution of new tasks or procedures affect an employee's occupational exposure to the extent that additional training is indicated and appropriate. Routine training of new employees is arranged on an as-needed basis through the technology center's training coordinator. Training is presented by qualified staff members.

Training material is appropriate in content and vocabulary to the educational level, literacy and language of employees. The training program is designed to fulfill the requirements for bloodborne pathogen training outlined in the OSHA Bloodborne Pathogens Regulation. A

detailed outline of the training program is kept on file with the technology center's training coordinator.

EMPLOYEE SAFETY ASSURANCE PROGRAM

This document establishes the “Employee Safety Assurance Program” (ESAP) requirements for the technology center. It is the policy of the technology center to comply with the applicable regulations governing the safety of our employees and the protection of the environment. The minimum requirements for the technology center are set forth below.

Responsibility

It will be the responsibility of the superintendent to establish and maintain the appropriate policies, procedures, and practices to achieve and maintain compliance.

Minimum Requirements

1. “Employee Safety Assurance Program” (ESAP) training

The technology center will be responsible for conducting training to a level necessary to satisfy legal requirements and to provide a safe environment for its employees. This training will be facilitated by the superintendent or designee. The records of such training will include at a minimum:

- A. Date and time of training;
- B. Name of trainee;
- C. Name of trainer; and
- D. Outline of training content.

2. First Responder Safety Teams (FRST)

The technology center will establish First Responder Safety Teams (FRST) to provide for the following conditions:

- A. Incipient fire response;
- B. Major fire response;
- C. Evacuation to the outside;
- D. Evacuation to designated shelter areas;
- E. First aid;
- F. Hazard material incidents; and
- G. Facility security following an incident.

A sufficient number of employees will be trained to ensure coverage at times of building occupancy.

3. Evacuation

The technology center will establish procedures for safe and orderly evacuation in the event of a hazardous situation:

- A. Emergency routes must be identified;
- B. Training on the procedures must be conducted and documented; and
- C. Practice drills must be conducted at least annually. (The technology center will adhere to applicable local and state laws and policies.)

Special evacuation plans will be established for the needs of employees with mobility, visual, hearing impairment or other special needs.

4. Safety Data Sheets (SDS formerly MSDS – material safety data sheets)

The technology center will have Safety Data Sheets (SDS) for all materials used in its facilities. Employees will be required to read the SDS for any materials required for their jobs. Sufficient sets of SDS sheets will be maintained in an accessible location to allow their use as necessary.

5. Minimum Equipment Lists

The technology center will have an equipment list for the items required to respond to any hazards or incidents which may reasonably be anticipated in its workplace.

6. Protective Equipment

Where protective equipment is found to be required to protect employee safety, the use of the equipment will be mandatory as a condition of employment. Proper training will be provided and documented. Such equipment will be maintained in good condition and inspected on a regular basis. Any applicable OSHA requirements for such equipment will be followed.

7. Safety Auditing

The technology center will establish audit procedures to monitor the conditions of the workplace, equipment and compliance with their established procedures. Findings and corrective action will be documented. Checklists will be developed to facilitate these audits. Such audits will be accomplished as needed or required by law and/or policy.

8. Accident Investigation

Each accident resulting in an injury or hazardous condition will be analyzed to determine the root cause, and action will be taken to prevent recurrence. This analysis and action will be documented.

9. Government Agencies

It is the policy of the technology center to cooperate fully with any audits or investigations by governmental authorities.

10. Unsafe Condition Reporting Process

If any employee believes an unsafe condition is present, he/she should first report the condition to the superintendent. This action will be without prejudice to the employee.

11. Video Surveillance

In order to assist in efforts to promote a safe and secure environment, video surveillance equipment is utilized at both campuses of NWTC. Video surveillance equipment will be used to promote student and staff safety, deter acts of harassment or assault, deter theft and vandalism, and assist with identification of individuals who commit damage to personal or district property, and assist law enforcement agencies with regard to the investigation of any crime that may be depicted.

12. Privacy

Authorized individuals within the district may monitor live video feeds or review recorded video at any time. Under no circumstances shall the contents of any captured video recording be exploited for purposes of profit or commercial publication, nor shall recordings be publicly distributed except as required by law. If video surveillance recordings of students are determined to be educational records then the requirements of state law and FERPA will be followed.

13. Building Security

Use of properly trained and certified law enforcement staff will be used intermittently to enhance building security and a safe environment.

14. Emergency Drills

Emergency Drills are conducted periodically following guidelines provided by the Oklahoma State Department of Education. Although these guidelines are mandated for student safety, all NWTC Staff members also participate in the drills. The drills include:

- Fire Drills
- Tornado Drills
- Earthquake Drills
- Lockdown Drills
- Intruder Drills

The NWTC administrators review the drills and procedures periodically to make needed changes.

All of the assurances listed in the policy are also included in the following documents:

- NWTC Occupational Safety and Health Program
- NWTC Emergency Management Plan

Please refer to these documents for specific details.

HEALTH AND SAFETY

It is the policy of the technology center board of education to provide healthful and safe facilities, surroundings and activities for employees, students, clients and patrons. The board and administration are committed to this policy and will make every reasonable effort to comply with applicable laws and recognized standards of good safety practice, and initiate safety programs as may be warranted. Temporary expediency shall not take precedence over recognized and established safety procedures in any activity.

All employees shall observe and help to enforce compliance with technology center safety procedures and established rules.

All students shall follow recognized good safety practices and established rules and shall not take short cuts that jeopardize themselves or others.

The health and safety programs shall cover/include, but not be limited to, the following:

1. Requirements of the Occupational Safety and Health Administration (OSHA) Safety and Health Standards, Workers Compensation Law, and the Environmental Protection Agency (EPA) and its affiliates.
2. Maintenance of safe equipment, facilities and surroundings.
3. Safe methods and practices.
4. Safety Equipment.
5. Safety inspections including environmental monitoring of noise and fumes within the facilities.
6. Safety training for employees and students.
7. Procedures to be followed in case of an accident/injury including medical treatment and reporting requirements.
8. Accident investigation.
9. Accident record system.
10. Monitoring accident and loss records.

The superintendent and/or his/her designee(s) shall annually evaluate the technology center's health and safety programs and procedures, revise those that are not adequate and establish additional ones if necessary.

Procedures and Standard Practices

Procedures and standard practices will be developed and maintained by the technology center's health/safety department in compliance with this policy and all applicable law. All technology center department and campus personnel will subscribe to these procedures and standard practices once developed. These procedures and standard practices will include the following activities and topics:

1. Accident reporting
2. Defensive driving
3. Hazard communication

4. Bloodborne pathogens/infectious diseases
5. Forklift training
6. Hearing conservation
7. Hotwork/welding
8. Laboratory safety
9. Hazardous material generation and disposal
10. Respiratory protection
11. Lock-out/tag-out
12. Electrical safety
13. Asbestos awareness
14. Fire protection
15. First aid and cardiopulmonary resuscitation (CPR)
16. Recordkeeping
17. Required safety training
18. Personal protective equipment
19. Other related topics as may be required by law, regulation and board policy

Workers' Compensation

The purpose of workers' compensation temporary disability benefit payments is to provide income to the injured or ill employee during the time he/she is unable to work due to a work-related injury or illness. All accidents involving injury to the employee shall be reported to Human Resources by the morning of the workday following the event.

The technology center has a legal obligation to provide the employee with reasonable and necessary medical treatment and to initiate the temporary compensation in the event that the employee is disabled and unable to return to work for more than three (3) calendar days. No compensation shall be allowed for the first three (3) calendar days of disability. The weekly amount of worker's compensation benefits paid to an injured or ill employee for temporary total disability is set by law. Temporary total disability checks are issued by the carrier of the technology center's workers' compensation insurance and mailed directly to the home address of the injured or ill employee.

Filing a fraudulent worker's compensation claim is a felony and, upon conviction, is punishable by imprisonment in the State Penitentiary or a fine, or both. The technology center will report to the proper authorities any suspected fraudulent claim of workplace injury.

An employee who has accrued sufficient sick leave days may elect to receive sick leave pay for some or all of the days he/she is disabled due to a work-related injury or illness. However, to receive sick leave pay, the employee must request leave from his/her supervisor indicating the number of eligible sick leave days that he/she wishes to receive. An employee can receive temporary total worker's compensation benefits and sick leave pay simultaneously. Any technology center-provided leave benefits requested to be paid simultaneously with worker's compensation benefits will be coordinated with the worker's compensation benefits. Coordination means that the total of all benefit payments received by the employee during any pay period will not be greater than 100% of the employees' normal wages. The "Sick Leave Sharing Program" cannot be used for days of disability due to a work-related injury or illness.

INSTRUCTOR PRESENCE IN THE SHOP/LAB OR CLASSROOM

It is the policy of the board of education that for instructional, safety and legal purposes, an instructor must be present or within unobstructed sight of the shop/lab or classroom when the students are present. Under no circumstances should classes be left unattended whether or not equipment is being operated.

In the event that an instructor must temporarily leave the shop/lab or classroom, the authorized campus administrator or supervisor may assign another technology center employee (i.e., counselor, office staff) to be present in the shop/lab or classroom until the instructor returns.

EYE PROTECTION DEVICES

It is the policy of the board of education of the technology center that every student, instructor, employee and visitor participating in or observing any course of instruction or activity involving, but not limited to, the following items shall be required to wear appropriate industrial quality eye protective devices at all times:

1. Hot liquids, hot molten metals, or other molten materials;
2. Milling, sawing, turning, shaping, cutting, grinding or stamping of any solid materials;
3. Heat treatment, tempering, or kiln firing of any metal or other materials;
4. Gas or electric arc welding, or other forms of welding processes;
5. Repair or servicing of any vehicle where there is danger of injury to the eyes;
6. Caustic or explosive materials;
7. Injurious radiation; or
8. Other hazards not enumerated.

Such devices may be furnished for all students and teachers, or made available for a moderate rental fee, and shall be furnished for all visitors to such shops and laboratories when entering working areas.

“Industrial quality eye protective devices,” as used in this policy, means devices meeting the standards of the USA practice for Occupational and Educational Eye and Face Protection, Z87.1-1968, and subsequent revisions thereof, approved by the United States of America Standards Institutes Inc.

Reference: OKLA. STAT. tit. 70, § 1210.182

HIRING

The technology center does not discriminate on the basis of race, color, sex, national origin, religion, disability, veteran status, sexual orientation, or age in the operation of its educational programs, activities, recruitment, admissions, or employment practices. In order to ensure against discrimination, established procedures for advertising full-time employment vacancies have been developed. They are described below.

The technology center will advertise all job openings both internally and externally with the following exceptions:

1. When there is an internal qualified candidate for a new or existing position and the superintendent and/or board of education wishes to voluntarily transfer or promote the internal candidate to the position—no internal or external posting of the position is required.
2. When reorganization within the technology center creates new positions that can be filled through transfer of an existing qualified school employee—no internal or external posting of the position is required.
3. When there are qualified candidates employed by the technology center and the superintendent and/or board of education have concluded that the position should be filled through promotion or transfer of an existing employee, the position may be advertised internally only.

In the above instances, the superintendent and/or board of education may determine that although the center has one or more individuals qualified for a vacancy, the technology center would be best served by seeking a broader applicant pool from which to fill the position and may advertise internally, externally or both.

When vacancies are advertised externally, the following procedure will be followed:

1. Certified personnel:
 - A. A notice of the vacancy will be placed in a newspaper of local circulation.
 - B. A notice will be posted on various websites including nwtech.edu.
2. Support personnel:
 - A. A notice of the vacancy will be placed in a newspaper of local circulation.
 - B. A notice of vacancy may be placed with various websites and with local employment agencies.

Upon receipt of the applications for an advertised position, the superintendent or superintendent's designee will review the submissions to ensure that the applicants have met the stated qualifications. Interviews will be conducted to select the individual who is best matched to the responsibilities listed in the job description for each position vacancy.

The final decision regarding *recommendation* for employment is made by the superintendent. The superintendent will recommend one or more applicants to the board of education at the next regularly scheduled meeting.

Notification will be made to all unsuccessful applicants.

The technology center is under no obligation to consider unsolicited applications. In the event the superintendent receives an application prior to posting a vacancy he or she *may* contact the applicant and inform him or her that there are no openings currently available but that an opening *may* be available in the immediate future and encourage the applicant to check back with the district for opportunities.

EMPLOYMENT OF FAMILY MEMBERS

The board will follow the requirements of OKLA. STAT. tit. 70, §§ 5-113 and 113.1, and will not employ individuals who are related to board members in the second degree either by consanguinity or affinity.

PROFESSIONAL CREDENTIALS

Each technology center employee is responsible for obtaining and maintaining the proper and necessary certification or licensure for the position to which he/she is assigned. Employees must provide a current copy of all credentials to the superintendent's office at the time of hire and promptly upon any renewal, retesting, achievement, etc.

CRIMINAL RECORDS SEARCHES

It shall be the policy of the technology center that a National Criminal History Record Check (NCHRC), as defined by OKLA. STAT. tit. 74, §150.9, will be conducted of every prospective employee and an annual search of the Oklahoma Sex Offender and Mary Rippy Violent Crime Offender Registries for current employees who offer or provide services to children, including but not limited to secondary students. The results of any records searches will be kept on file by the technology center. The law authorizes the Oklahoma State Department of Education to request criminal history information from the OSBI and/or FBI on applicants for school employment on behalf of a local school district.

The provisions of this policy also apply to employees hired on a part-time or temporary basis for the instruction of adult students at the discretion of the Superintendent.

National Felony Record Search of Prospective Employees

During the first interview with each employment applicant, the technology center will advise the applicant that:

1. The technology center requires a national criminal history record check of every prospective employee as a condition of employment; the technology center also requires an Oklahoma criminal history record check for every fulltime prospective teacher.
2. To enable technology center to request the search and obtain the results, the applicant must complete and sign an authorization and release form provided by the technology center.
3. The technology center will only request a felony record search if the superintendent recommends employment of the applicant.
4. If the superintendent recommends employment of the applicant, the applicant must permit himself/herself to be fingerprinted if applicable, provide a social security number and provide any other information necessary to facilitate the national criminal history record check and/or the Oklahoma criminal history record check search; and
5. The Board of Education shall not have the authority to employ any person who does not have a criminal history record check on file with the technology center. No person shall be permitted to perform work or render services to the technology center without such record check on file.
6. The applicant, if placed on duty prior to receipt of the criminal history record check results, will be classified as a temporary employee until the technology center is

notified that the search is clear of any felony conviction(s) within the past ten (10) years, or at any time if the conviction shows a tendency to be a danger to the health/safety of students or if the conviction indicates a potential conflict with the duties to be performed by the applicant. All criminal history record searches will be made in compliance with the Federal Fair Credit Reporting Act.

7. The technology center reserves the right to do a preliminary background search of national crime databases while the NCHRC is underway with the OSBI/FBI.
8. The applicant will be placed on duty as a temporary employee prior to receiving the OSBI/FBI search results. All felony record searches will be made in compliance with the Federal Fair Credit Reporting Act.

If the results of the national criminal history record check are not received by the technology center within sixty (60) days, if the record check reveals a prior felony offense conviction(s) within the past ten (10) years, or at any time if the conviction shows a tendency to be a danger to the health/safety of students or if the conviction indicates a potential conflict with the duties to be performed by the applicant, or if the record check reveals a false response to one or more of the questions on the authorization and release, the applicant shall be deemed to have resigned his or her employment. The administration will review the facts and circumstances of each situation and decide whether to recommend the resignation be accepted. Such resignation may be accepted by the board of education at any time. Under these circumstances, the applicant waives any due process procedures which might be available under federal and state law and technology center policies and procedures. The sixty (60) day temporary employment period shall begin on the first day the prospective employee reports for duty at the technology center.

The technology center may waive the requirement to obtain an initial national criminal record check for any prospective employee who has obtained certification from the Oklahoma State Department of Education within the past twelve (12) months.

The technology center may waive the requirement to obtain a new records search if the applicant for a full-time teaching position has been employed as a full-time or substitute teacher in another Oklahoma school district, produces a copy of an existing national criminal history record check from within the past five (5) years, and produces an original letter from the former district stating that the employee left in good standing and whether the teacher was the subject of any allegation of inappropriate behavior with a student.

Felony Record Searches of Current Employees

The technology center may also request a record check of the name, fingerprints, social security number or other relevant information of any current technology center employee if the board or superintendent requests a search of that employee's felony record.

When the technology center seeks to obtain a record check regarding a current technology center employee pursuant to the terms of this policy, the employee who is the subject of that record check must complete and sign an authorization and release form provided by the technology center. The employee shall permit himself/herself to be fingerprinted, if applicable, provide a social security number and provide any other information necessary to facilitate the record check. The technology center shall be responsible for the payment of fees associated with record checks regarding current technology center employees.

Felony Record Searches of Substitutes

The technology center may, in its discretion, require a national criminal history record search for substitutes of the same type and using the same standards applicable to prospective employees, or it may obtain a current records search, if available, from a public school district or technology center that employed the substitute in the year preceding prospective employment by the technology center. Likewise, any person seeking employment as a substitute who has been employed as a full-time teacher by a school district in the State of Oklahoma in the five (5) years immediately preceding application for employment as a substitute, is not required to obtain a national criminal history record check if the teacher produces a copy of a national criminal history record check completed within the preceding five (5) years and a letter from the public school district or technology center in which the teacher was last employed stating the teacher left in good standing and whether the teacher was the subject of any allegation of inappropriate behavior with a student. Similarly, any person seeking employment as a substitute who has been employed as a full-time teacher by a school district for ten (10) or more consecutive years immediately preceding application for employment as a substitute and who left full-time employment with the school district in good standing is not be required to have a national criminal history record check for as long as the person remains employed as a substitute for consecutive years by the technology center.

Felony Record Searches of Volunteers

The technology center may, in its discretion, require a national criminal history record search for any volunteer, who has substantive contact with minor students, of the same type and using the same standards applicable to prospective employees or some other national criminal history records search that uses social security numbers instead of fingerprints. All felony record searches will be made in compliance with the Federal Fair Credit Reporting Act.

Annual Search of Sex Offender and Violent Crime Offender Registries

Pursuant to OKLA. STAT. tit. 57, § 589, the technology shall conduct an annual name search against the Oklahoma Sex Offenders Registry and the Mary Rippey Violent Crime Offenders Registry of all employees who provide or offer services to secondary students and children.

Reference: OKLA. STAT. tit. 70, § 5-142; OKLA. STAT. tit. 74, § 150.9; OKLA. STAT. tit. 57, § 589.

AUTHORIZATION AND RELEASE

This Authorization and Release is executed under penalty of perjury on the ___ day of _____, 20__ by _____, an applicant for employment ("Applicant") with Northwest Technology Center ("Technology Center").

Applicant understands that Technology Center's receipt of a national criminal history record check is a condition of employment with Technology Center, and that the record check must reveal that the applicant has not had any felony conviction(s) within the past ten (10) years, or at any time if the conviction shows a tendency to be a danger to the health/safety of students or if the conviction indicates a potential conflict with the duties to be performed by the applicant, unless after review of the facts and circumstances of each situation the administration decides to recommend employment. Because Applicant desires employment with Technology Center, Applicant authorizes Technology Center to request and obtain the results of a national felony record search of Applicant's name, fingerprints, if applicable, social security number and any other lawful means of obtaining such results. Applicant hereby releases Applicant's record check results to Technology Center. Applicant also releases Technology Center of any and all liability relating to its request for, receipt and use of the search results.

APPLICANT ACKNOWLEDGES THAT APPLICANT HAS BEEN FURNISHED AND UNDERSTANDS ALL OF THE REQUIREMENTS OF TECHNOLOGY CENTER'S FELONY RECORD CHECK POLICY AND AGREES TO BE BOUND BY ALL OF ITS TERMS AND CONDITIONS.

Applicant also agrees to truthfully answer the following questions:

Have you ever:

	Yes	No
Entered a plea of guilty or nolo contendere to a state (any state) or federal felony charge? (This question includes non-sealed criminal records involving a "deferred sentence" or "deferred judgment.")		
Been convicted of a state (any state) or federal felony offense?		
Been charged with a state (any state) or federal felony offense which was reduced to a misdemeanor offense to which you entered a plea of guilty or nolo contendere? (This question includes non-sealed criminal records involving a "deferred sentence" or "deferred judgment.")		
Entered a plea of guilty or nolo contendere to, or been convicted of, a state (any state) or federal misdemeanor charge involving illegal chemical substances or illegal sexual activity? (This question includes non-sealed criminal records involving a "deferred sentence" or "deferred judgment.")		
Entered into a deferred prosecution agreement with a state (any state) or federal prosecutor?		

Applicant understands that if Applicant is hired by Technology Center prior to receipt of the results of the national criminal history record check, Applicant will be classified as a temporary employee until notified otherwise by the superintendent. Furthermore, Applicant understands that if Technology Center does not receive the results of the national criminal history record

AUTHORIZATION AND RELEASE

This Authorization and Release is executed under penalty of perjury on the ___ day of _____, 20__ by _____ an employee ("Employee") with Northwest Technology Center ("Technology Center").

Employee understands that Technology Center’s receipt of a clear national criminal history record check has been requested by the superintendent and/or board of education. Employee hereby releases his/her felony record check results of his/her name, fingerprints, social security number and any other lawful means of obtaining such results to Technology Center. Employee also releases Technology Center of any and all liability relating to its request for, receipt and use of the search results.

Employee acknowledges that he/she has been furnished and understands all of the requirements of Technology Center’s Felony Record Search Policy and agrees to be bound by all of its terms and conditions.

Employee also agrees to truthfully answer the following questions and to promptly report to the Human Resources Director any change in Employee’s criminal history occurring after the answers to questions below are made:

Have you ever:

	Yes	No
Entered a plea of guilty or nolo contendere to a state (any state) or federal felony charge? (This question includes non-sealed criminal records involving a “deferred sentence” or “deferred judgment.”)		
Been convicted of a state (any state) or federal felony offense?		
Been charged with a state (any state) or federal felony offense which was reduced to a misdemeanor offense to which you entered a plea of guilty or nolo contendere? (This question includes non-sealed criminal records involving a “deferred sentence” or “deferred judgment.”)		
Entered a plea of guilty or nolo contendere to, or been convicted of, a state (any state) or federal misdemeanor charge involving illegal chemical substances or illegal sexual activity? (This question includes non-sealed criminal records involving a “deferred sentence” or “deferred judgment.”)		
Entered into a deferred prosecution agreement with a state (any state) or federal prosecutor?		

Employee understands that if the felony record search reveals a prior felony offense conviction(s) within the past ten (10) years, or at any time if the conviction shows a tendency to be a danger to the health/safety of students or if the conviction indicates a potential conflict with the duties to be performed by the applicant, or if Employee has provided a false response to one or more of the above questions, then Employee's employment by Technology Center will be reviewed to determine whether there is a basis for non-reemployment or dismissal. In any event, the board of education may accept Employee's

EMPLOYEE APPEARANCE

The technology center board of education considers it important that each employee is well groomed, neat, and dressed appropriately for his or her job function. Our employees create the value proposition we offer, and collectively are the face we present to the communities we serve. Just as the appearance of our buildings and facilities communicate to our stakeholders the quality and commitment of the technology center in educating students, so does the appearance of our most important resource, our people.

Appropriate dress and hygiene are important in promoting the technology center brand and a positive image to our students, clients, visitors, tax payers and each other. The technology center has adopted a casual business dress code but it must be recognized that some positions and some situations may call for more formal business attire. This policy defines what the technology center considers to be appropriate appearance standards for all employees. This policy is consistent with the terms of the employment contract all employees are expected to sign.

Employees Working Primarily in an Office Environment

The technology center observes a casual business dress environment. However, there may be situations requiring more formal business attire. An employee conducting or attending meetings, seminars, roundtables, in contact with other educational or business professionals or acting as a point of contact with customers and visitors to our facilities, is expected to represent the technology center in a professional manner and dress appropriately for conducting such business.

Employees Working in the Field, Warehouses, Labs/Shops and Facilities Maintenance Environment

The technology center does not require uniforms in the workplace, but a standard of dress is required to promote a safe and productive working environment. As in an office environment, a field or facilities maintenance employee conducting or attending meetings, seminars, roundtables, in contact with other business professionals, or acting as a point of contact with customers and visitors to our facilities, is expected to represent the technology center in a professional manner and dress appropriately for the required job duties.

General Guidelines for Everyone

The technology center wishes to provide a work environment that is free of safety hazards, offensive behavior and harassment of any kind. Any item of clothing or apparel that is judged by the technology center to be unsafe, potentially offensive or harassing, provocative or distracting may be prohibited.

Regular Workday Clothing

Shoes should be in good repair and appropriate for the environment. An office environment work place suggests that shoes may be dressy or business casual. Permitted shoes for men

include dress shoes, boots, deck shoes, and for women are high heels, flats, dressy sandals or other shoes compliant with accepted business decorum. Employees whose primary work site includes instructional labs or shops, or employees whose job is in the field or facilities maintenance may wear safety shoes, or other foot wear approved by their supervisor. In shop or lab areas, closed-toe or safety shoes may be required. In any case, employees should select footwear with concern for safety and appropriateness to the environment in which they will be working.

Shirts and tops should be neat, laundered and without obvious signs of wear and tear. Shirts and other tops should be worn in a neat professional manner, cover the midriff and not allow for excessive exposure of the back, shoulders or chest of the employee. For men working in an office or indoor environment, shirts should have a collar; or if collarless, be suitable for wear with a sports coat or suit jacket. No top may feature an excessive number of, or excessively sized imprinted or embroidered words, logos or pictures. Shirts and tops bearing the technology center emblem are permitted.

Skirts, pants, and other like clothing should be neat, laundered and in reasonably good condition. All pants, trousers and similar clothing for men and women should fit properly and not include tags, designs, slogans, decorative openings or gaps, straps or other distracting features. Dress slacks, "Dockers", corduroy pants, are permitted. Employees whose primary work site includes instructional labs or shops, or employees whose regular work site is in the field, a warehouse or shop, or in facilities maintenance may wear laundered jeans (denim pants) that are in good repair.

Hats, caps and head coverings are permitted in the classroom, labs or other office workplaces when appropriate to the situation. Exceptions are made for safety equipment (hard hats), work primarily conducted outdoors, and facilities maintenance work. Head coverings (hats, caps, scarves) related to personal religious beliefs are permitted in all work places where safety would not be compromised. It is the policy of the technology center to make reasonable workplace accommodations for any employee's faith-based requirements.

Employees in certain roles may be permitted to wear other attire. Specific examples include instructors in health careers, cosmetology, or other appropriate programs who may wear surgical "scrubs" or similar career specific apparel. Instructors should look professional in all programs, including automotive, aviation, machining and related shop-based programs. Instructors in these type programs are encouraged to wear lab coats or other approved protective outer wear in those areas.

Facilities employees engaged in mowing or other groundskeeping work, vehicle maintenance, construction activities in out-of-service areas, and other duties where dust, dirt, chemicals and environmental extremes are present, are permitted exceptions to the dress requirements of this policy by the appropriate supervisor during the time such work is being performed. In the conduct of such duties, the wearing of T-shirts, sweat shirts, and other normally prohibited apparel may be authorized. Facilities employees are not relieved from the requirements of appropriate dress and grooming when working in a manner or area where close contact with students, clients and visitors may occur.

Except as provided above, the following items are not acceptable in the technology center workplace at any time: bare feet, "flip flops" and any other style of footwear that cannot be described as business appropriate; shirtlessness, tee shirts (T-shirts), halter tops, tube tops, muscle shirts, sleeveless shirts (for men), sweat shirts, tank tops, spaghetti straps, athletic apparel (i.e. exercise suits); any shirt or blouse worn in a fashion contrary to usual and accepted business fashion; shorts, sweat pants, athletic pants, and excessively tight fitting or excessively baggy pants or trousers; "cut-offs" and clothing with frayed cuffs/hems; pajama

bottoms; “sagging”; pants and skirts worn in a fashion contrary to usual and accepted business fashion; form-fitting spandex clothing; pants or skirts worn in a fashion where the midriff is exposed; sexually provocative clothing; clothing with profanity, slogans, jokes or intended humorous statements or pictures; nude or semi-nude pictures; sexually suggestive slogans, cartoons, or drawings; the observable lack of undergarments and exposed undergarments.

Supervisors are permitted to make exceptions to the requirements of this policy and procedure in light of a specific situation and need. As an example, if an office employee is required to participate in an unusual task, such as taking inventory of records stored in a warehouse, the supervisor may permit the employee to wear jeans and a tee shirt to work in order to accomplish that task.

Grooming

Employees are expected to take care in personal grooming to present a professional, intentional, and groomed appearance. While length of hair is not a subject of this policy, an employee’s hair should be clean and maintained in a style not radically different from commonly accepted fashion or local standards of professional appearance. Facial hair should be trimmed and not be unkempt or otherwise create an appearance of neglect or excessiveness. Exceptions regarding employee hair and grooming are permitted based on religious beliefs held by the employee or legitimate recognized customs of the employee’s particular culture or ethnicity. It is the policy of the technology center to respect cultural differences as far as practical for the technology center, and to make reasonable workplace accommodations for an employee’s faith-based requirements.

Employees should be considerate of co-workers, students and visitors. Good personal hygiene is a must. The use of perfume and cologne should be limited out of courtesy to those who may have a sensitivity, such as an allergy, to these odors.

Body Modifications

Similar to attire, body art and other modifications should not be excessive, significantly prominent or overly distracting in appearance. When possible, an attempt to minimize the display of body modifications (prominent tattoos and piercings other than earlobes) should be undertaken in order to be consistent with community customs and standards of professional appearance.

Enforcement

Employees who are uncertain if an article of clothing or grooming standard is compliant with this policy should seek the guidance of the supervisor prior to wearing or otherwise exhibiting the clothing item or grooming style at work. Supervisors are responsible for the enforcement of this policy. Apparent violations of this policy should be handled discreetly and consist of a “closed door” meeting between the supervisor and the offending employee. The purpose of this meeting is to serve as a courtesy notice to the employee of an apparent violation of policy and preserve the employee’s dignity, as well as allowing the employee a reasonable opportunity to ultimately remedy the violation. Supervisors should consult first with the next level of management before initiating or undertaking any disciplinary action resulting from apparent employee noncompliance with any provision of this policy and procedure.

PROFESSIONAL CONDUCT BY STAFF

The board of education counts on staff to adhere at all times to recognized standards of professional conduct. Teachers, administrators, and support employees are role models and must exemplify ethical behavior in their relationships with students, patrons, and other staff members. The board expects staff to be mindful that they are professionals and their conduct, particularly in relation to students, patrons, and other staff, must be consistent with professional standards. Staff members must never engage in conduct which detracts from a safe, positive, or appropriate learning environment.

The board of education believes that all staff members have a responsibility and professional obligation to be familiar with and abide by the laws of Oklahoma, the policies of the board, and the administrative regulations designed to implement them – as they affect the employee’s job and commitments to students and others.

The OSDE *Standards of Performance and Conduct* set forth standards for the professional conduct of teachers. The board, like the State Department of Education, requires teachers to adhere to this code. It expects its administrators also to adhere to requirements for administrators. In addition, the board approves specific ethical standards that must guide the conduct of all staff members.

Specific Responsibilities

Essential to the success of ongoing technology center operations and the instructional program are the following responsibilities, required of all personnel:

1. Support and enforcement of policies of the board and regulations of the administration in regard to students.
2. Concern and attention toward their own and the technology center’s legal responsibilities for the safety and welfare of students, including the need to assure that students are reasonably supervised within the constraints presented.
3. Avoidance of exploitation of relationships with students, other staff members, or school patrons.
4. Consistency and promptness in attendance at work.
5. Diligence in submitting required reports promptly at the times specified.
6. Care and protection of technology center property.

Staff - Student Relationships

Exploitation of staff-student relationships is inconsistent with obligations owed to students. Commercial and business dealings between students and staff members are prohibited. A staff member may not use a teacher/administrator or similar relationship with a student for personal gain. Likewise, staff members may not use student property for personal use or benefit. Staff members who suspect or recognize an inappropriate relationship between a student or staff member or observe inappropriate conduct toward or contact with a student are required to report this in writing to their supervisor, the superintendent, or other administrator.

Exploitation of a Student

Exploitation of a student may result from an improper personal relationship encouraged by a teacher, administrator, or support employee. Staff members should be aware that gestures and physical conduct, even though innocent and properly motivated, may be misinterpreted by students or parents. Therefore, teachers, administrators, and support employees must avoid any conduct that might be characterized as evidencing an improper or unprofessional personal attachment toward a student. Sponsors or chaperones shall not sleep in the same rooms with students on overnight activity trips unless the sponsor or chaperone is the parent or legal guardian of the student. Likewise, instructors, sponsors or chaperones shall not accompany a single student on a trip or activity unless written approval is received from parents or legal guardian of the student and the superintendent or superintendent's designee. Sexual or romantic involvement with a student and sexual harassment by any employee, regardless of the student's age or the student's placement in or out of the teacher's class, is prohibited. School officials will seek criminal investigation and prosecution of any employee suspected of engaging in child exploitation.

Standards of Behavior

Staff is expected, in their capacity as role models, to establish an example of acceptable behavior for students in connection with classes and extracurricular activities. Teachers, administrators, and support employees must refrain from the use of vulgar or obscene language and conduct in the presence of students. Similarly, discussion with students of issues personal to the staff member, such as divorce, sexual issues, or similar highly personal subjects, is inappropriate. The use of alcohol by any staff member in the presence of students is prohibited. Likewise, the use of illegal or illicit drugs by employees, in or outside the presence of students, is prohibited and grounds for disciplinary action, including dismissal.

The technology center has adopted policies relating to employee and student use of wireless telecommunication devices and social networking sites and employees must adhere to these provisions.

Staff members are expected to refrain from comments or statements, even in jest, reflecting adversely on any person or group with reference to race, color, sex, pregnancy, gender, gender expression or identity, national origin, religion, disability, veteran status, sexual orientation, age, or genetic information. Racial, ethnic, or sexual slurs in the presence of students or during work or work related activities or programs constitute unprofessional conduct.

Exploitation by Supervisors of Subordinate Employees

The exploitation by supervisors of subordinate employees is improper and prohibited. In particular, any employee who supervises, directs, evaluates, or makes any employment recommendations with regard to any other employee (i.e. acts as a supervisor) is prohibited from engaging in any commercial, business, romantic, sexual, or other similar type of personal relationship with any employee who is or may be subordinate to the supervisor.

Fiscal Management

It is imperative that sound fiscal management procedures be followed by staff to ensure maximum benefit for each dollar expended. Accordingly, misuse of technology center property and/or funds constitutes unacceptable behavior. Employees must adhere to accepted procedures of sound accounting, reporting, business, and purchasing practices.

Every employee of the technology center has the duty to abide by this professional conduct policy in all respects. Failure to do so may lead to disciplinary action including dismissal or non-renewal from employment, referral to law enforcement authorities for prosecution, or other action appropriate to the nature, gravity, and effect of the relationship on students, other staff members, or school operations.

**CAMPAIGN ACTIVITIES
DURING REGULAR SCHOOL DAY**

The board of education recognizes and supports the right of its employees to be involved in political activities and to campaign for candidates and issues. However, the exercise of this right must not interfere with the educational process -- the delivery of educational services to the students of this technology center. Campaign activities should not be conducted by employees on scheduled duty time and employees who are on duty should not be distracted from their duties by campaign activities conducted by employees who are not on duty. The Board has determined that the following regulations are necessary to prevent such disruptions and to ensure that employees are properly performing their duties during the school day:

1. Employees may not engage in campaign activities during scheduled duty time.
2. "Campaign activities" include lobbying other employees for their support or contributions, circulating petitions, distributing literature, and planning or preparing for such activities, whether done individually or with other employees and any of which is done in regard to national, state, or local elections for offices or on referenda questions, including school board, millage levy, and bond issue elections, or in regard to elections for recognition or decertification of any employees' organization or for officers or any such organization.
3. "Scheduled duty time" means all times at which the employee is scheduled to engage in activities to fulfill his or her obligations under the employment contract, including but not limited to classroom instruction, lesson preparation, parent-teacher conferences, supervision of halls, classes and labs, or in the case of non-professional staff, their assigned duties in the administrative, food service, transportation, maintenance, or other non-educational support area.
4. Campaign activities may be conducted outside of employees' scheduled duty time only in those areas of the school facilities which are set aside for employees' use during other than scheduled duty times.
5. Employees may not direct campaign activities toward other employees who are performing scheduled duties.
6. The use of threats, duress, coercion, or intimidation in campaign activities directed at other employees is prohibited and constitutes grounds for immediate disciplinary action, including dismissal.
7. School bulletin boards and mail boxes may not be used to post or distribute campaign materials.
8. Campaign materials may not be posted on school property.
9. Violation of this policy by any employee is grounds for disciplinary action, including but not limited to dismissal.

**EMPLOYEES -
DRUG AND ALCOHOL FREE WORKPLACE**

In order to maintain a healthy educational and working environment in the technology center facilities, and to comply with the requirements of the Drug-Free Workplace Act of 1988 for purposes of receiving federal assistance, the board of education adopts the following policies and regulations:

1. Use, possession, dispensing, manufacture, sale, or distribution; or conspiring to sell, distribute, or possess; or being in the chain of sale or distribution; or being under the influence of a controlled substance, alcoholic beverage, or low-point beer (as defined by Oklahoma law, i.e., 3.2 beer) in any of the technology center facilities, on technology center property (including vehicles), or at a technology center sponsored function or event by an employee is prohibited. Violation of this prohibition shall result in disciplinary action, which may include dismissal or nonrenewal of employment. Violations which constitute criminal acts will be referred for prosecution.
2. Employees who are engaged in the performance of work under the terms of a federal grant must, as a condition of their employment, notify a technology center administrator in writing of any drug conviction (including a plea of nolo contendere) for a violation of a criminal drug statute which occurred at a technology center workplace within five (5) calendar days after the conviction. The conviction shall result in dismissal or nonrenewal, or a requirement that the employee satisfactorily participate in a drug abuse assistance or rehabilitation program approved by a federal, state or local health, law enforcement or other appropriate agency.
3. The conviction shall be reported in writing by the technology center's grant administrator to the relevant federal granting agency within ten (10) calendar days of the notification by the employee or other actual notice of the conviction.
4. This policy statement shall be included in the technology center's employee manual, and shall be distributed to all employees at the commencement of each school year.
5. The employee in-service training period prior to the commencement of each school year shall include a review and discussion of the dangers of drug and alcohol abuse in the workplace, the technology center's policy for a drug- and alcohol-free workplace, the penalties for violating the policy, and available sources of information, counseling, rehabilitation, and re-entry programs regarding drug and alcohol use.
6. In accordance with guidelines and criteria established by Oklahoma's State Superintendent of Public Instruction, the State Department of Education, and the Oklahoma Drug and Alcohol Abuse Policy Board, the technology center shall also provide training or workshops on alcohol and drug abuse. These trainings or workshops shall be completed the first year a certified teacher is employed by a technology center and then once every fifth academic year.

Reference: Drug Free Workplace Act of 1988
OKLA. STAT. tit. 70, § 1210.229-5

REPORTING STUDENT SUBSTANCE ABUSE

The board recognizes the complexity of problems which may be associated with student substance abuse. The concern is for the well-being and best interests of students at all times. Therefore, the following procedure will be utilized by instructors and/or all employees in reporting students who appear to be under the influence, as defined by law, of: low-point beer, alcoholic beverages, or controlled dangerous substances.

When it appears to an employee that a student may be under the influence of low-point beer, alcoholic beverages, or controlled dangerous substances (drugs), the employee will report the matter in writing to the superintendent's designee (the assistant superintendent/campus administrator). Whenever possible, the employee should attempt to obtain a corroborative observation from an instructor or administrator.

The report of the employee will state the date, time, and place of the incident. It will also describe the actions of the student or other circumstances from which the employee concluded that the student appeared to be under the influence of low-point beer, alcoholic beverages, or controlled dangerous substances.

The assistant superintendent/campus administrator or his/her designee will also immediately meet with the student, and if the student is a minor, notify the student's parent or legal guardian of the report. The notification to the student's parent or legal guardian may be verbal, but will be promptly confirmed in writing. Law enforcement authorities may be notified.

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

Introduction

Under Oklahoma law, the technology center employees have varying legal obligations to report abuse, neglect and neglect.. The purpose of this policy is to provide directives and guidelines to assist technology center employees in fulfilling their legal responsibility.

Definitions

1. "Abuse and neglect" shall include, but is not limited to all the following:
 - a. "Abuse" is defined as:
 - i. harm or threatened harm to a child's health, safety, or welfare by a person responsible for the child's health and safety or welfare, including but not limited to nonaccidental, physical or mental injury, sexual abuse, or sexual exploitation. (10A OKLA. STAT. § 1-1-105);
 - ii. willful or malicious harm or threatened harm or failure to protect from harm or threatened harm to the health, safety, or welfare of a child under eighteen (18) years of age by a person responsible for a child's health, safety, or welfare,, or the act of willfully or maliciously injuring, torturing or maiming a child under eighteen (18) years of age by any person. (21 OKLA. STAT. § 843.5); or
 - iii. the intentional infliction of physical pain, injury, or mental anguish or the deprivation of food, clothing, shelter, or medical care to an incapacitated person, partially incapacitated person, or a minor by a guardian or other person responsible for providing these services. (30 OKLA. STAT. § 1-111).
 - b. "Neglect" is defined as any of the following:
 - i. the failure or omission to provide any of the following:
 1. adequate nurturance and affection, food, clothing, shelter, sanitation, hygiene, or appropriate education,
 2. medical, dental, or behavioral health care,
 3. supervision or appropriate caretakers, or
 4. special care made necessary by the physical or mental condition of the child,
 - ii. the failure or omission to protect a child from exposure to any of the following:
 1. the use, possession, sale, or manufacture of illegal drugs,
 2. illegal activities, or
 3. sexual acts or materials that are not age-appropriate;
 - iii. abandonment. (10A Okla. Stat. § 1-1-105); or
 - iv. the failure to provide protection, adequate shelter or clothing; or the harming or threatening with harm through action or inaction by either another individual or through the person's own action or inaction because

of a lack of awareness, incompetence, or incapacity, which has resulted or may result in physical or mental injury. (30 Okla. Stat. § 1-111).

- c. "Sexual abuse" is defined as behavior that includes but is not limited to rape, incest and lewd or indecent acts or proposals, made to a child, as defined by law, by a person responsible for the health, safety, or welfare of the child. (10A OKLA. STAT. § 1-1-105).
- d. "Sexual exploitation" is defined as behavior that includes but is not limited to allowing, permitting, encouraging, or forcing a child to engage in prostitution, as defined by law, by any person eighteen (18) years of age or older or by a person responsible for the health, safety, or welfare of a child, or allowing, permitting, encouraging or engaging in the lewd, obscene or pornographic photographing, filming or depicting of a child in those acts by a person responsible for the health, safety, and welfare of the child. (10A Okla. Stat. § 1-1-105).
- e. "Contributing to the delinquency of a minor" is defined as behavior that knowingly or willfully causes, aids, abets or encourages a minor to be, to remain, or to become a delinquent child or a runaway child. (21 OKLA. STAT. § 856).
- f. "Incest" is defined as marrying, committing adultery or fornicating with a person within the degrees of consanguinity within which marriages are by the laws of the state declared incestuous and void. (21 OKLA. STAT. § 885).
- g. "Forcible Sodomy" is defined as sodomy committed:
 - i. By a person over eighteen (18) years of age upon a person under sixteen (16) years of age;
 - ii. Upon a person incapable through mental illness or any unsoundness of mind of giving legal consent regardless of the age of the person committing the crime;
 - iii. With any person by means of force, violence, or threats of force or violence accompanied by apparent power of execution regardless of the age of the victim or the person committing the crime;
 - iv. By a state, county, municipal or political subdivision employee or a contractor or an employee of a contractor of the state, a county, a municipality or political subdivision of this state upon a person who is under the legal custody, supervision or authority of a state agency, a county, a municipality or a political subdivision of this state, or the subcontractor or employee of a subcontractor of the contractor of the state or federal government, a county, a municipality or a political subdivision of this state;
 - v. Upon a person who is at least sixteen (16) years of age but less than twenty (20) years of age and is a student of any public or private secondary school, junior high or high school, or public vocational school, with a person who is eighteen (18) years of age or older and is employed by the same school system;
 - vi. Upon a person who is at the time unconscious of the nature of the act, and this fact should be known to the accused;
 - vii. Upon a person where the person is intoxicated by a narcotic or anesthetic agent administered by or with the privity of the accused as a means of forcing the person to submit. (21 OKLA. STAT. § 888).
- h. "Maliciously, forcibly or fraudulently taking or enticing a child away" is defined as maliciously, forcibly or fraudulently taking or enticing away any child under

the age of sixteen (16) years, with intent to detain or conceal such child from its parent, guardian or other person having the lawful charge of such child or to transport such child from the jurisdiction of this state or the United States without the consent of the person having lawful charge of such child. (21 OKLA. STAT. § 891).

- i. “Soliciting or aiding a minor child to perform or showing, exhibiting, loaning or distributing obscene material or child pornography” is defined as:
 - i. Willfully and knowingly solicits or aids a minor child to perform any of the following actions:
 1. Lewdly exposing his or her person or genitals in any public place, or in any place where there are present other persons to be offended or annoyed thereby;
 2. Procuring, counseling, or assisting any person to expose such person, or to make any other exhibition of such person to public view or to the view of any number of persons, for the purpose of sexual stimulation of the viewer;
 3. Writing, composing, stereotyping, printing, photographing, designing, copying, drawing, engraving, painting, molding, cutting, or otherwise preparing, publishing, selling, distributing, keeping for sale, knowingly downloading on a computer, or exhibiting any obscene material or child sexual abuse material; or
 4. Making, preparing, cutting, selling, giving, loaning, distributing, keeping for sale, or exhibiting any disc record, metal, plastic, or wax, wire or tape recording, or any type of obscene material or child sexual abuse material; or
 - ii. Shows, exhibits, loans, or distributes to a minor child any obscene material or child sexual abuse material for the purpose of inducing said minor to participate in:
 1. Lewdly exposing his or her person or genitals in any public place, or in any place where there are present other persons to be offended or annoyed thereby;
 2. Procuring, counseling, or assisting any person to expose such person, or to make any other exhibition of such person to public view or to the view of any number of persons, for the purpose of sexual stimulation of the viewer;
 3. Writing, composing, stereotyping, printing, photographing, designing, copying, drawing, engraving, painting, molding, cutting, or otherwise preparing, publishing, selling, distributing, keeping for sale, knowingly downloading on a computer, or exhibiting any obscene material or child sexual abuse material; or
 4. Making, preparing, cutting, selling, giving, loaning, distributing, keeping for sale, or exhibiting any disc record, metal, plastic, or wax, wire or tape recording, or any type of obscene material or child sexual abuse material. (21 OKLA. STAT. § 1021).
- j. “Procuring or causing the participation of any minor child in any child sexual abuse material or knowingly possessing, procuring or manufacturing child pornography” is defined as procuring or causing the participation of any minor under the age of eighteen (18) years in any child sexual abuse material or who knowingly possesses, procures, or manufactures, or causes to be sold or distributed any child sexual abuse material. (21 OKLA. STAT. § 1021.2).

- k. “Permitting or consenting the participation of a minor child in any child pornography” is defined as a parent, guardian or individual having custody of a minor under the age of eighteen (18) years who knowingly permits or consents to the participation of a minor in any child pornography. (21 OKLA. STAT. § 1021.3).
- l. “Facilitating, encouraging, offering or soliciting sexual conduct with a minor” is defined as facilitating, encouraging, offering or soliciting sexual conduct with a minor, or other individual the person believes to be a minor, by use of any technology, or engaging in any communication for sexual or prurient interest with any minor, or other individual the person believes to be a minor, by use of any technology. (21 OKLA. STAT. § 1040.13a).
- m. “Offering or offering to secure a minor child for the purposes of prostitution or any other lewd or indecent act” is defined as:
- i. Offering, or offering to secure, a child under eighteen (18) years of age for the purpose of child sex trafficking, or for any other lewd or indecent act, or procure or offer to procure a child for, or a place for a child as an inmate in, a house of prostitution or other place where prostitution is practiced;
 - ii. Receiving or to offering or agreeing to receive any child under eighteen (18) years of age into any house, place, building, other structure, vehicle, trailer, or other conveyance for the purpose of child sex trafficking, lewdness, or assignation, or to permit any person to remain there for such purpose; or
 - iii. Directing, taking, or transporting, or to offering or agreeing to take or transport, or aid or assist in transporting, any child under eighteen (18) years of age to any house, place, building, other structure, vehicle, trailer, or other conveyance, or to any other person with knowledge or having reasonable cause to believe that the purpose of such directing, taking, or transporting is child sex trafficking, lewdness, or assignation. (21 OKLA. STAT. § 1087).
- n. “Causing, inducing, persuading or encouraging a minor child to engage or continue to engage in prostitution” is defined as:
- i. By promise, threats, violence, or by any device or scheme, including but not limited to the use of any prohibited controlled dangerous substance causing, inducing, persuading, or encouraging a child under eighteen (18) years of age to engage or continue to engage in child sex trafficking or to become or remain an inmate of a house of prostitution or other place where prostitution is practiced;
 - ii. Keeping, holding, detaining, restraining, or compelling against his or her will, any child under eighteen (18) years of age to engage in the practice of child sex trafficking or in a house of child sex trafficking or other place where prostitution is practiced or allowed; or
 - iii. Directly or indirectly keeping, holding, detaining, restraining, or compelling or attempting to keep, hold, detain, restrain, or compel a child under eighteen (18) years of age to engage in the practice of child sex trafficking or in a house of prostitution or any place where prostitution is practiced or allowed for the purpose of compelling such child to directly or indirectly pay, liquidate, or cancel any debt, dues, or obligations incurred, or said to have been incurred by such child. (21 OKLA. STAT. § 1088).

- o. **“Rape”** is defined as sexual intercourse involving vaginal or anal penetration accomplished with a male or female who is not the spouse of the perpetrator and who may be of the same or the opposite sex as the perpetrator under any of the following circumstances:
- i. Where the victim is under eighteen (18) years of age;
 - ii. Where the victim is incapable through mental illness or any other unsoundness of mind, whether temporary or permanent, of giving legal consent;
 - iii. Where force or violence is used or threatened, accompanied by apparent power of execution to the victim or to another person;
 - iv. Where the victim is intoxicated by a narcotic or anesthetic agent, administered by or with the privity of the accused as a means of forcing the victim to submit;
 - v. Where the victim is at the time unconscious of the nature of the act and this fact is known to the accused;
 - vi. Where the victim submits to sexual intercourse under the belief that the person committing the act is a spouse, and this belief is induced by artifice, pretense, or concealment practiced by the accused or by the accused in collusion with the spouse with intent to induce that belief. In all cases of collusion between the accused and the spouse to accomplish such act, both the spouse and the accused, upon conviction, shall be deemed guilty of rape;
 - vii. Where the victim is under the legal custody or supervision of a state agency, a federal agency, a county, a municipality or a political subdivision and engages in sexual intercourse with a state, federal, county, municipal or political subdivision employee or an employee of a contractor of the state, the federal government, a county, a municipality or a political subdivision that exercises authority over the victim, or the subcontractor or employee of a subcontractor of the contractor of the state or federal government, a county, a municipality or a political subdivision that exercises authority over the victim;
 - viii. Where the victim is less than twenty (20) years of age and is a student, or under the legal custody or supervision of any public or private elementary or secondary school, junior high or high school, or public vocational school, and engages in sexual intercourse with a person who is eighteen (18) years of age or older and is an employee of a school system, including employed and contracted school resource officers and security guards; or
 - ix. Where the victim is nineteen (19) years of age or younger and is in the legal custody of a state agency, federal agency or tribal court and engages in sexual intercourse with a foster parent or foster parent applicant. (21 OKLA. STAT. § 1111).
- q. **“Rape by instrumentation”** is defined as an act within or without the bonds of matrimony in which any inanimate object or any part of the human body, not amounting to sexual intercourse is used in the carnal knowledge of another person without his or her consent and penetration of the anus or vagina occurs to that person. Provided further that one of the following circumstances exist:
- i. where the victim is at least sixteen (16) years of age and is less than twenty (20) years of age and is a student, or under the legal custody or supervision of any public or private elementary or secondary school, junior high or high school, or public vocational school, and engages in conduct prohibited by this section of law with a person who is eighteen

- (18) years of age or older and is an employee of the same school system, or
- ii. where the victim is under the legal custody or supervision of a state or federal agency, county, municipal or a political subdivision and engages in conduct prohibited by this section of law with a federal, state, county, municipal or political subdivision employee or an employee of a contractor of the state, the federal government, a county, a municipality or a political subdivision that exercises authority over the victim, consent shall not be an element of the crime; or
 - iii. where the victim is nineteen (19) years of age or younger and in the legal custody of a state agency, federal agency or tribal court and engages in conduct prohibited by this section of law with a foster parent or foster parent applicant, consent is not an element. (21 Okla. Stat. § 1111.1);
 - i. where the victim is a student at a secondary school, is concurrently enrolled at an institution of higher education, and engages in acts as defined above with a perpetrator who is an employee of the institution of higher education of which the student is enrolled (21 OKLA. STAT. § 1111.1).
- r. “Making any oral, written or electronically or computer-generated lewd or indecent proposals to a minor child under the age of sixteen (16)” is defined as making any oral, written or electronically or computer-generated lewd or indecent proposal to any child under sixteen (16) years of age, or other individual the person believes to be a child under sixteen (16) years of age, for the child to have unlawful sexual relations or sexual intercourse with any person. (21 OKLA. STAT. § 1123).
- s. “Exploitation” is defined as an unjust or improper use of the resources of an incapacitated person, a partially incapacitated person, or a minor for the profit or advantage, pecuniary or otherwise, of a person other than an incapacitated person, a partially incapacitated person, or a minor through the use of undue influence, coercion, harassment, duress, deception, false representation or false pretenses (30 OKLA. STAT. § 1-111).
- t. “Child Trafficking” as defined below.
- u. “Sexual battery is considered child abuse and neglect when committed upon a person who is at least sixteen (16) years of age and is less than twenty (20) years of age and is a student, or in the legal custody or supervision of any public or private elementary or secondary school, or technology center school, by a person who is eighteen (18) years of age or older and is an employee of a private school or public school system.
2. “Child Trafficking” includes, but is not limited to behavior that consists of the acceptance, solicitation, offer, payment or transfer of any compensation, in money, property or other thing of value, at any time, by any person in connection with the acquisition or transfer of the legal or physical custody or adoption of a minor child, except as ordered by the court or except as otherwise provided by Section 7505-3.2 of Title 10 of the Oklahoma Statutes. (21 OKLA. STAT. § 866).
3. A “person responsible for a child's health, safety or welfare” includes a parent, a legal guardian, a custodian, a foster parent, a person 18 years of age or older with whom the child's parent cohabitates or any other adult residing in the home of the

child, an agent or employee of a public or private residential home, institution or facility, or an owner, operator or employee of a child care facility as defined by OKLA. STAT. tit. 10 § 402.

4. "Parent" refers to parents, guardians or others who have legal responsibilities for specific children.

Reporting Suspected Abuse, Neglect Exploitation or Trafficking

Any technology center employee having reasonable cause to believe that any student under the age of eighteen (18) years is **a victim of abuse, neglect or exploitation** shall immediately report this matter to:

- (1) Oklahoma Department of Human Services ("DHS") through the hotline designated for this purpose (1-800-522-3511), AND
- (2) local law enforcement.

Any technology center employee having reasonable cause to believe that any student **eighteen (18) years of older is a victim of abuse, neglect or exploitation** shall immediately report this matter to local law enforcement.

Additionally, any technology center employee must report **suspected child trafficking** to:

- (1) Oklahoma Bureau of Narcotics and Dangerous Drugs Control ("OBNDCC") at 1-800-617-2888,
- (2) DHS through the hotline designated for this purpose (1-800-522-3511), AND
- (3) local law enforcement.

After a report is made to DHS or OBNDCC via the hotline or to law enforcement, the reporting party will prepare a written report which contains the confirmation number of the report (if applicable), the date and time of the telephone contact, the name of the person to whom the technology center employee made the oral report, the names and addresses of the student, the parents, and any other responsible persons, the student's age, the nature and extent of injuries, any previous incidents, and any other helpful information. A copy of this report will be furnished to the campus director or, if the reporter believes the director is not an appropriate individual, to the superintendent.

Local law enforcement shall keep confidential and redact any information identifying the reporting technology center employee unless otherwise ordered by the court. A technology center employee with knowledge of a report made to DHS and/or local law enforcement shall not disclose information identifying the reporting technology center employee unless otherwise ordered by the court or as part of an investigation by local law enforcement or DHS.

Investigating Abuse, Neglect or Exploitation

At the request of appropriately identified investigators of DHS, OBNDCC or the district attorney's office or local law enforcement, the superintendent or other school official shall permit the investigators access to the student about whom the agency received a report. The interview will be arranged in a manner that minimizes embarrassment to the student. The superintendent will not contact the parent, guardian or other person responsible for the

student's health or welfare prior to or following the interview, unless permission for parent contact is provided by DHS, OBNDDC or the district attorney's office¹ or law enforcement authorities. No technology center employee will be present during the interview. However, an employee may be present prior to the interview if the employee believes that his or her temporary presence will make the student more comfortable or if the representatives request the presence of a technology center employee during the interview.

Reports to Campus Director or Other School Officials

Suspected instances of abuse, neglect, exploitation or trafficking, whether the result of circumstances at home, school or at other locations, affects the student while he or she is at school or participating in school activities. Consequently, employees are required to report any suspicion of abuse, neglect, exploitation or trafficking by any individual, whether the identity is known or unknown, to the administration. This reporting obligation exists in all instances, including circumstances suggestive of this conduct at school or connected with school activities. Accordingly, this policy includes an obligation to notify the campus director or other technology center official, if for any reason the employee has a reasonable belief that the campus director or other technology center official should not be notified, in any instance involving suspected abuse, neglect, exploitation or trafficking of a student.

Immunity for Good Faith Reports

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

Neither the board of education nor any technology center employee will discharge or in any manner discriminate or retaliate against the person who in good faith provides such reports or information, testifies, or is about to testify in any proceeding involving child abuse, neglect, exploitation, or trafficking, provided that the person did not perpetrate or inflict the abuse, neglect, exploitation or trafficking.

Information Concerning Child Abuse, Neglect or Exploitation

In any instance in which the technology center receives a report from DHS regarding any confirmed report of sexual abuse or severe physical abuse concerning the student, the superintendent will forward to a subsequent school in which the student enrolls all confirmed reports of sexual abuse and severe physical abuse received from DHS, and the superintendent will notify DHS of the student's new school and address, if known.

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

Attestation

In addition, every technology center employee must annually sign an attestation form acknowledging his or her responsibility to report suspected child abuse or neglect.

Training on Child Abuse and Neglect

A program, which includes the following information, shall be completed the first year a certified teacher is employed by a technology center, and then once every fifth academic year:

1. Training on recognition of child abuse and neglect;
2. Recognition of child sexual abuse;
3. Proper reporting of suspected abuse; and
4. Available resources.

Reference: 10A OKLA. STAT. § 1-2-101 *et seq.*,
30 OKLA. STAT. § 4-903,
70 OKLA. STAT. § 1210.
70 OKLA. STAT. § 6-194

PROFESSIONAL DEVELOPMENT

The technology center's personnel must accumulate a minimum of seventy-five (75) points during a five-year period, with some points completed each year. However, no more than a total of one hundred fifty (150) hours of local, state, or federal professional development or training shall be required for classroom instructors during any five-year period. These points will be authorized by prior approval of the activity by the superintendent of the technology center and will follow the guidelines as established by the professional development committee and the board of education of the technology center. The technology center shall keep a record of each professional development activity at each campus.

The technology center shall require the assistant superintendent/campus administrator (or designee) to inform employees that are deficient in their point status at the end of the first semester of school, so that any deficiencies in in-service points may be corrected. The Professional Development Committee will give the assistant superintendent/campus administrator this total of individual points.

At the end of the school year, employees will receive copies of total points earned for that year. They will also sign their record sheet. Instructors shall maintain written documentation of all their completed professional development.

For accounting purposes, professional development requirements by the local professional development plan, points must be in, on or before the last day of the current school year. A re-employment contract is contingent upon successful completion of the requirements of the local professional development policy. Points earned while teaching at another school may be transferred for credit at this institution.

Employees must attend all meetings called or approved by the superintendent or individual building administrators. Instructors are expected to attend those professional meetings for which they are given days off from instruction to attend. Instructor meetings will be called as needed by the assistant superintendent/campus administrator.

OKLA. STAT. tit. 70, § 6-194

EDUCATIONAL ASSISTANCE

Northwest Technology Center recognizes the importance of continuing education and provides financial assistance to employees by reimbursement for approved job-related educational courses provided by accredited colleges and universities. This policy is intended to serve as an incentive to improve professional capabilities, encourage educational growth, and promote professional growth and development. This policy is intended to be an “educational assistance program” under Section 12 of the Internal Revenue Code (“Code”).

Qualifications/Requirements

- A. Full-time employees (eligible immediately upon employment).
- B. Provide to the Human Resources Director a degree plan related to employment along with a completed application found on the NWTC Staff Forms page at www.nwtech.edu.
- C. Obtain the Superintendent’s approval of the bachelor, master’s or doctorate degree plan *prior* to the start of the semester in which reimbursable courses will be completed. (The Superintendent will determine whether the degree plan is in alignment with the intent of this policy. The Superintendent’s decision is final and non-appealable.)
- D. Submit proof of completion of course(s) with a minimum course grade of “C” (2.0) or higher within sixty (60) calendar days of completion of the course to the Human Resources Director.
- E. Submit itemized proof of tuition and fees payment within sixty (60) calendars days of completion of the course(s) to the Human Resources Director.
- F. Other financial assistance options that may be available, including ODCTE Lottery Funds and Career Tech Foundation Scholarships, must be applied for prior to NWTC funds being disbursed. Reimbursement cannot be requested for course expenses paid for by other scholarships. Proof of application for alternative funding and rejection or partial rejection of application must be submitted.

Reimbursement Guidelines

- A. Reimbursement is only available for courses on the approved certificate and/or degree plan.
- B. The maximum reimbursement rate is: \$200/credit hour for undergraduate courses; \$250/credit hour for graduate courses.

- C. Limit of NWTC funds per fiscal year per employee: -\$3,000/year for undergraduate credit hours and -\$3,750/year for graduate credit hours. NWTC funds can be used to reimburse employee for tuition and fees not covered by other financial assistance. Tools or supplies which may be retained by the employee after completion of a course of instruction, meals, lodging, transportation, and travel expenses are specifically excluded as items that are subject to reimbursement. Additionally, all expenses with respect to a course or education involving sports, games, or hobbies are specifically excluded as items that are subject to reimbursement.
- D. Total reimbursement from all Career Tech related financial assistance programs (NWTC funds, ODCTE Lottery Funds, Career Tech Foundation Scholarships, etc.) cannot exceed the actual educational expenses incurred.
- E. Employees who separate from the district after receiving an educational incentive shall be required to pay back any incentive they received the previous twelve (12) months.

Funding & Evaluation of the Educational Assistance Policy

The annual budget approved by the Board of Education will include an amount budgeted each fiscal year for this program. The policy will be evaluated annually to determine the number of NWTC employees that successfully utilized the reimbursement procedures, the total amount of school funds expended, and the certificate/degree completion progress of the employees. Continuation of the policy and/or budget adjustment and other considerations will be determined on an annual basis from the results of the evaluation.

EVALUATION OF STAFF

Evaluation of staff is a continuous process; however, formal evaluation will be administered according to the following schedule:

Teachers/Instructors

For purposes of this policy, teachers/instructors are those individuals who are OSDE certified in accordance with Oklahoma Statute Title 70 who are employed in an instructional capacity or as a counselor, student services specialist or instructional media specialist.

Teachers with three (3) or more consecutive complete school years of service at the technology center shall be evaluated at least once each school year.

Teachers with less than three (3) consecutive complete school years of service at the technology center will be evaluated at least once per school year. At a minimum, these teachers will receive formative feedback at least twice per school year, once during the fall semester and once during the spring semester of each school year.

Administrators

The superintendent shall be evaluated by the board of education annually pursuant to the district's policy governing the evaluation of the superintendent. Other certified school administrators shall be evaluated annually by the superintendent or personnel designated by the superintendent. A written copy of the evaluation will be provided to the administrator.

Noncertified administrators are not covered by this policy. Noncertified administrators will be evaluated in accordance with the district's practices governing the evaluation of support employees.

Other – Professional & Support

Employees that are not "Teachers" or "Administrators" will be evaluated at least once during the fiscal year by an administrator or designee. Nothing in this policy shall prevent a formal written evaluation of any professional employee on occasions more often than set forth herein. All evaluations shall be in writing and the evaluation documents and responses thereto will be maintained in the employee's personnel file.

This policy and the evaluation form utilized to effectuate this policy shall promptly be made available to all persons subject to this policy. Nothing in this policy shall require as a condition precedent to dismissal of any administrator that a prior written evaluation be made of the employee; provided, however, no action to nonreemploy a certified or noncertified administrator shall occur without a written evaluation of the employee.

Reference: OKLA. STAT. tit. 70 § 6-101.3

**EMPLOYMENT REFERENCES - RELEASE
OF INFORMATION REGARDING EMPLOYEES**

The technology center will respond promptly and professionally to reference requests regarding current and former employees. The Director of Finance is the district's representative authorized to handle all such responses.

Unless an appropriate written release is submitted, the Director of Finance is only authorized to release public records related to employment, to confirm an employee's dates of employment, and identify the position(s) held by the employee.

If an appropriate written release is submitted, the Director of Finance will provide whatever information is authorized.

ESSA Mandate Compliance

All technology center employees are required to comply with the Every Student Succeeds Act's requirements related to employment references.

No employee may assist a technology center employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the individual knew or has probable cause to believe, that such employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law.

Reference: 40 OKLA. STAT. § 61
20 USC § 8546

FAIR LABOR STANDARDS ACT COMPLIANCE

The district will comply with all aspects of the Fair Labor Standards Act (FLSA). Any employee who has questions regarding overtime or believes that the FLSA is not being correctly followed should immediately report this to a district administrator.

The penalties for even inadvertent FLSA violations are severe. Any employee, regardless of position, who violates any aspect of this policy will be subject to disciplinary sanctions up to and including termination.

Employee Classification

Employees will be notified of their FLSA classification as a part of their job description, but any employee who believes that a misclassification has occurred must immediately notify his/her supervisor of the suspected error.

Exempt employees. Exempt employees are not entitled to overtime or comp time for working more than forty (40) hours in a workweek. Exempt employees generally include positions such as superintendents and assistant superintendents, campus directors and assistant directors, certified counselors and psychologists, technology directors, CPAs, RNs, librarians, and teachers.

Non-exempt employee. Non-exempt employees are entitled to overtime or comp time for working more than forty (40) hours in a workweek. Non-exempt employees generally include positions such as custodians, maintenance employees, secretarial and clerical assistants, security personnel, and nurses who are not RNs.

Noncovered positions. Board members and volunteers are not covered by the FLSA. Due to FLSA regulations, non-exempt employees may only volunteer as a parent/grandparent/etc. in a role typically assigned to volunteers. Additionally, those volunteer services must be unrelated to the employee's compensated duties.

Multiple Assignments

Non-exempt employees are permitted to work multiple assignments as long as the combination of those assignments does not make it likely that the employee will work more than forty (40) hours per week. Non-exempt employees who work multiple positions at different hourly rates will be paid for authorized overtime at a blended rate.

Employment benefits for non-exempt employees will be granted based on the employee's primary position unless otherwise provided by law. The primary position is the position in which the employee works the most hours.

Exempt employees will not be employed in multiple positions if such employment would jeopardize the employee's exempt status. Exempt employees may be assigned an extra duty (coaching, activity sponsor, etc.) and receive a stipend in accordance with the terms of an extra duty contract.

Time Keeping

Non-exempt employees are required to accurately track work hours in accordance with established district procedures. These employees must “clock in” and “clock out” within seven (7) minutes of their scheduled shifts. Time periods in excess of twenty (20) minutes during which the employee is not actually performing job duties will not be included as “hours worked” if the time can effectively be used for the employee’s own purposes.

Employees must contact their supervisors if they notice an error on their time records. Falsifying time records, including under-reporting hours worked, is strictly prohibited.

Required Pre-Authorization

No employee may work overtime without prior authorization. Supervisors are required to strictly enforce the district’s prohibition on working unauthorized overtime.

Paying Overtime and Comp Time

The FLSA extends flexibility to school districts in adopting arrangements that provide compensatory time off in lieu of monetary overtime compensation. Accordingly, the District will provide, within reasonable limits, compensatory time off. The calculation used to determine the amount of compensatory time available to a non-exempt employee is one and one-half hours of compensatory time for each hour of overtime worked. Compensatory time received by an eligible employee extinguishes the employee’s entitlement to monetary overtime compensation. Compensatory time off is subject to all of the conditions provided in this policy. The district’s administration shall, at all times, retain the authority to make the decision to permit an employee to accumulate and use compensatory time or to pay the employee for overtime worked; however, the standard of time and one-half for overtime hours worked shall apply in either instance. The district’s policy and applicable procedures concerning compensatory time are more fully detailed below.

Approval of Overtime Required

Except in the rare event of a bona fide emergency, overtime will not be allowed to any non-exempt support employee unless approval has been given, in writing, by the employee’s supervisor or his/her designee. Non-exempt support employees working in excess of forty (40) hours per work week without written approval may be subject to appropriate disciplinary action, up to and including the possibility of dismissal.

Calculation of Compensatory Time

If a non-exempt support employee is properly assigned to work more than forty (40) hours in a work week, the district may provide compensatory time (“comp time”) off in lieu of monetary overtime compensation at a rate of not less than one and one-half (1 1/2) hours of compensatory time for each hour of overtime worked. It shall be the responsibility of the employee and the employee’s supervisor to maintain accurate records of all comp time accrued.

Scheduling Use of Compensatory Time

Any non-exempt employee who has accrued comp time and who requests the use of the comp time shall be permitted to use the comp time within a reasonable period, after making the request, as long as use of the comp time does not unduly disrupt

district operations. Supervisors are encouraged to limit the accumulation of comp time to eight (8) hours per pay period, but special circumstances may justify a greater accumulation. All requests to use comp time must be pre-approved. If the request is denied, then the employee and supervisor are to arrange an alternate date for the comp time to be used. If no agreement can be reached, then a meeting will be conducted with the superintendent or designee to schedule a date for the comp time to be taken. The district, at its sole option, may require an employee to use accrued comp time at certain times.

Maximum Accrual of Time

Employees may accrue up to 240 hours of comp time if they qualify for comp time and the employee followed the proper pre-approval procedures before working comp time. (Because comp time is accumulated at time and one-half, this is 160 hours of actual overtime work.) Employees who work in a public safety activity, emergency response activity, or seasonal activity may accumulate up to 480 hours of comp time (320 actual overtime hours).

When Hours are Not Considered Work Hours

Time periods in excess of twenty (20) minutes during which the employee is not actually performing job duties will not be included as "hours worked" if the time can effectively be used for the employee's own purpose.

Payment for Comp Time Upon End of Employment

Any non-exempt support employee whose employment with the district terminates and who has accrued but not used comp time shall be paid at his or her regular hourly or salary rate in effect at the time the employee receives the payment. The District reserves the right, at any time, to substitute a cash payment, in whole or in part, for comp time.

Notice of Policy to Non-Exempt Employees

A copy of this policy will be provided to all of the district's non-exempt employees along with a compensatory time agreement that employees will sign and that the employee's supervisor will sign. The agreement, unless withdrawn by the district, will remain in effect while the employee works for the district. This compensatory time off policy shall be considered as a condition of employment for all non-exempt support employees of the district.

**NORTHWEST TECHNOLOGY CENTER
BOARD OF EDUCATION POLICY**

Employees - General

Adopted: June 5, 2017
Revised: August 7, 2017; June 7, 2018;
August 6, 2018; September 10, 2020;
September 9, 2021; August 8, 2022; August
11, 2025

EMPLOYEE LEAVE

Sick Leave

The board grants sick leave with full pay to all full-time employees. This is to give an employee financial protection in case of personal illness. Any absence for illness shall be certified by the assistant superintendent/campus administrator, who shall be responsible for its validity.

Personnel on ten-month contracts will receive ten (10) days sick leave. Personnel on eleven-month contracts will receive eleven (11) days sick leave and personnel on twelve-month contracts will receive twelve (12) days sick leave. Sick leave will be vested at the beginning of each school year, cumulative to sixty (60) days.

Sick leave is interpreted as the time when personal illness, accidental injury or pregnancy or personal illness in the immediate family keeps an employee from being present to conduct his/her regular daily work. Immediate family is defined as spouse, child, parent, sibling, grandparent or grandchild. This also includes dental, physical and eye examinations for employee and dependents in the immediate family. Any misuse or use of sick leave for other purposes may result in disciplinary action or termination.

When sick leave is exhausted by a certified instructor, the instructor shall receive full contract pay less the amount actually paid his/her substitute instructor for an additional twenty (20) days.

Jury Leave

The technology center shall grant employees leave for jury duty and shall pay him or her during such service the full current salary. The technology center may deduct any compensation received for serving as a juror from the employee's salary during such service.

Employee Association Leave

A certified employee may request a leave of absence to hold office as an officer, director, trustee, or agent of a national, statewide, or technology center employee association. The certified employee requesting employee association leave must provide the technology center superintendent, or their designee, with proof of election and proof of the term of office for the national, statewide, or technology center employee association. Proof of election must include certification by the employee association of the date of the election and the results of the election.

The board of education may, in its sole discretion, grant a request for leave of absence under this section, but such leave will be without pay and without benefits granted by the technology center, regardless of whether the benefit is paid by the employee on leave or the association for which the employee is serving as an officer, director, trustee, or agent. If the request for employee association leave is granted, the board of education will provide definitive beginning and end dates for the approved leave of absence.

During the employee association leave period, the employee's position with the technology center will be maintained without advancement on the minimum salary schedule and without accrual of sick leave, personal business leave, or personal leave. Furthermore, the employee on leave will not accumulate service credit within the Teacher's Retirement System of Oklahoma. Following the conclusion of a leave of absence approved by the board of education under this section, the employee may return to their former position or a comparable position.

During the leave of absence, the employee granted leave will be prohibited from accessing technology center office space.

Emergency, Personal Business and Bereavement Leave

Full-time personnel will be allowed up to five (5) days per school year of leave to use for emergencies, personal business or bereavement.

Emergency leave is interpreted as a sudden, generally unexpected occurrence or unavoidable set of circumstances demanding immediate action which takes the employee from his/her duties. Employees wishing to use emergency leave must contact their supervisor as soon as they know of the need to use emergency leave. Emergency leave will be approved by the superintendent or campus director.

Personal business leave is interpreted as business matters that cannot be conducted after school hours or on the weekend. Types of situations that may qualify for personal business are varied and numerous. The following examples serve as guidelines:

1. Family illness other than immediate family
2. Urgent business transactions
 - A. Loan closings
 - B. Other banking matters
 - C. IRS reviews
3. Legal matters
 - A. Meetings with attorney for personal, spouse or children's business
 - B. Court appearances when subpoenaed as a witness
 - C. Settling of estates
4. Miscellaneous
 - A. Attend business convention with spouse

Bereavement leave is interpreted as making funeral arrangements, attending funerals and travel time in connection with a death. Employees needing to use bereavement leave must

contact their immediate supervisor as soon as they become aware of the need to use this type of leave.

Full time employees may use these five (5) days in any leave combination. Any misuse of the leave policy with the technology center could result in loss or compensation or termination of employment. This leave is non-cumulative.

Military Leave

It is the policy of the technology center to provide employees who are a component of the armed forces in the United States, including the members of the National Guard, leave when that employee is ordered by proper authorities to active duty or service. Military leave shall be without loss of status, efficiency rating pay or benefits during the first thirty (30) ~~working~~ calendar days of such leave. The technology center will also comply with all other rights guaranteed under state and federal law.

Maternity Leave

Full-time classroom instructional employees of the technology center who have been employed by the center for at least one year and have worked at least 1,250 hours during the preceding 12-month period shall be entitled to six (6) weeks of paid maternity leave following the birth of the employee's child. The six (6) weeks of paid maternity leave shall be used immediately following the birth of the employee's child. The six (6) weeks of maternity leave shall be in addition to and not in place of sick leave due to pregnancy pursuant to 70 O.S. § 6-104. A technology center employee taking maternity leave pursuant to the new law shall not be deprived of any compensation or other benefits to which the employee is otherwise entitled. Any paid maternity leave taken pursuant to this policy will be designated as FMLA leave, if applicable, and will run concurrently with FMLA-protected leave.

Eligible employees using maternity leave under this policy may use up to six weeks of accrued sick leave to extend their maternity leave provided the eligible employee has sufficient sick leave to cover the extended duration. This additional maternity leave time shall not exceed six weeks unless a licensed medical professional provides written certification recommending additional leave for medical necessity related to the employee's recovery from childbirth or care for a newborn. Eligible employees seeking to use sick leave to extend the duration of their maternity leave shall notify the district in accordance with FMLA.

The technology center shall file claims with the State Board of Education for reimbursement of expenses related to providing eligible employees with paid maternity leave.

With regard to any shared sick leave program which is currently offered or which may be offered in the future by the technology center, provided maternity leave must be used prior to any shared sick leave available under the center's program.

Vacation/Annual Leave

New twelve (12) month employees under contract with the board of education will be granted an annual vacation with pay up to 10 days per contract year at the discretion of the superintendent.

The following will serve as a guide:

Completed Months of Employment During Fiscal Year	Days of Vacation Allowance
12	10
11	9
10	8
9	7
8	6
7	5
6	4
5	3
4	2
3	1
2	0
1	0

Twelve (12) month employees employed in consecutive contract years will be considered vested for employee vacation purposes and will be granted annual vacation with pay for 10 days per contract year.

Longevity Vacation Leave

Twelve (12) month employees under contract with the board of education will be granted additional annual vacation with pay above the standard 10 days per 12 months of employment under these terms.

Completed Years of Service at NWTC	Additional Days of Vacation Allowance
5 years completed service	1
7 years completed service	2
9 years completed service	3
11 years completed service	4
14 years completed service	5

Vacation will be scheduled through the assistant superintendent of each campus, with due consideration given to staffing requirements, employee length of service and employee preferences, in the order listed.

A maximum of five (5) days' vacation time can be accumulated or carried over from one fiscal year to the next fiscal year. When any amount of vacation (also referred to as annual leave) is carried over from one fiscal year to the new fiscal year, it must be used no later than October 31 of the new fiscal year. Vacation shall be taken on a workday basis. Holidays falling within a period of annual leave shall not be charged to vacation leave. All vacation leave shall be documented on a leave request form.

Epidemics/Pandemics – Certified Personnel Only

Technology Center instructors and administrators shall be entitled to pay for any time lost when the Center is closed on account of epidemics or otherwise when an order for such closing has been issued by a health officer authorized by law to issue the order. Instructors and Administrators are not required to use leave for time lost in these circumstances if the campus is closed and no work is assigned.

This provision does not prevent the Center from requiring instructors and administrators to telework from home or another site when the Center campus is closed due to an epidemic.

Instructors or administrators who have been directed to telework who are unable to work from home or another site due to illness or another reason should utilize their accrued leave to cover their absence.

Epidemic Leave – Support

Support employees who are full-time employees of the technology center, as determined by the standard period of labor which is customarily understood to constitute full-time employment for the type of services performed by the employee, and who are also employed a minimum of one hundred seventy-two (172) days, shall be entitled to pay for any time lost when school is closed on account of epidemics or otherwise when an order for such closing has been issued by a health officer authorized by law to issue the order.

Reference:

70 OKLA. STAT. §6-101, 70 OKLA. STAT. §6-104, 70 OKLA. STAT. §6-104.1, 70 OKLA. STAT. §6-104.5, 70 OKLA. STAT. §6-105, 70 OKLA. STAT. §509.12, Atty. Gen. Op. No. 76-161.44 OKLA. STAT. §20972 OKLA. STAT. §48, Atty. Gen. Op. No. 73-297
OKLA. STAT. tit. 70, § 6-104.1, et seq.

UNUSED SICK LEAVE

Payment for Unused Sick Leave

As an incentive to promote the health and well-being of employees, payment of unused sick leave can be earned under the following conditions:

Full-time employees who have completed ten (10) consecutive years of work at the technology center can elect to receive payment for unused sick leave, up to a maximum of sixty (60) days at the existing pay of the employee, upon retirement or termination of employment. In the event of death, payment for sick leave will be paid to the beneficiary or beneficiaries as named on OTRS records. Eligible employees must notify the superintendent in writing at least ninety (90) days prior to the intended retirement date or intent to terminate employment. The superintendent can waive the notification for extenuating circumstances. This incentive will only be paid one (1) time to the employee. Days paid under this policy will be considered extinguished and will not be transferred to another district or certified to OTRS as available.

Crediting Unused Sick Leave to an OTRS Account

In accordance with Section 17-116.2, the total creditable service of a member who retires or terminates employment and elects a vested benefit shall include, not to exceed, 120 days of unused sick leave accumulated subsequent to August 1, 1959, during the member's membership with OTRS. The board of education will maintain records for the purpose of assisting each employee to account for unused sick leave days for retirement purposes. The board will account for and certify unused sick leave days for each year for which an employee has exceeded sixty (60) days of accumulated sick leave. This provision will apply to employees who have participated in OTRS subsequent to August 1, 1959, and who have accumulated the maximum sixty (60) days of sick leave.

Upon retirement with OTRS accumulated sick leave days and the unused sick leave days may be certified to OTRS to add creditable service for retirement purposes at a rate of one month of credit for each twenty (20) days of accumulated sick leave up to a total of one hundred twenty (120) days; or the member may add days of sick leave to days worked during a school year to make a partial year count as a full year. However, the technology center shall not certify more than one day of unused sick leave per each day of accumulated sick leave for the purpose of adding creditable service for retirement purposes. Days which the employee uses for the purpose of adding creditable service to an OTRS account are considered used days and cannot also be paid by the district at retirement.

Sick leave credits cannot be counted to vest an account.

FAMILY AND MEDICAL LEAVE

It is the policy of the technology center to comply fully with the requirements of the Family and Medical Leave Act of 1993 (FMLA) and all its related revisions, including the National Defense Authorization Act (NDAA), collectively referred to in this policy as "FMLA." The technology center is a covered employer and, accordingly, will provide up to 12 weeks of unpaid leave to eligible employees. This leave must run concurrently with any paid leave the eligible employee has available. Eligible employees may also be entitled to 14 additional weeks of leave (26 weeks total) for servicemember family leave.

Any employee utilizing FMLA leave is required to cooperate in matters of scheduling, providing prompt notice of the need to use leave and availability for return to work, completing paperwork, etc.

This policy is not intended to create any leave obligations for the technology center in addition to those provided under the FMLA. In the event any conflict exists between this policy and the FMLA, the FMLA will be the final authority.

Definitions

- "Eligible employees" are those employees who:
 - have been employed for at least one year by the technology center; and
 - worked at least 1,250 hours during the previous 12 month period; and
 - have requested leave for a reason covered by the FMLA; and
 - there are at least 50 employees within a 75 mile radius.

Full-time instructional employees are deemed to have met the 1,250 hours of employment requirement if they worked full time during the prior year.

- A "child" means a biological, adopted, foster or step child, a legal ward, an individual with an in loco parentis relationship with the employee or military member, and adult children who are physically or mentally incapable of self-care.
- A "serious health condition" is one which requires either in-patient care or continuing treatment by a health care provider. This includes conditions or illnesses affecting health to the extent that in-patient care is required, or absences are necessary on a recurring basis or for more than just a few days. A "serious health condition" does not include short-term conditions for which treatment and recovery are very brief as such conditions would normally be covered by the technology center's sick leave policies.
- A "year" means a rolling 12-month period measured backward from the date an employee uses any leave.

- A “week” means 5 business days.
- A “covered military member” (for purposes of active duty leave) is an individual serving in the Regular Armed Forces or the National Guard and Reserves and who has been called to active duty. Veterans receiving treatment or therapy, or those who are recuperating and were discharged or released for any reason other than dishonorable discharge within the 5 years preceding the employee’s request for leave are also included in this definition.
- A “covered military member” (for purposes of servicemember family leave) is an individual serving in the Regular Armed Forces or the National Guard and Reserves who is undergoing treatment or therapy for a serious injury or illness incurred or exacerbated while on active duty.
- A “serious injury or illness” is an injury or illness incurred (or exacerbated) by the servicemember in the line of duty in the Armed Forces or National Guard and Reserves which:
 - may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating; or
 - resulted in the member receiving a VA Service Related Disability Rating of 50% or more; or
 - substantially impairs the veterans’ ability to be gainful employed; or
 - resulted in the member’s enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

Reasons for Leave

All eligible employees who meet FMLA requirements may be granted leave as provided in this policy and required by law for the following reasons:

1. for the birth of a child and to care for such child, or placement for adoption or foster care of a child;
 - If both parents are employed by the technology center, the combined amount of FMLA leave cannot exceed 12 weeks
2. to care for a spouse, child or parent with a serious health condition;
3. for a serious health condition of the employee that makes the employee unable to perform his or her job functions;
4. for covered active duty leave with one or more of the following exigencies:
 - Short-notice deployment: employees can take up to 7 calendar days leave to address issues that arise from servicemembers’ call or order to active duty seven calendar days or less prior to the date of deployment;

- Military events and related activities: employees can take leave to attend official ceremonies, programs, or events sponsored by the military that are related to servicemembers' active duty or call to active duty or attend family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to servicemembers' active duty or call to active duty;
 - Childcare and school activities: employees can take leave to arrange alternative childcare, provide childcare on an urgent, immediate need (but not every day) basis, enroll in or transfer a child to a new school or day care facility, or attend meetings with school or day care staff (such as parent-teacher conferences) due to servicemembers' active duty or call to active duty;
 - Financial and legal arrangements: employees can take leave to make or update financial or legal arrangements to address servicemembers' absence while on active duty or call to active duty, such as executing powers of attorney, transferring bank account signature authority, enrolling in the Defense Enrollment Eligibility Reporting System, or obtaining military identification cards and to act as the servicemembers' representative before governmental agencies to obtain, arrange, or appeal military service benefits while servicemembers are on active duty or called to active duty and for 90 days following termination of active duty status;
 - Counseling: employees can take leave to attend counseling that is provided by someone other than a healthcare provider for servicemembers or their children for needs arising from servicemembers' active duty or call to active duty;
 - Rest and recuperation: employees can take up to 15 days leave to spend time with servicemembers on short-term, temporary rest and recuperation leave during a period of deployment;
 - Post-deployment activities: employees can take leave to attend arrival ceremonies, reintegration briefings and events and other official ceremony or program sponsored by the military that occurs within 90 days following termination of servicemembers' active duty status or to address issues arising from servicemembers' death while on active duty, including meeting and recovering the body and making funeral arrangements; and
 - Additional activities: employees can take leave to address any other events that arise from servicemembers' active duty or call to active duty when the technology center and employee agree that such leave qualifies as an exigency and agree upon the timing and duration of the leave.
5. for servicemember family caregiver leave, provided that the leave (when combined with other forms of FMLA leave) does not exceed 26 workweeks during a 12-month period;

6. for parental care leave to care for (including making arrangements for care, patient transfer and meetings with staff at a care facility) a parent-in-law who is unable to care for him/herself while the servicemember is on active duty.

Application for Leave

Employees who wish to utilize FMLA leave must submit an application for leave (with all required supporting documentation) on the forms available through the superintendent's office (the technology center will utilize all required forms as provided by the US Department of Labor. The forms are available at <http://www.dol.gov/whd/fmla/index.htm#Forms>). The technology center requests that, when practical, FMLA requests be submitted at least 30 days prior to the use of the leave. In emergency circumstances, the technology center may provisionally place an employee on FMLA leave if conditions appear to warrant such action. The employee is ultimately responsible for completing the necessary paperwork to finalize the use of FMLA leave at least 15 days in advance.

Medical Documentation (for Leave Related to a Serious Medical Condition)

In addition to all medical documentation required pursuant to the FMLA, the technology center may, in its sole discretion and at its own expense, require a second opinion related to the need for FMLA leave. If the first and second opinions differ regarding the need for FMLA leave, the technology center and the employee shall mutually agree upon a provider to conduct a third opinion of the employee's need for leave. The cost of this third opinion will be paid for by the employer.

The technology center may also require supplemental certifications of the employee's continuing need for leave. These certifications may not be more than one time per month unless the employee requests an extension of leave, changes circumstances regarding the illness or injury, or the technology center receives information that casts doubt on the validity of an existing certification.

In the event an employee wishes to request an extension of leave, such request must be promptly submitted to his/her supervisor with supporting documentation from the health care provider regarding the reason for the extension. The extension is only available as long as the employee does not exceed the maximum leave permitted by the FMLA.

Right to Conduct Surveillance

In an effort to combat misuse of leave permitted by the FMLA, an employee may be surveilled to determine if the employee is not using the FMLA leave for the purpose for which it was granted. The district may conduct non-workplace (off-site) surveillance of an employee based on an honest belief or suspicion that the employee is misusing the FMLA leave granted. If the employee is found to be misusing the FMLA leave, the employee will be subject to all disciplinary action allowed by law, including but not limited to dismissal or nonrenewal. Circumstances which may give rise to an honest belief or suspicion of FMLA leave misuse include, but are not limited to, an employee providing inconsistent reasons for the FMLA leave, an employee engaging in a suspicious pattern of absences over a short period of time, verifiable information from co-workers evidencing misuse by an employee and significant changes in the frequency or duration of an employee's absences.

Intermittent Leave Or Leave On A Reduced Leave Schedule

Eligible employees may request to use their available leave on an intermittent basis by following the same application and certification process as described above and under the following conditions:

- intermittent leave in connection with the arrival of a new child must be approved by the technology center;
- employees must coordinate the intermittent leave with their supervisor to attempt to reduce the negative impact of the leave on school operations;
- the technology center reserves the right to transfer the employee to a position better suited to intermittent leave;
- if an instructional employee will be absent more than 20% of the total working days in the period in which the leave will be used, the technology center may require the employee to either:
 - take leave for a "particular duration" or time which is not greater than the duration of the planned treatment, or
 - be transferred to an alternative position.

Leave Taken Near the End of an Academic Term

If an instructional employee begins any type of covered leave more than 5 weeks before the end of a semester, and if the leave will last at least 3 weeks and the employee would otherwise return to work during the 3 weeks before the end of the semester, the technology center may require the employee to continue taking leave until the end of the semester.

If an instructional employee takes leave (for a reason other than the employee's own serious health condition) which commences during the 5 weeks before the end of the semester, and if the leave will last more than 2 weeks and the employee would otherwise return to work during the last 2 weeks of the semester, the technology center may require the employee to continue taking leave until the end of the semester.

If an instructional employee takes leave (for a reason other than the employee's own serious health condition) which begins during the last 3 weeks of the semester, and if the leave will last more than 5 working days, the technology center may require the employee to take leave until the end of the semester.

The Effect of Leave on Benefits

During a period of FMLA leave, an employee will be retained on the technology center's medical insurance plan under the same conditions that applied before leave began, including making any payments the employee previously made. An employee's failure to timely pay his/her share of the medical premium may result in loss of coverage. The employee is required to pay all of the premiums for any other type of insurance coverage which may exist.

If the employee fails to return to work after the expiration of the leave, the employee will be required to reimburse the technology center for payment of health insurance premiums

during the FMLA leave, unless the reason for the failure to return to work are due to circumstances beyond the employee's control.

Employees do not accrue or lose any seniority or employment benefits during a period of FMLA leave.

Return to Work

Employees must update their supervisor regarding the intent to return to work, including providing all necessary releases and paperwork, at least 5 business days in advance of the expected return date.

Although the technology center cannot guarantee that an employee will be returned to his/her original position, employees will generally be restored to an equivalent position and employment conditions upon return from FMLA leave. Highly compensated employees are those individuals who are salaried and are among the highest paid 10% of the employees employed within 75 miles of the employee's worksite. A highly compensated employee may not be returned to work if it is necessary to prevent substantial and grievous economic injury to the operations of the technology center. The technology center will make all determinations regarding job duties upon an employee's return from FMLA leave.

Failure to Return from Leave

Employees who fail to return to work when scheduled (absent an approved extension) are subject to immediate termination for cause, subject to applicable due process hearing rights.

SICK LEAVE SHARING BANK

This policy is established pursuant to Title 70, Section 6-104.6M of the Oklahoma Statutes. A sick leave sharing bank (the "Bank") for all full-time technology center employees consisting of sick leave days donated by any technology center employee will be created under the following guidelines:

1. Permission to receive donations will be granted only for a technology center employee (a) who is pregnant or recovering from childbirth or who is suffering from or has a relative or household member suffering from an extraordinary or severe illness, injury, impairment or physical or mental condition (b) that has caused or will cause the employee to exhaust all accumulated sick leave earned pursuant to Title 70, Section 6-104 of the Oklahoma Statutes and (c) that has caused or is likely to cause the employee to take leave without pay or to terminate employment.
2. The Bank will be administered by a committee (the "Committee") consisting of three (3) staff members appointed by the superintendent and may include the superintendent. Vacancies on the Committee shall immediately be filled in the same manner. Committee members shall serve for one fiscal year and shall be appointed no later than September 1 of each year. The Committee shall elect a chairman from its members.
3. For purposes of this policy, the following definitions apply:
 - "Relative of the employee" means a spouse, child, stepchild, grandchild, grandparent, stepparent or parent of the employee.
 - "Household members" means those persons who reside in the same home, who have reciprocal duties to and do provide financial support for one another, including foster children and legal wards, even if they do not live in the household. This term does not include persons merely sharing the same general house.
 - "Severe" or "extraordinary" means serious, extreme or life-threatening, including temporary disability resulting from pregnancy, miscarriage, childbirth and recovery therefrom.
 - "Technology center employee" means any employee of the technology center.
 - "Full-time employee" means a full-time employee of the technology center as determined by the standard period of labor which is customarily understood to constitute full-time employment for the type of services performed by the employee and who is employed a minimum of one hundred seventy-two (172) work days.

4. An employee's request for permission to receive sick leave donations from the Bank must be made to the Committee Chairman, in writing, and may be presented to the Committee Chairman by the employee or another employee (acting with the affected employee's permission) in his or her behalf. The Committee will meet and make a determination by a majority vote of the Committee members present and voting as to whether: (a) the employee is eligible to receive sick leave days from the Bank and (b) the total number of sick leave days to be given to the employee from the Bank. At least two Committee members must be present in order for the Committee to act. A technology center employee may be eligible to receive sick leave donations from the Bank if the Committee determines that the employee meets the criteria described in this policy and the employee has followed technology center policies regarding the use of sick leave. To allow the Committee to determine whether the employee meets the criteria described in this policy, the employee may be required to first submit a medical certificate from a licensed physician or health care practitioner verifying the severe or extraordinary nature and expected duration of the condition. Within five (5) business days of the Committee's approval of a technology center employee to receive sick leave day donations from the Bank, the Committee Chairman shall notify the superintendent of the name of the employee and the number of sick leave days authorized by the Committee to be received by the employee from the Bank. If approval is denied, the Committee Chairman shall notify the superintendent of that fact. The superintendent shall notify any requesting employee of the Committee's approval or denial of his/her request. On or before December 31 and June 1 of each fiscal year the Committee Chairman shall notify the superintendent of the number of sick leave days in the Bank as of the date of the report.
5. An employee may not request any sick leave from the Bank until his or her own sick leave earned pursuant to Title 70, Section 6-104 of the Oklahoma Statutes has been exhausted or is within fifteen (15) calendar days of full exhaustion. An employee may use donated sick leave only for the purposes specified in this policy.
6. Sick leave received from the Bank will be paid at the daily rate of the receiving employee. The sick leave received by an employee from the Bank will be designated as donated sick leave and will be maintained separately from all other sick leave balances.
7. Sick leave donated to the Bank by any employee becomes the property of the Bank and may no longer be counted by the donor employee toward current or accumulated sick leave. Sick leave days donated will remain in the Bank until exhausted.
8. The maximum total number of sick leave days that may be received from the Bank by any employee is sixty (60) days during his/her total employment. Employees may only be approved for up to fifteen (15) days per fiscal year.
9. An employee may donate to the Bank only sick leave days that are earned and accumulated. An employee may donate any amount of sick leave provided the donation does not cause his/her sick leave balance to fall below sixty (60) days.

10. Any donation of sick leave days by an employee to the Bank is strictly voluntary. No employee shall be coerced, threatened, intimidated or financially induced into donating sick leave under this policy. A contribution of sick leave to the Bank must be confirmed, in writing, by the Committee Chairman to the superintendent within five (5) business days of the date of the donation stating the name of the donor employee and the number of sick leave days donated to the Bank. The number of sick leave days of the donor employee shall be appropriately reduced in the technology center's records by the donated amount.

WORKERS' COMPENSATION

The technology center provides benefits established under the Oklahoma Workers' Compensation Act (Act) to all technology center employees who are injured in on-the-job accidents.

All regular employees who are injured in on-the-job accidents shall receive statutory benefits including medical expenses, temporary compensation and benefits for permanent disability or death as required by the Act.

At the option of the employee, temporary total disability benefits shall be supplemented by any sick leave or personal leave, or fractional use thereof, available to the injured employee, to the extent that the injured employee shall receive full wages during the employee's temporary absence. The sum of all temporary total disability payments and any sick leave or personal leave shall in no case combine to exceed one hundred percent (100%) of the employee's net pay as it existed prior to injury. An appropriate election form will be given to every employee as soon as possible after an on-the-job injury. No supplemental payment shall be made until such time as the employee returns the election form to the technology center. If the election for supplemental pay is made sick leave shall be used and exhausted before personal leave unless different instructions are directed by the employee, in writing, to the technology center.

INSURANCE BENEFITS

Health Insurance

Group health and dental insurance is available to each full-time employee. The technology center pays for employee coverage for all certified professional staff, full-time professional non-certified staff and full-time support personnel. Premiums are payable in advance.

The superintendent is responsible for the insurance plan for the district. Completed claim forms are to be submitted directly to the insurance company.

Any changes in address, marital status or dependent status must be promptly communicated to the Human Resources Manager.

Life Insurance

The technology center purchases life insurance for full-time certified employees, full-time professional non-certified staff and full-time support personnel. The insurance is an amount equal to the employee's salary and is rounded up to the nearest one thousand dollar amount. Enrollment shall be at the time of employment at the technology center.

**ASSAULT AND BATTERY
INVOLVING TECHNOLOGY CENTER EMPLOYEES**

Any technology center employee upon whom an assault, battery, assault and battery, aggravated battery or aggravated assault and battery is committed while in the performance of any duties as a technology center employee shall immediately notify the campus director and superintendent. If the technology center employee seeks emergency medical treatment as a result of the incident, the employee may make the report after obtaining such treatment or through a designee. All such reports must state the name of the person who committed the offense, the person upon whom the offense was committed, the nature, context and extent of the offense, the date(s) and time(s) of the offense and any other information necessary to a full report and investigation of the matter. The report may be made orally or in writing. The campus director or superintendent or his/her designee will deliver a copy of this policy to the technology center employee upon receipt of the report. The campus director or superintendent will investigate the incident and take appropriate action based upon the results of that investigation. The technology center employee must cooperate in the investigation. The campus director or superintendent will notify the State Department of Education in writing of all such incidents for the previous year on July 1 of each year or the first business day thereafter if July 1 falls on a weekend or legal holiday. The report must include a description of the incident and the final disposition of the incident.

The technology center will also refer appropriate incidents to law enforcement for investigation and prosecution. The technology center's decision to report or not to report a particular incident to law enforcement does not preclude the technology center employee from making a report to law enforcement. To the extent permitted by law, the technology center will share information and cooperate with law enforcement in the conduct of its investigation and in any subsequent prosecution.

No technology center employee will be subject to any civil liability for any statement, report or action taken in reporting or assisting in reporting a battery or assault and battery committed upon the technology center employee while in the performance of any duties unless such report or assistance was made in bad faith or with malicious purpose.

The technology center will post in a prominent place at each technology center site the following notice: "Felony charges may be filed against any person(s) committing an aggravated assault or battery upon any technology center employee."

For purposes of this policy, a "technology center employee" means an instructor or any duly appointed person employed by the technology center or employees of a firm contracting with the technology center for any purpose, including any personnel not directly related to the instruction process, and members of the board of education during board meetings.

For purposes of this policy, the terms "assault," "battery" and "aggravated assault and battery" are defined as follows: An "assault" means any willful and unlawful attempt or offer with force or violence to do a corporal hurt to another. A "battery" is any willful and unlawful use of force or violence upon the person of another. An "assault and battery" becomes "aggravated" when committed under any of the following circumstances: (1)

when great bodily injury is inflicted upon the person assaulted; or (2) when committed by a person of robust health or strength upon one who is aged, decrepit or incapacitated, as defined by law.

PROFESSIONAL ORGANIZATION PAYROLL DEDUCTIONS

Any employee may request the District to make payroll deductions for either or both professional organization dues and political contributions. The District shall transmit deducted funds to the designated organization. Deductions shall be on a ten-month basis unless otherwise designated by the employee organization.

An employee may request in writing at any time for the District to immediately terminate or initiate payroll deductions to a professional organization. A written request expressly includes communications sent pursuant to email or facsimile. For administrative convenience, such notices should be given to:

Ashlee Sneary
Director of Finance
1801 11th Street
Alva, OK 73717
(580) 327-0344 ext. ~~2016~~ 2036

After such request, the District will initiate or terminate deductions within five (5) business days or by the next pay period, whichever is earlier, and will notify the professional organization of the initiation or termination within fifteen (15) business days. If the request is to terminate a deduction, the District shall not make any advance payments to any professional organization of any future dues on behalf of the school employee.

This policy cannot be altered or changed by a negotiated agreement provision.

Violation of this policy will result in monetary penalties for the school district.

Reference: 70 O.S. § 5-139

REPORTING THREATENING BEHAVIOR

Reports to Law Enforcement

All district officers, employees and school board members have a legal obligation under Oklahoma law to report to law enforcement verbal threats or acts of threatening behavior which reasonably have the potential to endanger students, school personnel or school property. Under this policy, "Threatening Behavior" means any verbal threat or threatening behavior, whether or not it is directed at another person, which indicates potential for future harm to students, school personnel or school property. If a District official, employee or school board member reasonably believes that a person has made a verbal threat or exhibited threatening behavior which has the potential to endanger students, school personnel or school property, and—given the immediacy of the behavior—it is reasonable to do so, the individual should first report the matter to school administration.

Reports to Principal or Other School Officials

Instances of verbal threats or acts of threatening behavior which reasonably have the potential to endanger students, school personnel or school property should also be reported to the principal or other school official. This reporting obligation exists in all instances, including conduct at school or connected with school activities and conduct that happens off of school property. Accordingly, all employees have an obligation to notify the principal or other school official, if for any reason the employee believes that verbal threats or acts of threatening behavior have been made which reasonably have the potential to endanger students, school personnel or school property.

Immunity for Good Faith Reports

Oklahoma law provides that any district employee who in good faith makes a report to an appropriate law enforcement office has immunity from civil liability and employment discipline that might otherwise be incurred or imposed if the employee reasonably believes a person is making verbal threats or exhibiting threatening behavior.

Reference: 70 OKLA. STAT. § 24-100.8

**COMPLIANCE WITH STATE AND FEDERAL LAWS
REGARDING EMPLOYEE LEAVE AND PAYROLL PROCEDURES**

The board of education recognizes that the state or federal government may enact new laws and regulations that affect the technology center's leave policies for employees. The technology center will comply with such laws and regulations applicable to its employees.

To the greatest extent possible, the technology center will construe additional leave granted by a state or federal act to run concurrently with leave granted to employees under existing policies, procedures, and/or contracts. The technology center will implement any new mandated employee leave provisions consistent with any regulations or guidelines issued by the governing authority granting such leave.

Further, the technology center will comply with any state or federal laws applicable to the pay of its employees, including those applicable to the garnishment of wages.

When appropriate, the technology center will seek advice from local, state, or federal authorities and/or its legal counsel as to any obligations under newly issued laws and regulations.

LACTATION POLICY

The purpose of this policy is to provide technology center employees who are lactating with accommodations should they desire to express breast milk during the workday while separated from their newborn child.

The board of education shall provide any employee who is lactating reasonable paid break time each day to use a designated lactation room for the purpose of maintaining milk supply and comfort. The break time may run concurrently with any break time, paid or unpaid, already provided to the employee. If the break time is unpaid, the lactating employee must be completely relieved from duty.

The board shall make a reasonable effort to designate a private, secure and sanitary room or other location, other than a bathroom, where an employee can pump or express her milk or breastfeed her child. The designated area shall be a space where intrusion from co-workers, students and the public can be prevented, and one where an employee who is using this area can be shielded from view.

Contact Information

Any employee who has experienced gender-based harassment, discrimination, bullying, or similar misconduct, including discrimination based on a pregnancy-related condition, or has additional questions regarding the information contained in this policy should contact:

Coordinator
Colt Shaw
Assistant Superintendent
Central Office – Fairview Campus
801 Vo-Tech Drive
Fairview, OK 73737
Phone: 580.227.3708 ext. 1000
cshaw@nwtech.edu

Reference: 29 U.S.C. § 207(r); OKLA. STAT. tit. 70, § 5-149.3

PREGNANT WORKERS FAIRNESS ACT

The Pregnant Workers Fairness Act (PWFA) requires employers to provide reasonable accommodations to qualified applicants and employees for known conditions and limitations related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions unless the accommodations will cause the employer an undue hardship. Unlike the Family and Medical Leave Act (FMLA) or paid maternity leave under state law, there is no waiting period for eligibility or hours worked requirement.

Requesting an Accommodation

Applicants/employees may request leave verbally or in writing by informing Human Resources, if available, their immediate supervisor, or, alternatively, the Superintendent or designee. Examples of reasonable accommodations may include, but are not limited to, longer or more flexible breaks, change in food and drink policies, workstation adaptation, dress code modification, work schedule changes, appointment leave, and light duty.

Documentation

Documentation from a health care provider may be requested, if reasonable, to confirm the physical or mental condition of the applicant/employee (e.g., back injury, swollen ankles, lifting restrictions, nausea, sensitivity to smells), confirm that the physical or mental condition is related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions, and to describe the adjustment or change at work that is needed due to the limitation. Any medical documentation will be kept confidential.

Definitions

A “qualified applicant/employee” is an individual who, with or without reasonable accommodation, can perform the essential functions of the employment position. Under the PWFA, an applicant/employee is considered qualified even if they are unable to perform an essential function for a temporary period so long as it can be performed in the near future and the inability to perform the essential function can be reasonably accommodated.

“Known limitation” means a physical or mental condition related to, affected by, or arising out of pregnancy, childbirth, or related medical conditions that the applicant/employee or applicant’s/employee’s representative has communicated to the technology center or of which the technology center should be aware given the circumstances.

“Undue hardship” means significant difficulty or expense. The technology center will consider the following factors when determining undue hardship:

- The nature and cost of the accommodation.
- The overall financial resources of the impacted campus and the technology center.

- Number of employees employed.
- Number, type, and location of campuses.
- The technology center's operations, including the composition, structure, and functions of staff, and the geographic separateness and administrative or fiscal relationship of the campus or campuses in question to the technology center.

Typically, it will not be an undue hardship to allow an employee:

- To carry and keep near water and drink.
- To take additional restroom breaks, as needed.
- To stand instead of sitting, or to sit instead of standing.
- To take breaks to eat and drink, as needed.

References: 42 U.S.C. § 1211, 42 U.S.C. § 2000gg