

**TITLE 780. OKLAHOMA DEPARTMENT OF CAREER AND TECHNOLOGY
EDUCATION
CHAPTER 15. TECHNOLOGY CENTERS**

SUBCHAPTER 3. TECHNOLOGY CENTERS EDUCATION

780:15-3-1. Rationale; corporation status; taxing authority

(a) **Clientele.** The concept of technology centers, embraces career and technology education for all who can benefit. Specifically, the Carl D. Perkins Vocational Education Act of 1984 (PL98-524) and subsequent amendments thereto provide training for high school students; persons who have completed or left high school; persons employed but who need training or retraining to achieve stability or advancement in employment; and for persons who are academically or socioeconomically disadvantaged or who have physical or mental disabilities. Enrollment in a technology center or to specific ~~career majors~~ programs shall not be contingent upon any single measure but upon a combination of factors including but not limited to achievement levels, aptitude, interest, work history, and ability to benefit in terms of employment.

(b) **Establishment.** Technology center districts may be established through criteria and procedures established by the State Board and shall be operated in accordance with the rules and regulations of the State Board [70 O.S. 2011, §14-104 and Section 9B, Article X, Oklahoma Constitution, as amended].

(c) **Official name-technology centers.** *Its official name shall be designated by the State Board of Career and Technology Education, in which name it may sue and be sued, and be capable of contracting and being contracted with, and holding real and personal estate [70 O.S. §14-108(B)].* The State Board shall authorize local area school districts to utilize unofficial names for marketing purposes. The State Board recognizes the term Technology Center. Any exceptions must be approved by the State Board.

(d) **Corporation status.** *A technology center district shall be a body corporate and shall possess the usual powers of a corporation for public purposes [70 O.S. §14-108(B)].*

(e) **Operational mill levy.** Constitutional authorization has been granted to vote up to five mills on the dollar valuation of the taxable property in a technology center district for operational purposes. If approved by the majority of the voting electors, it needs to be voted only once, unless there is a need to increase or decrease a millage levy currently under five mills. If the existing millage levy is less than five mills, and it is necessary to increase the millage, the question to be voted should be on the increased millage only and not on the total millage, and should be so specified on the voting ballot.

(f) **Building fund levy.** Authorization has been granted to vote up to five mills on the dollar valuation of the taxable property in a technology center district for building purposes pursuant to the provisions of 70 O.S. Section 1-118.1 and Article X, Section 10, of the Oklahoma Constitution. *The building fund of any technology center school district shall consist of all monies derived from the proceeds of a building fund levy not to exceed five (5) mills in any year, voted by the people of a school district pursuant to the provisions of Section 10 of Article X of the Oklahoma Constitution, monies appropriated by the state for the purpose of capital expenditures or projects, and monies donated to a school district for the purpose of capital projects or improvements and may be used for purchasing, providing, erecting, remodeling, repairing or maintaining any of the following: school buildings, furniture, computer systems and equipment, software for instructional and non-instructional purposes, energy and utility costs, telecommunications utilities and services, fire and casualty insurance premiums for school facilities, security, student transportation, grounds maintenance including parking lots and sidewalks, instructional and maintenance equipment, or for*

one or more, or all, of these purposes. Proceeds of the levies shall not be required to be used during the year for which a levy is made but may accumulate from year to year until adequate for the purposes intended. The building fund defined in this section is hereby declared to be a current expense fund, but shall not be considered a part of the general operating fund. No monies derived from the proceeds of the school levies made pursuant to the provisions of Section 9B of Article X of the Oklahoma Constitution may be placed in the building fund provided by this section. [70 O.S. § 1-118.1, as amended.]

(g) **Local incentive levy.** Authorization has been granted to vote up to five mills local incentive levy on the dollar valuation of the taxable property in a technology center district. This levy may be used for operational or capital needs purposes. This levy, when approved, shall be made each fiscal year thereafter until repealed by a majority of the electors of the technology center district voting on the question at an election called for that purpose. If the existing millage levy is less than five mills, and it is necessary to increase the millage, the question to be voted should be on the increased millage only and not on the total millage, and should be so specified on the voting ballot.

(h) **Capital outlay bonds.** Authorization has been granted to vote for capital improvements (such as land, buildings, and equipment) that are financed by the issuance of the technology center district's general obligation bonds. Bonds so voted upon and approved by a majority of the votes cast, once issued, shall not cause the technology center district to become indebted in an amount, including existing indebtedness, in the aggregate exceeding five percent of the valuation of the taxable property in the technology center district.

780:15-3-2. Establishment/Sustainment of a technology center district; sites and buildings

(a) **Establishment.** A technology center district shall be established in accordance with the steps outlined in this section.

(b) **State Board study of proposed technology center district.**

(1) **Proposed district study.** The State Board, upon request of the public school(s) within a proposed district, board of county commissioners, or citizens within a proposed district, shall make a study of the proposed district in regard to the following factors:

- (A) Size;
- (B) Total population;
- (C) Assessed valuation;
- (D) Current school enrollments;
- (E) Estimated secondary school enrollments;
- (F) Estimated full-time adult enrollments;
- (G) Other information pertinent to determining the feasibility of a technology center district.

(2) **Costs.** The study shall also include building and equipment costs, as well as estimated annual operating costs.

(3) **Sharing of study information.** The information compiled as a result of the study shall be shared with the local schools and/or county commissioners and other interested persons within the proposed technology center district.

(c) **State Board determination of technology center feasibility.**

(1) **Decision by State Board.** After a study of the proposed technology center district has been completed and reviewed by the interested and affected schools and/or county commissioners, a decision will be reached as to the course of action to be taken. The State Board shall finally determine if the proposed technology center district meets the

criteria and requirements prescribed, if there is a need for the district, and if the operation of the district can be adequately funded.

(2) **Valuation of district; waivers.** A proposed technology center district shall have a minimum valuation of \$100,000,000 after homestead exemptions. In situations involving low valuations and/or sparsely populated areas where this requirement is not feasible, the State Board, upon presentation of sufficient justification, may give special permission to waive the minimum criteria.

(d) **Presentation of resolutions.**

(1) **Resolutions signees.** If the State Board determines the proposed technology center district is feasible and needed, resolutions shall be presented to the State Board signed by:

(A) Local boards of education of districts desiring to become a part of a technology center district,

(B) A majority of the membership of a board of county commissioners, or

(C) A combination of (A) and (B) of this subsection where there exists a county and school districts outside that county desiring to become a part of the same technology center district.

(2) **Cooperation.** The State Board shall work with the area in order to establish a district that is feasible and will fit into its state plan.

(3) **Established school districts.** The State Board shall protect the attendance area of established technology centers and not approve any part of an existing technology center district for inclusion into a new area district unless that area cannot be served adequately by the existing technology center (Deannexation proceedings may have to be followed first.)

(e) **Technology center district formation election.**

(1) **Call for election.** The State Board shall call an election in each district submitting a resolution, or in each district within a county submitting the resolution, if a technology center district is found to be feasible and needed.

(2) **Election.** An election will be held in each independent and elementary school district, and/or entire county, having territory that would be included in the proposed technology center district, for the purpose of permitting electors of the district to vote on the question of whether the territory comprising the independent or elementary school district, and/or entire county, shall be included in the proposed technology center district.

(f) **Elections relative to the creation of new technology center district (general rules).** The rules of this subsection shall be used for conducting elections relative to the creation of a technology center district, electing the initial board of education, voting the initial operating levy, and for annexation of an independent or elementary school district to an existing technology center district.

(1) **Election date.** The State Board with advice and counsel of local boards of independent and elementary school districts and/or county commissioners shall designate the date on which an election shall be conducted.

(2) **Responsibilities of county election board; State Board.** The State Board shall cooperate with the county election board designated to conduct the election. The county election board shall receive notice from the State Board and shall conduct the elections in the school district at the time specified by the State Board. The State Board shall prepare the publication notice and submit it to at least one newspaper of general circulation in each county officially calling the election, stating the purpose of the election and listing

the polling places in the county. The State Board shall assume the cost of such publication.

(3) **Forms.** All forms to be used in technology center district elections will be provided by the County Election Board.

(4) **Hours.** The polls for election shall be open from 7 a.m. until 7 p.m.

(5) **Certification of results.** The county election boards shall, when appropriate, certify to the local school boards the results of an election. The county election boards shall certify to the State Board, also, the results of any election pertaining to the creation of a new technology center district, the initial board of education election, and the initial operating levy election.

(6) **Costs of elections.** When holding the election for the creation of a technology center district, the election of the original board of education, and the election for the first operation levy, the cost for these elections will be borne by the State Board.

(7) **Annexation election costs.** Annexation election costs of individual independent and elementary school districts will be borne by the State Board.

(g) **Formation election results determination.**

(1) **Election results.** Results of the election for the formation of a technology center district shall be submitted to the State Board and each school district involved. If the results of the election satisfy the criteria for the formation of a technology center district, the State Board may declare the district formed.

(2) **Election results from resolutions from school districts.**

(A) **Inclusion in the proposed district.** The territory comprising an independent or elementary school district shall be included in the proposed technology center district if a majority of the electors who voted cast ballots in favor of the question.

(B) **Establishment after an unfavorable vote.** Notwithstanding an unfavorable vote in an independent or elementary school district(s), a technology center district may be established and the territory comprising other independent and elementary school districts in which the votes have been favorable may be included in the technology center district, if criteria prescribed by the State Board can be met.

(i) **Study of election results.** The State Board shall study the results of the elections to determine if a sufficient number of the school districts voted in favor of becoming a part of a technology center district. If the area is deemed sufficient, the State Board shall form the district.

(ii) **Valuation; reconsideration of districts.** If the valuation of the area that voted in favor of the proposition is not sufficient to form the district, the State Board shall continue to work with the proposed area; and if the school districts that were opposed to becoming a part of the technology center district wish to vote again on the proposition, they may do so by presenting another resolution to the State Board.

(C) **District establishment suspension; second election.** If the criteria cannot be met because of unfavorable votes in one or more independent or elementary school districts, the State Board may hold establishment of the proposed technology center district in suspension for a period not to exceed one year, and in the meantime may, but no sooner than after ninety (90) days, at the

request of the local board of education where the election failed, call another election on the same question.

(3) **Election results from resolutions by a majority of a board of commissioners.**

(A) **Voters.** The majority of the votes cast in the county shall determine whether the territory of the county becomes a part of a technology center district. The electors residing in any portion of a county that is already a part of an existing technology center district shall not be allowed to participate in this election.

(B) **Electors in adjoining county.** A local school district that has its main buildings within the county calling the election but has electors residing in an adjoining county should pass a resolution for that part and present it to the State Board, which shall call an election as provided in these rules and regulations.

(C) **Addition of adjoining county electors to the technology center district.** If the majority of the voting electors in the county vote to establish a technology center district, then that part of the local district located in the adjoining county shall become part of the new district, provided a majority of those voting cast ballots in the affirmative, and they shall be entitled to the rights and privileges and be subject to the assessments as are all other patrons in the district.

(D) **Second election.** If the election fails, the State Board may call another election in the county at the request of the county commissioners after a period of three months or 90 days has elapsed since the previous election.

(4) **Declaration; number designation.** Whenever there has been a compliance with these rules and regulations, the State Board may issue an order declaring the technology center district to be established and designating its number.

(5) **Validation period.** Results of school districts and/or counties that voted to become a part of a technology center district shall be held valid for a period of 12 months, or one year, to allow time for the passage of an operational mill levy election.

(6) **State Board approval of sites and additional campuses.** The State Board shall approve the location of a site for an official campus of a technology center district. If the campus employs a minimum of five full-time instructors who are teaching career majors programs that have been approved by the Department, then it may be recognized as an official campus and will be eligible for funding under a formula approved by the State Board. Branch campuses may be established by the technology center board of education to serve special needs or remote areas of the district. In the event the local board elects to pursue an additional campus at a site other than the existing pre-approved campus, prior approval must be granted by the State Board. Factors that will be used in determining approval will include, but not be limited to, student travel time to the nearest available technology center campus, district valuation, student enumeration, and local industry needs.

(h) **Zoning of the new technology center district.**

(1) **Advisement.** When the State Board forms a technology center district, it shall then divide the district into board districts with the advice and counsel of the local school districts.

(2) **Five board districts.** After consultation with the local school officials, the State Board will divide each technology center district into five numbered board districts of approximately equal population.

(i) **Election of members to the board of education of the new technology center district.**

- (1) **Call to elect members.** When a technology center district is established, the State Board shall call, and the appropriate county election board(s) shall conduct an election to choose a board of education, which shall consist of five (5) members except as hereinafter provided, elected by all of the school district electors of the technology center district.
- (2) **Composition of board.** Candidates for board district offices of the board shall be residents of the board district. Electors shall vote on all candidates in board elections.
- (3) **Terms.** The newly elected board members will serve initial terms as follows:
 - (A) Office Number 1, Board District 1: One year
 - (B) Office Number 2, Board District 2: Two years
 - (C) Office Number 3, Board District 3: Three years
 - (D) Office Number 4, Board District 4: Four years
 - (E) Office Number 5, Board District 5: Five years
- (4) **Cycle of elections; terms.** At the first regular school election, as prescribed by the state statutes, after the technology center district has become operative for one year, an election shall be held to fill the office that expires in one year. The terms of other offices shall expire in the sequence noted in the schedule above. After the initial terms of offices expire, each school board member shall be elected for a five-year term.
- (5) **Notification and declaration of intent.** Each candidate shall file a written notification and declaration of intent to be a candidate for the board district in which he/she resides or as a candidate-at-large. The notification and declaration of intent shall be filed with the county election board within the time prescribed by the election board.
- (6) **Seven-member board.** In the event the total area of five or more counties is involved, a seven (7) member board of education may be elected to serve the technology center district.
- (7) **Seven-member terms.** When there are seven board members, they shall be elected in the same manner as board of education members of other technology center districts. The terms of office of members shall be staggered so that the term of office of only one member shall expire each year. Offices shall be numbered one through seven.
- (8) **Relations with State Board.** Representatives of the State Board shall meet with the elected board and administer the oath of office, which shall be the same as for boards of independent school districts. The State Board shall provide guidance, direction, and technical assistance to the newly elected board members.
- (j) **Operational tax levy election for a new technology center.**
 - (1) **Call for election.** As soon as practical, and when it can legally do so, after members of the board of education of a technology center district are first elected following the establishment of the district, the board of education shall call an election to vote on an operational tax levy for the district.
 - (2) **Educational plan.** The elected board of the technology center district shall make a study utilizing the services of the State Board and all other agencies that may be at its disposal to determine an educational plan for the district.
 - (3) **Tax levy.** No technology center district shall begin operations until the electors have approved a tax levy as provided by Section 9B, Article 10, Oklahoma Constitution and 70 O.S § 14-108, as amended, and the county excise board has approved an "Estimate of Needs" for the district or in compliance with the School District Budget Act in 70 O.S. §5-150, et.seq., as amended.
 - (4) **Second election.** If an election for an operational levy is held and the proposed levy fails to receive a majority of the votes cast, a second election will be held within 180

days after the original election for the purpose of voting again on an operational levy. A second election must be requested by the technology center board and approved by the State Board.

(5) **Dissolution of district; board.** The State Board has the authority to disband a newly formed technology center district, release the board of education of its obligations, and release all public school districts from any obligation in the new technology center district when an operational levy is rejected by the voters a second time. Disbanding or dissolving a newly created technology center district will be done only after consultation with the local school districts involved.

(6) **School planning.** After passage of a successful operational levy, the technology center board shall employ professional help, engage the services of an architect to plan buildings, and take such action as necessary to establish the technology center.

(k) **Selection of the technology center superintendent.**

(1) **Choice of superintendent.** Following passage of a successful operational tax levy, the local board of education shall employ a technology center district superintendent.

(2) **Duties; qualifications.** The duties and minimum qualifications of technology center superintendents shall be as follows:

(A) **Duties.** The technology center superintendent shall be the principal administrative officer of the technology center. They shall be responsible for the organization, curriculum development, evaluation, and improvement of instruction. The technology center superintendent shall maintain close contact with the employment services, advisory committees, potential employers, and all agencies and institutions relative to employment needs and job opportunities in order that career and technology education instruction may be closely coordinated with current needs and anticipated employment opportunities. They shall evaluate instruction continuously and bring about changes and improvements that will ensure that students will obtain the skills and knowledge for which instruction is being provided. The technology center superintendent shall be responsible for assigning appropriate administrative personnel to evaluate the technology center's certified faculty and determining that such persons have a technology center administrator's credential or the minimum requirement in accordance with 70 O.S. §6-101.10 (6), as amended. In accordance with state law, evaluation duties may be assigned to the principal, assistant principal, designee of the principal, supervisor, content expert, department chair, peer committee or other trained persons or groups designated by the technology center school district board of education. The technology center superintendent shall be responsible for maintaining a system of complete and accurate records and shall make such financial, statistical, and descriptive reports as may be required by the State Board.

(B) **Qualifications.** First, the technology center superintendent shall have a superintendent's certificate as defined by the State Department of Education. Second, the technology center superintendent shall have had at least five years of experience as a Career Tech teacher, supervisor, or administrator. ~~Third, the technology center superintendent shall hold a valid Oklahoma CareerTech teaching certificate.~~ Third, the technology center superintendent shall have a Technology Center Administrator's Credential.

(3) **Issuance of Credential.** The Oklahoma Department of Career and Technology Education shall be responsible for the issuance of the technology center administrator's credential.

(4) **Technology Center Administrator's Credential.** Other school administrators who are responsible for supervision and administration of Department-approved ~~career major(s)/program(s) and for the evaluation of certified faculty under the provisions of the Education Improvement Act of 1985~~ shall also be required to have a standard or a provisional Technology Center Administrator's Credential as provided for above in 780:15-3-2(k)(2) & (3) of the rules and regulations governing technology centers.

(A) **Standard technology center administrator's credential.** A person who has superintendent's certificate or a secondary principal's certificate and at least five years of experience as a CareerTech teacher, supervisor, or administrator of Oklahoma Department of Career & Technology Education (ODCTE) approved programs ~~and/or career majors and has a valid Oklahoma CareerTech teaching certificate~~ shall be issued a standard technology center administrator's credential.

(B) **Provisional technology center administrator's credential, five year.** Applicant shall have a superintendent's or secondary principal's certificate as defined by the Oklahoma State Department of Education. In addition, the applicant must meet at least one of the following experience requirements:

- (i) Three (3) years of experience as a Career and Technology Education teacher of an approved ODCTE ~~career major(s)/programs(s)~~ **or**
- (ii) Three (3) years of experience as an administrator supervising and evaluating teachers of an approved ODCTE ~~career major(s)/programs(s)~~ **or**
- (iii) Three (3) years of experience in an Oklahoma technology center **and** a letter of endorsement from the current technology center superintendent **or**
- (iv) Three (3) years of experience at the Oklahoma Department of Career and Technology Education **and** a letter of endorsement from the current ODCTE State Director.
- (v) Once the above criteria is met, the candidate shall be issued a provisional technology center administrator's credential and be given **five years** from the date of issuance to complete the following:
- (vi) Nine (9) college semester hours and/or 135 ODCTE approved professional development clock hours from the following areas below:

- (I) History and Philosophy of Career and Technology Education; (II) Technology Center Finance;
- (III) Career and Technology Education Curriculum; and
- (IV) Career and Technology Education Program Planning and Development. A combination of college semester hours and professional development hours can be utilized to fulfill the requirements. One college semester hour will equal 15 professional development clock hours.

(5) **Requirements for first-year technology center superintendents.** The State Board of Career and Technology Education reaffirms its commitment to provide support and services to new technology center superintendents in Oklahoma. To assist first-year technology center superintendents in the state in providing their respective districts with maximum leadership, effective management, and strong educational programs, the following professional development requirements shall be met by each technology center

superintendent employed for the first time in the state of Oklahoma as a technology center superintendent:

(A) Meet qualifications for the Provisional or Standard School Superintendent Certificate.

(B) Meet qualifications for the Provisional or Standard Technology Center Administrator's Credential.

(C) Attend professional development workshops or training seminars equal to eleven days (66 hours) of training:

(i) 1 day: Attend a meeting of the State Board of Career and Technology Education and a board meeting at a technology center where the first-year technology center superintendent is not currently employed.

(ii) 2 days: Attend the Annual CareerTech Summer Conference.

(iii) 2 days: Attend the Annual Technology Center Superintendents June Workshop.

(iv) 6 days: Attend professional development workshops or training in the following general areas:

(I) Superintendent/Board of Education Relationships

(II) Legal Issues/School Law/Open Meeting Laws

(III) Staff Relationships/Due Process

(IV) Community and Industry Relationships

(V) Technology Center Finance

(VI) Plant Management/School Facilities

(VII) Setting School District Site Goals/Strategic Planning/Planning and Implementing Continuous Improvement Strategies for Schools

(VIII) Individuals with Disabilities Act (IDEA)

(v) If a first-year technology center superintendent can provide evidence that within eighteen months prior to being employed as a technology center superintendent, that they have completed one of the training requirements listed above in (iv), the Department will review the documentation and determine if credit should be given for training previously completed.

(D) The Department will provide and/or coordinate, approve and document professional development workshops and/or training seminars for first-year technology center superintendents. If content and method of delivery is approved by the Department prior to a first-year technology center superintendent participating in training, a first-year technology center superintendent may complete some of the training requirements by IETV, on-line training, webinars, or similar methods of delivery. The Department will issue a certificate to each new superintendent who has successfully completed the training requirements for first-year technology center superintendents. A copy of this certificate will be retained at the Oklahoma Department of Career and Technology Education. ~~provided to the Oklahoma State Department of Education.~~ To maintain certificate validity for second-year technology center superintendents, the Department will provide to first-year technology center superintendents ~~and the Oklahoma State Department of Education~~ a report showing training completed by first-year technology center superintendents. The Department will continue to ~~consult~~ collaborate with the Oklahoma State Department of Education regarding emerging issues that in the future may need to be integrated into first-year technology center superintendent training.

(1) **Other actions necessary to establish a new technology center.**

- (1) **Funding for buildings and equipment.** The elected board may submit a building fund levy proposal or a capital outlay bond proposal to finance new buildings and equipment after a study has been made and professional help has been employed.
- (2) **Election guidelines.** The building fund levy election or capital outlay bond election shall be conducted in accordance with the prescribed election rules and regulations.
- (m) **Approval of capital improvement projects.** After local board approval, all plans and specifications for technology center buildings, additions, including parking lots and modifications designed for *CareerTech* instruction and/or services shall be reviewed by and approved by appropriate staff of the Oklahoma Department of Career and Technology Education. In addition all capital improvement projects must comply with local building codes and be reviewed by the local and/or state fire marshal and the State Department of Education. The State Board must grant prior approval of all plans and specifications for technology center school buildings, additions, and modifications to school buildings that are designed to provide for the offering of *CareerTech* education and services when the cost of the building project is to be paid with state appropriated funds, which includes projects funded with monies from the Educational Lottery Trust Fund, or both local levies and state appropriated funds. (70 O.S. Section 14-108, as amended.)
- (n) **Ownership of instructional equipment.** Instructional equipment purchased or reimbursed with state and/or federal funds will remain the property of the State Board except equipment purchased with equipment grants. When instruction can no longer be justified, the State Board may remove the equipment and transfer it to another technology center, skills center, or place it in the Department service center.
- (o) **Insurance and equipment maintenance.** The technology center district shall be responsible for insurance and maintenance and repair of state-owned equipment while it is being utilized in instruction conducted by the district.
- (p) **Architect involvement.** Technology center buildings that are to be remodeled, repaired, or constructed shall have an architect engaged in the planning of such building as provided in 59 O.S. §46.3.
- (q) **Accommodations for individuals with disabilities.** It shall be the responsibility of the board of education of a technology center district to follow the provisions of the Uniform Federal Accessibility Standards or the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities when constructing new facilities or altering existing structures.

780:15-3-4. Financial management procedures for technology centers

- (a) **Annual "Estimate of Needs."** The board of education of a technology center district shall comply with the School District Budget Act in 70 O.S. §5-150, et.seq., as amended, or file an "Estimate of Needs" annually with the county excise board of the county in which the technology center site of the district is located or is to be located. If the district has, or is to have, more than one technology center site, the "Estimate of Needs" shall be filed with and approved by the county excise board designated by the technology center board of education.
- (b) **Preliminary "Estimate of Needs."** Only when an election is called to increase or decrease the levy shall a preliminary "Estimate of Needs" be published. The date of publication must be at least ten days before the election. Such elections may be called by the board of education whenever it determines it to be in the best interest of the district to do so.
- (c) **Response to levy petition.**
 - (1) **Operating levy.** It shall be mandatory for the board of education to call an election upon receiving a petition relative to the operating levy millage bearing the signatures of a majority of the qualified technology center electors of the district. The petition shall be filed with the clerk

of the board of education. The election shall be held at the next annual election as prescribed by law.

(2) **Incentive levy.** It shall be mandatory for the board of education to call an election to decrease the local incentive levy upon receiving a petition from the electors of the technology center district. Such petition shall be signed by at least fifty (50) percent of the number of technology center district electors who voted in the last school board election in the technology center district. The election shall be held at the next annual election as prescribed by law.

(d) **Preparation of the budget.** The "Estimate of Needs," or budget, shall be prepared, published, and filed at the same times specified for independent school districts, and shall include such financial statements, estimates, and information as may be prescribed by the State Board.

(e) **Duties of county assessor; distribution of tax monies.** After approving the "Estimate of Needs," the county excise board shall certify the required levies to the county assessor of each county having property within the boundaries of the area district. The county assessor shall include the levies on the tax rolls for collection by the county treasurer. The taxes collected by the county treasurer shall be apportioned and remitted to the treasurer of the technology center district in the same manner as that provided by law for tax collections accruing to the benefit of independent school districts.

(f) **Alternate system of accounting.** All technology center districts are authorized to use the alternate system of accounting set forth in 70 O.S. §5-135.

(g) **Guidelines.** As a general rule all technology centers will adhere to the **State Board of Education Policies and Procedures for Implementation of the Oklahoma Cost Accounting System (OCAS) and School Finance** in the areas that are not covered by the technology center rules and regulations.

(h) **Classification of funds, cash accounts, expenditures and receipts.**

(1) **Coding of revenue.** All technology center districts are required to maintain an ongoing record of income that will ensure a complete and accurate income report as required by the Department. All income will be identified in separate categories for local, state, and federal funds. All technology center districts are required to use the Oklahoma cost accounting system for coding revenue.

(2) **Coding of expenditures.** All technology center districts are required to use the Oklahoma cost accounting system for coding expenditures.

(3) **Final expenditure report.** All technology center districts are required to file a completed "Cost Per Instruction and Services Report" using guidelines furnished by the Department on or before October 1 of each year.

(i) **Management of and Responsibilities for the Activity Fund (70 O.S. §5-129).** All technology center districts shall adhere to the State Board of Education's Policies and Procedures for Implementation of the Oklahoma Cost Accounting System (OCAS) and School Finance section entitled "School Activity Fund."

(j) **Factors in determining the allocation formula for technology centers.**

(1) **Formula allocation plan.** The State Board will approve allocation of funds to Technology Centers.

(2) **Finance of operations.** The State Board shall provide state funds to technology centers based on a formula developed by the Oklahoma Department of Career and Technology Education.

(3) **Formula factors.** Factors considered in determining the formula may include enrollment, number of Department-approved instructional staff employed by the technology center to teach ~~career majors programs~~, local funding resources, incentive for maximum local support and allowable general fund balance.

- (4) **Annual approval of Career Majors Programs.** ~~Career Majors Programs~~ to be offered at the technology centers shall be approved each year in order:
- (A) That high school credit may be given to the students enrolled and
 - (B) To ensure that accreditation factors are in proper form.
- (5) **Annual approval of Instructional Staff.** Instructional staff employed by the technology centers to teach ~~career majors programs~~ shall be approved by the Department each year.
- (k) **Audit resolution process.**
- (1) **Independent audits.** The Department shall be responsible for ensuring that audits are performed by independent auditors in a timely manner and are in accordance with OMB Circular A-133 and the Single Audit Act. The Department will review and categorize any audit exceptions, comments or findings.
- (A) **Notification of findings.** The Department shall notify the technology center of the findings and will request a letter of commitment of corrective action for procedural finding(s) and finding(s) involving questioned costs.
 - (B) **Assurance of settlement.** In the case of a legal requirement, the technology center shall supply written documentation that the issue has been settled.
 - (C) **Response to letter of commitment.** If the commitment from the technology center is satisfactory as determined by the Department, the school will be notified of the decision.
 - (D) **Return of funds.** If the commitment is determined to be unsatisfactory, the Department may request the return of funds connected with the questioned cost(s) or the questioned procedure(s).
 - (E) **Disallowed costs.** If the finding involves disallowed costs, the Department will request the refund of funds for the questioned costs.
- (2) **Agency oversight audits.** The Department may perform audits of technology centers. The Department will review and categorize any audit exceptions, comments or findings.
- (A) **Notification of findings.** The Department shall notify the technology center of the findings and will request a letter of commitment of corrective action for procedural finding(s) and finding(s) involving questioned costs.
 - (B) **Assurance of settlement.** In the case of a legal requirement, the technology center shall supply written documentation that the issue has been settled.
 - (C) **Response to letter of commitment.** If the commitment from the technology center is satisfactory as determined by the Department, the school will be notified of the decision.
 - (D) **Return of funds.** If the commitment is determined to be unsatisfactory, the Department may request the return of funds connected with the questioned cost(s) or the questioned procedure(s).
 - (E) **Disallowed costs.** If the finding involves disallowed costs, the Department will request the refund of funds for the questioned costs.

780:15-3-6. Technology center students

- (a) **Student eligibility.**
- (1) **High school students.** For students currently enrolled in high school, the technology center is an extension of the student's high school and shall be subject to the regulations thereof. The student's home high school shall transcript the units of instruction earned by high school students attending the technology center. High school students who successfully complete their career plans of study shall be awarded a competency/completion certificate by the technology center. The technology center is a separate entity in that it also serves adult students.

(2) **Enrollment procedures.** High school students shall meet the enrollment criteria established by the technology center for the specific program ~~career major~~ plan of study in which they wish to enroll, regardless of lawful immigration status. All high school students shall be enrolled through a cooperative effort of the sending comprehensive high school and the technology center, except in cases where the student's parent or guardian has provided sufficient evidence that he/she is participating in a home-schooled education plan in accordance with 70 O.S. §10-105, as amended.

(3) **Approval to withdraw and withdrawal procedures.** Students from a sending comprehensive school who wish to withdraw from a technology center must have approval of both the technology center and the comprehensive school. Specific procedures for withdrawal are established cooperatively by the technology center and the sending comprehensive school.

(4) **Student discipline.** High school students' discipline and control shall be a cooperative effort between the comprehensive school and the technology center. Each institution shall enforce rules and regulations in accordance with their board-approved policies. Both institutions shall recognize the students' rights to "due process."

(A) **Qualified Students with Disabilities under IDEA.** Discipline for students with disabilities who have an IEP shall be in accordance with current federal and state legislation and rule of law.

(B) **Qualified Students with Disabilities under Section 504/ADA.** Qualified students with disabilities under Section 504 of the Rehabilitation Act of 1973 as amended or the Americans with Disabilities Act of 1990 as amended who are disabled by drug addiction or alcoholism may be disciplined to the same extent as other students. However, a student who is disabled by some other condition in addition to drug addiction or alcoholism must be evaluated and afforded due process prior to disciplinary action that would constitute a significant change in placement. Denial of access, and/or a significant change in placement, should not occur when there is a definable relationship between the misconduct and the disability. The student's 504/ADA team should meet and make this determination. There is no requirement in Section 504 or the ADA for the continuation of educational services following the expulsion of a student for behavior unrelated to the student's disability.

(5) **Certified coursework.** Units of coursework earned by a student in a technology center in Oklahoma shall be certified by the technology center to the sending school in which the student is regularly enrolled. These units of coursework shall be counted toward meeting local and state requirements for graduation. The technology center is considered to be an extension of the sending school curriculum and shall be subject to the regulations thereof.

(6) **Hours of attendance.** High school students may attend a technology center up to one-half day pursuing a high school diploma or high school equivalency and up to one-half day completing a *CareerTech* program ~~Career Major~~ in the technology center. The students are counted as attending a full day at the sending school.

(7) **Secondary Students.** ~~Career Majors~~ Programs in the technology centers may be offered to secondary students. Students who are on an Individualized Education Program may attend a technology center up to four years.

(8) **Postsecondary/adult students.** The technology center functions as a separate postsecondary-level educational institution for adult students who are beyond the age of compulsory school attendance and/or are not enrolled in high school. Postsecondary/adult students may attend courses at the technology center which may be held any time during the day or night on or off campus. Postsecondary/adult students are subject to the policies and procedures established for adult students by the technology center and shall be afforded all benefits and

services for which they qualify, regardless of lawful immigration status. Units of coursework completed at a technology center by a postsecondary/adult student are transcribed by the technology center as postsecondary level credit. Postsecondary/adult students who successfully complete their plan of study shall be awarded a competency/completion certification by the technology center. Units of instruction and/or credits earned by postsecondary/adult students may also be applied toward a college degree, in accordance with the cooperative agreements and cooperative alliance agreements developed by each technology center with a higher education institution.

(9) **Residency.** Students that meet the residency requirements of 70 O.S. Section 1-113, as amended, shall have the same opportunity to access technology center courses, regardless of lawful immigration status, as any other in-district student. These students may enroll in an appropriate program ~~Career Major~~ following the same admission and enrollment procedures as other students.

(10) **Cooperative Alliances Between Higher Education Institutions and Technology Centers.**

(A) **Purpose.** The purpose of Cooperative Alliances is to expand student access to Oklahoma's educational opportunities with resource-sharing partnerships between institutions of the State System and CareerTech technology centers for the benefit of Oklahoma citizens, business, industry, and students. Cooperative Alliances are student-centered partnerships organized to encourage and facilitate progress toward college graduation and designed to ensure that students obtain the technical and academic skills that will allow them to succeed in today's dynamic knowledge-based, technology-driven global economy.

(B) **Formation and Operation.** Cooperative Alliances may be formed and operated between Oklahoma technology center school district(s), and public colleges or universities that offer the Associate in Applied Science (AAS) degree.

(b) **Tuition.**

(1) **Resident high school students.** High school students who are residents of the technology center district attend on a tuition-free basis, regardless of lawful immigration status.

(2) **Tuition charge.** Technology centers are authorized to charge tuition to postsecondary students. Amounts charged by a technology center district for tuition are subject to the approval of the State Board.

(3) **Out of District Tuition.** Technology center districts shall charge a tuition to any secondary student who does not reside in the technology center district. The fee for tuition shall be not less than twice the amount of the local cost of providing instruction and services for the student. The State Board may waive this requirement in situations where the technology center district has shown evidence that such requirement will be detrimental to the mission of the local technology center district. Reciprocity agreements to benefit in-district students may be made between technology centers and approved by the Oklahoma Department of Career and Technology Education.

(c) **Transportation.**

(1) **Responsibility.** The technology center is responsible for providing transportation of daytime secondary students to and from in-district, sending schools for those students who are enrolled in a three-period block of instruction. Transportation for students requesting alternative schedules shall be determined by an agreement between the comprehensive school and the technology center.

- (2) **Operation under Oklahoma school laws.** All technology centers owning or leasing and operating school buses that transport students to and from points being served by the technology center shall operate under the current school laws of Oklahoma.
- (3) **Adult transportation.** Upon approval of the technology center board of education, postsecondary students enrolled in a technology center may be transported, as space is available, on established bus routes and related auxiliary activities.
- (d) **Student accounting.** Student Accounting information shall be submitted to the Information Management Division as outlined in OAC 780:10-7-2.

780:15-3-7. Special provisions

- (a) **Sex discrimination.** It shall be the responsibility of the board of education of the technology center district to review and conform to all regulations that prohibit sex discrimination. *No person in the United States shall on the basis of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance* [Public Law 92-318, Title IX, Sec. 901 (A)]. Any reference to discriminatory language or practices relative to race, creed, or national origin should be deleted.
- (b) **Basic education.** No technology center district shall be required to provide any training or instruction that is independent of career and/or technology education. However, foundational, academic and contextual academic education should be provided to persons in order to bring them up to a level at which they may successfully complete the course ~~or Career Major~~ in which they are enrolled.
- (c) **Education and Services in other districts.** No technology center district shall offer *CareerTech* education and/or services to any entities inside another technology center district without prior approval of that district. If there is a Reciprocity Agreement between technology center districts, the provisions of the Reciprocity Agreement shall be followed. Territory not presently a part of any technology center district may be served by a technology center district in accordance with the policy and procedures approved by the State Board.
- (d) **Live Work Policy.** The live work policy adopted by the State Board of Career and Technology Education in February 2004 shall be incorporated into all technology center policies and procedures. Live work is work performed by students in a laboratory, classroom, shop, or in a field setting under written contract and under the direction of the instructor. The process by which all live work projects will be approved should be outlined in the live work policy. Live work projects should be chosen on the basis of merit in relation to the instructional objectives as well as the determined value of the project to allow students to achieve a desired level of competency. Superintendents, Deputy Superintendents, Assistant Superintendents and local board members shall be ineligible from utilizing live work services. These projects are not to replace other learning activities, nor to compete with other organizations within the district, but are to complement them. These projects will allow students to experience situations not easily duplicated in a lab or classroom, and at little or no cost to the school. Documentation for each live work project will be maintained by the technology center and will contain pre-numbered live work tickets, authorization signatures, signature of the project owner, estimated amount, amount paid or deposited, scope of the work, estimated completion date, and record of all materials and parts purchased. Live work accounts shall be paid in full upon the completion of the project. The list of live work projects may be reviewed at any time by the ODCTE audit/review staff or others as designated by the State Director of Career and Technology Education. All records of live work projects will be maintained by the technology center for at least three (3) fiscal years following the most recent technology

center financial audit. The following policy should be incorporated into all technology center policies and procedures. The policies developed by the technology centers will become items for review during all standard accreditation visits or audit/reviews conducted by the Oklahoma Department of Career and Technology Education.

(e) **Technology Center Code of Ethics Guidelines.** Each technology center will ensure that its district policies and procedures comply with the guidelines for the Technology Center Code of Ethics approved by the State Board of Career and Technology Education in April 2004. Technology center district boards may add any other provisions to these guidelines with discretion. Policies and procedures shall be developed by each technology center board for reporting and resolving alleged violations. The policies developed by the technology centers will become items for review during all standard accreditation visits or audit/reviews conducted by the Oklahoma Department of Career and Technology Education. The guidelines for the Technology Center Code of Ethics are:

(A) **Focus on the success of students and clients as the fundamental value upon which all decisions are made.** Provide a safe, supportive environment to include up-to-date facilities, equipment, instructional materials, and methods, as well as other appropriate student services to enhance the educational experience and enable all students to achieve their full potential for success. Ensure that all instructors are appropriately qualified to provide a high level of instruction to enable students to obtain realistic training and education for successful career and workplace readiness.

(B) **Acknowledge that the System is accountable to the taxpayers and patrons of the local district and the State of Oklahoma.** The district will compile and make available an annual report or profile that identifies the standards by which the district measures success. A copy of this report will also be published on the district website. The annual report or profile may measure standards such as teacher qualifications, revenue, expenditures, cost per student, economic impact of education and services, completion rates, sending school service rate, placement of completers, percentage of completers who attain an industry-recognized state or national licensure or certification, etc.

(C) **Understand that the role of the board of education is to set policy and direction for the school district, and the role of the administration and staff is to implement the policies of the board in a fair and consistent manner.** The district will maintain and enforce an up-to-date manual of Policies and Procedures. The district will utilize a strategic planning process that will include, at a minimum, the following components: core values and beliefs, vision statement, mission statement, and strategic goals. Adoption of policies not in conformity with the administrator's recommendations or beliefs is not just cause for refusal by the administration to support and implement those policies. Administration must be impartial in the execution of the school policies and the enforcement of rules and regulations. It is a breach of ethics to give preferential consideration to any individual or group because of special status or position in the school system or the community.

(D) **Not use position or influence for any personal gain; and will avoid actions that create a conflict of interest and strive to avoid actions that might appear to create a conflict of interest.** The term "conflict of interest" describes any circumstance that could cast doubt on a person's ability to act with total objectivity with regard to the district's interest. Conflicts of interest are prohibited. It is improper for a board member or school administrator to profit financially from interest in any business which publishes, sells, manufactures, or in any way deals in goods or services which are, or may be expected to be, purchased by the school system they serve. It is a breach of public trust for a board member

or administrator to use confidential information concerning schools affairs (such as the knowledge of the selection of specific school sites) for personal profit or to divulge such information to others who might profit. Although it is impossible to list all potential conflict of interest situations, the following examples represent situations where a conflict of interest could arise: A direct or indirect financial interest in any business or organization that is a district vendor or competitor, if the employee or board of education member can influence decisions with respect to the district's business. Use of any district asset for the employee's personal business advantage (examples of such assets include not only equipment, tools, and supplies, but also valuable ideas, technical data, and other confidential information). Relationships, including business, financial, personal, and family may give rise to conflicts of interest or the appearance of a conflict. Employees should carefully evaluate relationships as they relate to district business to avoid conflict or the appearance of a conflict.

(E) **Fulfill professional responsibilities with honesty and integrity.** The Board of Education, superintendent, administration, faculty, and staff will fulfill their duties and responsibilities with honesty and integrity and improve their professional effectiveness through continuing professional development. Board members will be diligent and well informed of issues surrounding Board decisions and regularly attend Board meetings.

(F) **Support the Constitutions of the State of Oklahoma and the United States of America and obey all federal, state, and local laws.** Board members will uphold the Oath of Office. Professional development will be held annually for board members, superintendent, administration, faculty, and staff to learn about new laws.

(G) **Encourage effective communication between the Board, the students, the staff, and all elements of the community.** A communication plan will be developed to address internal and external audiences.

(H) **Improve professional effectiveness through continuing professional development.** In addition to meeting the minimum requirements for continuing education mandated by state law, board members, administration and staff have a professional obligation to attend conferences, seminars, and other learning activities that hold promise of contributing to their professional growth and development.

(f) **Rules; regulations.** In the absence or omission of specific rules and regulations pertaining to the technology center districts, the state statutes and the rules and regulations governing independent school districts will prevail.

(g) **Review of the Rules for Career and Technology Education.** The **Rules for Career and Technology Education** approved by the State Board should be reviewed in connection with developing *CareerTech* courses, ~~Career Majors~~ Programs and services.

(h) **Technology Centers That Work.** The Department will coordinate the Technology Centers That Work initiative to help technology centers embed college- and career-readiness academic standards into instruction and produce graduates who can succeed in postsecondary studies and careers in high-demand, high-skill, high-wage fields. The Department will coordinate with the Southern Regional Educational Board and other entities to organize professional development sessions on topics such as numeracy, literacy and using data for continuous school improvement.