

**TITLE 210. STATE DEPARTMENT OF EDUCATION
CHAPTER 35. STANDARDS FOR ACCREDITATION OF ELEMENTARY, MIDDLE
LEVEL, SECONDARY, AND CAREER AND TECHNOLOGY SCHOOLS**

**SUBCHAPTER 3. STANDARDS FOR ELEMENTARY, MIDDLE LEVEL,
SECONDARY, AND CAREER AND TECHNOLOGY SCHOOLS
PART 19. STANDARD X: SCHOOL FACILITIES**

210:35-3-186. Site and buildings: size and space; accessibility; maintenance; health and safety [AMENDED]

(a) **General requirements for school facilities.** All school facilities shall meet the following requirements:

(1) The site and building(s) shall be properly sized and equipped for the number of occupants and grades served in accordance with the requirements of 70 O.S. § 5-131.

(2) Adequate space shall be provided for classrooms, specialized instructional areas, support facilities and other areas as needed, these areas being grouped and arranged in such manner to provide optimum instructional function and class control.

(b) **Accessibility requirements for school facilities.** The site and building(s) shall be readily accessible, and shall meet all requirements of state and federal law, including those relating to ~~in~~ providing access for students with disabilities.

(c) **Capital improvement plans.** Each school district shall develop and adopt a four-year capital improvement plan for all public schools in the district that meets the requirements of 70 O.S. 18-153 and 210:30-1. School facilities shall be able to accommodate changes in curriculum and/or equipment within a program.

(d) **Maintenance of school facilities and equipment.** Programs for preventive and corrective maintenance shall be developed and implemented to ensure that the site and building(s) will be clean, in good repair, and maintained with consideration for function and aesthetic values. Equipment, furnishings, and supplies in proper quantity and quality shall be maintained; and a system shall be developed and implemented for inventory, issue, usage, storage, repair, and replacement.

(e) **Health and safety.** The site and building(s) shall ensure that the health and safety of all school students, school personnel, and school visitors are properly safeguarded.

(1) **Building code compliance.** Where required, the facility shall have utility systems, plumbing systems, electrical systems, mechanical systems, emergency systems, building interiors and building envelope designed, built, and maintained to all federal, state, and local standards, codes and/or other legal requirements.

(2) **Loading and unloading zones.** The site shall be as free as possible from hazards, provide a safe area for (un)loading of vehicles, with adequate lighting, signage and drainage.

(3) **Hazardous materials.** Appropriate programs pertaining to hazardous materials, hazardous waste, asbestos, underground storage tanks, lead contamination, and other applicable life, health, and/or safety matters shall be developed and implemented in accordance with federal, state, and local statutes, regulations, and codes.

(4) **Emergency warning and prevention systems.** Proper precautions shall be taken to prevent injuries. All equipment and facility safety features shall be in place and properly maintained, including, but not limited to safety goggles in accordance with the requirements of 70 O.S. §24-117 and respirators in accordance with the requirements of 70 O.S. §24-118.

(f) **School safety inspections.** The school's administration shall ensure that qualified personnel conduct a safety/emergency/disaster procedure review at least annually and safety inspections of site, building(s), and equipment regularly.

(g) **School safety drills.** Each public school district shall adopt policies and procedures for each type of safety drill required by this subsection. All safety drills shall conform to the written plans and procedures adopted by the district for protecting against natural and man-made disasters and emergencies as required by Title 63 O.S. § 681 and 70 O.S. §§ 5-148 and 5-149.

(1) **Compliance documentation.** Each public school district shall document compliance with the requirements of this subsection by each school site in writing as follows:

(A) The records for each fire drill shall be preserved for at least three (3) years and shall be made available to the State Fire Marshal or the designated agent of the State Fire Marshal upon request. In addition, one copy of the fire drill compliance report shall remain at each school site and one copy shall be filed with the school district's administrative office;

(B) In addition to the fire drill documentation required by (1)(A) of this subsection, each public school district shall document all other required safety drills in writing by school site. One copy of the safety drill compliance report shall remain at each school site and one copy shall be filed with the school district's administrative office. Each school district shall also submit documentation in writing for each school site to the Oklahoma Office of Homeland Security Oklahoma School Security Institute in accordance with the Institute's established forms, policies and/or procedures; and

(C) Each school district shall make all of its safety compliance reports required by this subsection available to the Regional Accreditation Officer during the accreditation process.

(2) **Safety drill types and requirements.** Each school district shall ensure that every public school within the district shall conduct no fewer than ten (10) safety drills per school year at each school site. All students and teachers at the public schools shall participate. Safety drills conducted in accordance with this subsection shall meet all of the following requirements:

(A) **Fire drills.** Each public school shall conduct a minimum of two (2) fire drills per school year. Each fire drill shall be conducted within the first fifteen (15) days of the beginning of each semester. The fire drills shall include the sounding of a distinctive audible signal designated as the fire alarm signal.

(B) **Tornado drills.** Each public school shall conduct a minimum of two (2) tornado drills per school year, in which all students and school employees participate. At least one (1) tornado drill shall be conducted in the month of September and at least one (1) tornado drill shall be conducted during the month of March.

(C) **Security drills.** Each public school shall conduct a minimum of four (4) security drills per school year, with two (2) security drills conducted per semester. One security drill shall be conducted within the first fifteen (15) days of each semester. No security drill shall be conducted at the same time of day as a previous security drill conducted in the same school year. Security drills shall be conducted for the purpose of securing school buildings to prevent or mitigate injuries or deaths that may result from a threat around or in the school.

(D) **Additional safety drills.** The principal of each public school shall, at the direction of the district superintendent, utilize the remaining two (2) required safety drills for one or more of the following purposes:

- (i) To conduct additional drills of any of the types provided in this subsection;
- (ii) To conduct one or more drill(s) developed by the district that is consistent with the risks assessed for the school facility; or
- (iii) To conduct one or more drills in accordance with recommendations submitted by the Safe School Committee as authorized by the provisions of 70 O.S. § 24-100.5 or any assisting fire or law enforcement department.

(h) Restrooms and Changing Areas.

(1) Definitions. For purposes of this subsection (h):

(A) "Sex" means the physical condition of being male or female based on genetics and physiology, as identified on the individual's original birth certificate;

(B) "Multiple occupancy restroom or changing area" means an area in a public school or public charter school building designed or designated to be used by more than one individual at a time, where individuals may be in various stages of undress in the presence of other individuals. The term may include but is not limited to a school restroom, locker room, changing room, or shower room.

(C) "School" means any public school and public charter school that serves students in prekindergarten through twelfth grades in this state.

(D) "Individual" means any student, teacher, staff member, or other person on the premises of a School.

(2) Designation of Multiple Occupancy Restroom or Changing Areas. Each School shall require every multiple occupancy restroom or changing area to be designated as follows:

(A) For the exclusive use of the male Sex; or

(B) For the exclusive use of the female Sex.

(3) Reasonable Accommodation. Each School shall provide access to a single-occupancy restroom or changing room to an Individual who does not wish to utilize the multiple occupancy restroom or changing area designated for their Sex.

(4) District Policies. Each school district board of education and public charter school governing board shall adopt a policy to provide disciplinary action for Individuals who refuse to:

(A) Use the multiple occupancy restroom or changing area designated for their Sex;

(B) Designate multiple occupancy restrooms or changing areas for the exclusive use of one Sex; or

(C) Provide access to a single-occupancy restroom or changing room to an Individual who does not wish to utilize the multiple occupancy restroom or changing area designated for their Sex, provided that such Individual is authorized to be on the School premises.

(5) Monitoring and Complaints.

(A) Schools will be evaluated by the Regional Accreditation Officer during the accreditation process to ensure compliance with the provisions of 70 O.S. § 1-125 and this Rule. Failure to comply with 70 O.S. § 1-125 and this Rule may result in adverse accreditation action.

(B) Students, parents, teachers, school staff, and members of the public may file a complaint with the State Board of Education alleging a violation of 70 O.S. § 1-125 and/or this Rule. A copy of such complaint shall be submitted to the general counsel for the State Department of Education.

(6) Response by School.

(A) Within fifteen (15) days of observing or obtaining information suggesting that a School may be in violation of 70 O.S. § 1-125 and/or this Rule or receiving a complaint pursuant to subsection (h)(4)(C), the State Department of Education shall notify, in writing, the board of education or governing board of the School involved. Simultaneously, the State Department of Education shall provide a copy of the written notification to the State Board of Education.

(B) Upon receipt of the notification, the board of education or governing board of the School shall have fifteen (15) days to request an opportunity to appear before the State Board of Education and/or submit a written response. Any such request will be granted if timely submitted. If the board of education or governing board of the School fails to request an opportunity to appear, the State Board of Education shall proceed without further notice or delay, to conclude the matter.

(7) Noncompliance.

(A) Upon a finding of noncompliance with the provisions of subsections B and C of 70 O.S. § 1-125 by the State Board of Education, the noncompliant school district or public charter school shall receive a five percent (5%) decrease in state funding for the school district or public charter school for the fiscal year following the year of noncompliance. State funding shall mean State Aid funding as contemplated in 70 O.S. § 18-101 et seq.

(B) If the State Board of Education makes a finding of non-compliance, the five percent reduction shall be withheld from the school district or public charter school's periodic distributions over the course of the fiscal year following the year of noncompliance.

(C) Prior to making a finding of noncompliance, the State Board of Education may, if mitigating factors are present, provide a probationary period for a school district or public charter school to come into compliance with subsections B and C of 70 O.S. § 1-125.