

SERVICE OF LEGAL PAPERS ON SCHOOL GROUNDS DURING SCHOOL HOURS

The board of education recognizes the importance the judicial system plays in the United States, and that its employees and students, like other citizens, have a role to play in the administration of justice. The board also recognizes that service of legal papers on its employees or students during the school day can (a) materially disrupt the educational process ~~for both students and staff~~, (b) pose security risks, and (c) adversely affect the conduct of business on district property. Moreover, the delivery of legal documents to a school site, ~~or school employee~~, or student may trigger important timelines and other legal obligations, which if not dealt with in a timely manner, can have serious consequences for the district or the person to whom the document should ultimately be delivered.

Time Limitation and Required Authorizations

To minimize these risks and to create the best possible educational environment, the district will not permit service of legal papers to its employees or students on the grounds of any district property between the workday hours of 7:30 a.m. and 4:30 p.m. In anticipation of service, employees may request written authorization from their building principal to arrange acceptance of service at a time and place which minimizes disruption. In no event may a student or their parent/guardian make arrangements to have legal papers served to the student at school. No person, ~~not~~ authorized to accept service for another individual or the district, may accept service on behalf of the district, board of education and/or the superintendent, or another staff member. In instances in which a staff member has requested service of legal papers at work, the staff member must notify the building principal in writing of the authorization for service ~~absent authorization, may accept service on district property on behalf of another person or entity.~~

Service upon the district, board of education, and/or the superintendent may only be accepted by authorized employees during regular business hours at the district's main administration office, 314 S. Lewis Street, Stillwater, OK 74074. Employees assigned to school or other district sites are NOT authorized to accept service on behalf of the district, board of education, and/or superintendent. Employees must direct the delivery of such purported service to the administration office immediately.

Service of Legal Papers

Persons seeking to serve legal papers, including but not limited to subpoenas or protective orders, on employees or students during the prohibited time or in a prohibited location will, upon request, be advised of this policy and provided a copy or electronic address for the policy. Should an individual seeking to serve legal papers refuse to leave district property after being informed of this policy, or an individual repeatedly violates this policy, the district reserves the right to restrict the individual's access to district property in accordance with OKLA. STAT. tit. 21, §§ 1375-1376, OKLA. STAT. tit. 70 § 24-131.

District employees that are aware of school or student-related proceedings at which they may be called to testify are to notify the administration as soon as possible and coordinate with building principals or other administrators to avoid disruption if they are subpoenaed.

Testimony in Civil Matters

In the event employees are contacted directly by an attorney or any other individual regarding testimony concerning a district or district student matter, they should direct that person to their building principal or other member of the administration for further coordination. This duty to inform and contact the building principal does not apply in instances in which the contacts with the employee concern legal matters personal to the employee, his/her employment, or the employee's child.

STILLWATER BOARD OF EDUCATION

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Law Enforcement

Law enforcement personnel seeking to serve legal papers mandated by a court of competent jurisdiction should contact the building principal in advance to arrange an appointment. At that time, the building principal may elect to make the employee available to receive service of process. Unless compelled by law enforcement not to make contact, the building principal or other administrator will attempt to contact the student's parent or guardian before permitting access to the student.

Witness Fee Due District

Pursuant to OKLA. STAT. tit. 28, § 84.1(B), the district shall be paid a witness fee equal to the amount of a substitute teacher cost, not to exceed \$100 any time a district employee is subpoenaed to appear as a witness in a civil court proceeding. Such payment shall be made well in advance of any district employee's attendance at a proceeding.

FERPA/Privacy Compliance

Administrators who become aware of the need for a district employee to testify in a civil proceeding should evaluate the nature of prospective testimony in order to ensure that such testimony will not violate FERPA mandates and/or Oklahoma confidentiality laws. If there are any concerns that an employee's testimony could violate privacy laws (including FERPA), the district's legal counsel should be notified so that appropriate notice can be issued to affected parties.