

**CODE****POLICY TITLE****I**

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## **SUPPORT SERVICES GOALS AND OBJECTIVES**

Support services are essential to the successful function of a school system. Management of auxiliary operations is therefore an important responsibility of the district administration. It should be remembered, however, that education is the district's central function, and all support services shall be provided, guided, and evaluated by this requirement.

The Board expects operation and maintenance of school plant and equipment to set high standards of safety, to promote the health of pupils and staff, to reflect the moral and cultural aspirations of the community at its best, and to support environmentally the efforts of the staff to provide a good education.

End of Policy IA.....Adopted: 10/20/09

## **ACCESS TO BUILDINGS**

Unauthorized persons found in school buildings after school hours, will be subject to arrest. Keys will be strictly controlled. Lost keys must be reported. No person will have a key to a public school facility duplicated.

### Restricted Areas

Restricted areas are defined as areas that pose a potential safety hazard, house special equipment or are used for storage of supplies, equipment or records.

Entry into restricted areas is limited to personnel directly involved with the supervision, operation or maintenance of the equipment or area. All other personnel are expressly prohibited from entry without the express permission of the building principal, Superintendent or the Board.

Unauthorized entry into a restricted area whether by student or employee will be considered a serious violation and result in disciplinary action.

Any visitor entering a restricted area will be escorted out and informed that unauthorized entry is prohibited. Any repeated attempt to enter a restricted area will be considered civil trespass and the visitor will be instructed to leave the premises. If the instruction is ignored, the building principal, head custodian, Superintendent or business manager is authorized to notify the appropriate police authority and request assistance.

End of Policy IBCA.....Adopted: 10/20/09

## VISITORS IN THE SCHOOLS

The School Board encourages parents and other citizens. The Board also believes that the parents of children attending the schools have special rights and responsibilities, in addition to those of taxpayers generally, to keep themselves informed as to the day to day operation of the schools.

Principals are requested to continue strong efforts to ensure that parents of school children are not only aware of the above policy but that they are cordially invited to visit our schools and to thereby develop a spirit of mutual cooperation which will inure to the benefit of the children involved. Direct communication to homes, as well as the use of parent organizations and other school meetings, to advertise this policy are encouraged.

Since schools are a place of work and learning, certain limits must be set to visits. The building principal is responsible for all persons in the building and on the grounds. For these reasons, the following policy applies to visitors to the school:

1. Anyone who is not a regular staff member or student of the school will be termed a "visitor."
2. Any visitor to the school must report to the office of the principal upon arrival at the school.
3. Parents or citizens who wish to observe a classroom while school is in session are urged to arrange such visits in advance with the teacher, so that class disruption may be kept to a minimum. Younger children are not to be brought along to a classroom observation.
4. Teachers are not expected to take class time to discuss individual matters with visitors.

No person may visit the school for the purpose of soliciting personal business from any staff member or student. Staff members may receive visitors in the staff lounge during a duty-free lunch hour or after work hours, but otherwise not during the school day.

Visits to classrooms shall not be for the purpose of evaluating teachers, teaching methods, or curriculum. Supervision and evaluation of personnel are reserved to the Superintendent, appropriate supervisor and/or designee.

Instructional materials may be reviewed in the office after request has been made to the principal. Any objection to curriculum or instructional materials should be made according to Policy GBFA.

Students will not be permitted to bring brothers and sisters to school except for special programs specified by the teacher. Requests to bring out-of-town visitors to school must be submitted to the principal.

The Superintendent is authorized to establish such regulations as will:

1. Encourage visitors to observe our schools.
2. Provide for appropriate hospitality for visitors.
3. Channel expressions of approval, as well as constructive criticism, to the Board.
4. Insure that such visits will enhance the effect of the educational program, rather than hinder it.
5. Define the obligation of the school to refuse admittance to a non-custodial parent when a court order limiting access to the student has been filed with the school.

Public schools must provide a safe environment for students, staff, parents, and visitors. Rules and regulations shall be established for the admission and regulation of visitors and others that enter school property.

These regulations will include a procedure for registering visitors in order to assure that no unauthorized persons enter the school with wrongful intent. Any unauthorized person on school property will be reported to the principal or Superintendent.

Nothing in the rules and regulations shall be construed to permit or authorize the restriction of freedom of speech, peaceful assembly or the rights and responsibilities of students, staff, parents and other citizens as guaranteed under law.

The Superintendent may periodically request a summary as to number and frequency of parent and citizen visits, which in turn will be reported to the School Board.

Cross Ref: Policy BIB/KAGA, Patron Complaints  
Policy BIBA/KAGAB, Complaints about Personnel  
Policy BIBB/KAGAA, Complaints about Curriculum or Instructional Materials  
Policy GBFA, Procedure for Review of Instructional Material  
Policy KAFD, Willful Disruption of School

End of Policy IBCAB.....Amended: 10/20/09

## **CRITERIA FOR GRANTING PARENT OFFENDERS PRIVILEGES TO ENTER SCHOOL PROPERTY**

The Superintendent may consider the following criteria and/or relevant information when determining if a parent offender shall be granted privileges to enter school property for any purpose beyond those rights afforded by state and federal law:

1. The risk level assigned to the parent offender by the Bureau of Criminal Investigation. High risk and lifetime offenders will generally not be granted privileges to enter school property in excess of those provided by law. When the Superintendent deems it necessary to grant a high risk or lifetime offender privileges, the privileges will be limited in scope.
2. When available, the circumstances surrounding the offense.
3. The age of the offender's victim. Parent offenders who have committed a crime/offense against a minor will generally not be granted privileges in excess of those provided in law. When the Superintendent deems it appropriate to grant these offenders privileges, the privileges may be limited in scope.
4. The age at which the offender committed the crime/offense.
5. The duration of time that has passed since the parent offender committed the crime/offense.
6. The nature of the activity, event, or purpose for which the parent offender has requested entry on school property. The Superintendent shall take into account the level of supervision provided to district students and the level of supervision that district will be able to provide, if any, to the parent offender during the time the offender has requested to be on school property.

The Superintendent may solicit the input of law enforcement officials when determining if a parent offender shall be granted privileges to enter school property beyond those right afforded in law. These privileges will be granted in accordance with the District's sexual offender policy and may contain restrictions and prohibitions. The Superintendent may at any time, with cause, revoke these privileges.

End of Glen Ullin Regulation IBCAD-R.....Approved: 10/20/09

## VANDALISM

Because incidents of willful or malicious abuse, destruction, defacing and theft of property of the school district are clearly contrary to the best interests of the school district and injurious to the rights and welfare of the entire community, it will be the policy of the Board to seek all legal redress against persons found to have committed such acts.

Books, materials and equipment supplied by the district for the pupils must receive reasonable care. Students wantonly defacing school furniture or damaging school property or losing books charged to their care will be fined an amount sufficient to restore the damaged article to original condition or replace it.

Disciplinary action will be taken when students are involved. Full restitution for the damage caused will be sought from the responsible persons, or in the case of minors, from the minors and their parents, under the laws of this state.

The Board may offer a reward as authorized by North Dakota law to any person furnishing information leading to the apprehension and conviction of any person(s) appropriating or destroying property or equipment belonging to the school district. The Board may also accept private donations to establish a reward fund to encourage the furnishing of such information.

Legal Ref: NDCC 15.1-09-41, School board authority - Reward for destruction of school property

NDCC 32-03-09.2, Liability for willful damages to property

NDCC 32-03-39, Parental responsibility for minor children - Recovery limitations

End of Policy FHCE.....Amended: 10/20/09



## **FIRST AID/ACCIDENTS**

In the event an accident occurs within the schools or a student or other individual becomes suddenly ill, the responsibility of the school is to provide emergency care, notify parent or guardian, and in serious instances, summon a doctor and/or arrange for hospitalization.

In order to ensure against confusion, the Superintendent will develop uniform procedures for giving first aid, arranging for medical attention and/or hospitalization, notifying parents and officially reporting accidents. These procedures will be posted in the schools and the staff will be informed of them.

The Board encourages its faculty and staff to become trained in first aid. First aid will not include treating infections or administering medicine except as special authorization for a particular student has been granted. Minor cuts and bruises may be treated.

In the event a child becomes acutely ill or is seriously injured during school hours, the school will inform the parents/guardian, who will make the decision whether to pick up the child at the school or meet the child at the hospital. If the school is unable to reach the parents, or if they choose to meet the child at the hospital, the child may be transported by school personnel or by ambulance at the discretion of the principal or Superintendent. If the school is unable to reach the parents, an attempt will be made to contact the child's personal physician as designated on the student's record.

The principal will submit a written report of any accident involving students, staff or other persons occurring on school property area to the Superintendent's office, since even minor accidents may later become a basis for legal action.

These reports will be submitted on district forms so that all necessary data, such as the following, will be included: name of person involved in accident, date, time of day, place, names of witnesses, apparent cause and extent of injury, first aid given, arrangements made for further care.

Such additional reports will be made of accidents involving school employees as are required for workers' compensation purposes. The personnel department will maintain records and reports pertaining to workers' compensation.

Cross Ref: Policy FFC, Accidents  
Policy ICBA, Bus Accidents

End of Policy IBDA.....Amended: 10/20/09

## **SANITARY CLEANUP AND DISPOSAL**

Hygienic procedures should be practiced by all school personnel when disposing of human secretions and excretions including blood, feces, semen, urine and vomit since they may contain infectious agents capable of spreading disease.

The steps listed below should be followed in all such cleanup situations since carriers of infectious or contagious diseases are often undetected. The procedures are not intended to replace basic common sense principles of health and hygiene.

1. Wear disposable gloves when cleaning up blood. Gloves may be used for aesthetic reasons when cleaning up other spills. Individuals should use gloves when handling all body fluids.
2. Sprinkle the spill with absorbent chlorine powder as soon as possible.
3. Wipe up the spill with disposable paper towels or rags or with a scoop and brush.
4. Clean the surface with a cleaning agent appropriate for the surface to be cleaned.
5. Spray the surface with a hospital grade disinfectant labeled "tuberculocidal."
6. If assisting a person with a bloody nose or wound, have him/her apply the barrier if possible. If direct assistance is necessary, disposable gloves should be worn and the blood should be removed with disposable paper towels, gauze or rags. The exposed skin should be cleaned with an appropriate antiseptic and a leakproof dressing applied if appropriate.
7. Scoops or implements to be reused should be washed and sprayed with disinfectant. After use, the cleansing materials, gloves, and soiled diapers should be secured in plastic bags and disposed of in a specifically designated sanitary disposal site.
8. When changing diapers, disposable gloves will be used. After use, the cleansing materials, gloves, and soiled diapers will be secured in plastic bags, tied and disposed of in a sanitary disposal site.
9. Soiled clothing or personal items will be bagged and sent home with the child, not cleaned or rinsed at the school.
10. Using the following procedures, wash hands immediately after completing the cleaning and disinfecting process.
  - a. Wet hands and apply antiseptic soap.
  - b. Rub hands together vigorously for at least 15-30 seconds, paying particular attention to finger tips, nails and jewelry.

## EMERGENCY CLOSINGS

The Superintendent is empowered to close the district schools or to dismiss them early in the event of hazardous weather, epidemic or other emergencies which threaten the health or safety of students and personnel. Such action is never to be taken lightly, for public education is one of the principal functions of the community and should be maintained at a normal level except in extreme circumstances. When this regularity of operation ceases, serious difficulties are caused and the welfare of children may be jeopardized. Schools may not properly be closed merely to avoid inconvenience. While it may be prudent, under certain circumstances, to excuse all students from attending school, to delay the opening hour or to dismiss students early, the administration has the responsibility to see that as much of the administrative, supervisory, and operational activity is continued as may be possible. Therefore if conditions affect only a single school, only that school shall be closed. In making the decision to close schools, the Superintendent or his or her designee shall consider many factors, including the following principal ones relating to the fundamental concern for the safety and health of children:

1. Weather conditions, both existing and predicted.
2. Driving, traffic and parking conditions, affecting public and private transportation facilities.
3. Actual occurrence or imminent possibility of any emergency condition which would make the operation of schools difficult or dangerous.
4. Inability of teaching personnel to report for duty, which might result in inadequate supervision of students.

The Superintendent shall weigh these factors and shall take action to close the schools only after consultation with traffic and weather authorities, local principals, or school officials from neighboring districts. Students, parents and staff shall be informed early in each school year of the procedures which will be used to notify them in case of emergency closing. When schools are closed for emergency reasons, staff members shall comply with board policy in reporting for work.

Cross Ref: Policy FHCE/IBCB, Vandalism  
Policy IBCA, Access to Buildings

End of Policy FFBB.....Adopted: 10/20/09

## **AUTOMOBILE USE**

Each school will provide adequate parking for staff and visitors. Driving on school roads and parking on school property is a courtesy offered to students and others by the Board. All motorized vehicles such as cars, trucks and the like, when on school property shall only use such streets or parking areas as shall have been provided for such purposes. Students will be restricted to parking in designated student parking lots.

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking, including regulating driving and parking. The interiors of student vehicles may be inspected whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.

Motorcycles, motor bikes, motor scooters and similar vehicles when used as actual necessary transportation to school or to school events shall use only such streets and parking areas as shall have been provided for vehicular use. Any use other than actual necessary transportation is prohibited on all school property. Should the use of such vehicles on school property create a safety hazard or disturbance by misuses of excessive noise, the school administration may limit or prohibit any or all such use on school property.

The use of snowmobiles on school property is prohibited. The use of vehicles commonly purchased for recreational use (including without limitation, all terrain vehicles; Barbie® cars; toy jeeps, monster trucks, tractors, and backhoes), regardless of size, shall not be permitted on school property. The Board strictly prohibits the use of rollerblades, skateboards, or other similar objects anywhere on district property other than designated areas, whether indoors or outside. The administration shall cause appropriate signs to be posted.

It is understood that all vehicles used on school property shall observe all requirements relative to safety and noise control as may have been set by law or by school regulations. The administration shall establish rules and regulations to assure traffic safety. The District shall not assume any responsibility for damage to cars or for theft.

Horses will not be permitted on playfields since they create ruts in the ground and can cause injuries to students using play areas.

This policy is based upon considerations for safety, noise control, and possible school district liability.

The Board will work with the City Policy Department and other appropriate city and/or county agencies in an effort to provide the best possible safety coverage for students leaving and entering school grounds.

Legal Ref: State v. D.T.W., 425 So. 2d, 383 (Fla. App. 1983)  
Horton v. Goose Creek, 690 F 2d 470

End of Policy FFD.....Amended: 10/20/09

## **EMPLOYEE RIGHT-TO-KNOW HAZARDOUS SUBSTANCES**

The Glen Ullin School District hereby establishes an employee information program which is designed to provide hazard evaluation, appropriate work practices, protective measures and emergency procedures.

The Superintendent shall develop storage and use procedures that ensure that only those individuals trained in the proper handling of specific hazardous substances have access to them.

The district acknowledges the right of every employee to information regarding any potential health or safety hazard to which they may be exposed within their district employment. Further, when there is an employee question regarding health and safety of a product or procedure, the employee will not be required to work with that product or procedure until appropriate public health and safety information has been provided. The primary source of information shall be the Material Safety Data Sheets provided by the supplier of the chemical substance if such is available.

The training of supervisors and their subordinates will be the responsibility of the Superintendent, who shall require documentation of such training procedures including the signatures of individuals receiving the training.

It is not the intent of the Board to expand or modify the district's potential liability exposure through the adoption of this policy. The district's voluntary compliance with any statute or regulation to which it is not otherwise subject shall not be construed to create or assume any potential liability under any local, state or federal law or regulation.

Legal Ref: NDCC Ch. 65-14, The Right to Know Act  
29 CFR 1910.1200, OSHA Hazard Communication Standard

End of Policy DAHD.....Amended: 10/20/09

## **COMMUNITY USE OF SCHOOL FACILITIES**

It is the desire of this Board to contribute to the welfare of the community by making tax-supported facilities available to non-student groups for educational, recreational and civic and cultural activities on a limited basis so long as these activities do not interfere with the regular school program and are conducted in accordance with the board's rules and regulations. Charges may be made for the use of facilities to cover the cost of heat, lights, custodial service and other incidentals.

Equal rights and privileges shall be accorded to all religious denominations and to all political parties.

The Superintendent shall establish regulations for the community use of school facilities which shall include responsibility for supervision and a procedure for assuring that appropriate insurance coverages are in place prior to outside use of school facilities. These regulations shall be brought to the Board for approval.

Cross Ref: Policy HGC/IBE, Rental and Lease of School Property

Legal Ref: NDCC 15.1-06-14, Use of school for purpose other than education

End of Policy IBEA.....Adopted: 10/20/09

## **HOLD HARMLESS CLAUSE**

All applicants for use of district facilities shall hold the Glen Ullin School District free and without harm, from any loss or damage liability or expense that may arise during or be caused in any way by such use or occupancy of district facilities. Also, in the event that property loss or damage is incurred during such use/occupancy of district facilities, the amount of damage shall be decided by the Superintendent and approved by the Board and a bill for damages will be presented to the group using or occupying the facilities during the time the loss or damage was sustained.

End of Exhibit IBEA-E

## **TRANSPORTATION**

The district's transportation program is established to provide transportation to school for those students that the district is required by law to transport because of distance from school or disability. The objective shall be to transport these students in an efficient, safe and economical manner, complying with North Dakota law and regulations.

Other purposes include the provision of transportation for academic field trips in direct support of the curriculum and the extracurricular program (athletics, music, drama and the like).

The district will not be responsible for transportation of students who have enrolled in other districts through the open enrollment process.

The district shall own and operate as many buses as the Board determines necessary to provide transportation for daily service as well as for special school activities and functions.

The district shall contract for its other transportation needs by bid or by direct negotiations, where permitted by law.

Cross Ref: Policy DABBA/DCBAA/JCBCB, Drug and Alcohol Testing for Employees  
Legal Ref: NDCC Ch. 15.1-30, Transportation of Students  
NDCC 39-21-27.1, School bus standards - Equipment and color regulations

End of Policy IC.....Amended: 10/20/09



## **BUS SCHEDULING AND ROUTING**

The Superintendent shall have prepared descriptions and maps of district school bus routes and schedules as fixed by the Board for distribution to parents of students eligible for school bus transportation.

Bus routes shall be established to provide the most efficient routes which will accommodate all eligible students.

Children shall not be put off the bus until reaching their destination.

Although the district provides transportation to and from school, parents are not relieved of the responsibility of supervision until such time as the child boards the bus and after the child leaves the bus at the end of the school day. Bus drivers shall not discharge a student at a pick up point to walk to his/her residence if the child's safety will be endangered by becoming lost or severely exposed to weather or other dangers. Where this danger exists and parents are not there to pick up the child, the bus driver shall return the child to the school and notify the school authorities.

The Board may elect to pay family transportation to families who meet the bus at a scheduled bus stop in order to minimize the length of time all students are on the bus or to avoid running a bus on secondary roads.

Legal Ref: NDCC Ch. 15.1-30, Transportation of students

End of Policy ICA.....Amended: 10/20/09

## **BUS SAFETY**

The safety and welfare of student riders shall be the first consideration in all matters pertaining to transportation. Children shall be instructed as to the proper procedure for boarding and exiting from a school bus and in proper and safe conduct while aboard. Emergency evacuation drills shall be conducted periodically to acquaint student riders with procedures in emergency situations. All vehicles used to transport children shall be inspected periodically to see that they meet safety regulations.

The district shall comply with all state laws and regulations pertaining to the operation of school buses and shall make these requirements known to bus drivers. It shall also cooperate with local safety officials in formulating and accomplishing its school bus safety program.

Cross Ref: Policy FHCB/ICBB, Bus Conduct

Legal Ref: NDCC 15.1-07-20, School bus driver - Requirements

NDCC 15.1-09-43, Purchase of school buses - Payment period

NDCC 15.1-09-45, Storage facilities for schoolbus

NDCC Ch. 15.1-30, Transportation of Students

NDCC 39-10-46, Overtaking and passing schoolbus

NDCC 39-21-18, Audible and visual signals on vehicle

NDCC 39-21-27, Special lighting and warning equipment on schoolbuses

NDCC 39-21-27.1, Schoolbus standards - Equipment and color regulations

End of Policy ICB.....Adopted: 10/20/09

## **SCHOOL BUS ACCIDENTS**

The Superintendent shall arrange with the highway patrol, police department and bus driver that the superintendent, school business office or a principal will be contacted as soon as possible in the event of a school bus accident. The reporting officers or bus driver will advise the school district as to the number of the bus involved, the location of the accident, and whether or not the accident involves obvious injury. The Superintendent, business office or principal will immediately contact the school.

If the accident is minor in nature and does not involve injury in the opinion of the officer, bus driver or the ambulance attendant, the students will be transported (on the original bus or a substitute bus) to their destination. This destination may be the school or the student's residence, whichever is applicable.

If the bus accident involves injuries, those students requiring medical attention, in the opinion of the officer, bus driver or ambulance attendant, will be transported to the hospital emergency facility by ambulance. Those students that, in the opinion of the officer, bus driver or ambulance attendant, are not injured or at least do not require immediate medical attention will be transported to their respective school or schools (on the original bus or a substitute bus). When a bus accident occurs involving injury no student will be transported to his or her residence.

When the uninjured students arrive at the school, the school personnel will immediately contact the parents of the students to advise them of the accident and further advise the parents to come to the school to pick up their children and/or determine the need for medical attention.

For injured students, school personnel will proceed to the hospital emergency room facility, with information from the student directory cards to assist hospital emergency personnel in contacting the parents. School personnel will also call the school to inform the school of the names of students taken for emergency medical attention.

An accident report shall be filled out by the driver as soon as possible and submitted to the business office.

End of Policy ICBA.....Adopted: 10/20/09

## **BUS CONDUCT**

The disciplinary authority of the school shall exist over all students while being transported to and from the schools, and the driver of the bus shall be charged with their control and discipline while they are being transported. The responsibility for supervision begins when the student boards the bus and ends when the student is delivered to the regular bus stop at the close of the school day.

The Board requires students to conduct themselves in the bus in a manner consistent with established standards for classroom behavior and student safety. The administration shall establish specific rules in keeping with this policy and shall take steps to ensure that all bus drivers as well as student riders understand the safety issues involved.

When a student behaves improperly on a bus, the bus driver shall document the incidents and report them to the principal or Superintendent. The principal or Superintendent will inform the parents immediately of the misconduct and request their cooperation in correcting the student's behavior. Students who become a serious disciplinary problem on the school bus may have their riding privileges suspended indefinitely by the principal or Superintendent. This suspension of riding privileges shall not exceed the balance of the school year. In such cases, the parents of the student involved become responsible for seeing that their student gets to and from school safely.

All students being transported by school transportation to and from any school activity during the winter months shall be properly dressed to protect them from the extreme weather conditions. This precaution is necessary so that the student will be prepared for any mishaps that might occur which expose them to inclement weather. Proper clothing includes protective head covering, winter coat or jacket, mittens or gloves, and foot gear. This policy shall extend to any trip under school sponsorship, including extracurricular trips. Students shall respect the wishes and directives of staff and chaperones appointed by the school.

Legal Ref: NDCC 15.1-30-13, Transportation of students - Control and discipline

End of Policy FHCB.....Amended: 10/20/09

## **BUS DRIVERS**

All school bus drivers shall meet the qualifications established by law. Drivers are subject to the authority of the Superintendent and of the principal(s) of the school(s) to which they transport children.

Drivers are charged with maintaining discipline on the bus. They are to report unruly behavior to the principal of the student's school.

Legal Ref: NDCC 15.1-07-20, Schoolbus drivers - Requirements  
NDCC 15.1-30-13, Transportation of students - Control and discipline

End of Policy ICBC.....Adopted: 10/20/09

## **DRUG & ALCOHOL TESTING FOR EMPLOYEES**

### **Definitions**

For the purpose of this policy:

*Drugs and controlled substances* are interchangeable and have the same meaning. *Controlled substance* refers to substances covered by the Omnibus Transportation Act, including marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP).

*Covered employee/position* means an employee/position subject to the Omnibus Transportation Employee Testing Act.

*Safety-sensitive position* means a job in which a momentary lapse in the discharge of duties poses a safety threat with potentially severe consequences. In addition to covered positions, the board recognizes the following as safety sensitive positions: school vehicle drivers and all extracurricular advisors.

### **Covered Employees**

The Glen Ullin School District is committed to the establishment of a drug and alcohol misuse prevention program that meets all applicable requirements of the Omnibus Transportation Employee Testing Act. All covered employees are prohibited from using controlled substances and are subject to pre-duty, on-duty and post-accident alcohol use restrictions contained in federal law.

An employee covered by the federal regulations may not refuse to take a required test. Refusal includes submitting an altered or substituted specimen for testing. Employees who refuse required testing will, at a minimum, be prohibited from performing safety-sensitive duties.

Pre-employment controlled substance and alcohol testing shall be administered to an applicant offered a covered position in the District prior to the first time the employee performs any safety-sensitive function for the District. Employment with the District is conditional upon the applicant receiving negative test results.

All covered employees shall be subjected to reasonable suspicion, random, post-accident, return-to-duty and follow-up alcohol and drug testing pursuant to procedures set out in the federal regulations. Testing will be performed in accordance with federal drug and alcohol testing regulations.

### **Other Safety-Sensitive Positions**

An individual applying for, transferring to or being promoted to any of safety-sensitive position shall initially be subject to controlled substance and alcohol testing. Verified positive

test results shall prevent an applicant/employee from moving into a safety-sensitive position. School vehicle drivers shall also be subject to post-accident, reasonable suspicion, and random testing. Non-transportation safety sensitive positions shall be subject to post-accident and reasonable suspicion tests. All testing shall be conducted in accordance with the procedure used to test covered employees.

### **Confidentiality of Records**

The District shall maintain records in compliance with law. Drug and alcohol testing records are confidential and shall be maintained in a secured location. With the employee's consent, the District may obtain any information concerning drug and alcohol testing from the employee's previous employer. An employee shall be entitled, upon written request, to obtain copies of any records pertaining to the employee's use of alcohol or controlled substances including information pertaining to alcohol or drug tests. Records shall be made available to a subsequent employer upon receipt of a written request from an employee only as expressly authorized by the terms of the employee's request.

Necessary records and reports shall be maintained and made available to federal and state transportation agencies upon request in accordance with federal regulations.

### **Training**

The District shall take steps to ensure that supervisors receive proper training to administer the drug and alcohol-testing program.

### **Violations**

If the testing confirms prohibited alcohol concentration levels or the presence of a controlled substance, the employee shall be removed immediately from safety-related functions. Before an employee is reinstated, if at all, the employee shall comply with all applicable return-to-duty requirements. An employee who is prohibited from performing safety-sensitive functions may be assigned to non-safety-sensitive functions until such time as the employee complies with the requirements for returning to duty. The District will follow treatment referral procedures contained in federal regulations for covered employees.

Employees with verified alcohol concentrations below prohibited amounts shall be removed from safety sensitive positions and may be subject to the disciplinary consequences contained in the Drug and Alcohol Free Workplace policy.

The District is not required to provide rehabilitation, pay for substance abuse treatment or to reinstate the employee. The Board retains the authority consistent with law to discipline or discharge any employee who is an alcoholic or chemically dependent and whose current use of alcohol or drugs affects the qualifications for and performance of his/her job.

**Policy Dissemination**

The Superintendent shall disseminate this policy and other educational material in accordance with federal law. Each employee subject to this policy shall certify in writing that s/he has received this material upon receipt. The Board designates the Superintendent as the individual responsible for answering questions related to this material.

End of Glen Ullin Policy DABBA.....Amended: 10/20/09



## **DRUG AND ALCOHOL TESTING FOR EMPLOYEES**

School bus drivers who operate a motor vehicle requiring a commercial driver's license and other employees who perform safety-sensitive functions are subject to a drug and alcohol testing program that fulfills the requirements of the federal regulations.

These district regulations reflect several requirements of the federal drug testing regulations but are not intended in any way to modify or limit the procedures for drug and alcohol testing specifically addressed in federal regulation. District personnel will adhere to the detailed provisions of federal regulation in administering the district's drug and alcohol program.

References to *tests* in these regulations include both drug and alcohol tests unless the context specifies otherwise. The terms *drugs* and *controlled substances* are interchangeable and have the same meaning. *Drugs* refer to marijuana, cocaine, opiates, phencyclidine (PCP) and amphetamines (including methamphetamines.) Hemp product consumption is not an acceptable alternate medical explanation for a positive marijuana result.

### **Pre-employment tests**

Drug tests will be administered before an employee performs any safety-sensitive functions for the district.

The tests will be required of an applicant only after the position has been offered. Employment with the district is conditional upon the applicant receiving a negative drug test result.

An employee may be exempt from the pre-employment drug test if the employee has participated in a drug testing program within 30 days prior to the application for employment and while participating in that program was tested for drugs within the last six months (from the date of application) or participated in a random drug testing program in the previous 12 months, provided that the district has been able to make all verifications required by law.

### **Post-accident tests**

Alcohol and controlled substance tests will be conducted as soon after an accident as practicable on any driver who:

1. Was performing safety-sensitive functions with respect to the vehicle if the accident involved loss of human life
2. Received a citation under state or local law for a moving traffic violation arising from the accident.

No driver involved in an accident may use alcohol for eight hours after the accident or until after the driver undergoes a post-accident alcohol test, whichever occurs first.

If an alcohol test is not administered within two hours or if a drug test is not administered within 32 hours after the accident, the district will prepare and maintain records explaining why the test was not conducted.

Tests conducted by authorized federal, state or local officials will fulfill post-accident testing requirements provided they conform to applicable legal requirements and are obtained by the district. Breath tests will validate only the alcohol test and cannot be used to fulfill controlled substance testing obligations.

Before any driver operates a commercial motor vehicle, the district will provide the driver with post-accident procedures that will make it possible to comply with post-accident testing requirements.

### **Random tests**

Tests will be conducted on a random basis at unannounced times throughout the year. Random tests for alcohol will be conducted just before, during or just after the performance of safety-sensitive functions. Random tests for drugs do not have to be conducted in immediate time proximity to performing safety-sensitive functions. Once notified of selection for drug testing, an employee must proceed to a collection site to provide a urine specimen.

Employees will be selected by a scientifically valid random process, and each employee will have an equal chance of being tested each time selections are made. The number of employees selected for random testing will be in accordance with federal regulations.

### **Reasonable suspicion tests**

Tests must be conducted when a properly-trained supervisor or district official has reasonable suspicion that the employee has violated the district's alcohol and drug prohibitions. This reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the employee's appearance, behavior, speech or body odors. The observations may include indications of chronic and withdrawal effects of controlled substances.

Alcohol tests will be authorized for reasonable suspicion only if the required observations are made during, just before or just after the period of the work day when the employee must comply with alcohol prohibitions. If an alcohol test is not administered within two hours of a determination of reasonable suspicion, the district will prepare and maintain a record explaining why this was not done. Attempts to conduct alcohol tests will terminate after eight hours.

An alcohol test may not be conducted by the person who determines that reasonable suspicion exists to conduct such a test.

A supervisor or district official who makes a finding of reasonable suspicion also must make a written record of the observations leading to a reasonable suspicion drug test within 24 hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

## **Return-to-duty tests**

A drug or alcohol test will be conducted when an employee who has violated the district's drug or alcohol prohibition returns to performing safety sensitive duties.

Employees whose conduct involved misuse of drugs may not return to duty in a safety-sensitive function until the return-to-duty drug test produces a verified negative result. Employees whose conduct involved alcohol may not return to duty in a safety-sensitive function until the return-to-duty alcohol test produces a verified result that meets federal and district standards.

## **Follow-up tests**

An employee who violates the district's drug or alcohol prohibition and is subsequently identified by a substance abuse professional as needing assistance in resolving a drug or alcohol problem will be subject to unannounced follow-up testing as directed by the substance abuse professional in accordance with law. Follow-up alcohol testing will be conducted just before, during or just after the time when the employee is performing safety-sensitive functions.

## **Records**

Employee drug and alcohol test results and records will be maintained under strict confidentiality and released only in accordance with law. Upon written request, an employee will receive copies of any records pertaining to the employee's drug or alcohol tests. Records will be made available to a subsequent employer or other identified persons or other identified persons only as expressly requested in writing by the employee.

## **Notifications**

Each employee and independent contractor will receive educational materials that explain the requirements of the Code of Federal Regulations, Title 49, Part 382, together with a copy of the district's policy and regulations for meeting these requirements. Representatives of employee organizations will be notified of the availability of this information. The information will identify:

1. The person designated by the district to answer employee questions about the materials.
2. Categories of employees who are subject to the drug and alcohol testing requirements.
3. Sufficient information about the safety-sensitive functions performed by employees to make clear for what period of the work day employee compliance is required.
4. Specific information concerning employee conduct that is prohibited.
5. Circumstances under which an employee will be tested for drugs and/or alcohol.

6. Procedures that will be used to test for the presence of drugs and alcohol, protect the driver and the integrity of the testing processes, safeguard the validity of test results and ensure that test results are attributed to the correct employee.
7. The requirement that a employee submit to drug and alcohol tests administered in accordance with federal regulations.
8. An explanation of what constitutes a refusal to submit to a drug or alcohol test and the attendant consequences.
9. Consequences for employees found to have violated the drug and alcohol prohibitions including the requirement that the employee be removed immediately from safety-sensitive functions and the procedures for referral, evaluation and treatment.
10. Consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04.
11. Information concerning the effects of drugs and alcohol on an individual's health, work and personal life; external and internal signs and symptoms of a drug or alcohol problem, and available methods of intervening when a drug or alcohol problem is suspected including confrontation, referral to an employee assistance program and/or referral to administrative officials.

Each employee must sign a statement certifying the receipt of a copy of the above materials.

The district will inform employees before drug and alcohol tests are performed.

The district will notify an applicant of the results of a pre-employment drug test if the applicant requests such results within 60 calendar days of being notified of the disposition of the employment application. The district will notify an employee of the results of random, reasonable suspicion and post-accident drug tests if the test results are verified positive. The district also will tell the employee which controlled substances were verified as positive. Employees will inform their supervisors if at any time they are using a controlled substance which their physician has prescribed for therapeutic purposes. Such a substance may be used only if the physician has advised the employee that it will not adversely affect the ability to safely perform safety-sensitive functions.

### **Enforcement**

Any employee who refuses to submit to post-accident, random, reasonable suspicion or follow-up tests will not be allowed to perform or continue to perform safety-sensitive functions.

An employee who in any other way violates district prohibitions related to drugs and alcohol will receive from the district the names, addresses and telephone numbers of substance abuse professionals and counseling and treatment programs available to evaluate and resolve drug and alcohol-related problems. The employee will be evaluated by a substance

abuse professional who will determine what help, if any, the employee needs in resolving such a problem.

Any substance abuse professional who determines that an employee needs assistance will not refer the employee to a private practice, person or organization in which the substance abuse professional has a financial interest except under circumstances allowed by law. Before the employee is returned to safety-sensitive duties, if at all, the district must insure that the employee:

1. Has been evaluated by a substance abuse professional.
2. Has complied with any recommended treatment.
3. Has taken a return-to-duty drug and alcohol test with a result indicating an alcohol concentration level of less than 0.02.
4. Is subject to unannounced follow-up drug and alcohol tests. The number and frequency of such follow-up testing will be as directed by the substance abuse professional and consist of at least six tests in the first 12 months following the employee's return to duty.

End of Regulation DABBA-R.....Amended: 10/20/09

## **SPECIAL DISTRICT TRANSPORTATION**

All students leaving the city representing the public schools of the Glen Ullin School District are subject to the following regulations:

1. Trips must be arranged through the principal.
2. All trips will be arranged so that if possible no classes will be missed. If that is impossible, the arrangements should be made in such a manner as to miss as little class work as possible.
3. All groups representing the schools must be properly chaperoned by either faculty members or parents of the students on the trip.
4. Any misconduct on a trip may be sufficient cause for suspension or expulsion from school.

Cross Ref: Policy GDD, Out-of-Town Trips

End of Policy ICC.....Amended: 10/20/09

## **STUDENT TRANSPORTATION BY STAFF IN PRIVATE VEHICLES**

All school activity and field trips will be made by bus or other district vehicle except in the following circumstances:

1. The staff member must have the written permission of the Superintendent or his designee.
2. Persons authorized to use their cars for school business purposes shall carry insurance sufficient to satisfy the terms of the school district insurance policies.
3. The district shall assume no responsibility for liability in case of an accident unless the staff member has the authorization described above.
4. The Board specifically forbids any staff member to transport students for school purposes without prior authorization.
5. No students shall be sent on school errands with their cars.
6. Only the staff member having written authorization shall drive.

The Board will carry a vehicular liability insurance policy to protect administrators and others who are authorized to transport students in their personal automobiles. This insurance will cover situations where an administrator or other authorized personnel assumes the responsibility of transporting a student or students in an emergency.

It is expressly understood that the administrator's or other employee's personal insurance will be considered the primary insurance and that this liability coverage will be effective after the limit of the individual's liability insurance coverage is reached.

End of Policy ICD.....Amended: 10/20/09

## **FOOD SERVICE MANAGEMENT**

The district shall comply with all regulations regarding the keeping of accounts and records and the making of reports prescribed by the Department of Public Instruction. Such accounts and records shall be available at all times for inspection and audit by authorized officials and shall be preserved for a period as specified by the Department of Public Instruction.

The Superintendent shall be responsible for all purchasing, record keeping and administration of the food service program.

Local food purchasing shall be done by bid and shall take into account the availability of commodities from the federal government and any other proper source of donated food.

Legal Ref: NDCC Ch. 15.1-35, Child Nutrition and Food Distribution Programs

NDCC 15.1-09-34, Contracts by school boards - Bids - Penalty

U.S. Dept. of Agriculture, Food and Nutrition Service, National School Lunch Program, 7 C.F.R. Part 210

U.S. Dept. of Agriculture, Food and Nutrition Service, Determining Eligibility for Free and Reduced-Price Meals and Free Milk in Schools, 7 C.F.R. Part 245

End of Policy ID.....Adopted: 10/20/09



## SCHOOL DISTRICT RECORDS

The Business Manager is charged with maintaining all official records and documents of the district.

The records, books, vouchers and papers of the district are public records and as such are subject to public inspection.

The official Minutes of the Board, its written policies and its financial records shall be open for inspection during hours when the office of the Business Manager is open. Copies of records may be made available to persons requesting such at that person's expense.

No records pertaining to individual students or any other records protected by law shall be released for inspection by the public or any unauthorized persons by the Board, Business Manager, or other persons responsible for the custody of confidential files.

- Cross Ref: Policy DAE, Personnel Records
- Policy DAEB, Removal of Materials from Personnel Files
- Policy FDA, Student Educational Records
- Legal Ref: NDCC 15.1-07-21, School district business manager - Duties
- NDCC 15.1-07-25, School district records - Open - Exemptions
- NDCC 15.1-09-31, School board proceedings - Publications
- NDCC 15.1-24-04, Treatment or assistance records - Confidential
- NDCC Ch. 15.1-17, Teacher Personnel Files
- NDCC Ch. 15.1-15, Contracts of Teachers and Administrators
- NDCC Ch. 44-04, Duties, Records, and Meetings
- 20 USC 1232g(e)(f), Family Educational Rights and Privacy Act
- 45 CFR Part 99 Regulations

End of Policy BDB.....Amended: 10/20/09

## REPRODUCTION OF COPYRIGHT MATERIALS

It is the intent of the Board to enforce, and abide by the provisions of current copyright laws as they affect the district and its employees.

Copyright materials, whether they are print or nonprint, will not be duplicated unless such reproduction meets "fair use" standards or unless written permission from the copyright holder has been received. This includes works published on the Internet, software and other digital formats.

The Superintendent will issue related memoranda to the staff; provide posters at locations of copying machines and apparatus; and notify all employees of this policy.

The Board does not sanction illegal duplication in any form. Employees who willfully disregard the district's copyright position are in violation of board policy; they do so at their own risk and assume all liability. The legal or insurance protection of the district will not be extended to employees who violate copyright laws.

Cross Ref: Policy GBEF, Computer Education  
Policy GBFF Copyrighted Material  
Legal Ref: U.S. Code, Title XVII (P.L. 94-553)

End of Policy IFAA.....Amended: 10/20/09

## COMPUTER SOFTWARE

The school system will adhere to copyright laws in the area of microcomputer programs. The following procedures represent a sincere effort on the part of the Board to operate legally. We recognize that software piracy is a major problem and that it contributes to higher costs and lessens incentives for the development of good educational programs. Therefore, in an effort to discourage violation of copyright laws and to prevent such illegal activities:

1. The ethical and practical problems caused by software piracy will be taught in all schools in the district.
2. District employees will be expected to adhere to the provisions of Public Law 96-517, Section 7(b) which amends Section 117 of Title 17 of the United States Code to allow for the making of a back-up copy of computer programs. This states that "...it is not an infringement for the owner of a copy of a computer program to make or authorize the making of another copy or adaptation of that computer program provided:
  - a. That such a new copy or adaptation is created as an essential step in the utilization of the computer program in conjunction with a machine and that it is used in no other manner; or
  - b. that such a new copy and adaptation is for archival purposes only and that all archival copies are destroyed in the event that continued possession of the computer program should cease to be rightful."
3. When software is to be used on a disk sharing system, efforts will be made to secure this software from copying.
4. Illegal copies of copyright programs may not be made or used on school equipment.
5. The legal or insurance protection of the district will not be extended to employees who violate copyright laws.
6. The purchasing agent is designated as the only individual who may sign license agreements for software for schools in the district. If the material will be used other than in the business officer, the principal will also sign the agreement.
7. The principal of each school is responsible for establishing practices which will enforce this policy at the school level.

Cross Ref: Policy GBEF, Computer Education

Policy GBFF, Copyrighted Material

Policy IFAA, Reproduction of Copyright Materials

Legal Ref: U.S. Code Title XVII (P.L. 94-553)

End of Policy IFAAA.....Amended: 10/20/09

## **RISK MANAGEMENT**

It shall be the policy of the School Board of the Glen Ullin School District to take positive actions to reduce the potential liability of the district whenever possible. This will include adequate insurance coverage, a pro-active safety program and close supervision of any unemployment compensation and workers' compensation claims.

The safety program will include adequate maintenance and repair of facilities, including playgrounds, and the installation and supervision of playground equipment that is recognized as safe. It will also include accident reports and first-aid and supervision policies that seek to reduce the potential for injury to students, staff and public.

Supervision of unemployment and workers' compensation claims will include prompt response to any requests for information from the government agencies involved, prompt appeals of determinations believed to be unfair or mistaken and a watchful eye as to the costs involved. It shall be the policy of the district to seek to minimize the claim from a work-related injury by maintaining contact with the injured employee and accommodating an early return to work, even temporarily in a different capacity.

In order that the Board may monitor its success in this area, the Superintendent shall make reports at least annually in each of the above categories.

Cross Ref: Policy DAHD/IBDE, Employee Right to Know  
Policy FE, Student Safety  
Policy IBD, Safety

End of Policy IH.....Adopted: 10/20/09

## **INSURANCE MANAGEMENT**

The Board will maintain an adequate insurance program to protect the property of the district against fire, vandalism, theft; to protect the board members and employees against general liability resulting from the discharge of their duties; and to offer protection against injury for all employees while acting on behalf of the school. The Board may also authorize and participate in an insurance program of hospitalization and medical insurances for students and employees.

As a part of administering the total insurance program, the Superintendent shall from time to time obtain an independent insurance audit to determine the adequacy of the school district's general comprehensive liability; automotive, vehicular, truck and bus; errors-and-omissions; and umbrella insurance coverage. Resulting from this audit will be the development of specifications for insurance coverage of various types so that the insurance may be purchased by competitive bid.

The district will make every effort to obtain insurance at the most economical cost, consistent with required service, by obtaining bids in conformance with adopted purchasing policies and state law.

Legal Ref: NDCC 15.1-09-33, School board - Powers

NDCC 15.1-09-53, School district employee's group health plans

NDCC Title 26.1, Insurance

NDCC Ch. 32-12.1, Judicial Remedies

NDCC 39-01-08, State, political subdivisions, and international peace garden authorized to carry insurance on vehicles - Waiver of immunity to extent only of insurance purchased

End of Policy IHA.....Adopted: 10/20/09