

CHAPTER 15. TECHNOLOGY CENTERS

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SUBCHAPTER 1. GENERAL PROVISIONS

Section
780:15-1-1. Purpose

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This chapter describes procedures for the establishment and operation of local technology centers.

[Source: Amended at 10 Ok Reg 2459, eff 6-11-93; Amended at 21 Ok Reg 2895, eff 7-11-04]

SUBCHAPTER 3. TECHNOLOGY CENTERS EDUCATION

Section
780:15-3-1. Rationale; corporation status; taxing authority
780:15-3-2. Establishment of a technology center school district; sites and buildings [AMENDED]
780:15-3-3. Elections in existing technology center districts [AMENDED]
780:15-3-4. Financial management procedures for technology centers
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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 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. 1988, §14-104 and Section 9B, Article X, Oklahoma Constitution].

(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. 1988, §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. 1988, §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.Supp.1995, Section 1-118.1. Any millage levy voted is effective for one year. If a building fund levy is needed for multiple years, it shall be voted upon each year.

(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.

[Source: Amended at 9 Ok Reg 2607, eff 6-25-92; Amended at 10 Ok Reg 2459, eff 6-11-93; Amended at 11 Ok Reg 2885, eff 6-13-94; Amended at 12 Ok Reg 1847, eff 6-12-95; Amended at 14 Ok Reg 2019, eff 5-27-97; Amended at 16 Ok Reg 3209, eff 7-12-99; Amended at 18 Ok Reg 3281, eff 7-26-01; Amended at 21 Ok Reg 2895, eff 7-11-04; Amended at 25 Ok Reg 2093, eff 7-1-08; Amended at 27 Ok Reg 1991, eff 7-1-10]

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 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 2001, § 14-108, as amended, and the county excise board has approved an "Estimate of Needs" for the district or in compliance with the 1996 School District Budget Act in 70 O.S. Supplement 1996, §5-150, 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. He/she 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. He/she 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. 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. Fourth, the technology center superintendent shall have a Technology Center Administrator's Credential.

(3) **Issuance by the Technology Center Services Division.** The Technology Center Services Division of 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 majors 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 Department-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.** A person with a superintendent's certificate or a secondary principal's certificate and a valid Oklahoma teaching certificate and at least five years of experience as a CareerTech teacher, supervisor, or administrator of Department-approved programs and/or career majors and without a valid Oklahoma *CareerTech* teaching certificate shall be issued a provisional technology center administrator's credential and be given three years from the date of issuance to complete the eight semester hours specified below to meet the requirements for a standard technology center administrator's credential. A person who has been employed in an administrator, counselor or coordinator position for at least five years at a technology center, who has a superintendent's certificate or a secondary principal's certificate and a valid Oklahoma teaching certificate or valid school counseling certificate shall be issued a provisional technology center administrator's credential and be given five years from the date of issuance to complete the eight semester hours specified below plus the appropriate ODCTE administrator development program(s) identified when the technology center administrator's credential is issued to meet the requirements for a standard technology center administrator's credential. The issuance of the technology center administrator's standard credential shall be based on the completion of a minimum of eight semester hours from three of the following areas:

- (i) History and Philosophy of Career and Technology Education;
- (ii) Technology Center Finance;
- (iii) Curriculum for Career and Technology Education; and,
- (iv) Career and Technology Education Planning Instruction Development and Evaluation.

(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 he/she has completed one of the training requirements listed above in (iv), the Technology Center Services Division will review his/her documentation and determine if credit should be given for training previously completed.
- (D) After July 1, 2009, the Technology Center Services Division of 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 Technology Center Services Division 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 Technology Center Services Division 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 provided to the Oklahoma State Department of Education. To maintain certificate validity for second-year technology center superintendents, the Technology Center Services Division 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 Technology Center Services Division will continue to consult 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 appropriate staff of the Oklahoma Department of Career and Technology Education and shall be approved by the Technology Center Services Division 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. 2001, 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. Supp. 2008, §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.

[Source: Amended at 9 Ok Reg 2607, eff 6-25-92; Amended at 10 Ok Reg 2459, eff 6-11-93; Amended at 11 Ok Reg 2885, eff 6-13-94; Amended at 12 Ok Reg 1847, eff 6-12-95; Amended at 14 Ok Reg 2019, eff 5-27-97; Amended at 16 Ok Reg 3209, eff 7-12-99; Amended at 18 Ok Reg 3281, eff 7-26-01; Amended at 21 Ok Reg 2895, eff 7-11-04; Amended at 25 Ok Reg 2093, eff 7-1-08; Amended at 27 Ok Reg 1991, eff 7-1-10]

780:15-3-3. Elections in existing technology center districts

- (a) **Election of five-year term board member.** A regular election shall be held in each technology center district as may be prescribed by law, at which time the technology center district electors shall elect a member of the board of education to succeed the outgoing member for a term of five years and, if necessary, elect a member of the board to fill any vacancy that occurred since the previous election.
- (b) **Board vacancies.** Vacancies for members of the board of education of every technology center district shall be filled by appointment by the board. Persons appointed to fill vacancies in the first half of the term of office for the board position shall serve only until the next succeeding election, at which time the office which they hold shall be placed on the ballot for the balance of the unexpired term. Vacancies filled by appointment following the delivery of the resolution calling for regular elections to the secretary of the county election board shall be filled until the

regular elections the following year. Persons elected to fill unexpired terms shall begin those terms at the next regular meeting of the board of education following the election. If the board of education does not fill the vacancy by appointment within sixty (60) days of the date the board declared the seat vacant, the board of education shall call a special election to fill the vacancy for the unexpired term.

(c) **Notification and declaration of candidacy.** Candidates for election as members of the board of education of an existing technology center district shall file a notification and declaration of candidacy with the county election board at the time specified by law.

(d) **Run-off election.** If no candidate receives more than 50 percent of the votes cast in the election, an election between the two candidates with the highest number of votes shall be conducted in accordance with 26 O.S. 2001, §13A-103, as amended.

(e) **County election board.** All technology center elections shall be conducted by the county election board in accordance with 26 O.S. 2001, §13A-101 et seq., as amended.

(f) **Notification of results.** The county election board shall notify the State Board and local school district boards of the results of the initial election of board members. Thereafter, the county election board shall notify the existing area school board of education of the election results.

(g) **Organization of the school board.** The school board of a technology center district shall be organized in accordance with 70 O.S. 2001, §5-119, as amended, and the Rules for Career and Technology Education, Title 780 Oklahoma Administrative Code.

(h) **Responsibilities of the board.** The board of education of a technology center district shall have powers, duties, and obligations in accordance with 70 O.S. 2001, §5-117, as amended. The board will perform all functions necessary for the administration of a technology center district in Oklahoma as specified in the Oklahoma School Code, and in addition thereto, those powers necessarily implied but not delegated by law to any other agency or official.

(i) **Education and training requirements.** Technology Center Board members are required to complete training requirements specified in Sections 5-110 and 5-110.1 of Title 70 of the Oklahoma Statutes. The Department is authorized to provide new, incumbent, and continuing education workshop and training so technology center board members and the State Board of Career and Technology Education members have the opportunity to complete the training that is required by statute. The training may be conducted and/or coordinated by the Department or by an outside entity that has been approved by the Department and has contracted with the Department and/or agreed to provide the training. The Department shall maintain the records that document training completed by technology center board members and State Board of Career and Technology Education members. The Department shall provide each technology center school district board of education member and State Board of Career and Technology Education member with a training status report at least twice a year. If resources are available, the Technology Center Services Division may post training status reports on a web page that is accessible only to appropriate individuals.

(j) **Workshops and training seminars.** The Technology Center Services Division of the Department will provide and/or coordinate, approve and document professional development workshops and/or training seminars for technology center board members and State Board of Career and Technology Education Board members. If content and method of delivery is approved by the Technology Center Services Division prior to a board member participating in training, a board member may complete some of the training requirements by participating in IETV, on-line training, webinars or similar methods of delivery.

[Source: Amended at 9 Ok Reg 2607, eff 6-25-92; Amended at 10 Ok Reg 2459, eff 6-11-93; Amended at 16 Ok Reg 3209, eff 7-12-99; Amended at 18 Ok Reg 3281, eff 7-26-01; Amended at 21 Ok Reg 2895, eff 7-11-04; Amended at 23 Ok Reg 2904, eff 7-1-06; Amended at 26 Ok Reg 2390, eff 7-1-09; Amended at 27 Ok Reg 1991, eff 7-1-10]

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 1996 School District Budget Act in 70 O.S. Supplement 1996, §5-150, 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. Supp. 1990, §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. Effective July 1, 1993, for FY 1994, all technology center districts will be required to use the Oklahoma cost accounting system for coding revenue.

(2) **Coding of expenditures.** All technology center districts will be 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. Supp. 1990, §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, local funding resources, incentive for maximum local support and allowable general fund balance.
 - (4) **Annual approval of Career Majors.** Career Majors 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 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's Internal Audit staff will 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.

[Source: Amended at 9 Ok Reg 2607, eff 6-25-92; Amended at 10 Ok Reg 2459, eff 6-11-93; Amended at 11 Ok Reg 2885, eff 6-13-94; Amended at 14 Ok Reg 2019, eff 5-27-97; Amended at 16 Ok Reg 3209, eff 7-12-99; Amended at 18 Ok Reg 3281, eff 7-26-01; Amended at 21 Ok

Reg 2895, eff 7-11-04; Amended at 22 Ok Reg 2276, eff 7-1-05; Amended at 25 Ok Reg 2093, eff 7-1-08; Amended at 27 Ok Reg 1991, eff 7-1-10]

780:15-3-5. Changes in districts' status

(a) **Rezoning of existing technology center districts.**

(1) **Review of board district population.** In order to comply with the federal and state rules of equal representation in all units of government, it will be necessary from time to time to review the population of the board districts as originally designed to see that reasonably equal board districts exist as far as population is concerned. Between August 1 and December 31 of the year following the submission of the official Federal Decennial Census, the board of education will reapportion the school district into board districts. The local technology center will formulate the rezoning plan, that must be submitted to the State Board for approval.

(2) **Board of education; board district size.**

(A) **Five members.** The board of education shall consist of five (5) members, except as provided in 70 O.S. Supp. 2001, §5-107A, 70 O.S. Supp. 2001, §14-110, 70 O.S. Supp. 2001, §4419, 780:15-3-2(I)(6) rules and regulations governing technology center districts, and 780:15-3-5(a)(2)(E) of this section.

(B) **Size of board districts.** Internal boundaries of board districts shall follow clearly visible, definable, and observable physical boundaries that are based upon criteria established and recognized by the Bureau of the Census of the United States Department of Commerce for the purposes of defining census blocks for its decennial census and shall follow, as much as is possible, precinct boundaries. Board districts shall be compact, contiguous and shall be as equal in population as practical with not more than a ten percent (10%) variance between the most populous and least populous board districts.

(C) **Restructure of noncontiguous board districts.** Technology center districts that are not contiguous shall structure their board districts where there are no intervening board districts between the noncontiguous portion of the district and the remainder of the same board district that contains the noncontiguous portion of said technology center district.

(D) **Board district residency.** All members shall reside in the board district that they represent.

(E) **Seven-member board districts; annexation.** Any technology center district that consisted of a seven (7) member school board on July 1, 1987, and later has added or will add more geographical territory by annexation, shall continue to have a seven (7) member school board whose terms of office shall be the same as previously served.

(b) **Annexations.**

(1) **Proposed annexations**

(A) **Annexation, as proposed by a board of education.** Boards of education of a public school district desiring their district or a part of their district to annex to an existing technology center district shall submit a resolution to the State Board requesting an election be called for that purpose. Territory shall not be annexed to a technology center district without the approval of the State Board. No territory may be included in a petition for annexation within one (1) year from the date of an unsuccessful election for annexation where that territory was a part of the territory seeking to annex. A study of the proposed annexation will be conducted by the Department to ascertain whether the annexation would unlawfully exclude students on the basis of race, color, national origin, or disability. If the board of education of the technology center district approves the annexation resolution, the State Board after counseling with the local school district board will set the election date and shall request the county election board to conduct the aforementioned annexation election. If a majority of the electors voting at such election vote in favor of the proposition, as certified by the county election board, the State Board shall declare the public school district, or that portion designated, annexed to the local technology center.

(B) **Annexation, as proposed by patrons/electors.** In the event the patrons of any designated territory comprising all or part of a local public school district desire to have

such designated territory annexed to a technology center district, a petition may be submitted to the State Board calling for an election on the desired annexation. The petition shall be signed by at least 50 percent of the number of school district electors who voted in the last school board election in the territory proposed to be annexed, as determined by the secretary of the county election board, who shall certify the adequacy of the number of signatures on the petition. The State Board, after obtaining approval of the technology center district to which the territory is sought for annexation, shall request the county election board to conduct the requested annexation election—provided the period of time from which the petition was initiated to its time of filing with the State Board did not exceed 90 days. All qualified voters within the local school district shall be entitled to vote at such election. If a majority of the electors voting at such election vote in favor of the proposition, as certified by the county election board, the designated territory shall thereupon be declared by the State Board to be annexed to the respective technology center districts.

(C) **Petition.** A petition form shall be developed by the Oklahoma Department of Career and Technology Education. Any petition to be circulated must be on that form or must incorporate the exact language of the form. To effect the annexing of territory, a petition requesting the annexation must be:

- (i) submitted to the technology center board of education, and
- (ii) filed with the State Board.

(D) **Petition content.** The petition shall be signed by at least 50 percent of the number of school district electors who voted in the last school board election in the territory proposed to be annexed, as determined by the secretary of the county election board, who shall certify the adequacy of the number of signatures on the petition. Each page of the petition shall contain the exact language except for signatures and addresses of school district electors. Electors must personally sign their own name to any petition and must swear of affirm that they have read the contents of the petition and are signing the document as a free and voluntary act.

(E) **Annexation, as proposed by a board of county commissioners.** When a large area such as a county, or portions thereof, desires to be annexed to an established technology center district, the board of county commissioners may submit a resolution to the State Board requesting the State Board to call an annexation election for the area so designated. If a majority of the electors voting at such election vote in favor of the proposition, as certified by the county election board, the State Board shall declare the area annexed.

(F) **Annexations or transfers of independent and elementary school districts, or portions thereof.** Technology center district membership resulting from annexation or transfers of territory shall be determined by the following:

- (i) When an elementary or independent school district, whose territory is a part of a technology center district, is annexed to another elementary or independent school district whose territory is not a part of a technology center district, the annexation shall not affect the status of the annexing district with respect to the technology center district.
- (ii) When an elementary or independent school district, or a portion thereof, whose territory is not a part of a technology center district, is annexed or transferred to another elementary or independent school district whose territory is a part of a technology center district, the territory of the annexed or transferred elementary or independent school district shall become a part of the technology center district.
- (iii) When an elementary or independent school district or a portion thereof, whose territory is already a part of a technology center district is annexed or transferred to another elementary or independent school district whose territory is a part of a second technology center district, the territory of the annexed or transferred elementary or independent school district shall become a part of the second technology center district.

(2) **Liability of annexed territory for bonded indebtedness of technology center district.** If the territory is annexed to a technology center district, the assessed valuation of

property in the territory will be subject to taxes thereafter levied to pay existing bonded indebtedness that was incurred by the technology center district before the territory was annexed.

(3) **Benefits of annexed territory.** When a public school district or a part of a public school district is annexed to a technology center district, the people residing in the newly annexed district or part of a district shall immediately become eligible to all the rights and privileges as those residing in the technology center district and shall be subject to the tax levies of the technology center district provided by Section 9B Article 10 of the Oklahoma Constitution except as outlined in section (4) below.

(4) **Newly annexed territory tax collection.** For all successful annexation elections occurring after January 1, 2005, the collection of advalorem taxes from patrons in the annexing territory shall begin with a phase-in period of three consecutive tax years following the successful annexation election. Taxes will be collected according to the following schedule:

(A) First tax year following the election, 50% of the current technology center rate.

(B) Second tax year following the election, 80% of the technology center rate.

(C) Third tax year following the election, 100% of the technology center rate and to remain at 100% for all subsequent years unless a successful deannexation election occurs as outlined in these rules.

(c) **Deannexation.**

(1) **Proposed deannexation.**

(A) **Approval of State Board.** Territory shall not be deannexed from a technology center district without the approval of the State Board. No territory may be included in a petition for deannexation within one (1) year from the date of an unsuccessful election for deannexation where that territory was a part of the territory seeking to deannex. A study of the proposed deannexation will be conducted by the Department to ascertain whether deannexation would unlawfully exclude students on the basis of race, color, national origin, or disability. All deannexations shall become effective December 31 of the calendar year in which the deannexation was approved by the voters.

(B) **Petition.** A petition form shall be developed by the Oklahoma Department of Career and Technology Education. Any petition to be circulated must be on that form or must incorporate the exact language of the form, in addition to the reason for deannexing. To effect the deannexing of territory, a petition requesting the deannexation must be:

(i) submitted to the technology center board of education, and

(ii) filed with the State Board.

(C) **Petition content.** The petition shall state the reason for deannexing and shall be signed by at least 50 percent of the number of school district electors who voted in the last school board election in the territory proposed to be deannexed. Each page of the petition shall contain the same information except for signatures of school district electors. Electors must personally sign their own name to any petition and must swear or affirm that they have read the contents of the petition and are signing the document as a free and voluntary act.

(D) **Order and Notice of Election.** If the State Board determines that there is a valid reason for the deannexation, it will issue an "Order and Notice of Election," and the election will be held and conducted by the County Election Board at some public place in the technology center district. Copies of the "Order and Notice of Election" will be published in one issue of a newspaper of general circulation in the technology center district.

(E) **Eligible electors.** If, prior to the issuance of the "Order and Notice of Election," the board of education of the technology center district shall have given written notice of approval of the deannexation to the State Board, only those school district electors who reside in the territory proposed to be deannexed shall be eligible to vote at the election. In the event the board of education of the technology center district will not give written approval of the deannexation, then school district electors of the entire technology center district shall be eligible to vote on the deannexation question.

(F) **Exceptions.** In situations where the reason for deannexation is because an approved consolidation has resulted in a sending school district with membership in two or more

technology center districts, approval from the local technology center board is not necessary and upon approval from the State Board, only those school district electors who reside in the territory proposed to be deannexed shall be eligible to vote at the election.

(G) **Deannexation approval.** If a majority of the eligible school district electors voting at the election approve the deannexation, the State Board shall issue an order deannexing the territory from the technology center district and will transmit copies thereof to the county clerk, county assessor, and county treasurer of each county in which any of the deannexed area lies.

(H) **Property valuation; taxation.** If the territory is deannexed from a technology center district, the assessed valuation of property in the deannexed territory will be subject to taxes thereafter levied to pay bonded indebtedness that was incurred by the technology center district while the deannexed territory was a part of the technology center district.

(I) For all successful deannexation elections occurring after January 1, 2005, the collection of advalorem taxes from patrons in the deannexing territory shall begin with a phase-out period of three consecutive tax years following the successful deannexation election. Taxes will be prorated according to the following schedule:

(i) First tax year following the election, 80% of the current technology center rate.

(ii) Second tax year following the elections, 50% of the technology center rate.

(iii) Third year following the election, 0% of the technology center rate and to remain at 0% for all subsequent years unless a successful annexation election occurs as outlined in these rules.

(d) **School consolidation.**

(1) **Nondiscrimination study.** When consolidation of school districts is being considered, the Department of Career and Technology Education will conduct a study to ascertain whether or not consolidation would unlawfully exclude students on the basis of race, color, national origin, or disability.

(2) **Consolidation of technology center member district and nonmember district.** When two common school districts consolidate to form a new district and one of the school districts has a majority of its territory located in a technology center district, then the State Board shall call a separate election to be held on the same day as the consolidation election, in that part of the new district that is not already a part of the technology center district, for membership in the technology center district.

(3) **Consolidation of districts with membership in different technology center districts.** When two or more common school districts consolidate to form a new district and each district already is included in a different technology center district, the location of the high school shall determine the technology center membership for the entire consolidated district. When more than one high school will be located within the new consolidated district, a feasibility study will be performed by the State Board. After consideration of the feasibility study and such other information as may be deemed relevant, the State Board shall determine the technology center membership for the entire consolidated district.

(4) **Consolidation of three or more districts.** When three or more common school districts consolidate to form a new district and at least one of the school districts has a majority of its territory located in a technology center district and one or more of the other districts to be merged is not a part of any technology center district, a feasibility study performed by the State Board shall include a recommendation for membership in a technology center district and, on the same date as the consolidation election, the State Board shall call a separate election in that part of the newly formed district, that is not already a part of a technology center district, for membership in the recommended technology center district.

[Source: Amended at 9 Ok Reg 2607, eff 6-25-92; Amended at 10 Ok Reg 2459, eff 6-11-93; Amended at 11 Ok Reg 2885, eff 6-13-94; Amended at 12 Ok Reg 1847, eff 6-12-95; Amended

at 14 Ok Reg 2019, eff 5-27-97; Amended at 16 Ok Reg 3209, eff 7-12-99; Amended at 17 Ok Reg 2732, eff 7-1-00; Amended at 18 Ok Reg 838, eff 12-28-00 (emergency); Amended at 18 Ok Reg 3281, eff 7-26-01; Amended at 21 Ok Reg 2895, eff 7-11-04; Amended at 22 Ok Reg 358, eff 12-13-04 (emergency); Amended at 22 Ok Reg 2276, eff 7-1-05]

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 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. 2001, §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 GED and up to one-half day completing a *CareerTech* Career Major in the technology center. The students are counted as attending a full day at the sending school.

(7) **Secondary Students.** Career Majors 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. Supp. 2002, 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 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.

(i) Cooperative Alliances are formed with Oklahoma public colleges or universities that offer the Associate in Applied Science (AAS) as Cooperative Agreement Programs (CAP) with an Oklahoma public technology center. Students enrolled in CAPs are treated as members of the higher education community. These students benefit from college support services including academic advising and counseling, convenient admission and enrollment processes, financial aid, career advisement and job placement assistance.

(B) **Definitions.** The following words and terms, when used in the Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

(i) "Associate in Applied Science (AAS) degree" is typically a credential requiring two years of full-time equivalent college work (at least 60 credit hours) that emphasizes a technical or occupational specialty and is designed to lead the student directly to employment. Unlike the Associate in Arts (AA) or Associate in Science (AS) degrees, the AAS is not designed to transfer all courses to a Bachelor of Arts (BA) or Bachelor of Science (BS); however, the courses may transfer to a technical baccalaureate degree program.

(ii) "Cooperative Agreement Program (CAP)" is a formal, academic program

offered by institutions in the Oklahoma State System for Higher Education that includes approved courses taught by a CareerTech technology center and leads to an Associate in Applied Science (AAS) degree or a college-level certificate in a technical or occupational field.

(iii) "Cooperative Alliance" is an agreement between one or more institutions in the Oklahoma State System for Higher Education and one technology center as a joint vision of a collaborative partnership designed to benefit students and enhance the technical workforce in that part of Oklahoma. A Cooperative Alliance is voluntary and agreed upon by all partners and their governing boards. The State Regents for Higher Education and the State Board of Career and Technology Education review and approve the agreement for each Cooperative Alliance. The approved Cooperative Alliance agreement remains in force until the governing boards of the Cooperative Alliance partners dissolve the agreement.

(iv) "Institution" refers to any college or university of the Oklahoma State System of Higher Education listed in the State Regents' Governance policy (1.7) and that offers AAS degrees.

(v) "Partners" are institutions and technology centers that enter into a Cooperative Alliance agreement. The agreement delineates the roles of each partner in providing the academic program and support services to the students enrolled in CAPs.

(vi) "Technology center" refers to a center established by criteria and procedures for the establishment prescribed for governance of technology center school districts by the State Board of Career and Technology Education as provided by Section 9B, Article X, Oklahoma Constitution, and such districts so established shall be operated in accordance with rules of the State Board of Career and Technology Education, except as otherwise provided in this title.

(C) **Principles and Goals.** The driving principle of the Cooperative Alliance is to build a student-centered, rather than institution-centered approach to the use of CAPs.

The four goals of the Cooperative Alliance are:

- (i) To enroll more high school students in college;
- (ii) To encourage more adults to continue their education or begin college;
- (iii) To expand access to postsecondary (college and career/technical) education; and
- (iv) to efficiently use federal, state and local resources.

(I) The mission of the Cooperative Alliance is to offer AAS degrees and college-level certificates that benefit students, employers, and the public.

(II) By fulfilling the mission, the Cooperative Alliance significantly impacts the economy and quality of life in the areas served by the partners.

(D) **Conceptual Basis.**

(i) The Cooperative Alliance is student-centered, focusing on an integrated learning experience for each student which has as its goal the completion of the AAS degree or college-level certificate program.

(ii) The Cooperative Alliance offers AAS degrees and college-level certificate programs that focus on technical knowledge and skills in addition to general

academic knowledge and skills that are useful in the workplace and for a higher quality of life and lifelong learning.

(iii) A higher education institution partner will maintain an official college transcript for each student who enrolls in an approved course taught at the technology center and who chooses to take the course for college credit as part of a CAP.

(iv) All higher education partners and technology centers will participate in a statewide transfer equivalency matrix of technical courses maintained by State Regents for all approved courses in CAPs.

(v) The Cooperative Alliance will focus on student success, including the completion of the AAS degree or college-level certificate program.

(vi) Each student at the technology center admitted to a higher education institution is a member of the collegiate community and receives services including academic advising, admission and enrollment, financial aid, career advisement, and job placement assistance. The provision of these services will be coordinated among partners in the Cooperative Alliance to insure consistency and to minimize duplication.

(vii) The Cooperative Alliance provides for student assessment consistent with State Regents' Assessment policy (3.19) and accreditation standards.

(viii) The Cooperative Alliance provides for tracking of students in a seamless manner from first-time enrollment through graduation and initial employment, or transfer within the Oklahoma State System for Higher Education.

(E) Scope.

(i) The Cooperative Alliance agreement supersedes all CAPs approved under the previous State Regents' Guidelines for Approval of Cooperative Agreements between Technology Centers and Colleges (3.6). All prior approved CAP's will be grandfathered under this agreement.

(ii) Through the Cooperative Alliance, the higher education institutions will offer AAS degrees and college-level certificate programs in disciplines in cooperation with technology centers where effectiveness and efficiency can be enhanced and where a student-centered, competency-based approach can be maintained.

(iii) Consistent with the State Regents' Electronically Delivered and Traditional Off-Campus Courses and Programs policy, CAPs offered at technology centers are meeting the educational needs of the community.

(iv) With the approval of the Cooperative Alliance partners, CAPs may be added to the agreement. If the partners cannot agree, the Chancellor for State System and the State Director for CareerTech will arbitrate.

(v) The Cooperative Alliance partners will jointly plan and implement appropriate faculty and staff development activities to benefit the CAPs.

(vi) The Cooperative Alliance partners will jointly plan and implement a sharing of physical and human resources to support the Alliance, its programs, and related activities.

(F) Curriculum. The Cooperative Alliance partners will offer high quality, AAS degree and college-level certificate programs as CAPs, conferred by a higher education institution, that comply with applicable policies of the State Regents, CareerTech, and

the local governing boards and that meet the certification and training standards of business and industry.

(i) All CAPs in place when the Cooperative Alliance agreement is approved are included and will be listed.

(ii) All continuing and future CAPs included in the Cooperative Alliance shall be subject to the State Regents' Academic Program Approval and Academic Program Review policies. The Criteria for Evaluation (3.4.6) include centrality to the mission, curriculum, academic standards, faculty, support resources, demand for the program, and complement to existing programs, unnecessary duplication, cost, and review.

(iii) An advisory committee composed of faculty, staff, employers, and practitioners assists in developing curriculum content, in keeping the curriculum current, and in maintaining contact with the occupational community.

(G) **Quality Assurance. Faculty.**

(i) All technology center faculty teaching CAP courses must adhere to established higher education institutional adjunct faculty qualifications appropriate to faculty teaching in occupational and technical fields. Credentials must be a degree at the level at which the faculty member is teaching, e.g., at the Certificate level, the faculty must have a certificate in that field; at the Associate Degree level, the faculty must have an Associate Degree. The appropriate academic dean reviews all faculty credentials, and recommends all faculty for approval. Once approved, technology center faculty in approved CAPs becomes listed as adjunct instructors for the higher education institution. Any exception to the foregoing must be approved by the appropriate designee for Academic Affairs at the higher education institution.

(ii) An annual faculty assessment, including student evaluation of instruction, will be conducted in accordance with established guidelines and procedures of the higher education institution.

(iii) All adjunct faculty must meet established institutional college adjunct faculty minimum employment standards associated with the academic program/division under which the CAP courses will be offered. Faculty credentials must meet these standards and be approved for adjunct status prior to approval of courses for college credit in the CAP.

(H) **Program Quality.**

(i) Assessment criteria are reviewed and approved by the higher education institution faculty on a course-by-course basis when the curriculum is approved. Assessments are reviewed annually.

(ii) An industry recognized certification relevant to the focus of the overall program content can be used as an additional assessment for the student and program relating to quality and rigor.

(iii) A specific full-time or dean-designated faculty liaison with at least a minimal level of content expertise provides annual review and alignment of courses offered for credit in the CAP. Faculty liaisons are members of the program advisory committee.

(iv) All CAPs will be included in the annual institutional program assessment activities.

- (v) To maintain quality of courses, the higher education institution will designate an appropriate individual to work as liaison between the technology centers and the higher education institution. The liaison will have a presence at the technology centers, will attend advisory committee meetings, counsel students, work with adjunct faculty, and keep the lines of communication open.
 - (vi) When the higher education institution does not employ full-time faculty in an Associate in Applied Science degree which is not taught at the institution, but is active at the technology center, the institution will thoroughly assess the need for it to offer such a program, especially if the program is available at another state system institution. If determined to better meet the needs of the institution's service area if offered through the institution, the institution will designate a full-time faculty member with a minimal level of content expertise to oversee the program. If no internal faculty expertise is available, the institution will engage the expertise of faculty at a higher education institution that employs full-time faculty with expertise in the content area to ensure program quality and the designated faculty liaison as referenced in 3.6.4.D.2.c, will oversee the program, utilizing the outside expertise on a regular basis.
 - (vii) The higher education institution may look to established national accreditations and course specific certifications standards for quality control. For example, programs accredited by CAAHP, FAA or computer industry certifications through CompTIA, Microsoft, ORACLE and CISCO, provide guidelines and competencies to ensure quality content.
- (I) **Advisory Committees.**
- (i) Advisory committees will be representative of industry appropriate to the program, and ensure relevant curricula for job readiness.
 - (ii) Full-time institutional faculty will serve on advisory committees, in addition to the technology center faculty.
 - (iii) Recommendations for additions, changes, and/or deletions to credit offerings for CAPs which are only offered at the technology center will be based upon recommendations from the advisory committee, faculty liaisons, and accreditation or certification changes. These recommendations are reviewed and approved by the higher education institution's internal curriculum review process and then provided to the OSRHE for final approval.
- (J) **Continuous Improvement.**
- (i) Each Cooperative Alliance program will be reviewed in accordance with the higher education institution's annual internal assessment program.
 - (ii) The results of the annual internal assessment will be used to ensure the continuous improvement of program/course content.
- (K) **Criteria for admissions.**
- (i) College admission requirements approved by the State Regents (see State Regents' Institutional Admission and Retention policy) and Academic Procedures Handbook) for admission to the higher education institutions are listed in the institution's catalog and shall apply to recent high school graduates and adults.
 - (ii) High school juniors and seniors are admissible as concurrent students to an Oklahoma State System of Higher Education college or university that offers AAS degrees and college-level certificate programs and enroll in only technical

courses at the technology center as approved by the State Regents.

(iii) High school students also must provide a letter of support from the high school counselor and written permission from a parent or legal guardian.

(iv) High school students concurrently enrolled in college courses, including all courses in the CAP, may continue concurrent enrollment in subsequent semesters if they earn a college cumulative GPA of 2.0 or above on a 4.0 scale (see State Regents' Institutional Admission and Retention policy).

(L) Student Support Services.

(i) The higher education institutions and technology centers will provide integrated and comprehensive academic advising and support services to students enrolled as part of the Cooperative Alliance to insure effectiveness without duplication or redundancy of effort.

(ii) Counselors and faculty at the higher education institution and the technology center may use the ACT PLAN score and ACT PLAN sub-scores (and other available test scores, such as the ACT, SAT, TABE, ACT Compass, Accuplacer), the student's previous academic record, recommendations from high school administrators/counselors/teachers, high school Plan of Study, and personal knowledge of the student to advise the student.

(iii) High school students must be advised of the State Regents' Institutional Admission and Retention policy (3.9.6.I.1) regarding the workload requirement of enrolling in a total number of credit hours combining college courses, including all courses in the CAP, and high school courses.

(M) Financial. The primary cost of instruction for technical courses in the CAPs taught at the technology center by the center's faculty will be borne by the technology center. The primary cost of instruction for courses offered by the higher education institution in the CAPs, taught at the technology center or the institution by the institution's faculty, shall be borne by the higher education institution.

(N) Cost to Students.

(i) High school students, who are admitted to a higher education institution and enrolled in an approved CAP technical or occupational course offered at the technology center, shall not pay college tuition. However, there may be college fees charged that are applicable to all students.

(ii) Adult students, who are admitted to a higher education institution and enrolled in an approved CAP technical or occupational course offered at the technology center, shall pay to the technology center only the program tuition established by the center. Adult students shall not pay college tuition. However, there may be college fees charged that are applicable to all students.

(iii) College courses, such as general education, may be offered at the technology center by a higher education institution. The direct costs of instruction for these courses are borne by the higher education institution and the enrolled student will be charged the applicable college tuition and fees, payable to the institution.

(O) Marketing and Outreach.

(i) The marketing goals of the Cooperative Alliance are to create an awareness and to promote the advantages to potential students and to the community, including high school teachers, faculty, staff, administrators, governmental

agencies, and employers.

(ii) All publications and advertisements will identify which higher education institution is awarding the credit. Additionally, all publications and advertisements must adhere to the consumer protection requirements listed in the State Regents' Institutional Accreditation policy (3.1.7) that prohibit higher education institutions or technology centers from making misleading, deceptive, and/or inaccurate statements in brochures, Web sites, catalogs, and/or other publications. Failure to comply with this requirement may result in the nullification of the Cooperative Alliance and all CAPs under that Cooperative Alliance.

(P) **Institutional Reporting.** An annual summary report on the performance of the Cooperative Alliance during the previous fiscal year is required, including information on enrollment, retention and graduation, assessment reports, financial arrangements, marketing endeavors, cost, and other notable accomplishments and challenges. This report shall be jointly prepared and submitted to the respective local governing boards.

(Q) **Procedures.** An Oklahoma State System institution seeking approval for a CAP with a technology center upon approval by the governing board shall have the president submit the CAP to the Chancellor for State Regents' consideration. The president will be informed of the recommendation prior to its formal submission.

(R) **Reporting.** The State Regents' staff will provide periodic reports to the State Regents summarizing the status of Cooperative Alliances and CAPs. Such reports shall contain information about effectiveness and efficiency of the Cooperative Alliances individually and as a model for offering academic programs. Reporting to the institutions and technology centers will be conducted during regularly scheduled workshops.

(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.

[Source: Amended at 9 Ok Reg 2607, eff 6-25-92; Amended at 10 Ok Reg 2459, eff 6-11-93; Amended at 11 Ok Reg 2885, eff 6-13-94; Amended at 12 Ok Reg 1847, eff 6-12-95; Amended at 14 Ok Reg 2019, eff 5-27-97; Amended at 16 Ok Reg 3209, eff 7-12-99; Amended at 17 Ok Reg 2732, eff 7-1-00; Amended at 18 Ok Reg 3281, eff 7-26-01; Amended at 21 Ok Reg 2895, eff 7-11-04; Amended at 22 Ok Reg 2276, eff 7-1-05; Amended at 23 Ok Reg 2904, eff 7-1-06; Amended at 24 Ok Reg 2426, eff 7-1-07; Amended at 25 Ok Reg 2093, eff 7-1-08; Amended at 27 Ok Reg 1991, eff 7-1-10]

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

(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 and services.

(h) Technology Centers That Work. The Technology Center Services Division 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 Technology Center Services Division 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.

(i) **Comprehensive Local Education Plan.** As a part of the requirements for receiving accreditation and funding from the Oklahoma Department of Career and Technology Education, each technology center board of education shall adopt a Comprehensive Local Education Plan once every six (6) years as provided in 70 O.S. Supp. 2006 §3-104.2, as amended. The Comprehensive Local Education Plan that is developed once every six (6) years will be submitted to the appropriate Technology Center Services Coordinator at the Department. The six-year Comprehensive Local Education Plan and the annual updates will be available at the technology center for review annually by the State Department of Education Regional Accreditation Officers as provided for in 70 O.S. Supp. 2001 §3-154, as amended. The plan at minimum shall contain the following:

- (1) A strategic plan shall include stated goals that clearly delineate education expectations. Input from teachers and parents will be solicited and one public hearing will be held prior to the technology center board approving the strategic plan as provided for in 70 O.S. Supp. 2002 §5-117.4, as amended. The strategic plan shall be monitored annually and updated as necessary.
- (2) A four-year (4) capital improvement plan as provided for in 70 O.S. Supp. 2007 §18 153, as amended. The capital improvement plan shall be monitored annually and updated as necessary.

[Source: Amended at 16 Ok Reg 3209, eff 7-12-99; Amended at 18 Ok Reg 3281, eff 7-26-01; Amended at 21 Ok Reg 2895, eff 7-11-04; Amended at 22 Ok Reg 2276, eff 7-1-05; Amended at 24 Ok Reg 2426, eff 7-1-07; Amended at 25 Ok Reg 2093, eff 7-1-08; Amended at 26 Ok Reg 2390, eff 7-1-09; Amended at 27 Ok Reg 1991, eff 7-1-10]

780:15-3-8. Calculation of administrative costs

Administrative Cost for technology centers shall be calculated annually in accordance with the definition of administrative cost provided by the National Center for Educational Statistics. Administrative cost expressed as a percentage of the total instruction and services expense for each technology center will be used as a measurement to determine if the administrative cost is within acceptable limits. Should administrative cost for a technology center exceed acceptable limits penalties will be assessed by the state agency to the funding formula dollars of the technology center on a dollar for dollar basis.

- (1) Acceptable administrative cost is outlined as follows:
 - (A) If total instruction and services expenditures are less than \$3,000,000, the administrative cost limit is 8%.
 - (B) If total instruction and services expenditures are \$3,000,001 to \$5,000,000, the administrative cost limit is 6%.
 - (C) If total instruction and services expenditures are \$5,000,001 to \$10,000,000, the administrative cost limit is 5%.
 - (D) If total instruction and services expenditures are more than \$10,000,001, the administrative cost limit is 3%.
- (2) Changes to the acceptable administrative amounts may be made by the State Agency staff and approved by the director when necessary.

[Source: Added at 21 Ok Reg 2895, eff 7-11-04; Amended at 25 Ok Reg 2093, eff 7-1-08; Amended at 27 Ok Reg 1991, eff 7-1-10]