

## **PROPOSED UPDATE**

*The Huron School District Transportation Department Policy Committee respectfully submits the following proposed update to the school bus policy manual adopted in May, 2012.*

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# POLICY AND PROCEDURES MANUAL

## POLICY IMPLEMENTATION

Code: CG Policy Implementation

The Superintendent has responsibility for carrying out, through administrative regulations, the policies established by the Board.

The policies developed by the Board and the administrative regulations developed to implement policy are designed to promote an effective and efficient school system. Consequently, it is assumed that all Board employees and students will willingly carry them out.

There are activities that are common to all departments and school levels but procedures for conducting them may vary from unit to unit. Principals and department heads will establish procedures for conducting activities within their individual units within the larger framework of administrative regulations and Board policies.

## POLICY MANUAL INFORMATION

The Policies and Procedures Manual identifies the expectations that the Huron School District has for its employees. It does not constitute an employment agreement. This manual is presented for information purposes only. EMPLOYMENT AT HURON SCHOOL DISTRICT IS EMPLOYMENT AT WILL. Employment at will is described as "an employee is hired for an indefinite period without an employment contract and that termination of employment may occur for any reason at any time. The employee also has the same opportunity to quit employment or seek other employment." Full time employees may be under contract.

This manual may be considered as a working guide for supervisory and staff personnel in the day-to-day administration of our personnel policies.

You should refer to your Policy and Procedures Manual often. If you have questions or require any clarification, your immediate supervisor will be happy to assist you. It is important to note that the policies and procedures outlined in this manual are subject to change and may be altered at any time without prior notice by action of the Huron School District. Implementation of new or changed Policy will not take effect until employees have been notified.

If all school bus drivers operate their buses in a uniform manner, drivers of other vehicles will soon learn how they are expected to perform in order that the "PRECIOUS CARGO", our children, will have a safe trip to and from school and school related activities.

## LINES OF AUTHORITY AND STAFF RELATIONS

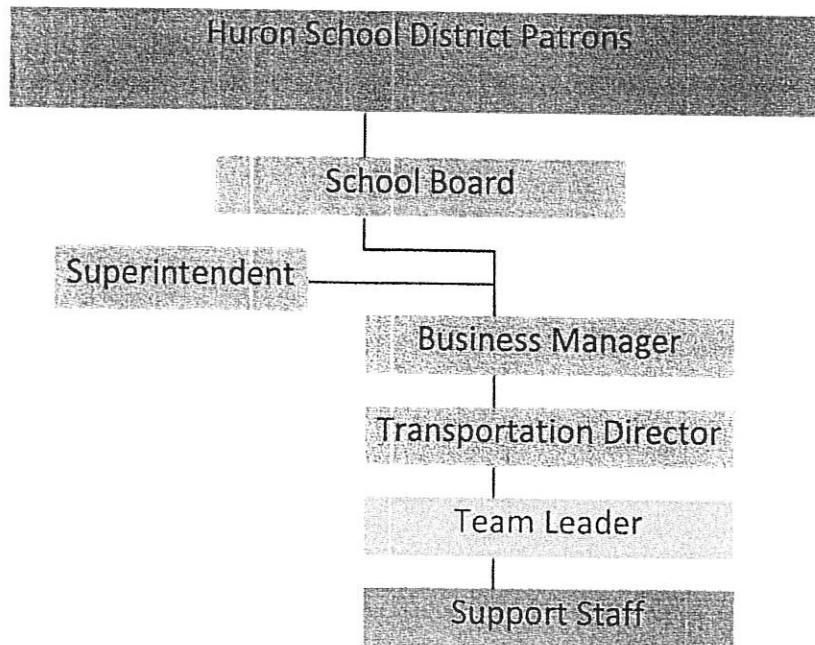
Code: CDA

All personnel employed by the Board will be responsible to the Board through the Superintendent. The Board expects that the Superintendent will establish clear understandings on the part of all personnel of the working relationships in the school district.

Personnel will be expected to refer matters requiring administrative action to the administrator to whom they are responsible. The administrator will refer such matters to the next higher administrative authority when necessary. Additionally, all personnel are expected to keep the person to whom they are immediately responsible informed of their activities by whatever means the person in charge deems appropriate.

It is expected that the established lines of authority will serve most purposes; however, all personnel will have the right to appeal any decisions made by an administrative officer in accordance with the approved grievance procedures.

Additionally, lines of responsibility and authority do not restrict in any way the cooperative, sensible working together of all people on all professional levels in order to develop the best possible school program. The established lines of authority represent direction of authority and responsibility in the implementation of policy; when the staff is working together to improve the district's programs and operations, the lines represent avenues for a two-way flow of ideas.



## **SUPPORT SERVICES GOALS**

**NEPN Code: EA**

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; all support services will be provided, guided, and evaluated by this requirement.

In order to provide support services that are truly supportive of the educational program, the Board establishes these broad goals:

To provide a physical environment for teaching and learning that is safe for students, staff, and public;

To provide safe transportation for students to and from school and nutritious meals for students;

To provide support services, resources, and assistance to fulfill the needs and promote the goals of the educational program.

## **QUALIFICATIONS FOR EMPLOYMENT**

### **SELECTION OF EMPLOYEE**

The selection criteria for drivers take into consideration that all school bus drivers must perform certain duties. These basic duties are:

- Operate the bus in a safe, efficient, and professional manner.
- Conduct pre-trip and post-trip checks on bus and all of its special equipment.
- Establish and maintain rapport with students.
- Maintain discipline among students.
- Meet emergency situations in accordance with standard operating procedures and policies.
- Communicate effectively with management and school staff.
- Maintain professional and courteous contact with the public.
- Complete required reports in accordance with the transportation guideline.
- Complete driver training successfully with transportation staff and state certified trainer.
- Complete and pass DOT physical examination.
- Huron School District will reimburse up to \$100.00 for physical with a proper doctor's receipt.
- A drug test, a written and driving test, along with any other mandates that are required in South Dakota Codified Law (SDCL), Federal Motor Carrier Safety Administration (FMCSA), and Commercial Drivers License (CDL) Laws.

## CHARACTER QUALIFICATIONS

Each employee will conduct himself/herself in a mature, respectable manner at all times. An employee is a representative of the whole school system.

- The employee must be of good moral character.
- The employee must be a dependable, responsible person who can be relied upon to carry out duties as assigned.
- The employee must be honest, upright, and respectable. Someone whom the students can model themselves after.
- The employee must possess the qualities of initiative, self-reliance, and leadership.
- Emotional stability is an important requirement in a good employee. An employee must deal with school officials, students, parents, weather, and mechanical difficulties with patience and effectiveness. One must be able to appear calm and collected in emergencies and be even-tempered and considerate at all times.

## CODE OF CONDUCT

Huron School District employees are expected to:

- Treat students, parents, fellow employees, and community members with dignity and respect.
- Promote a safe, nurturing, and positive school and work environment.
- Maintain confidentiality concerning students, families and employees.
- Demonstrate knowledge of and act in accordance with Huron School District policies and procedures, as well as legal and contractual standards, responsibilities and obligations.
- Demonstrate a commitment to learning and professional growth.
- Model and promote appropriate language.
- Commit to reporting gross mismanagement, significant waste of funds, abuse of authority, threats to safety, violations of policies and regulations, or other conduct that damages integrity or reputation to your immediate supervisor.
- Abstain from threatening, harassing, punishing, or retaliating behavior against students, the public, and/or other employees.
- Engage in conduct that follows generally recognized professional principles.

**Unethical conduct includes, but is not limited to:**

- Any conduct that seriously impairs the employee's ability to function professionally in his/her employment position.
- Conduct that is detrimental to the health, welfare, discipline, or morals of students.
- Conduct which is offensive to the ordinary dignity, decency, and morality of others.
- Failure to cooperate with Huron School District in inquiries and/or investigations or hearings.
- Deliberately falsifying information.

Any violation of the Code of Conduct shall be considered just cause for discipline, up to and including termination of employment.

## **GENERAL INFORMATION FOR ALL EMPLOYEES**

### **TRANSPORATION FACILITY**

- ALL transportation employees are responsible for the cleanliness of the Transportation Facility.
- Overhead doors should remain open when buses are leaving or coming back to the Transportation Facility during times when weather will allow.
- Drivers will use assigned door remotes to access the Transportation Facility to get their assigned Activity Bus. The remote must be turned in to the office or placed back into the locker once you return from the activity trip.
- Drivers will not take the garage door remotes home or place them in their personal vehicle.

### **LOUNGE**

- Pick up after yourself. Please keep the tables, dishes, microwave, sink, and coffee pots clean.
- Refrigerator is available for your use. Please remove personal items on a regular basis.
- Any items posted in the lounge must be approved by the Team Leader or Transportation Director.

### **PARKING – PERSONAL VEHICLE**

- Park where designated on East side of Transportation Facility.
- Office staff and Fleet Vehicle parking on North side of Transportation Facility.
- NO PARKING ON GRASS.

### **DRESS CODE**

To include, but not limited to the following:

- The personal appearance of the employee while on duty must be neat, clean, and presentable.
- Clean-shaven faces or neatly trimmed beards/mustaches.
- Hair will be neat in appearance – no hair rollers, etc.
- Appropriate dress is required that conveys a positive, professional image.
- Appropriate footwear is required. NO FLIP FLOPS.
- Shorts are allowed, but must not be shorter than 6" above the center of knee.
- No spandex, tight fitting, or cut-off shorts are allowed.
- No sweatpants or lounge/pajama bottoms.
- No halter-tops, muscle, fish net, mesh, see-through, or strapless shirts.
- Blouses and tops must have a minimum of a 1" wide strap that conceals the bra strap.
- Belly buttons must be covered; shirts must cover the center of the body (no skin showing)
- Shirts or blouses are to be buttoned properly and should not be more than 3" below neckline in front and 6" below neckline in back.
- Employees are allowed to wear manufactured sleeveless shirts, no cut off sleeves are allowed.
- All Activity Drivers must wear appropriate clothing.
- Facial piercing should not have visible studs.

## DRIVING/PARKING IN LOT AND GARAGE

- 10 mph in lot. SLOW DOWN and watch for people walking in the parking lot and bus garage.
- Do not leave bus running while unattended.
- When parking bus outside, place key in Lock Box of bus.
- Check bus inside and outside for lost items, children, and for mechanical issues.
- Close all windows and roof hatches at the end of the day.

## CLEANLINESS OF BUS

- Clean inside of glass. Towels are provided in Shop.
- Pick up litter and items left by children daily and dust around driver's area as needed.
- Do not sweep waste onto the ground. Place waste in proper containers and put trash in outside dumpster.
- Drivers can wash their buses and claim 1 hr. Must be during normal working hours and with supervision.

## FUELING BUS

- SHUT BUS OFF WHEN FUELING.
- It is against the law to have buses running or have passengers on board while fueling.
- Do not lock the fuel pump hose open and walk away. Keep your hand on pump at all times.
- The fuel tank of the bus should not register below one-fourth (1/4) at any time, and not less than one-half (1/2) during months of November thru February.
- Report ANY fuel spill immediately to the station staff.
- Enter your PIN number, bus number, and mileage when you go in to the station. Sign ALL receipts. If your signature is illegible, print your last name. Two receipts will stay at the station. Return one receipt back to the Transportation Facility.

## CELL PHONE

- The bus must be out of service in order to use a cell phone. Out of service means the bus must be out of traffic and safely parked. You will follow this policy.
- Drivers are not allowed to answer, call, text, or talk on a cell phone while the bus is moving. This includes hand free devices.



## **PERSONAL PROPERTY**

- Huron School District is not responsible for personal property that is lost, damaged, or stolen. If you bring personal property into the office, lounge, or on the bus, you are responsible to keep track of it.
- Huron School District prohibits any items on the premises that are sexually suggestive, offensive, or demeaning to specific individuals or groups, along with firearms or other weapons. Employees should understand that all personal property brought onto the employer's premises might be inspected for purposes of enforcing the organization's policies and to protect against theft.

## **CODE OF ETHICS**

Make the well-being of the students the basis of your decision making.

Obey all local, state, and federal traffic laws

Exemplify high moral standards by not engaging in or becoming a party to such activities as fraud, embezzlement, deceit, moral turpitude, gross immorality, illegal drugs, or use of misleading or false statements.

Respect the civil rights of all students, parents, and Huron School District employees.

Refrain from using any social media outlets to express any negativity toward students, their families, the Huron School District, or co-workers.

Fulfill professional responsibilities with honesty and integrity.

Maintain professional relationships which are free from vindictiveness, willful intimidation, and disparagement.

Safeguard confidential information.

Do not allow professional decisions or actions to be impaired or influenced by personal gain, gifts, gratuities, favors, and services made or withheld.

Avoid preferential treatment and conflicts of interest.

## **SCHOOL BUS SAFETY PROGRAM**

**NEPN Code: EEAC**

In the operation of the district's transportation program, the first consideration will be given to safety.

All buses except those designated for carrying nine or less passengers, and drivers must meet all federal and state requirements, and the drivers must understand all policies and regulations pertaining to school bus operation. All bus drivers shall receive appropriate training. All vehicles used to transport children will be properly maintained to provide safe and efficient transportation service with a minimum of delays and disruption due to mechanical or equipment failure.

The school Superintendent, with assistance from the transportation supervisor, will have the responsibility for developing safety regulations to be followed by the passengers, including rules of student conduct during transportation and at bus stops. It is absolutely necessary that students riding the school buses conduct themselves in an orderly manner and that all safety regulations are observed.

### **TRAINING REQUIREMENTS**

- An employee shall participate in all training sessions conducted and/or requested by the school administration.
- All employees are required to participate in the following safety programs:
  - State approved training courses
  - Drug and alcohol training courses
  - School District training courses

### **AMERICANS WITH DISABILITIES ACT**

Huron School District is committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position.

Reasonable accommodation is available to all disabled employees where their disability affects the performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, lines of progression and seniority lists. Leave of all types will be available to all employees on an equal basis.

Huron School District is also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability. Huron School District will follow any state or local law that provides individuals with disabilities greater protection than the ADA.

This policy is neither exhaustive nor exclusive. Huron School District is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state and local laws. If you feel you have been unlawfully discriminated against, immediately inform the Transportation Director. You can be assured that your complaint will be thoroughly investigated.

## TITLE IX INFORMATION

### SEXUAL HARASSMENT

Code: ABA Sexual Harassment

#### I.

Sexual harassment is unacceptable and shall not be tolerated. No member of the school district community may sexually harass another. Any employee or student will be subject to disciplinary action for violation of this policy.

Furthermore, the Huron School District will not discriminate on the basis of sex or sexual orientation in its educational program or activities. If anyone feels that she/he is being discriminated against on the basis of sex, she/he should feel free to contact the Title IX Coordinator for the Huron Public Schools.

#### II.

Sexual harassment is herein defined as unwelcomed sexual advances, requests for sexual favors, and other verbal or physical misconduct of a sexual nature including the following:

- a. Submission to such conduct is made either explicitly or implicitly a term of conditions of an individual's employment or education; and/or,
- b. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting such individual; and/or,
- c. Such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance, or creating an intimidating, hostile, or offensive employment or educational environment.

#### III.

Sexual harassment is illegal under both South Dakota (Executive Order 81-08) and Federal (Title VII, Title IX) law. In some cases, it may also be liable to prosecution under criminal statutory law. The Board of Education of the Huron School District has established a non-retaliatory grievance procedure for handling sexual harassment complaints. All reported incidents of sexual harassment will be promptly and thoroughly investigated, and all substantiated acts of sexual harassment will result in immediate and appropriate corrective action, including sanctions.

The district prohibits retaliation against any employee or student because he or she has made a report of alleged sexual harassment or against any employee or student who has testified, assisted, or participated in the investigation of a report. Retaliation is itself a violation of federal and state regulation prohibiting discrimination and will lead to disciplinary action against the offender.

Confidentiality consistent with due process will be maintained.

#### IV.

The staff, administrators, and students of the Huron School District are responsible for maintaining a working and learning environment free from sexual harassment. It is the obligation of each employee and student to become fully informed of the provisions of this policy and to assure individual compliance. To assure dissemination of this policy, copies will be distributed to all administrative units serving both employees and students. Copies will be posted at appropriate locations throughout the district and the policy will be announced in appropriate district publications.

V.

Any employee who feels that he or she has been subjected to sexual harassment in the work place should report the incident immediately to his or her immediate supervisor. If the immediate supervisor is involved in the activity, the violation should be reported to that supervisor's immediate supervisor. Students may report such incidents to their teacher, principal, superintendent, or Board of Education, depending on involvement of the listed individuals. Resolution of complaints will be handled through the district grievance policy.

**BULLYING/HARASSMENT**

Code: ABB Bullying/Harassment

Bullying/Harassment of students are against federal, state and local policy, and are not tolerated by the Huron Board of Education. In an effort to inform staff, students, and parents, copies of this policy will be available in the offices of the Superintendent, Director of Instruction, and Principal(s), and a link on the home page of the District website. The Board is committed to providing all students with a safe and civil school environment in which all members of the school community are treated with dignity and respect. To that end, the Board has in place policies, procedures, and practices that are designated to reduce and eliminate bullying and harassment as well as processes and procedures to deal with incidents of bullying and harassment. Bullying and harassment of students by students, school employees, and volunteers who have direct contact with students will not be tolerated in the school or school district. Pursuant to policy, the Huron School District does not condone or tolerate harassment or bullying and it is strictly prohibited. Bullying, harassment, hazing, or any other victimization of students or staff based on actual or perceived traits or characteristics of the student or staff including but not limited to: race, color, creed, sex, national origin, religion, age or disability by any student or employee of the Huron School District shall not be tolerated. This conduct will not be allowed at any Huron School District facility including but not limited to playgrounds, practice fields, parking lots, Huron Arena, Tiger Activities Center, or Tiger Stadium. Furthermore, such conduct will not be tolerated at any school sanctioned activity by anyone including guests or visitors of the Huron School District.

This policy shall apply to any persons on school property and also at any and all school sanctioned activities and events whether or not they occur on school property. This includes school vehicles or vehicles leased by the Huron School District or private vehicles that are on school property. This policy also applies to Huron School District students and employees not on school property or at a school event but in situations when the conduct directly affects the good order, efficient management and welfare of the school, school district or its students or staff or causes a substantial disruption to the educational process. Violations of this policy may be subject to disciplinary action up to and including expulsion of students or termination of employees. Volunteers, visitors, or guests of the Huron School District who are in violation of this policy may be prohibited from access to any Huron School District property. Incidents of bullying may be serious enough to involve the School Resource Officer (SRO) or other law enforcement from the initial complaint or may be brought in at any time during the investigation.

Bullying or harassment mean any electronic, written, verbal, or physical act or conduct toward a student which is based on any actual or perceived trait or characteristic of the student and which creates an objectively hostile school environment that meets one or more of the following conditions:

- Places the student in reasonable fear of harm to the student's person or property;
- Has a substantially detrimental effect on the student's physical or mental health;
- Has the effect of substantially interfering with the student's academic performance; or
- Has the effect of substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.

"Electronic" means any communication involving the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means. "Electronic" includes but is not limited to communication via electronic mail, internet-based communications, pager service, cell phones, electronic text messaging, or similar technologies.

Bullying or harassment has the purpose or effect of substantially or unreasonably interfering with a student's educational opportunities. This includes but is not limited to academic, co-curricular, extra-curricular, and social activities. Harassment and bullying may include, but are not limited to, the following behaviors and circumstances:

- Verbal, nonverbal, physical or written harassment, bullying, hazing, or other victimization that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Repeated remarks of a demeaning nature that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Implied or explicit threats concerning one's grades, achievements, property, etc. that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Demeaning jokes, stories, or activities directed at the student that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Unreasonable interference with a student's performance or creation of an intimidating, offensive, or hostile learning environment; and/or
- Stalking, harassment and threatening/harassing contact by telephone, texting, email and other communication devices.

Sexual harassment means unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- Submission to the conduct is made either implicitly or explicitly a term or condition of the student's education or benefits;
- Submission to or rejection of the conduct by a school employee is used as the basis for academic decisions affecting that student; or
- The conduct has the purpose or effect of substantially interfering with the student's academic performance by creating an intimidating, hostile, or offensive education environment.

In situations between students and school officials, faculty, staff, or volunteers who have direct contact with students, bullying and harassment may also include the following behaviors:

- Requiring that a student submit to bullying or harassment by another student, either explicitly or implicitly, as a term or condition of the targeted student's education or participation in school programs or activities; and/or
- Requiring submission to or rejection of such conduct as a basis for decisions affecting the student.

Retaliation against a person because the person has filed a bullying, or harassment complaint, or assisted, and/or participated in a harassment investigation or proceeding, is prohibited. An individual who knowingly files a false complaint and a person who gives false statements in an investigation shall be subject to discipline by appropriate measures, as shall a person who is found to have retaliated against another in violation of this policy. A student found to have retaliated in violation of this policy shall be subject to measures up to, and including, suspension and expulsion. A school employee found to have retaliated in violation of this policy shall be subject to measures up to, and including, termination of employment. A school volunteer found to have retaliated in violation of this policy shall be subject to measures up to, and including, exclusion from school grounds. Individuals who knowingly file a false complaint may be subject to appropriate disciplinary action. The school or school district will promptly and reasonably investigate allegations of bullying or harassment. The building principal or assistant principal or designee will be responsible for handling all complaints by students alleging bullying or harassment.

It is the responsibility of the superintendent, in conjunction with the investigator and principals, to develop procedures regarding this policy.

The superintendent is responsible for organizing training programs for students, school officials, faculty, staff, and volunteers who have direct contact with students. This training will take place no later than the first 20 school days of each school year. The training will include how to recognize bullying/harassment and what to do in case a student is bullied or harassed. It will also include proven effective bullying/harassment prevention strategies. The superintendent will develop a process for evaluating the effectiveness of the policy in reducing bullying/harassment. As part of this evaluation the superintendent will determine what additional training, if any, is necessary to improve effectiveness of the policy and procedures. The superintendent shall annually report to the Board on the implementation of this policy and its effectiveness in reducing bullying and harassment. The superintendent will make recommendations to modify this policy and/or its accompanying procedures to ensure they are effective.

All documentation associated with a complaint shall be maintained by the building principal for a period of three years. The superintendent is responsible for monitoring the written records to ensure the policies and procedures are being followed. The superintendent can be contacted at 150 5<sup>th</sup> Street SW, Huron, SD 57350 or by calling 605-353-6990.

The Board will annually publish this policy. The policy may be publicized by the following means:

- Inclusion in the student handbook,
- Inclusion in the employee handbook,
- Inclusion in the registration materials,
- Inclusion on the school or school district's web site and a copy shall be made to any person at the central administrative office at 150 5<sup>th</sup> St. SW, Huron, SD 57350

## **BULLYING/HARASSMENT INVESTIGATION PROCEDURES**

Students who feel that they have been bullied or harassed should:

- Communicate to the bully/harasser that the individual expects the behavior to stop, if the individual is comfortable doing so. If the individual wants assistance communicating with the bully/harasser, the individual should ask a teacher, counselor, bus driver or principal to help.

- If the bullying/harassment does not stop, or the individual does not feel comfortable confronting the harasser, the individual should:
  - Tell a teacher, counselor, bus driver or principal; and
  - Write down (or narrate to parent or school official) exactly what happened, keep a copy and give another copy to the teacher, counselor or principal including;
    - what, when and where it happened;
    - who was involved;
    - exactly what was said or what the bully/harasser did;
    - witnesses to the bullying/harassment;
    - what the student said or did, either at the time or later;
    - how the student felt; and
    - how the bully/harasser responded.
- Teachers or counselors receiving a report, or who witness bullying or harassment, must report the incident to the building principal by the end of the school day in which the event occurred, but in no case later than the morning of the next school day.

All staff that receive a report of bullying/harassment or view bullying/harassment behavior must fill out the bullying incident form and submit it to the school principal within one school day from the incident. While it is strongly encouraged that students complete a bullying/harassment report, the filing of a report is not mandatory. Staff is still required to complete the incident report form if a student or another staff member or parent or other interested party comes to them to report that they or someone they know was bullied or harassed. The principal may conduct an investigation of the incomplete report.

#### **FORMAL COMPLAINT PROCEDURE**

An individual who believes that he/she has been harassed or bullied will notify the principal or assistant principal in his/her building who is the designated investigator. The alternate investigator is the school counselor assigned to a student's attendance center. The investigator may request that the individual complete the Bullying/Harassment Formal Complaint form and turn over evidence of the harassment, including, but not limited to, letters, tapes, or pictures. The complainant shall be given a copy of the completed complaint form. Information received during the investigation is kept confidential to the extent possible. When possible, the principal should utilize the school counselor as a "third party recorder" providing an independent document for reference to the investigation, interviews, and resolution meetings.

The principal or the alternate investigator, with permission from the principal, has the authority to initiate an investigation in the absence of a written complaint.

#### **INVESTIGATION PROCEDURE**

The investigator will reasonable and promptly commence the investigation upon receipt of the complaint. The investigation should begin within two school days, or within two work days during school recesses. Extenuating circumstances causing the delay of an investigation must be submitted to the superintendent for approval. The length of the investigation is governed by the facts and complexity of each individual case but should be completed within 30 days of the complaint. The superintendent may approve an extension in special circumstances. The investigator will interview the complainant and the alleged harasser. The alleged bully/harasser may file a written statement in response to the complaint. The investigator may also interview witnesses as deemed appropriate.

Upon completion of the investigation, the investigator will make written findings and conclusions as to each allegation of bullying/harassment and produce written findings and conclusions. An alternate investigator will provide a copy of the written findings of the investigation to the principal.

## RESOLUTION OF THE COMPLAINT

Following the completion of his/her own investigation or upon receipt of an alternate investigator's report, the principal may investigate further, if deemed necessary, and make a determination of any appropriate additional steps, which may include discipline. If during the course of completing the report, it is determined that the report is a false report, the completed form will still be provided to the principal who may take disciplinary action for filing a false report. Filing of false reports may be considered by the principal when determining if bullying or harassment has occurred.

A key to resolution is the determination of a pattern of misbehavior by one student or a specific group of students. Accurate recording in the student data system will allow principals to discover documented patterns of misbehavior, which are relevant to resolution of the complaint. This information is confidential to the principal in compliance with Family Educational Rights and Privacy Act (FERPA).

The principal will file a written report closing the case and documenting any disciplinary action taken or any other action taken in response to the complaint. The remedial actions taken by the principal, including disciplinary action where appropriate should be designed to prevent further bullying/harassment. Parents of both the victim(s) and any perpetrator(s) will be informed of the results of the investigation and the principal's finding. The alleged victim or his/her parents may not know the disciplinary action imposed nor may the alleged perpetrator of his/her parents know any of the personally identifiable information such as victim, witnesses, or specifics of the alleged incident beyond the disciplinary action imposed. If parents object to the decision of the principal they may file a grievance as set out in Huron School District, School Board policy (CP-1). The principal, or designee, will monitor the effectiveness of the remedial actions taken by contacting the complainant at least twice during the month following the investigation resolution. These contacts should be included in the documentation. If further remedial actions are necessary, the case shall remain open with ongoing monitoring and documentation. The complainant, alleged harasser, and the investigator will receive notice as to the conclusion of the investigation. The principal will maintain a log of all complaints, findings, and actions taken, and will maintain all documentation related to a complaint investigation for three years.

## POINTS TO REMEMBER IN THE INVESTIGATION

- Evidence uncovered in the investigation is confidential.
- Complaints must be taken seriously and promptly investigated.
- No retaliation will be taken against complainant/individuals involved in the investigation process.
- Retaliators will be disciplined up to and including suspension and expulsion.

## CONFLICTS

If the investigator is a witness to the incident, the principal may assign the alternate investigator to the incident.



## MONITORING EFFECTIVENESS

The superintendent is responsible to monitor the effectiveness of the bullying/harassment prevention efforts and the timely reporting to the Board of Education. The principal will annually report to the superintendent the number and type of complaints investigated under this policy and the results, including disciplinary actions taken and the effectiveness of those actions, including follow-up contacts. The documentation supplied by the building principals will be reviewed by central administration to coordinate data district-wide and formulate a comprehensive report. The report will include the number and type of complaints filed under this policy with comparative data from previous years as it becomes available. The report may also include district-wide or individual building survey results related to bullying and harassment.

This policy shall not be interpreted to prohibit civil exchange of opinions or debate protected under the state or federal constitutions where the opinion expressed does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.

Student or adults who feel they have been subjected to harassment may contact the Huron School District Title IX Coordinator:

Kari Hinker

Director of ESL/Federal Programs

Huron Arena

150 5<sup>th</sup> St. SW

Huron, SD 57350

605-353-8660

[kari.hinker@k12.sd.us](mailto:kari.hinker@k12.sd.us)

Or file a complaint with the regional office for civil rights:

Kansas City Office

U.S. Department of Education

One Petticoat Lane

1010 Walnut St. 3<sup>rd</sup> Floor, Suite 320

Kansas City, MO 64106

816-268-0550

FAX 816-268-0599

Email: [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov)

Huron School District  
**BULLYING/HARASSMENT INCIDENT REPORT FORM**  
(Draft document to be used pending formal School Board Adoption)

Date of Report: \_\_\_\_\_

Date of Incident: \_\_\_\_\_

Name of Staff Member Witnessing or Reporting: \_\_\_\_\_

Location of Incident: \_\_\_\_\_

Persons Involved: (identify as probable harasser(s) and probable victim(s))  
\_\_\_\_\_  
\_\_\_\_\_

Please provide a brief description of the bullying/harassment incident:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Potential Witnesses: \_\_\_\_\_  
\_\_\_\_\_

Please describe actions you (as the staff witness or reporter) took as a result of the incident (including any disciplinary action imposed):  
\_\_\_\_\_  
\_\_\_\_\_

Do you believe further action is required? Yes No Other (explain)

Signature of Staff Member Reporting: \_\_\_\_\_

Date Principal Received: \_\_\_\_\_

Signature of Principal: \_\_\_\_\_

Principal - Please enter or attach further action taken as deemed appropriate.  
\_\_\_\_\_  
\_\_\_\_\_

(Copy to be on file in Principal's Office)

## **CONTESTED HEARINGS**

Code: AEA Contested Hearings

The Board may be required to assume a judicial role to ensure adherence to district policy. All contested matters will be heard in a fair and impartial manner, and the Board will resolve all disputes. All contested hearings shall adhere to the procedures outlined in this policy.

### **HEARING**

- Hearings involving personnel and students are closed to the public.
- Requests for hearings to be conducted in open session will be considered by the Board.
- A verbatim record of the hearing will be made.
- Closed hearing records will be sealed pending a determination of the Board.

### **CONDUCT OF THE HEARINGS**

- The Board shall appoint a school Board member or a person who is not an employee of the school district as the hearing officer.
- Each party may be represented by an attorney.
- Each party may make an opening statement.
- The complainant/petitioner shall present its case first.

### **WITNESSES**

- All witnesses must take an oath or affirmation of truth.
- Witnesses may be present only when testifying.
- Each party may present, examine and cross-examine witnesses.
- The hearing officer may ask questions of witnesses and may allow other school Board members to question witnesses.

### **EVIDENCE**

- Each party may introduce evidence.
- All relevant evidence must be admitted.
- Unproductive or repetitious evidence may be limited by the hearing officer.
- Each party may raise objections. The basis for the objection must be stated.
- Each party may make a closing statement.

### **DELIBERATION**

- After the hearing, the school Board shall continue to meet in executive session for deliberation.
- No one other than the hearing officer may meet with the school Board during deliberation.
- The school Board may seek advice during deliberation from its legal counsel.
- Consultation with any other person during deliberation may occur only if representatives of the parties are present.

### **DECISION**

- The decision of the Board must be based solely on the evidence presented at the hearing and must be formalized by a motion made in open meeting.
- For closed hearings, the motion must omit the names of the parties.
- The Board shall notify the parties in writing of its decision.

GRIEVANCE PROCEDURE FOR CLASSIFIED PERSONNEL

ARTICLE I

Definitions:

- A. A "grievance" is a complaint by a classified staff employee, or group of employees, based upon an alleged violation, misinterpretation, or inequitable application of any existing agreements, contracts, policies, rules or regulations of the school district, except that the term "grievance" shall not apply to any matter as to which the method of review is prescribed by law, or the board is without authority to act.
- B. The term "employee" is considered to apply to any classified employee and may include an individual or group of employees who are similarly affected by a grievance.
- C. An "aggrieved person" is the person or persons making the claim.
- D. "Board" means the board of education of the Huron School District #2-2, Huron, South Dakota.
- E. The term "days," when used in this policy, shall, except where otherwise indicated, means calendar days.
- F. Timelines may be waived by mutual agreement of those filing the grievance and the administration.

ARTICLE II

Purposes:

The purpose of this statement of grievance procedure policy is to secure a solution at the lowest possible administrative level.

ARTICLE III

Procedure:

- A. It is important that grievances be processed as rapidly as possible. The number of days indicated at each level should be considered a maximum, and every effort should be made to expedite the process. If appropriate action is not taken by the employee within the time limits specified the grievance will be deemed settled on the basis of the disposition at the preceding level. The time limits specified herein may be extended by

mutual agreement of the aggrieved and the board of education designee provided the time extension is requested within the time limits provided in the Article.

- B. In the event a grievance is filed on or after April 15, an effort should be made to reduce the time limits.
- C. If an employee does not file a grievance in writing with the principal or other supervisor within twenty days after the employee knew, or should have known, of the act or condition on which the grievance is based, the grievance shall be considered as having been waived.
- D. A supply of grievance forms shall be on file with the building principal and/or the immediate supervisor.

#### ARTICLE IV

##### Informational Procedures:

- A. If an employee feels he/she has a grievance, he/she shall first discuss the matter with his/her supervisor, principal, or other administrator to whom he/she is directly responsible, in an effort to resolve the problem.
- B. If, after such discussion with the supervisor, principal, or other administrator, the employee is not satisfied with the disposition of the matter, he/she shall have the right to present the matter to and discuss it with the superintendent.

#### ARTICLE V

##### Formal Procedures:

##### LEVEL ONE- School Principal, Immediate Supervisor, or Other Administrator

- A. If an aggrieved person is not satisfied with the disposition of his/her problem through informal procedures, he/she shall submit his/her claim in writing within the time limits set forth herein above.
- B. Two (2) copies of this written grievance shall be prepared by the employee, and he/she shall send one copy to each of the following: (1) supervisor, principal, or other administrator; and, (2) the superintendent of schools.
- C. An employee who is not directly responsible to a building principal may submit his/her formal written grievance claim to the administrator or

supervisor to whom he/she is directly responsible, and such administrator shall carry out the aforementioned responsibilities the same as a principal. The administrator within seven (7) days shall render his/her decision in writing to the aggrieved person.

LEVEL TWO - Superintendent of Schools

- A. If an aggrieved person is not satisfied with the decision concerning his/her alleged grievance at Level One, he/she may, within five (5) days after the decision is rendered, or within ten (10) days after his/her formal presentation, file his/her alleged grievance with the superintendent.
- B. The superintendent of schools or his/her designee within ten (10) days from the receipt of the written grievance shall meet with the aggrieved person for the purpose of resolving the grievance. The principal or appropriate administrator who was involved at Level One shall be notified and shall have the option of attending the meeting. Arguments and documentation of all parties shall be made in writing at this level, and copies thereof shall be given to the superintendent and all interested parties. The superintendent shall, within five (5) days after the meeting, render his/her decision in writing to the aggrieved person, the supervisor, principal, or other administrator.

LEVEL THREE - Board of Education

- A. At the next regular meeting, or within twenty (20) days, the board (or its designated agent) shall consider the grievance or may designate a committee which may or may not include board members to hold a hearing or otherwise investigate the grievance or prescribe such procedure as it may deem appropriate for consideration of the grievance. The board shall make a final decision thereon at the following, regular or special board meeting. After the meeting, the board shall notify the aggrieved in writing of its decision.

LEVEL FOUR- Level Four is provided for in SDCL 3-18-15.2 (Department of Labor). This appeal must be made within thirty (30) days.

## ARTICLE VI

### Miscellaneous:

- A. If, in the course of investigation of any grievance by representatives of the complainant and such investigation requires their presence in a school building, they shall report immediately to the principal of such building being visited and state the purpose of the visit.
- B. Normal school operations shall not be interrupted and every effort shall be made to avoid the involvement of students in all phases of the grievance procedure.
- C. The person or persons taking the action and their selected representatives may be present at every step of the procedure and shall be present at the request of the board or its designee. Nothing in Article VI, Item C, will interfere with the provisions provided in SDCL 3-18-15.
- D. If, in the judgment of the building principal or immediate supervisor, the grievance is not against his/her interpretation of the policy but against the superintendent's interpretation of the policy, the grievance, upon recommendation of the superintendent or his/her designee, may be filed directly with the superintendent.
- E. No reprisals of any kind shall be taken by either party against any party in interest, any representative, any member of a grievance committee, any member of the administration, or any other participant in the grievance procedure by reason of such participation.
- F. When it is necessary for an aggrieved person and/or representative(s) to attend a meeting or a hearing called by the superintendent during the school day, the superintendent's office shall notify the appropriate principals. The aggrieved person and the representative(s) shall be released without loss of pay for such time as their attendance is required at such meeting or hearing.
- G. The board agrees to make available to the aggrieved person and his/her representative information which is in its exclusive possession or control and which is relevant to the issue raised by the grievance.

12/04

**REQUEST FOR SETTLEMENT OF GRIEVANCE/CLASSIFIED  
LEVEL ONE**

(To be completed by aggrieved person)

Date of Presentation to Supervisor \_\_\_\_\_

Name of Aggrieved Person \_\_\_\_\_

Home Address \_\_\_\_\_

School \_\_\_\_\_ Subject Area \_\_\_\_\_

Nature of Grievance:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Settlement Requested:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_  
Aggrieved Person

- Copy 1 - Supervisor, principal or other administrator
- Copy 2 - Superintendent of Schools
- Copy 3 - Aggrieved Person

12/04





## LEVEL TWO

(Copies of Request for Settlement of Grievance, LEVEL ONE, and Reply must be attached.)

Date of Presentation to Superintendent \_\_\_\_\_

Name of Aggrieved Person \_\_\_\_\_

Home Address \_\_\_\_\_

School \_\_\_\_\_ Subject Area \_\_\_\_\_

State reasons for submission of grievance to LEVEL TWO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Settlement Requested:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_ Signed \_\_\_\_\_  
Superintendent Aggrieved Person

- Copy 1 - Supervisor, Principal or Other Administrator
- Copy 2 - Superintendent of Schools
- Copy 3- Aggrieved Person

12/04



## LEVEL THREE

(Copies of all previous Requests for Settlement and Replies must be attached.)

Date of Submission to the Clerk of Board \_\_\_\_\_

Name of the Aggrieved Person \_\_\_\_\_

Home Address \_\_\_\_\_

School \_\_\_\_\_ Subject Area \_\_\_\_\_

State reasons for submission of grievance to LEVEL THREE:

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Recommendation of the Board:

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Signed \_\_\_\_\_

Copy 1 - Supervisor, Principal or Other Administrator

Copy 2 - Superintendent of Schools

Copy 3 - Aggrieved Person

Copy 4 - Clerk of Board of Education

Copy 5 - President of Board of Education

12/04



**DRUG USE BY EMPLOYEES**

Code: ACB Drug Use by Employees

It is the policy of the Board of Education to provide a drug-free workplace and to work toward a drug-free society. It is the goal of the district to prevent the illicit use of controlled substances and alcohol.

The unlawful manufacture, or the distribution, dispensing, use, possession, or being under the influence of controlled substances and/or alcohol by any employee during the work day, at any school activity, or while in the performance of his/her employment by the district wherever located, is absolutely prohibited. Violation of this rule by any employee will constitute insubordination and will be cause for disciplinary action up to any including termination of employment and referral for prosecution. In appropriate circumstances, disciplinary action may include completion of an approved rehabilitation program at the employee's expense; however, any applicable insurance benefits will be applied.

For purposes of this policy, controlled substances include, but are not limited to, narcotics, drugs, hallucinogenic, or mind-altering drugs or substances, amphetamines, barbiturates, stimulants, depressants, marijuana, anabolic steroids, synthetic drugs, bath salts, and any other controlled substance as defined in law, or any prescription medicine, or other chemical substances not taken in accordance with a medical provider's prescription. This definition also includes substances presented to be any such controlled substance or which an employee believes to be such a substance.

**DRUG-FREE WORKPLACE**

Code: ACA Drug-Free Workplace

It is the policy of the Board of Education to provide a drug-free workplace and to work toward a drug-free society. It is the goal of the district to prevent the illicit use of controlled substances and alcohol.

The unlawful manufacture, or the distribution, dispensing, use, possession, or being under the influence of controlled substances and/or alcohol by any employee during the work day, at any school activity, or while in the performance of his/her employment by the district wherever located, is absolutely prohibited. Violation of this rule by any employee will constitute insubordination and will be cause for disciplinary action up to and including termination of employment and referral for prosecution. In appropriate circumstances, disciplinary action may include completion of an approved rehabilitation program at the employee's expense; however, any applicable insurance benefits will be applied.

For purposes of this policy, controlled substances include, but are not limited to, narcotics, drugs, hallucinogenic, or mind-altering drugs or substances, amphetamines, barbiturates, stimulants, depressants, marijuana, anabolic steroids, and any other controlled substance as defined in law, or any prescription medicine, or other chemical substances not taken in accordance with a medical provider's prescription. This definition also includes substances presented to be any such controlled substance or which an employee believes to be such a substance.

**DRAFT ONLY**

*The following policy has not yet been approved by the Huron School Board.*

THIS POLICY IS NOT AN EMPLOYMENT CONTRACT OR AN OFFER OF AN EMPLOYMENT CONTRACT.

DRUG AND ALCOHOL POLICY for DOT-covered employees of HURON  
SCHOOL DISTRICT 2-2  
700 Lincoln Avenue NW, Huron South Dakota 57350

## I. PURPOSE

HURON SCHOOL DISTRICT 2-2 is committed to maintaining a safe, healthful and efficient working environment for all its employees. HURON SCHOOL DISTRICT 2-2 recognizes that safety problems may be created when employees use controlled substances and/or abuse alcohol. The presence of alcohol and drugs in the workplace, and the influence of those substances on employees during working hours has the potential to pose serious safety and health risks to both the user and to all those who work with him/her. Impairment caused by drugs and alcohol threatens everyone's safety and the success of HURON SCHOOL DISTRICT 2-2.

HURON SCHOOL DISTRICT 2-2 will not accept any risk to safety, quality or productivity that may be caused by an employee who uses drugs and/or misuses alcohol. Because even a small amount of such substances may be capable of impairing the user to some degree, it is HURON SCHOOL DISTRICT 2-2 goal, through this Drug and Alcohol policy, to achieve a workplace that is free of drugs and alcohol. HURON SCHOOL DISTRICT 2-2 has established this alcohol and controlled substances testing program for its employees who are drivers of HURON SCHOOL DISTRICT 2-2 Motor Vehicles (CMVs) and who require Commercial Drivers Licenses (CDLs), to meet requirements of the Federal Motor Carrier Safety Administration (FMCSA) and the U.S. Department of Transportation (DOT). The overall goals of this testing program are to ensure a safe and drug-free transportation environment, to reduce the potential for accidents and casualties related to accidents involving HURON SCHOOL DISTRICT 2-2-owned vehicles, and to cooperate with the U.S. Department of Transportation and the transportation industry in efforts to eliminate the misuse of alcohol and the illegal use of controlled substances by our drivers. With these objectives in mind, HURON SCHOOL DISTRICT 2-2 has established the following policy and procedures for DOT-covered employees. Full compliance with this policy is a condition of employment with HURON SCHOOL DISTRICT 2-2.

## II. SCOPE

HURON SCHOOL DISTRICT 2-2 Drug and Alcohol Policy for DOT-Covered Employees applies to all fulltime, part-time, and temporary employees who are "covered drivers" as defined in Section V Π [A]. In addition, this policy covers all applicants for positions that require Commercial Drivers Licenses (CDL) for the operating of Commercial Motor Vehicles as described in Section VII [A]. In circumstances not addressed by DOT regulations or in this policy.

## III. REFERENCES

Title 49 CFR Part 382, et al., Federal Motor Carrier Safety Administration (FMCSA) Regulations on Controlled Substances and Alcohol Use and Testing Title 49 CFR Part 40, Procedures for Transportation Workplace Drug and Alcohol Testing Programs.

*Note:* Should there be conflicts between federal regulations and this policy, attributed in part to revisions to the law or changes in interpretations, and when those changes have not been updated or accurately reflected in this policy, the federal law shall prevail.

## IV. DEFINITIONS

- Accident means an occurrence involving a commercial motor vehicle operating on a public road, and/or private roads, in which:
  - a. There is the loss of human life; or
  - b. there is bodily injury to a person who, as a result of the injury, immediately receives medical treatment away



from the scene of the accident.; or

- c. The driver receives a citation under State or local law for a moving traffic violation arising from the accident; and
- d. Any involved vehicle sustains disabling damage as defined in this policy; and/or

- Actual knowledge means actual knowledge by an employer that a driver has used alcohol or controlled substances based on the employer's direct observation of the employee, information provided by the driver's previous employer(s), a traffic citation for driving a CMV while under the influence of alcohol or controlled substances, or an employee's admission of alcohol or controlled substance use.

- Adulterated specimen means a specimen that contains a substance that is not expected to be present in human urine, or contains a substance expected to be present but is at a concentration so high that it is not consistent with human urine.

- Alcohol means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol

- Alcohol concentration (or content) means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test (BrAC).

- Alcohol screening test means an analytic procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath specimen. Alcohol confirmation test. A subsequent test using an EBT, following a screening test with a result of 0.02 or greater, that provides quantitative data about the alcohol concentration.

- Alcohol use means the drinking or swallowing of any beverage, liquid mixture or preparation (including any medication), containing alcohol,

- Breath Alcohol Technician (BAT) is a person who instructs and assists employees in the alcohol testing process and operates an evidential breath testing device. And they are certified and trained to operate an Evidential Breath Testing device (EBT) and who is proficient in breath-testing procedures.

- Canceled test means a drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which is otherwise required, by Part 40, to be canceled. A canceled test is neither a positive nor a negative test.

- Collector is a person who instructs and assists employees at a collection site, who receives and makes an initial inspection of the specimen provided by those employees, and who initiates and completes the CCF.

Collection site means a place designated by HURON SCHOOL DISTRICT 2-2 where individuals present themselves for the purpose of providing a specimen of their urine to be analyzed for the presence of controlled substances, or for purposes of providing a or breath or saliva sample to be analyzed for alcohol concentration.

- Confirmatory test

- a. For alcohol testing, a confirmatory test is a second test following a screening test with a result of 0.02 or greater, conducted 15-30 minutes later, that provides quantitative data of alcohol concentration. This test is performed on an Evidential Breath Testing device (EBT), and is conducted by a Breath Alcohol Technician.

- b. For controlled substances testing, a confirmatory test is a second analytical procedure to identify the presence of a specific drug or metabolite. This confirmatory test is independent of the initial test and uses a different technique and chemical principle from that of the screening test in order to ensure reliability and accuracy. Confirmation (or confirmatory) validity test. A second test performed on a urine specimen to further support a validity test result.

- Consortium! Third-party administrator (C-TPA) A service agent that provides or coordinates the provision of a variety of drug and alcohol testing services to employers. CITPAs typically perform administrative tasks concerning the operation of the employers' drug and alcohol testing programs. This term includes, but is not limited to, groups of employers who join together to administer, as a single entity, the DOT drug and alcohol testing programs of its members. C/TPAs are not "employers" for purposes of this part.

- Controlled substances means marijuana (THC), cocaine, opiates, phencyclidine (PCP) and amphetamines (including methamphetamines.) and drugs that are mandated by the DOT under CFR 49 Part 40.

Drug testing under this part, the term employee has the same meaning as the term "donor" as found on CCF and related guidance materials produced by the Department of Health and Human Services.

- Employee Assistance Program (EAP) means a service that provides free and confidential assessment and referral services for employees and family members who are experiencing personal problems, including problems with drugs and alcohol.
- Employer means any person who owns or leases a commercial motor vehicle or who assigns persons to operate such a vehicle. In this policy, employer means HURON SCHOOL DISTRICT 2-2
- FMCSA means Federal Motor Carrier Safety Administration, an Operating Administration of the U.S. Department of Transportation (DOT).
- Initial test (for drugs) means an immunoassay screen to eliminate "negative" urine specimens from further consideration initial validity test. The/ first test used to determine if a specimen is adulterated, diluted, or substitute

- DER (designated employer representative) means An employee authorized by HURON SCHOOL DISTRICT 2-2 to take immediate action(s) to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation processes. The DER also receives test results and other communications for the employer, consistent with the requirements of this part. Service agents cannot act as DERs. (HURON SCHOOL DISTRICT 2-2 primary DER is the Transportation Department Team Leader.)

- DHHS-approved laboratory means a laboratory that is certified under the U.S. Department of Health and Human Services Mandatory Guidelines for federal workplace drug testing programs. Drug tests for HURON SCHOOL DISTRICT 2-2 drivers will be performed by a DHHS-certified laboratory.

- Dilute specimen means a specimen with creatinine and specific gravity values that are lower than expected for human urine.

- Disabling damage means damage that precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs.

Inclusions. Damage to motor vehicles that could have been driven, but would have been further damaged if so driven.

Exclusions.

- i. Damage that can be remedied temporarily at the scene of the accident without special tools or parts.
- ii. Tire disablement without other damage even if no spare tire is available.
- iii. Headlight or taillight damage.  
Damage to turn signals, horn, or windshield wipers that make them inoperative.

- DOT rules and regulations includes rules and regulations established by U.S. Department of Transportation (DOT) and Federal Motor Carrier Safety Administration (FMCSA).

- Driver means any person who operates a commercial motor vehicle. This includes, but is not limited to: Full time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to HURON SCHOOL DISTRICT 2-2, or who operate a commercial motor vehicle at the direction of or with the consent of HURON SCHOOL DISTRICT 2-2.

Drugs. The drugs for which tests are required under this part and DOT agency regulations are marijuana, cocaine, amphetamines, phencyclidine (PCP), and opiates. If there is a changer according to CFR 49 Part 40 HURON SCHOOL DISTRICT 2-2 will follow guidelines.

- Employee. Any person who is designated in a DOT agency regulation as subject to drug testing and/or alcohol testing. The term includes individuals currently performing safety-sensitive functions designated in DOT agency regulations and applicants for employment subject to pre-employment testing. For purposes of

excludes (i) an occurrence involving only boarding or alighting from a stationary motor vehicle; or (ii) an occurrence involving only the loading or unloading of cargo; or (iii) an occurrence in the course of the operation of a passenger car or a multipurpose passenger vehicle by an employee, unless the motor vehicle is transporting passengers for hire or hazardous materials of a type and quantity that require the motor vehicle to be placarded.

• Invalid drug test means a result of a drug test for a urine specimen that contains an unidentified adulterant or an unidentified interfering substance, has abnormal physical characteristics, or has an endogenous substance at an abnormal concentration that prevents the laboratory from completing or obtaining a valid drug test result.

• Job applicant means a person, independent contractor, or person working for an independent contractor, who applies to become a driver/employee of HURON SCHOOL DISTRICT 2-2, and includes a person who has received a job offer made contingent on the person passing a drug test.

• Medical Review Officer A person who is a licensed physician and who is responsible for receiving and reviewing laboratory results generated by HURON SCHOOL DISTRICT 2-2 drug testing program and evaluating medical explanations for certain drug test results.

- Positive Test (alcohol) occurs when a driver's confirmatory test result reads 0.04% BrAC or higher.
- Positive Test (drug) occurs when a driver's confirmatory test or retest result is at or above cut off levels specified by DHHS in DOT rules and regulations, and has been verified by the MRO to be a positive test.

• Primary specimen. In drug testing, the urine specimen bottle that is opened and tested by a first laboratory to determine whether the employee has a drug or drug metabolite in his or her system; and for the purpose of validity testing. The primary specimen is distinguished from the split specimen, defined in this section

• Random selection means a scientifically valid method for selection of drivers to be tested that results in an equal probability that any driver from a group of drivers subject to the selection mechanism will be selected, and does not give an employer discretion to waive the selection of any employee under the mechanism. Thus, a driver might be selected more than once during a year.

• Reasonable suspicion means a belief that a driver has violated alcohol or controlled substances prohibitions, based on specific, contemporaneous, documentable observations concerning the appearance, behavior, speech, or body odors of that driver. In the case of controlled substances, the observations may include indicators of the chronic and withdrawal effects of controlled substances.

• Refusal to submit to a required alcohol test includes failure to appear for any test, failure to provide a breath or saliva specimen for a required test, failure to remain at the testing site until the testing process is complete, failure to provide a sufficient breath specimen without a medical explanation, failure to undergo a medical examination following inability to provide a sufficient breath specimen, refusal to sign Step 2 of the Alcohol Testing Form, and failure to cooperate with the testing process. • Refusal to submit to a required drug test includes failure to appear for any test within a reasonable time, failure to remain at the collection site until the testing process is complete, refusal to provide a urine specimen for a required drug test, failure to permit a directly observed or monitored collection when required, failure to follow the procedure for observed collection, failure to provide a sufficient amount of urine without a medical explanation, failure to take a second test when required by a collector or this employer, failure to undergo a medical examination following inability to provide a sufficient urine sample, and failure to cooperate with the collection/testing process (including refusing to empty pockets, wash hands etc, at the collection site).

• Safety-sensitive function means all time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety-sensitive functions shall include: a) All time at an employer location, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer; b) All time inspecting equipment as required by Parts 392.7 and 392.8 or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time; c) All time spent at the driving controls of a commercial motor vehicle in operation; d) All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth (a berth conforming to the requirements of Part 393.76); e) All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and t) All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle. A driver is considered to be performing a safety-sensitive functions during any period in which he/she is actually performing, ready to perform, or immediately available to perform safety-sensitive functions.

- Screening test (for alcohol) means an analytical procedure to determine whether a driver may have a prohibited concentration of alcohol in a breath specimen.
- Substance Abuse Professional (SAP) means a licensed physician (Medical Doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission [NAADAC] or by the International Certification Reciprocity Consortium! Alcohol & Other Drug Abuse [ICRC]), with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders. A SAP evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.
- Substituted specimen means a specimen with creatinine and specific gravity values that are so diminished that they are not consistent with human urine.
- Testing levels means levels established by the U.S. DHHS, at which a specimen or sample is determined to be either negative or positive, according to 49 CFR Part 40, Procedures for Transportation Workplace Drug and Alcohol Testing Programs.

## V. POLICY / RULES OF CONDUCT

A driver who violates the FMCSA prohibitions of his policy (Section VII[B]), including a refusal to be tested, must be immediately removed from all FMCSA safety-sensitive functions, including driving, in accordance with 49 CFR Part 382.501, FMCSA rules and regulations. Under HURON SCHOOL DISTRICT 2-2 authority, the driver will be immediately terminated from employment if refusal to be tested is determined.

- A. A covered driver may not engage in any of the conduct(s) prohibited in Section VII [B].
- B. An employee/driver who refuses to submit to required testing (see definition of *refusal*), under HURON SCHOOL DISTRICT 2-2, will be treated like a positive test.
- C. Under independent authority, HURON SCHOOL DISTRICT 2-2 prohibits the possession of alcohol, or the sale, purchase, manufacture, possession or transfer of an illegal drug, or being under the influence of alcohol or of an illegal drug, during all work time, including meals and breaks, or at any time while performing job duties.
- D. Under independent authority, HURON SCHOOL DISTRICT 2-2 prohibits the use of any over-the-counter medication by an employee during working time if such use may detrimentally affect or impair the safety of coworkers, customers or members of the public, or the employee's job performance, or the safe or efficient operation of the HURON SCHOOL DISTRICT 2-2, or its property.
- E. A driver who uses prescribed medication(s) will not be permitted or required to operate a Commercial Motor Vehicle until and unless HURON SCHOOL DISTRICT 2-2 is provided with appropriate authorization from the prescribing licensed medical professional. [See Section VI, Authorized Use of Controlled Substances.]
- F. If a driver is called to duty during the driver's typical "off-duty" time, the driver may report to work only if he/she has not consumed alcohol at any time during the previous four (4) hours. When a driver has used alcohol during four (4) hours prior to his /her providing safety-sensitive duty, he/she will be expected to acknowledge such use at the time he/she is called. If it is not possible for the supervisor to delay the requested start time so as to accommodate FMCSA's pre-duty requirement, the employee will not report to work. If an on-call employee acknowledges the use of alcohol, he/she will be permitted to determine a start time that will comply with the 4-hour prohibition. Under HURON SCHOOL DISTRICT 2-2 independent authority, no discipline will be taken against an employee who acknowledges his/her use of alcohol during the four (4) hours prior to being called to duty, unless such conduct has the effect of making that employee repeatedly unavailable for duty.
- G. If an employee is concerned about drug and alcohol use by a coworker at work, or of drug trafficking, or of safety or job performance as it relates to another employee's drug and alcohol use, including managers and supervisors, under independent authority such concern may be reported confidentially to HURON SCHOOL DISTRICT 2-2 DER.

## **VI. AUTHORIZED USE OF CONTROLLED SUBSTANCES**

If a driver undergoes prescribed medical treatment with a controlled substance, the driver is required to report this treatment to HURON SCHOOL DISTRICT 2-2 DER, who will take steps to investigate whether the driver's job assignment could be temporarily changed during the period of treatment or whether other accommodations may be appropriate.

HURON SCHOOL DISTRICT 2-2 requires a driver to make such notification as soon as possible, and prior to performing a safety-sensitive function, and to provide written documentation from the prescribing licensed medical practitioner that the medication(s) will not affect the driver's ability to safely operate a commercial motor vehicle. HURON SCHOOL DISTRICT 2-2 reserves the right to obtain an independent medical opinion regarding the potential effects of a prescription or over-the-counter drug on a driver's ability to perform safety-sensitive functions or other aspects of his/her job.

## **VII. TESTING FOR CONTROLLED SUBSTANCES AND ALCOHOL**

HURON SCHOOL DISTRICT 2-2 will conduct controlled substance and alcohol testing of driver/applicants and its driver/employees (including mechanics and management drivers) in compliance with regulations established by the U.S. Department of Transportation (DOT), 49 CFR Part 40 and the Federal Motor Carrier Safety Administration (FMCSA), 49 CFR Part 382.

### **A. COVERED DRIVERS**

In accord with U.S. Department of Transportation FMCSA Regulations, drivers subject to drug and alcohol testing are those employees of HURON SCHOOL DISTRICT 2-2 who are required to hold a Commercial Driver's License (CDL) and who operate a commercial motor vehicle (CMV), when that vehicle:

- has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or
- has a gross vehicle weight rating of 26,001 or more pounds; or
- is designed to transport 16 or more persons including a driver; or
- *is a vehicle of any size* that transports materials found to be hazardous for the purposes of the

Hazardous Materials Transportation Act (49 U.S.C. 5103[b]) and which requires the motor vehicle to be placarded under the Hazardous Materials Regulations (40 CFR Part 172, SubpartF).

### **B. FMCSA PROHIBITED CONDUCT:**

A driver shall not:

- Report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater.
- Use alcohol, including medications containing alcohol, while performing safety-sensitive functions.
- Perform safety-sensitive functions within four (4) hours after using alcohol, including the use of medications that contain alcohol.
- Use alcohol for eight (8) hours following an accident, or until the driver has undergone a post accident test, whichever occurs first.
- Refuse to submit to a pre-employment, post-accident, random, reasonable suspicion, or follow up alcohol or drug test.
- Report for duty or remain on duty requiring the performance of safety-sensitive functions when he/she uses any controlled substances, except when the use is pursuant to the instructions of a licensed medical practitioner who has advised the driver that the substance does not adversely affect the driver's ability to operate a commercial motor vehicle safely.
- Report for duty, remain on duty, or perform safety-sensitive functions if he/she tests positive for controlled substances. If a driver engages in any of the conduct(s) prohibited in (B) above, the driver is not qualified, under FMCSA regulations, to drive a commercial motor vehicle. He/she shall be immediately removed from all safety-sensitive functions including driving.

Under FMCSA regulations, a driver who is found to have an alcohol concentration of 0.02 or greater, but less than 0.04, may not operate or continue to operate a commercial motor vehicle or provide other safety sensitive functions for a twenty-four (24) hour period. Such driver will, under independent authority, be on leave without pay for any hours not worked.

In this regard, under independent authority, **HURON SCHOOL DISTRICT 2-2** will terminate a driver whose alcohol test result is greater than 0.02 but below 0.04 on a third incident in any twelve-month period. A driver who violates the requirements of 49 CFR Part 382 or the requirements of 49 CFR Part 40 is subject to the civil and/or criminal penalty provisions of 49 U.S.C. 521 (b).

### C. REQUIRED TESTING

As provided in FMCSA rules and regulations, a driver who must possess a CDL shall be subject to pre-employment / pre-placement testing (drug only), and random, reasonable suspicion, post accident, return-to-duty and follow-up testing for alcohol and controlled substances.

#### 1. Pre-employment / Pre-placement Testing

Every applicant for a driving position who receives a job offer from **HURON SCHOOL DISTRICT 2-2** must submit to a urine drug test. The offer is contingent on the applicant's providing a negative test result.

Each applicant will be asked whether he/she has tested positive, or refused to be tested, on a DOT pre-employment drug or alcohol test for any DOT employer during the previous two years. An applicant who has previously tested positive, or refused to be tested, will not be considered for employment until or unless he/she successfully completes DOT's return to duty process. (See Section IX, Consequences of Prohibited Conduct).

If the applicant is a new hire, the testing must be completed, and a negative test result must be received, before the driver will be permitted to provide safety-sensitive function. If the pre employment test result is positive, the job offer will be immediately withdrawn, and the applicant will be provided with names, addresses and phone numbers of qualified SAPs. Costs related to SAP services and treatment recommendations will be the responsibility of the applicant. The

applicant cannot be reconsidered unless and until he/she completes a SAP assessment and recommended assistance (Section IX, Consequences of Prohibited Conduct).

An applicant who has previously refused to be tested or who provided a positive test result on a DOT pre-employment drug test for any other employer will be expected to report those test results at the time of application. Under **HURON SCHOOL DISTRICT 2-2** independent authority, failure to do so will constitute falsification of application information, and when discovered, will result in removal from consideration for employment. or, if already hired, immediate termination of employment. If an applicant has recently complied with a SAP's recommendations as the result of a violation while working for a previous employer, the applicant's pre-employment test will be considered to also be a Return-to-Duty test. An applicant is required to sign a form authorizing **HURON SCHOOL DISTRICT 2-2** to obtain from all previous employers (in the previous three [3] years) a report of all DOT violations, including positive test results and refusals to be tested. **HURON SCHOOL DISTRICT 2-2** will also request copies of Substance Abuse Professional (SAP) reports related to any of these violations.

An applicant with a violation cannot be hired until **HURON SCHOOL DISTRICT 2-2** has received a SAP's report of compliance, including a follow-up testing requirement. If the applicant is a current employee who is promoted or transferred to a position or assignment that requires the driver to possess a CDL, a negative pre-employment drug test result must be received before the employee assumes the new position or assignment.

When **HURON SCHOOL DISTRICT 2-2** uses but does not employ a driver to operate a Commercial Motor Vehicle more than once a year, the driver will be required to provide authorization for **HURON SCHOOL DISTRICT 2-2** to obtain verification at least once every six (6) months that the driver is participating in a qualified drug and alcohol testing program, that there have been no refusals to be tested for alcohol or controlled substances, the dates the driver was last tested for alcohol and/or controlled substances, the results of any tests within the previous six (6) months, and, under **HURON SCHOOL DISTRICT 2-2** independent authority, any *other* violation of prohibited conduct as defined in Section VII(B) above. If **HURON SCHOOL DISTRICT 2-2** is unable to satisfactorily obtain this information, the driver will be required to submit to a pre-employment drug test with a negative test result prior to being permitted to or requested to provide safety sensitive functions on **HURON SCHOOL DISTRICT 2-2** behalf, and will then be included in **HURON SCHOOL DISTRICT 2-2** random testing pool.

#### 2. Post-accident Testing

As soon as possible following an accident involving a commercial motor vehicle on a public highway, (See Section IV, Definitions), the surviving FMCSA driver(s) involved in the accident must be tested for alcohol and controlled substances.

- a. A post-accident alcohol test, when required, must be administered as soon as possible, but within eight (8) hours following the accident. If testing is required but is not conducted within two (2) hours, the reasons the test was not conducted must be documented. If testing is required but is not able to be conducted within the next six (6) hours, the reasons the test was not conducted must again be documented. After eight (8) hours, there will be no more attempts to conduct an alcohol test.
- b. A post-accident drug test, when required, must be administered as soon as possible, but within thirty-two (32) hours following the accident. If testing is required but is not able to be conducted within thirty-two (32) hours, the reasons the test was not conducted must be documented. After thirty-two (32) hours, there will be no more attempts to conduct a drug test.
- c. A driver who is subject to post-accident testing shall remain readily available for such testing. If the driver is not available for any reason, except for leaving the accident scene for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care, **HURON SCHOOL DISTRICT 2-2** will consider the driver to have refused to submit to testing, and to go for evaluation by SAP. After a driver has submitted to a post-accident test, he/she will be permitted to return immediately to safety-sensitive functions only if a negative test result is received. If the test result is positive, under independent authority the driver will be immediately referred to a SAP. Even if highway enforcement or other officials conduct a drug or alcohol test following an accident, drivers are still subject to DOT testing under these employer rules. In the event that federal, state, or local officials conduct breath or blood tests for the use of alcohol and/or urine tests for the use of controlled substances following an accident, and a DOT test is required but is not able to be conducted, the tests conducted by law enforcement may meet the requirement of this section, provided those tests conform to applicable federal, state, or local requirements. **HURON SCHOOL DISTRICT 2-2** will request test results and other pertinent documentation from such agencies or law enforcement authorities, and will require the driver to sign a release allowing **HURON SCHOOL DISTRICT 2-2** to obtain such information.

In the event that a driver is so seriously injured that the driver cannot provide a sample of urine or breath at the time of the accident, **HURON SCHOOL DISTRICT 2-2** requires that the driver provide necessary authorization for **HURON SCHOOL DISTRICT 2-2** to obtain hospital records or other documents that would indicate whether controlled substances or alcohol were present (and the resulting levels) in the driver's body at the time of the accident.

### **3. Random Testing**

A percentage of drivers will be subject to random alcohol and drug testing each year. The percentage of drivers to be tested will be as determined annually by FMCSA and published in the Federal Register every January. (At the effective date of this policy, the minimum annual percentages are ten [10] percent of the average number of driver positions for alcohol testing, and twenty five (25) percent of the average number of driver positions for drug testing.) Selections of drivers to be tested shall be done by a scientifically valid method that provides that each driver will have an equal chance of being selected each time that selections are made. Thus, a driver might be selected more than once during a year.

- a. Random tests will be unannounced; the dates for random tests will be spread throughout the work year.
- b. A driver who is selected for random testing will be required to report to the collection site immediately upon notification. If the driver engages in conduct that does not lead to a collection as soon as possible after notification, such conduct may be considered as a refusal to submit to a test. The driver will be in a duty status (paid) from the time he/she leaves to go to the collection site until the time he/she returns from the collection site.
- c. A random test for alcohol shall be scheduled to occur only just prior to, during, or just after performing a safety-sensitive function, or at any time that the driver is in readiness to provide safety-sensitive function.
- d. A random test for controlled substances can be scheduled at any time the driver is on duty, and is not related to when the driver is performing safety-sensitive function.
- e. An employee who has been selected for random testing must be tested in that testing period. FMCSA regulations do not permit a replacement to be named if the selected employee is unavailable for testing.

- f. **HURON SCHOOL DISTRICT 2-2** will maintain participation in a qualified consortium for its random selection process.

**4. Reasonable Suspicion Testing**

**HURON SCHOOL DISTRICT 2-2** shall require an employee to submit to drug and/or alcohol testing for reasonable suspicion when a supervisor has reason to believe that an employee has engaged in prohibited conduct (See Section VII[B], Prohibited Conduct), based on observation of the employee's appearance, behavior, speech, and/or body odor.

Such employee conduct must be witnessed and documented by a supervisor who has been trained in compliance with FMCSA rules and regulations. Should a supervisor determine that an employee might have violated a prohibition of these regulations, the employee must submit to testing. Documentation is required for both drug and alcohol reasonable suspicion. Documentation for a drug test must be signed and submitted to the DER within 24 hours, and for an alcohol test, prior to the conducting of the alcohol test. Observation and testing for reasonable suspicion for controlled substances use can occur at any time the employee is on duty, and is not related to when he/she performs safety sensitive functions. A trained supervisor's determination will be based on contemporaneous and articulable observations: an employee's appearance, behavior, speech and/ An employee who is suspected of controlled substances use must be immediately withdrawn from safety-sensitive functions and is required to undergo drug testing.

Observation and testing for reasonable suspicion for alcohol use can occur only just prior to, during, or just after the employee's performance of safety-sensitive function, or at any time that the employee is in readiness to provide safety-sensitive function. A trained supervisor's determination of suspected alcohol use will be based on an employee's appearance, behavior, speech and/or body odor. An employee who is suspected of alcohol misuse must be immediately withdrawn from safety-sensitive functions and cannot return unless an alcohol test has been conducted with an alcohol concentration that measures less than 0.02, or (if no test is conducted) twenty-four (24) hours have elapsed since the reasonable suspicion determination occurred. An alcohol test for reasonable suspicion should be administered within the first two (2) hours, or within the next six (6) hours, but no more than eight (8) hours after the initial observation occurred. If alcohol testing is not conducted within two (2) hours, the reasons the test was not conducted must be documented. If alcohol testing then is not conducted within the next six (6) hours, the reasons the test was not conducted must again be documented. After eight (8) hours, there will be no more attempts to conduct an alcohol test. If no alcohol test is conducted at all, the driver cannot perform safety-sensitive functions until twenty four (24) hours have elapsed following the original determination of reasonable suspicion of alcohol use. If this employee must return to safety sensitive functions before 24 hours have passed, he/she may do so only after taking another alcohol test and receiving a test result below 0.02.

**5. Return-to-Duty Testing**

DOT and FMCSA regulations require an employee to provide a negative result on a return-to-duty test. All urine drug collections will be conducted as an observed collection following DOT guidelines procedures.

**6. Follow-up Testing**

A driver who returns to duty after complying with the recommendation(s) of a Substance Abuse Professional, and after providing a negative result on a Return-to-Duty test, is subject to unannounced follow-up alcohol and/or controlled substances testing as directed by the Substance Abuse Professional. Follow-up testing may be scheduled for a period of up to sixty (60) months, and must include no fewer than six (6) tests to be conducted in the first twelve (12) months after the employee's return-to-duty date.

Follow-up alcohol testing shall be conducted only just prior to, during, or just after the driver's performance of safety-sensitive functions, or when the driver is in readiness to perform safety sensitive function. All urine drug collections will be conducted as an observed collection following DOT guidelines procedures. **HURON SCHOOL DISTRICT 2-2** requires that the cost of all follow-up tests will be paid by the driver.

If a newly-hired driver is subject to follow-up testing from a previous violation while working for a previous employer, that driver will be responsible for the cost of any remaining follow-up tests as required by the Substance Abuse Professional and must be paid by certified check, credit card or cash at the time of the service.

**D. GENERAL TESTING INFORMATION (STANDARDS AND INTEGRITY OF THE TESTING PROCESS)**

1. All tests shall be conducted as specified in U. S. Department of Transportation's 49 CFR Part 40, Procedures for Transportation Workplace Drug and Alcohol Testing Programs.
2. An applicant or driver has the right to request and receive from a copy of the test result report on any



drug or alcohol test for which he/she provided a urine or breath sample. The request, in writing, should be addressed to the DER for alcohol test results, and to the MRO for drug test results.

3. Collection and testing procedures will be such as to protect the driver and the integrity of the testing process, safeguard the validity of the test results, and ensure that test results are attributed to the correct driver.
4. When an employee is required to obtain a medical examination by a medical specialist (related to inability to provide a sufficient breath or urine specimen), **HURON SCHOOL DISTRICT 2-2** will not be responsible for any costs associated with that examination

E. **ALCOHOL TESTING AND THE REPORTING OF TEST RESULTS**

1. Alcohol tests (screening and confirmatory) will be performed on a device that appears on the National Highway Traffic Safety Administration's (NHTSA) Conforming Products List (CPL) and that meets the DOT's testing requirements.
2. When a specific time for an employee's test has been scheduled, and the employee does not appear at the collection site at the scheduled time, the BAT will contact our DER, who may determine that the employee has refused to be tested.
3. For alcohol testing (screening and confirmatory), a breath sample will be collected and analyzed by a Breath Alcohol Technician (BAT) using an Evidential Breath Testing device (EBT).
4. If the result of the screening test indicates an alcohol concentration of 0.02 or greater, a Breath Alcohol Technician (BAT) will perform a confirmatory test, no less than fifteen (15) and no more than thirty (30) minutes after the completion of the screening test.
5. When the confirmatory test is positive (0.04 and above, BrAC), the Breath Alcohol Technician (BAT) shall immediately notify **HURON SCHOOL DISTRICT 2-2** DER.
6. Random, reasonable suspicion and follow-up alcohol testing must be done just before, during, or just after a driver performs safety-sensitive function, or at any time the driver is in readiness to perform safety-sensitive function.
7. Results of additional tests arranged by an employee, or requested by a medical practitioner, will not be considered. This includes testing of blood samples, hair samples, DNA, or any other testing methods or protocols.

F. **CONTROLLED SUBSTANCES TESTING, THE MRO PROCESS AND THE REPORTING OF TEST RESULTS**

1. All controlled substances testing specimens shall be analyzed by a laboratory that is approved by the U. S. Department of Health and Human Services (DHHS), and that observes applicable chain-of-custody procedures.
2. When a specific time for an employee's test has been scheduled, and the employee does not appear at the collection site at the scheduled time, the collection site personnel will contact our DER, who may determine that the employee has refused to be tested.
3. At the collection site, the employee will be required to empty his/her pockets and display the items in them. A refusal to empty all pockets as directed by the collector will be a refusal to be tested.
4. If the laboratory reported to the MRO on previous urine drug collections that a specimen was invalid and the MRO reported to **HURON SCHOOL DISTRICT 2-2** that there was not an adequate medical explanation for the result; or The MRO reported to **HURON SCHOOL DISTRICT 2-2** that the original positive, adulterated, or substituted result had to be cancelled because the test of the split specimen could not be performed; or The laboratory reported to the MRO that the specimen was negative-dilute with a creatinine concentration greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL, and the MRO reported the specimen to **HURON SCHOOL DISTRICT 2-2** as negative-dilute and that a second collection must take place under direct observation **HURON SCHOOL DISTRICT 2-2** must direct a collection under direct observation of an employee if the drug test is a return-to-duty test or a follow up test.

If during a collection the collector gets a urine specimen temperature outside the acceptable range (90 - 100 degrees F) or when the collector observed materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen. The collector must immediately require a new collection, under direct observation. The first specimen will be submitted to the laboratory and a second specimen will be collected. An employee who refuses to provide a second specimen, or who refuses to permit a direct observation collection, will be determined to have refused to be tested.

The direct observation has to be the same gender and procedure is as follows: the employee will be requested to raise his or her shirt, blouse, or dress/skirt, as appropriate, above the waist; and lower clothing and underpants to show you,

by turning around, that they do not have a prosthetic device. After determined that the employee does not have such a device, they will permit the employee to return clothing to its proper position for observed urination.

The observer must watch the employee urinate into the collection container. Specifically, watching the urine go from the employee's body into the collection container.

5. The DHHS-approved testing laboratory shall forward the results of every drug test to a **HURON SCHOOL DISTRICT 2-2**-designated Medical Review Officer (MRO) for review.
6. If the test result is negative, the result will be reported by the MRO to **HURON SCHOOL DISTRICT 2-2 DER**.
7. If the test result is confirmed positive, adulterated, substituted or invalid, the employee will be given an opportunity to discuss the test result with the MRO.
8. If the test result is verified as positive, or as a refusal to test because of adulteration or substitution, the MRO shall inform the employee of his | her right to request a retest of the same specimen at a different DHHS-approved laboratory, and of the process for doing so. Such request must be made by the employee within seventy-two (72) hours of the employee having been informed of a verified positive test result.
9. **HURON SCHOOL DISTRICT 2-2** requires that the cost of a retest shall be done by the driver, and will be deducted from the driver's subsequent paycheck.
10. If, after making 3 attempts in a 24-hour period, the MRO is not able to contact the driver, the MRO shall report to **HURON SCHOOL DISTRICT 2-2DER** that all reasonable efforts have been made to contact the driver, without success. The DER shall then, as soon as practicable, ask the driver to contact the MRO within the next seventy-two (72) hours, and shall apprise the MRO that the driver has been so notified.
11. The MRO may verify a test as positive without communicating with the driver if:
  - a. The driver expressly declines the opportunity to discuss the test result; or
  - b. **HURON SCHOOL DISTRICT 2-2DER** has successfully made and documented a contact with the driver and instructed the driver to contact the MRO and more than 72 hours have passed since the time the employee was successfully contacted by the DER; or
  - c. Neither the MRO nor the DER, after making all reasonable efforts, has been able to contact the employee within 10 days of the date on which the MRO receives the confirmed positive test result from the laboratory.
12. If a test is verified positive under the circumstances specified in # 11 (b,c) above, the employee may, within 60 days, present to the MRO information documenting that serious illness, injury or other circumstances unavoidably prevented the employee from being contacted by the MRO or DER, or from contacting the MRO, as applicable, within the times provided. The MRO, on the basis of such information, may reopen the verification, allowing the employee to present information concerning a legitimate explanation for the confirmed positive test. If the MRO concludes that there is a legitimate explanation, the MRO will declare the test to be negative.
13. When a required drug test (pre-employment, return-to-duty, or follow-up) is cancelled, the employee will be required to immediately take another test, with minimum advance notice.
14. Results of additional tests that are arranged by an employee, or requested by a medical practitioner, will not be considered. This includes testing of blood samples, hair samples, DNA, or any other testing methods or protocols.
15. A negative dilute drug test result, or the report of an invalid specimen, will result in the employee's being required to immediately take another test, with minimum advance notice.
16. If, in the MRO's opinion, the employee provides information that medically disqualifies the employee from providing safety-sensitive functions, or that causes the MRO to have concern about the employee's ability to safely perform his/her safety-sensitive duties, the MRO is required to give that information to our DER.
17. After verifying the test results, the MRO shall report the test results in a confidential manner to **HURON SCHOOL DISTRICT 2-2DER**. The MRO's report will include:
  - a. The driver's name and Social Security # or employee ID #;
  - b. The date of the collection;
  - c. The reason for the test (e.g., random, post-accident, etc.);
  - d. The test results will be reported as either positive (with the identity of the specific controlled substance), negative, dilute, refusal to test, or canceled, and the date the result was verified by the MRO.
18. A required Return-to-Duty drug test must be completed, with a negative test result, prior to a driver returning to performing any safety-sensitive function.

## **VIII. TEST RECORDS**

Records pertaining to the alcohol and controlled substances testing program shall be maintained in secured and locked confidential files in Human Resources. Access to these records shall be limited to management officials on a need-to-know basis, as determined by Human Resources. Records and report data shall be maintained as specified in FMCSA's rules and regulations. Except as required by law or expressly authorized or required by FMCSA's rules and regulations, driver testing information maintained under the alcohol and controlled substances testing program will be released only to the driver (on written request), or to an identified person as directed by the specific, written consent of the driver authorizing the release of the information.

## **IX. CONSEQUENCES OF PROHIBITED CONDUCT**

When a DER receives notice of a driver's verified positive drug or alcohol test result, or of a verified refusal to be tested, or of any other violation of DOT rules (See Section VII[B], Prohibited Conduct), the driver will be immediately removed from all FMCSA safety-sensitive functions (see definition), including driving, and will be immediately referred to a SAP. The employee will receive, from the DER, the name, address and phone number of a qualified SAP. If a driver refuses to submit to testing, HURON SCHOOL DISTRICT 2-2 will consider the driver to have voluntarily resigned.

## **X. EDUCATION AND TRAINING**

Any employee who has questions or concerns regarding this policy may seek clarification and further details from HURON SCHOOL DISTRICT 2-2. Educational materials, including a copy of this policy, and information concerning the effects of alcohol and controlled substances use on an individual's health, work and personal life, signs and symptoms of an alcohol or controlled substances problem (the driver's or a coworker's) and available methods for intervening when an alcohol or controlled substances problem is suspected, will be provided to each driver.

Additional materials may be requested and answers to questions about the materials may be obtained by contacting HURON SCHOOL DISTRICT 2-2.

Supervisors who are designated to determine whether or not reasonable suspicion exists and who then order a DOT FMCSA-driver to undergo testing under FMCSA rules and regulations, will receive at least 60 minutes of training on recognizing alcohol misuse, and at least 60 minutes of training on recognizing controlled substances use. The training shall cover the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances.

All supervisors who participate in training will be given a certificate of completion of such training. The original certificate will be kept in HURON SCHOOL DISTRICT 2-2 records, and a copy will be provided to each supervisor for his/her own records, when requested.

## **XI. OTHER CONSEQUENCES**

*THIS DRUG AND ALCOHOL POLICY IS NOT AN EMPLOYMENT CONTRACT, OR AN OFFER OF AN EMPLOYMENT CONTRACT.*

**HURON SCHOOL DISTRICT 2-2**

Documentation of receiving this Drug and Alcohol Policy

DATE: \_\_\_\_\_

Huron School District 2-2 Huron School District 2-2

Employee Name: \_\_\_\_\_

\_\_\_\_\_  
Signature of employee

\_\_\_\_\_  
Signature of employer

## **LIFE-THREATENING ILLNESS**

Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS often wish to continue their normal pursuits, including work, to the extent allowed by their condition. Huron School District supports these endeavors as long as employees are able to meet acceptable performance standards. As is the case of other disabilities, Huron School District will make reasonable accommodations in accordance with all legal requirements, to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs.

Medical information on individual employees is treated confidentially. Huron School District will take reasonable precautions to protect such information from inappropriate disclosure. Administrators and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

Employees with questions or concerns about life-threatening illnesses are encouraged to contact the administration for information and referral to appropriate services and resources. If you feel you have been unlawfully discriminated against, immediately inform the Transportation Director. You can be assured that your complaint will be thoroughly investigated.

## **EDUCATIONAL SUPPORT PERSONNEL**

### **DEFINITION OF CLASSES**

Code GDA

#### **Class I Employee**

- Those persons that normally work on average of 38 hours or more per week for 52 weeks

#### **Class II Employee**

- Those persons that normally work at least 20 hours per week during the normal school term.

#### **Class III Employee**

- Those persons that normally work an average of less than 20 hours but more than 10 hours per week during the normal school term.

#### **Class IV Employee**

- Any others.

#### **Contracts**

- No individually written contracts will be issued to classified personnel.

#### **Experience Rating**

- New employees may be granted experience for previous work and training. Up to five years experience may be granted by the immediate supervisor.

## LEAVES AND ABSENCES

### REQUEST FOR TIME OFF

Personal leaves of absence for a good and sufficient reason will be granted only under the following conditions:

1. Available manpower to cover the absence.
2. The absence will in no way place a burden or hardship on other employees or the school.
3. A "Time Off Request Form" has been filled out and returned to you with the approval of the Team Leader or Director of Transportation.

Requests for time off during the first three weeks and last three weeks of school will be limited to emergencies only. Non emergency leaves will be denied unless there is a specific circumstance that warrants time off.

Requests for personal leave of absence must be in writing, using the Department's "Time Off Request Form" stating the desired dates and reason to have off. Submit the completed form to the Team Leader.

Requests for time off will be granted on a first come, first serve basis and at the discretion of the Team Leader.

Bona fide emergency leaves of absence that could not have been anticipated will be given other consideration.

Employees who wish to take time off due to the death of an immediate family member should notify the Team Leader.

### FUNERALS IN THE IMMEDIATE FAMILY Class II, III, IV

#### **Class II Employees**

##### Funeral in the Immediate Family

- The immediate family will include father, stepfather, mother, stepmother, husband, wife, brothers, stepbrothers, sisters, stepsisters, sons, stepsons, daughters, stepdaughters, grandparents, grandchildren, aunts, uncles, nieces, nephews, all of these in-laws and permanent members of the employee's household.
- Up to and including a total of five days for any one death in any one year may be taken and charged to personal sick leave for death in the immediate family. Not cumulative above five days per death.
- All leave for any given death must be taken within 7 work days of the funeral.

### **Class III Employees**

#### **Funeral in the Immediate Family**

- The immediate family will include father, stepfather, mother, stepmother, husband, wife, brothers, stepbrothers, sisters, stepsisters, sons, stepsons, daughters, stepdaughters, grandparents, grandchildren, aunts, uncles, nieces, nephews, all of these in-laws and permanent members of the employee's household.
- Up to and including a total of four days for any one death in any one year may be taken and charged to personal sick leave for death in the immediate family. Not cumulative above four days per death.
- All leave for any given death must be taken within 7 work days of the funeral.

### **Class IV Employees**

- No benefits.

## **SICK LEAVE Class II, III, IV**

### **Class II Employees**

- Ten days sick leave per year. May accumulate up to fifty (50) days to be carried to the next school year.

### **Class III Employees**

- Any Class III employee that has been employed for a period of one school year (150 days) is eligible for five (5) days sick leave per year. May accumulate up to ten (10) days to be carried to the next school term.

### **Class IV Employees**

- No sick leave benefits.

Sick leave may be taken because of personal illness, injury, or an order of a physician to remain absent due to exposure to disease, or to obtain the services of a medical professional that cannot be obtained during the non-school hours. One-half day is the minimum sick leave period.

#### **Doctor's Certificate Clause**

- After an absence from school due to sickness or illness, the employee may be required to furnish proof of illness. This proof will be in the form of a doctor's certificate. The board of education, at its expense, may also request a physical examination of the employee by a physician designated by the board. The decision of the school physician shall be final.

## **JURY DUTY**

Huron School District encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees must show the jury duty summons to their Team Leader as soon as possible so that the Team Leader may make arrangements to accommodate their absence. Of course, employees are expected to report for work whenever the court schedule permits.

Regular salary payments shall not be affected because of jury duty; however, any school employee called for jury duty on a school day has the option of surrendering either the per diem he/she received for jury duty or his/her salary for that day.

## **SHORT TERM LEAVE**

Code GCBD-9

Certified staff members may acquire short term leave by working activities.

Certified staff members who are employed for at least 75% of a full-time contract shall be granted five (5) days short term leave. The first two days will be with no deduction in pay; the third and fourth days will be with substitute pay deduction, and the fifth day will be a deduction of \$125.00.

Certified staff members who are employed on a 50% to 74% contract shall be granted two (2) days short term leave. The first day will be with no deduction in pay; the second day will be with substitute pay deduction.

Certified staff members who are employed on less than a 50% contract will not be eligible for short term leave.

Unused leave time granted under this policy shall not be cumulative. Any certified staff member who has not used the first two days of his/her short term leave by the end of the school year will be reimbursed for these days up to the amount paid for a first-day substitute.

### **Procedures for Leave Request:**

The certified staff member shall submit his/her request for leave on a leave application form to the building principal's office for principal and superintendent approval at least five (5) working days in advance of the anticipated absence. A copy of the leave form shall be filed with the building principal or immediate supervisor. In cases of an emergency, the staff member shall make application as far in advance of the anticipated absence as is possible.

Leave granted under this policy shall be subject to staffing requirements and shall not, except for extenuating circumstances to be determined by the administration, be granted during the first ten (10) school days or last five (5) school days of the school year, nor the first or last week of the period of the individual's employment, nor on the first working day preceding or following Christmas vacation, nor conference days, nor on any day in the opinion of the administration when the educational process would be unnecessarily disrupted. Short term leave may be granted prior to and following other vacations and holidays provided that no more than 10% of the staff of any building may be excused and that no more than one day short term leave may be used by any individual in conjunction with a vacation or holiday period.

An applicant under this policy need not state the reasons for which the leave is sought.

Under rare circumstances, the superintendent of schools may grant additional days leave at full pay deduction.



## **LEAVE WITHOUT PAY/ABSENCES WITHOUT PAY**

Code: GCBD-17

Leave without pay may be granted by the building principal and/or immediate supervisor and/or superintendent. Deductions for leave/absence without pay shall be the per diem salary of the staff member

## **FAMILY AND MEDICAL LEAVE ACT**

Code: GCBD-18

For purposes of implementing the Family and Medical Leave Act of 1993 (the Act) and the Code of Federal Regulations, Title 29, Part 25, June 4, 1993, as amended, for district employees, the following provisions will apply:

1. The "twelve (12)-month period" in which the leave may be taken shall be: A "rolling" 12-month period measured backward from the date an employee requests leave (but not extending prior to August 5, 1993).
2. Under the Act, an employee may take leave to care for his or her own serious health condition if it makes him or her unable to perform his or her job functions. An employee may also take leave to care for the serious health condition of the spouse, child or the employee's parent. Unless the employee specifies on the applicable leave form that the leave is for the care of a non-qualified person under the Act, the leave will be considered to be covered under the Act. A "serious health condition" is an illness, injury, impairment or physical or mental condition that involves in-patient care at a hospital, hospice, or residential medical care facility or continuing treatment by a health care provider. "Continuing treatment by a health care provider" means treatment two or more times by a health care provider, somebody under the provider's direct supervision or somebody under orders of or on referral by a provider. The definition also includes a serious chronic condition, such as Alzheimer's disease, regardless of whether any treatment is given.
3. If both a husband and wife are employed by the district and leave is taken for the birth or adoption of a child or the placement of a child with the employees for foster care, the combined total leave for the husband and wife under the Act is limited to twelve (12) weeks.
4. Leave taken under the Act for the birth, adoption or placement of a child must be concluded within twelve (12) months after the birth, adoption or placement.
5. Vacation leave or personal illness leave taken under any employee agreement or policy of the district that qualified for leave under the Act shall count against the twelve (12) weeks of unpaid leave under the Act. For qualifying leave under the Act, the employee, to the extent that any paid leave is available, must have taken such paid leave.
6. If a member of the instructional staff begins any category of Family and Medical Leave five (5) or more weeks prior to the end of the semester, and the period of leave is for more than three (3) weeks, then the superintendent may require the member seeking to return within the last three (3) weeks to wait until the next semester.
7. If a member of the instructional staff begins any category of Family and Medical Leave (except personal sick leave) fewer than five (5) weeks before the end of the semester and the period of leave is greater than two (2) weeks, then the superintendent may require the member seeking to return within the last two (2) weeks to wait until the next semester.
8. If a member of the instructional staff begins any category of Family and Medical Leave (except personal sick leave) three (3) or fewer weeks before the end of the semester and the period of leave is greater than five (5) working days, the superintendent may require the member to wait until the next semester to return.

## RETURNED VETERANS

All drivers who leave our employment for military service are encouraged to return to us after their completion of service. The school will abide by all current federal and state laws on the subject and will give you every consideration possible on reinstatement, benefits and allowances. Seniority for such returning employees shall include prior service with the school as well as the time spent in the armed forces. Veterans active in the organized reserve will be granted leaves of absence for the purpose of attending training camps as required by law.

## POLICIES AND GENERAL PROCEDURES

### PAYROLL

- Complete Time Sheet. Sign and date Time Sheet and turn into the Office no later than the last working day of the month OR when requested by Team Leader or Transportation Director.
- You will receive your paycheck on the 12<sup>th</sup> of each month. The check will cover compensation for the previous work period.
- When a regular pay day falls on a holiday or weekend, the school will endeavor to issue checks on the last work day preceding the holiday or weekend.
- Before you receive your paycheck, it has already been subject to deductions of various kinds. The stub of your check will show you exactly what deductions have been taken from your pay. You will want to keep this as a permanent record. Certain deductions are required by law and must be taken from your check. These are:

Federal Income Tax Withheld  
Federal Social Security  
Medicare Tax  
Garnishment or Levy (if applicable)  
South Dakota Retirement (if applicable)

Other deductions are optional and will be taken only if you signed a written authorization for deduction.

Wages will be paid according to the scale approved after daily mileage has been established for each route, which will normally be prior to the first pay period. In case of a question regarding mileage, route will be run by Team Leader/Transportation Director and mileage arrived at will be judged correct mileage for route. Any route changes made by the school administration will cause the pay rate to change the scale.

Wages are to be paid only for days driven. We do not pay for vacation periods or days when school is not in session.

Pay scale is a daily rate so we will not pay extra for minor breakdown, bad weather, or other delays.

Extra pay will be allowed if driver is required by school administration to make an extra run during the day, such as for conferences.

Rates of pay will be established each year based on the mileage for each established route. We have no salary guarantees from one year to the next. Experience rating is the only carryover.

Drivers for activity trips will be chosen from those who volunteer for such service and who we feel are fully qualified for this duty. Pay will be on an hourly basis of \$25.00 per hour.

Substitute drivers will be paid \$25.00 per hour for in-town routes or the applicable daily rate of pay from the route salary schedule if traveling in the country.

GDBA-4 (N)

**SUPPORT STAFF SALARY SCHEDULE  
Huron School District #2-2  
Bus Driver Hiring Schedule  
2015-2016**

**BUSES**

25 miles or less per day	90.23
26 to 50 miles per day	92.44
51 to 80 miles per day	99.99
81 to 85 miles per day	101.23
86 to 90 miles per day	102.60
91 to 95 miles per day	103.98
96 to 100 miles per day	105.16
101 to 105 miles per day	106.08
106 to 110 miles per day	109.02
111 to 115 miles per day	111.64
116 to 120 miles per day	114.07
121 to 125 miles per day	116.88
126 to 130 miles per day	119.68
131 to 135 miles per day	122.53
136 to 140 miles per day	125.53
141 to 145 miles per day	128.35
146 to 150 miles per day	131.15
151 to 155 miles per day	133.97

**EXPERIENCE RATING**

After 1 full year driving	\$ .95 a day extra
After 2 full years driving	\$ 1.20 a day extra
After 3 full years driving	\$ 1.60 a day extra
After 4 full years driving	\$ 2.00 a day extra
After 5 full years driving	\$ 2.30 a day extra
After 10 full years driving	\$ 2.75 a day extra

Wages will be paid according to the above scale after daily mileage has been established for each route, which will normally be prior to the first pay period. In case of a question regarding mileage, route will be run by bus supervisor and mileage arrive at will be judged correct mileage for route. Any route changes made by the school administration will be charged according to scale.

Wages are to be paid only for days driven. We do not pay for vacation periods or days when school is not in session

Revised 8-18-2014

Board approved for 2015-16 on May 12, 2015

GDBA-4 (N)

Bus Driver Hiring Schedule/2015-2016

### CAREER RECOGNITION STIPEND – CLASS II, III, IV

An employee who has completed, 20, 25, 30, 35 or 40 years of service in the district will receive a career recognition stipend. The stipend will be given only every fifth year as indicated.

- \$ 750 following 20 years of service
- \$1,000 following 25 years of service
- \$1,250 following 30 years of service
- \$1,500 following 35 years of service
- \$1,750 following 40 years of service

### HIRING BONUSES – Authorized Beginning August 18, 2014

A \$1,000 signing bonus will be paid to route drivers with \$500 being paid when they start and \$500 being paid at the end of the school year if they work the entire year.

A \$500 signing bonus will be paid to substitute drivers with \$250 being paid when they start and \$250 being paid at the end of the school year if they work the entire year.

Any question or error on your paycheck should be reported immediately to your administrator.

### CHANGE OF ADDRESS/TELEPHONE NUMBER

It is very important that any changes of address or telephone numbers be reported in writing to the Team Leader and/or Transportation Director as soon as possible. This is important because it may be necessary to contact you for routes, trips, or recall to work. It may also be necessary to contact you or your family quickly in case of illness, accident, or emergency work, and to mail W-2's.

### OPEN DOOR POLICY

Each employee is encouraged to discuss work related or personal problems with his/her Team Leader. Huron School District encourages maximum communication between employees at all levels. Each employee should feel free to discuss with their Team Leader any matter concerning his/her or the school's welfare. Furthermore, we wish to make prompt investigation of any complaint a person may have. We have, therefore, established these steps:

- You should discuss your problem honestly and openly with your Team Leader. Every effort should be made by both to arrive at a mutually satisfactory solution.
- If the results obtained do not bring you satisfaction, you may contact the Transportation Director.
- Should efforts by the Transportation Director fail to bring you satisfaction in a reasonable time frame, you are urged to contact the school business manager or superintendent.

Remember, the way to resolve any difficulty is to make it known and give it a complete and honest hearing. This is our way to attempt to maintain mutual understanding, respect, and cooperation so that each person can contribute to the best of his/her ability.

## EMPLOYEE OBLIGATIONS

- Employee must use respectable language and refrain from the use of profanity at all times.
- Employees are obligated to have their own form of keeping time.
- Habitual tardiness and/or absence are a habit that will not be tolerated and is a cause for employee's termination of employment. Report no less than fifteen minutes before departure time. This will allow you ample time to complete your pre-trip inspection.
- The Transportation Department will hold employee meetings on a periodic basis. Employees are required to attend these meetings.
- There will be no solicitations, passing out of pamphlets, leaflets, or other material unless authorized by the Team Leader and/or Transportation Director. Inappropriate material should not be displayed or left lying on tables.
- Employees will not be allowed to post any material on any company bulletin board or property without the prior approval of the Team Leader and/or Transportation Director. Any material not having the approval of the Team Leader and/or Transportation Director will be taken down immediately.
- All personnel and visitors must check into the office. No unauthorized persons will be allowed on school property or in school vehicles.
- Only authorized personnel are allowed in the shop area. All others **STAY OUT!**
- All personnel need to check the bulletin board and their mail boxes daily for schedule changes and staff notices.
- Upon returning to work after an injury, accident, serious illness, emergency room visit, or outpatient surgery, it is mandatory that an employee present his/her Team Leader, upon request, written authorization from his/her doctor that he/she is able to return to full work. Huron School District may require a driver returning from any illness or injury to take a physical examination. Huron School District has the obligation to determine if an injury or illness renders the driver medically unqualified.
- Route sheet and map must accompany you on each run and be in your bus with notes to help Substitute Bus Drivers.
- Employment with Huron School District assumes an obligation to maintain confidentiality, even after you leave the school. If a person outside the school or your department questions you, please refer the request to your administrator. No one is permitted to remove or make copies of any school records, reports, or documents without prior approval from your administrator. Because of its seriousness, disclosure of confidential information may lead to termination of employment.

## **DRIVER RESPONSIBILITY**

### **Reports to Team Leader/Transportation Director**

Adoption of Federal Regulations for maximum driving and or on duty time for passenger-carrying vehicles. Title 49---Subtitle B---Chapter 333---Subchapter B---Part 395---395.5

- a) No bus driver for the Huron School District 2-2 will drive a passenger-carrying motor vehicle , nor shall be required to drive a passenger-carrying motor vehicle:
  - (1) More than 10 hours following 8 consecutive hours of off duty, including on duty hours for employers other than the Huron School District 2-2; or
  - (2) For any period after having been on duty for 15 hours following 8 consecutive hours of off duty.

The Huron School District policy for the Transportation Department declares that any employee that operates a commercial motor vehicle that is defined as a motor vehicle designed or used to transport 16 or more passengers (including the driver) not for compensation shall not accept or be expected to accept an activity assignment that will place that employee in the position of operating an activity trip bus without having had 8 consecutive hours off duty, including from employment outside of the Huron School District 2-2, prior to driving for an activity trip.

#### Essential Knowledge and Skills:

- Must know the rules, regulations, procedures, and laws, as they relate to the operation of a passenger vehicle.
- Must have a valid commercial driver's license with all appropriate endorsements and classifications and all other required licenses, permits, and certificates. Responsible to renew the CDL prior to expiration date.
- Must understand and carry out written and oral instructions.
- Must maintain effective pupil behavior management control over groups of children.
- Must be able to meet or exceed the State required DOT physical examination and is responsible to renew the physical at the time of expiration.
- Must be willing and able to submit to substance abuse testing as prescribed by the school pursuant to Federal and State law.
- Must have and maintain a satisfactory driving and criminal background that reflects a professional driver and which meets all school, local, state, and federal requirements.
- Must be able to communicate well with people including clear and understandable verbal skills.
- Must be at least eighteen years of age.
- Must be willing to attend in-service training classes and safety meetings as required by the school.
- Must be able to read and interpret schedules and forms, as well as read and use a map.
- Must be physically able to climb out of the school bus emergency door to evacuate the bus in an emergency.

### Job Functions of Driver:

- Operate a school bus on an assigned route transporting children to and from school as well as related activities in a safe and timely manner.
- Maintain, update, and follow route sheets. Immediately notify Team Leader of any changes needed.
- Maintain scheduled route to established time and mileage as best as possible.
- Exercise student management through correct use of communication and discipline and report discipline problems to the Transportation Facility.
- Maintain good work habits through timeliness and low absenteeism for daily assignment and extra trips.
- Properly care for vehicle and its components as prescribed by the Transportation Department to minimize wear.
- Ensure the bus two-way radio is **ON** and being used correctly and according to policy.
- Inspect vehicle before and after each trip using correct procedures and complete all necessary forms and reports.
- Keep bus clean and orderly with daily cleaning after each route.
- **DRIVERS WILL** maintain a cooperative attitude with fellow employees, supervisors, parents, and school personnel, always promoting school goodwill.
- Control emergency situations in a proper manner.
- Perform other duties as assigned.

### Pick up and drop off times/information:

- Only those students enrolled in the Huron School District are permitted to ride in a Huron School District school bus. No other person, animal, or otherwise will be allowed to ride without first obtaining permission from the Director of Transportation. This excludes students from James Valley Christian School and Holy Trinity Catholic School that we currently have riding agreements with.
- Do not leave your student pick up stop before your designated pick up time. **NO EXCEPTIONS!** If you are early you must wait!
- Allow riders to enter and leave the bus only at designated stops. When a student gets on the bus, either at home or school, the student should not be allowed to leave again until arriving at the proper destination.
- Bring vehicle to a complete stop in the right hand lane of the roadway, parallel to the centerline.
- Activate the amber warning flasher signal lamps approximately 300 to 500 feet before stopping to load or unload students.
- Bring the vehicle to a full stop, shift lever into neutral or park position, and engage parking brake before loading or unloading students.
- When the bus is stopped, open door to activate the flashing red signals only when it is observed that all traffic (front and rear) can safely stop before reaching the bus.
- If students must cross the road, instruct them to wait for the proper signal from the driver before crossing. The driver should observe traffic to see that a crossing can be made safely, and then signal for children to cross. **NEVER** allow students to cross **BEHIND** the bus, **ALWAYS** have them cross at least 10 steps in front of the bus.
- Keep flashing red signals activated until all students are loaded or unloaded.
- Do not move the bus until all students are properly seated or until the departing students who must cross the road are safely across.
- Drivers must explain to students the bus rules on the first day of school and as needed during the year.

## **STUDENT CONDUCT ON SCHOOL BUSES (Regulation)**

**Code: EEACC-R (JFCC-R)**

Buses are provided for those students whose distance from school, or health, make this service essential. Misconduct on buses will not be tolerated and will result in forfeiture of the privileges of riding.

Students are expected to discipline themselves and comply with the instructions of the bus operator. The driver will be in full charge of the bus and the passengers. There must be no disturbance of any kind that might distract the driver and imperil the safety of the passengers.

Students will observe the following rules of conduct while riding school buses:

1. Students should always be at the bus stop at least five minutes before the bus is scheduled to be there. Students should remain well back from the roadway while awaiting the arrival of the bus.
2. Bus riders should not move to board a bus until it is completely stopped and the door is open.
3. Students will enter the bus in an orderly fashion and go directly to a seat. Students must stay in their seats and in a sitting position when the bus is in motion.
4. Bus riders should leave their seats only after the bus has come to a complete stop at their bus stop.
5. Bus riders, who must cross a street at their bus stop, will cross in front of the bus.
6. Students will keep their hands, arms and heads inside the bus.
7. Shouting, screaming, smoking, running, fighting, vulgar talk, and pushing are not permitted.
8. All articles such as athletic equipment, books, musical instruments, etc., must be kept out of the aisles.
9. No drinking or eating is permitted on the bus.
10. All riders should help to keep the bus clean and sanitary on the inside.
11. Any damage to the bus will be paid for by the rider inflicting the damage and will be subject to suspension or expulsion from school.
12. Bus riders are expected to be courteous and obedient to bus drivers at all times.

Parents and students will be informed of these regulations at the beginning of each school year, and parents will be asked to return signed forms indicating that the regulations have been received and read.

## **STUDENT CONDUCT ON SCHOOL BUSES**

**Code: EEACC (JFCC)**

When a child is riding, boarding, or leaving the bus, the bus driver has supervisory control over the student and may exercise reasonable and necessary physical restraint to maintain that control.

In view of the fact that a bus is an extension of the classroom, the Board will require children to conduct themselves in the bus in a manner consistent with established standards for classroom behavior.

In cases when a child does not conduct himself or herself properly on a bus, such instances will be brought to the attention of the building principal and transportation supervisor by the bus driver. The building principal will inform the parents of the misconduct and request their cooperation in checking the child's behavior.

Children who become a serious disciplinary problem on the school bus may have their riding privileges suspended by the principal. In such cases, the parents of the children involved become responsible for seeing that their children get to and from school safely.



## **Management of Student Discipline**

The school bus is an extension of the classroom. The same rules of behavior are in effect on the school bus as in the classroom.

Example of infractions that would warrant a driver to complete a Bus Conduct would be:

- Bullying
- Name calling
- Feet or other objects in aisle
- Standing while bus is in motion
- Changing seats while bus is in motion
- Pushing, shoving, or hitting
- Having any body parts out the window
- Spitting or biting
- Foul language
- Fighting
- Throwing objects either inside or outside of the bus
- Having tobacco products, matches/lighters on bus
- Bringing a weapon on the bus
- Opening emergency exits
- Damaging the bus
- Sitting in Driver's seat
- Taking pictures on bus
- Being disrespectful to Driver

## **BUS CONDUCTS**

After the bus driver has used verbal warning and seat assignment as a consequence, and is still having discipline disruptions with the student/students, you then need to fill out a Bus Conduct Report and turn it in to the Team Leader.

## **ACTIVITY TRIPS**

It is the desire of the Huron School District to distribute the in town and out of town activity trips as evenly as possible among the route drivers who desire the additional driving. In town activity trips will be given first to the bus drivers who do not take out of town activity trips. Full time route drivers will be asked first, before substitute drivers.

The Transportation Department will use the following criteria in delegating activity trips:

- The most cost effective for the School District
- Size/type of vehicle driver is licensed for
- Interference with reliability of schedule runs
- Experience
- Efficiency
- Driver reliability

- Driver availability
- Professional appearance on pre-scheduled activity trips in accordance with dress code
- How well bus was cleaned after activity trip

The above criteria are not listed in order of importance.

The Transportation Department will maintain a list of all drivers. It is school policy to offer this additional work first to those employees who wish to drive activity trips. Activity trips will be given out in a manner to try to keep all employees equal in the total number of trip hours.

### **In town and out of town Activity Trips**

- Activity trip form should be picked up by the driver from the office or your mailbox before the trip begins. Prior to leaving, check over the paperwork for any questions. Make sure you know where you are going, request additional maps if necessary.
- All activity drivers must dress according to Policy.
- Make sure the fuel tank is full if you are going out of town.
- You must be at the loading area no less than 15 minutes before the departure time.
- Discipline of the passengers on a trip is primarily the responsibility of the chaperone or coaches that go along. A driver may, however, point out tactfully to the chaperones or coaches certain regulations that he/she might not be aware of that the passengers must observe. If the chaperones or coaches do not handle discipline, the driver must. The driver is ultimately responsible for the safety of the passengers.
  - Rules that must be observed by the drivers, the chaperones, coaches, and the students:
    - No cell phone camera pictures.
    - No smoking, no tobacco, or drugs on or near the bus at any time.

If chaperones or coaches do not take care of this situation, it needs to be reported to the appropriate administrator.

- Drivers should consult the chaperones or coaches about rest stops on a long trip and about any special arrangements for food or beverages on the bus. The general rule is that it is better not to bring food or drinks on the bus, but special situations may alter this policy.
- The driver is required to stay with the activity group until they have consulted with the chaperones or coaches.
- When you arrive at the destination, consult with the chaperones or coaches and determine the departure time for the return trip and how the driver may be reached if the departure time changes. If parties have cell phones, exchange cell numbers.
- If you have tire trouble, engine trouble or uncontrollable conditions when you are on a trip, call the Transportation Office or Team Leader. If unable to make contact, call the Transportation Director.
- Any crash or situation must be reported to the transportation department immediately after the occurrence, no matter what time of the day or night. It is imperative that your Team Leader is informed of any incident immediately.

#### Bus cleaning:

- After activity trip, the driver is to fuel bus, sweep it out, empty garbage cans and replace the garbage liners. The inside of the bus shall be as near as possible to the way it was when you started the trip.
- When you drive your own bus for an activity trip, you are responsible for having the inside of the bus clean and fueled before and after your activity trip.
- If you are using an activity bus or spare bus for your route because your regular bus is down for repairs, once your regular bus is repaired you have 24 hours to refuel and clean the bus you have borrowed.
- Any items left by passengers on the bus should be removed and brought into the office or placed in the lost and found bin.

If more than one bus is out on an activity trip, they must stay together and be in convoy formation when team departure time allows.

No school buses are to travel over the posted speed limit. No school bus will travel over 70 mph. even if the posted speed limit is greater than that.

#### PERSONAL INJURY ON OR IN SCHOOL PROPERTY

If you are injured in the course of your work, or believe you could be injured, you should report immediately to your Team Leader or Transportation Director for first aid treatment no matter how slight the injury. If your injury is of a serious nature and requires further attention, you will be taken to the nearest qualified treatment center.

No matter how slight the injury, a Huron Public School Accident Form needs to be filled out and given to the employer within 3 working days of the injury occurrence.

### HURON SCHOOL TRANSPORTATION DEPARTMENT PERSONAL CONDUCT & POLICIES

Your school does not want to discipline anyone. In justice to those who follow established policies and procedures, however, it is unfair to overlook the actions of those who violate established policies and procedures. Examples of some major breaches of unreasonable conduct that may be cause for disciplinary action and/or termination include, but are not limited to:

- Falsification of employment application or other school records.
- Excessive tardiness, checking in late, or late starting to work even when checked in on time.
- Unexcused absences without notifying the Team Leader.
- Failure to exert normal effort on the job, wasting time, loitering, loafing, excessive visiting, or sleeping on the job.
- Negligent damage to equipment.
- Failure to follow orders or defiance of orders.

- Reckless, careless, or unauthorized use of school equipment and material.
- Immoral or indecent conduct; use of profane language.
- Possession, use, and/or drinking of any intoxicating beverage, narcotic, weapon of any type, or firearm while on school property, in possession of or under responsibility for a school motor vehicle, or while on any school route or activity trip including paid layover time.
- Reporting to work under the influence of an intoxicant, narcotic or drug.
- Fighting, "horseplay", or other disorderly conduct.
- Harassing or bullying other employees.
- Failure to observe school rules and regulations for employees.
- Failure to observe safety or sanitation regulations and state policies.
- Failure to observe the school district's policy on safety and discipline.
- Theft or misappropriation of property.
- Excessive traffic violations while in a bus or your own vehicle.
- Gambling on school property.
- Deviating from assigned bus runs unless approved by the Team Leader
- Speeding or other violations of law while operating a bus including failure to stop at railroad crossings.
- Failure to report a crash immediately after it occurs and to fill out a crash report.
- Failing to check for students left on the bus after your run and/or activity trip. Including checking for town students before leaving town on your run.
- Failure to treat all students, school district personnel, and private citizens, as well as, fellow employees and staff with courtesy and respect at all times.
- No tobacco use on school property, school vehicles, or around students while on duty.
- Failing to follow route sheets.
- Making sweetheart stops (i.e. stopping places other than designated stops for the convenience of the passenger(s).
- Failing to notify the office your route sheets are incorrect.
- Failing to keep the inside of your bus clean, this includes the windows.
- Failing to keep your fuel tank full according to policy.
- Failing to pick up a student.
- Dropping a child off at the wrong address.
- Allowing friends to ride without written permission from their parent.
- Failing to check the bus between and after runs.
- Failing to keep the rear window and light lens cleaned off.
- Failing to go 10-8 and 10-7 with the office before and after route.
- Failing to turn off all heaters and switches at the end of each run.
- Improper use of the 2-way radio.
- For non-compliance of the school's policy of No Tobacco, Illegal Drugs, or Alcohol.
- Failing to perform pre and post-trip inspections.
- Failing to close all roof hatches, windows, and doors when bus is parked inside at the end of the day.
- Being absent without permission.

The seriousness of a violation of department policy will be considered, and may result in immediate suspension or termination, for violations such as: driving while intoxicated, insubordination, failure to report to work, leaving a student on board a bus after completion of the route and/or other safety violations.

## ATTENDANCE

For orderly and efficient business operation of the Huron School District, the Transportation Department requires that all employees be at the Transportation Facility ready, and able to leave for work at their assigned starting time on each and every scheduled work day.

Attendance will be considered acceptable until an employee's record of absences become excessive. Employees who develop a record of excessive absences shall be subject to disciplinary action.

Bus drivers must call in two hours before their run start time (or the night before) if not able to make their bus route or activity trip.

- Late: When a bus driver fails to show up for his/her route at the required time.
- Absent without Permission: If a bus driver fails to report within one-half hour of each of his/her departure time, he/she will be recorded as absent without permission.

## SAFETY

"Preventable Crash" – is a crash where the driver could have identified, but failed to identify, a crash producing situation soon enough to take action to avoid a collision.

Safety is a part of your job. It is as important to you as it is to the school. No one wants to get hurt. We shall do everything possible to prevent crashes and will expect you to use common sense and exercise good judgment in observing the rules of safety. Remember, you can prevent crashes. If, in the course of your duties, you see a dangerous practice or problem, or if you have any suggestions, or recommendations concerning safety, report them to your Team Leader.

REMEMBER: SAFETY RULES ARE FOR YOUR OWN PROTECTION AS WELL AS FOR THE PROTECTION OF THE SCHOOLS.

## FINAL TERMINATION INTERVIEW

The Transportation Director may interview any employee whose employment is terminated for reasons of his/her own or at the request of the school. Any questions concerning final paycheck or eligibility for unemployment compensation will be answered during the final termination interview.



## OPERATION OF THE BUS

### PRE-TRIP AND POST-TRIP INSPECTION

A driver must complete the pre-trip inspection prior to driving a bus each day.

Report and write down as soon as possible any items on a Work Order Form that need repair and turn into the office. The form must be signed and dated by the bus driver. The mechanic will sign and date the Work Order Form when repairs are completed and turn it into the office. The office will return a copy of the Work Order Form to the driver.

Light monitors inside the bus may be used for pre-trip inspection. However, if the monitor light does not light up; you must visually check the proper lights. Tires should be inspected prior to each time you use the bus.

All windows and roof hatches must be closed at the end of the day. **USE HANDS ONLY!** Do not use other objects such as brooms, tire checkers, etc. to close the windows.

After completing each run, inspect the interior of the bus for vandalism, students' personal items, or remaining passengers.

### ANTI-IDLING POLICY

It is the policy of the Huron School District to eliminate all unnecessary idling by school buses. Do not leave idling bus unattended in lot.

Do not leave engine idling between runs at the school or on activities off school grounds, if it would be idling for more than 15 minutes. When the bus is off, be sure to keep the key turned to accessory so the two-way radio and video camera will remain working.

- Cold Weather Provisions

If the outside temperature is -10 degrees Fahrenheit or colder, there is no time restriction on idling to use heating equipment while at schools or on Activity Trips.

### DEFENSIVE DRIVING

The Standards of Safe Driving Performance means that the school bus driver drives in such a manner as to identify a crash producing situation soon enough to take reasonable action to avoid a collision. Defensive driving requires the driver to:

- Look for (identify) crash-producing situations. Until a hazard is seen, no counteraction will be taken to avoid involvement.

- Having seen the hazard (soon enough), the driver must understand the appropriate defensive driving response.
- Finally, the driver must respond (take reasonable action to avoid) promptly.

**ATTITUDE IS THE CORNERSTONE TO DEFENSIVE DRIVING.** A professional must always have a positive attitude to share the road with others; which includes always yielding to others, maintaining a minimum of 4 to 5 seconds following distance, and signaling well in advance of turns and lane changes.

Seeing or identifying a crash-producing situation is the key to preventing a crash. Failure to follow any defensive driving rule, or failure to recognize hazard(s) and respond properly, causes a crash to be classified as “preventable”.

The combined concepts of “defensive driving” and “preventability” provide the cornerstones to building driver responsibility and accountability.

- The bus driver is the ultimate responsible person for the safety of both passengers and the bus.
- Give your complete attention to your driving duties and supervision of children. Children should be permitted to talk to the driver, only when necessary, and they shall always be seated when the bus is in motion.
- Fasten driver seatbelt, turn headlights on, and make sure the two-way radio is turned on before bus is placed in motion.
- Be sure that all doors are closed at all times when the bus is in motion. The emergency door must only be used in case of an emergency or in practice evacuations.
- Observe all posted speed limits. Maximum lawful speed is 25 mph. on un-posted residential roads. Adjust the speed of the school bus when conditions (road traffic, vehicle, light, or weather) warrant reduced speeds.
- Enter school property slowly and maintain a 5-10 mph. speed limit in the immediate loading areas including transfer area.
- Be a defensive driver. The defensive driver keeps continually alert, recognizes a crash-producing situation far enough in advance to apply the necessary preventive action and concedes the right of way when necessary to prevent a crash.
- Avoid sudden turns, swerves, jerking starts, and sudden stops. Proceed slowly over bumps, speed bumps, and rough areas. Besides the safety factor, failure to do the above will result in unnecessary mechanical wear on the bus.
- Refrain from backing up a school bus on or near school grounds. When backing up a school bus always be checking your mirrors and stay alert of your surroundings. If possible, have an assistant guide you.
- Never leave the bus unattended while the motor is running. If the driver must leave the bus, the motor should be turned off, the ignition key removed, the emergency brake set, and the transmission in “park” position or neutral if transmission does not have a “park” position.
- Stay in the driver’s seat of the school bus, or at the front entrance to the bus, any time students are on the bus or are loading or unloading.
- Never allow students in the driver’s seat.
- Permit no animals (except Service animals with prior approval), gasoline cans, firearms, weapons, or any other objects which might endanger the safety of passengers or driver on the bus.



- Maintain a proper interval when driving in traffic; under ideal conditions, you require one second for each 10 feet of vehicle length at speeds below 40 mph. At greater speeds, you must add one second for safety. For example, if you are driving a 40 foot vehicle (most buses are 30-40 foot long), you should leave 4 seconds between you and the other vehicle ahead. Over 40 mph, you would need 5 seconds for a 40 foot vehicle. Following distances between buses are a minimum of 50 feet when entering or leaving a school yard, 300 feet within an incorporated municipality, and 500 feet when outside an incorporated municipality. The State of South Dakota recommends that you never drive your bus closer than 100 feet to an automobile that you are following, except when passing, or closer than 300 feet to a larger vehicle.
- Allow no one to direct you into a situation where you will have difficulty getting out, such as a back road, dead end, side street, cul-de-sac, etc. If you have any doubts, check before you drive in.
- Instruct pupils at least two times during the school year in evacuation drills.
- Do not cover front windshield, rear windows, or first row side passenger windows on either side of the bus with anything. This blocks your view of traffic and must not be allowed.
- When turning at an intersection into a multi-lane street/road, ALWAYS turn into the lane closest to you.
- REMEMBER that the rear bumper of the bus will have at least a four foot swing-out when turning sharp in either direction. Make sure you check to see what is beside the bus before moving. (For example: telephone poles, trees, signs, etc.)
- When backing out or driving in to the garage, make sure the overhead doors are completely up, be sure to have proper clearance on each side of the bus.
- Back at least one bus length away from the building before making the turn checking behind you for other buses or objects.
- Do not turn front wheels unless bus is in motion.

## CRASHES

Any crash that an employee may encounter can be an emotional and traumatic experience. A school bus crash, because it could involve children, is always considered an extremely serious and potentially tragic event. For this reason, it is imperative that the employee conscientiously carries out his/her responsibilities to the students and the school district after a crash. A crash is defined as anytime your bus becomes damaged, causes damage to another person's property, or causes injury.

A minor crash not needing emergency response should be reported immediately to the Team Leader and/or Transportation Director and handled on a case-by-case basis.

In the event of a crash involving injuries:

- Remain as calm as possible.
- Call 911 and give an assessment of any injuries and the seriousness of the crash.
- Radio or call the office. Report all facts concerning the emergency. DO NOT LEAVE THE BUS UNATTENDED.
- The Team Leader/Transportation Director will arrange for another school vehicle to go to the crash site to either continue the route or, if necessary, to transport students to the hospital at the direction of emergency personnel.
- In case of a crash resulting in extensive damage to the vehicle, turn off the ignition, set the emergency brake and check for fire.

- Secure the scene of the emergency from any further crashes or injuries. Activate the four-way hazard lamps. Immediately place warning signals (red triangular reflectors) upon the highway in accordance with the regulations in your CDL Manual, in all instances where the bus is stopped on the highway or blocking traffic lanes.
- Determine whether to evacuate or keep the children on the bus. The driver should ask himself/herself, "Are the children safer where they are or safer outside the bus?"
- Administer first aid according to principles of the Good Samaritan Law, if able, until emergency personnel arrive.
- It may be necessary to refer to a passenger list to determine who was in the vehicle during the crash. A passenger list for each applicable bus route should be kept current at the Transportation Department with a copy placed in the bus.
- A passenger list should also be kept for each activity trip in the Transportation Department with a copy placed in the school vehicle.
- The superintendent's office/business office or principal's office will notify parents of students involved in the crash. If students are transported to the hospital, parents should be notified to report there.
- Be sure to ask if there are injuries in other vehicles and note their response.
- In case of a crash, do not move the vehicle until a law enforcement officer advises you to do so. If you are ordered to move the vehicle before a school representative arrives, ask the police officer to mark the position of your bus tires on the pavement and take pictures if possible.
- Obtain the names of anyone who may have witnessed the crash, other than your own passengers. Prepare a separate list of your passengers' names and which school they attend. Ask each and every passenger on the bus if they have any injuries and make a note of their response behind their name. Do not suggest that they were injured (i.e., "Didn't you hit your head").
- Write down all details that could possibly be of importance later on. If possible, take pictures.
- Do not discuss the facts of the crash with anyone other than the investigating law enforcement officers or representatives of the school. You are required to give your name, address and driver's license number to other parties involved. DO NOT make speculation statements as to how the crash occurred. Such statements could be considered an admission of guilt on your part.
- During the investigation at the scene, be patient. Evaluate questions and give clear and concise answers. MAKE NO ADMISSION OF GUILT! This would include an apology.
- Collect all information necessary to fill out required crash forms. Among other important items are the names and addresses of other persons involved, as well as those of any witnesses, and the conditions of the road and the weather. The driver must not rely on the report made by law enforcement officers, but collect his/her own information for his/her own protection. After all, the driver was there when it happened and should protect himself/herself by recording a complete set of facts. What is not collected on the spot will be much more difficult to gather later. More important still, statements of what happened are likely to be more accurate if written down immediately following the crash.
- Stay with your vehicle until officially released by the law enforcement or relieved by a school representative unless you require medical treatment.
- The bus driver shall prepare the Huron School District Crash Report. This report is only for statistical information purposes and carries no legal aspect. The schools insurance carrier also requires a crash report to be filed with them.
- Do not talk to any insurance company or media unless you are authorized to do so by the Team Leader or Transportation Director.

- All required crash information is located in a pouch on the panel above the windshield. The contents should be as follows:
  1. Highway Patrol Inspection Form
  2. Insurance Card
  3. Vehicle Registration
  4. DOT Inspection Form – if applicable

For crashes involving injuries to anyone, the district will order a drug and alcohol test of the driver as soon as possible.

**HURON SCHOOL DISTRICT 2-2  
SCHOOL BUS ACCIDENT REPORT**

**INSTRUCTIONS:**

The school bus driver shall complete this report in duplicate, one copy to be furnished to the Bus Supervisor, the Business Manager, and the other copy sent to the Division of Elementary and Secondary Education, Pierre SD 57501. This report is for statistical and informational purposes only and carries no legal significance. Please report all accidents which resulted in damage to busses or other property (\$10.00 or more per occurrence), or injuries to pupils or others. This applies both to district-owned vehicles and to privately owned vehicles under contract. Copies of this form will be furnished school superintendents by the Division of Elementary and Secondary Education.

School District: \_\_\_\_\_ County: \_\_\_\_\_  
Bus Number: \_\_\_\_\_ Bus Owned by: \_\_\_\_\_  
Bus Route: \_\_\_\_\_ Date of Accident: \_\_\_\_\_  
Number of Pupils on Bus: \_\_\_\_\_ Time of Accident (Hour): \_\_\_\_\_

The following person(s) were injured: (Indicate whether or not they were pupils.)

Name:	Description of Injury
_____	_____
_____	_____
_____	_____
_____	_____

Describe damage to school bus: \_\_\_\_\_  
Amount: \$ \_\_\_\_\_

Describe damage to other vehicle or property: \_\_\_\_\_  
Amount: \$ \_\_\_\_\_

Describe road and weather conditions: \_\_\_\_\_  
\_\_\_\_\_

Was law enforcement officer called? \_\_\_\_\_

Name of officer: \_\_\_\_\_

Explain cause and responsibility for accident: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNED \_\_\_\_\_ (bus driver)

NOTE: Give diagram on back of sheet showing roads, direction of travel, location of vehicles and all objects having a bearing on this accident.

## **RAILROAD TRACKS**

All buses, whether carrying passengers or not, are required to stop at all railroad crossings unless the railroad crossing is clearly marked "exempt".

Activate the four-way hazard flashers not less than 300 feet from the crossing when outside an incorporated municipality and no less than 100 feet within an incorporated municipality.

Stop the bus in the right lane, no closer than 15 feet or more than 50 feet from the nearest rail, where you have the best view of the tracks. On multiple-lane roads, it may be necessary to stop in the left lane prior to the railroad tracks if you are going to make an immediate left turn after the tracks, or if the right lane is a turn only lane.

Open the door and driver's window and listen for any possible warning signal. Look in both directions. Do not proceed unless certain that it is safe to cross.

Never shift gears while crossing tracks.

Never send a student to check to see if it is safe to cross.

## **SEVERE WEATHER PROCEDURES**

If a tornado is moving toward the area you are driving toward, do not continue in that direction. **DO NOT ATTEMPT TO OUTFRAN A TORNADO.**

If there is the likelihood that the tornado will hit your vehicle and there is no escape route available, or no time to escape:

- Evacuate the bus and advise dispatch if possible or Team Leader by phone.
- Take pupils to the nearest depression or ditch upwind (on the storm side) of the bus far enough away from the bus so that the bus will not roll over on them.
- Instruct pupils to cover their heads with their arms.
- Do not allow pupils to take personal possessions.
- If the children are wearing coats or jackets, these can be used to provide additional protection for their heads and bodies.
- Take only the first aid kit from the bus.

If there is a house or building nearby which offers shelter, and there is time enough to reach it, move to the basement of the building. If there is no basement in the building, crouch against a central wall not exposed to windows, facing the approaching storm.

If you are driving when you hear a tornado warning or spot a funnel and there is no time to move the children when you stop the bus, have the children assume the protective position, remaining in their seats with their heads below window level. Shut off the vehicle, except for the lights, and get under the dash away from the door.

After the tornado has passed, look for further funnel clouds. If none are apparent, see to the safety of your pupils. Attend to students with injuries. Notify authorities as soon as possible.

## TWO-WAY RADIO

The two-way radio in the bus WILL be turned on and set at a volume that allows you to hear the office or other bus's radio traffic at all times.

Use the two-way radio only when necessary. Any situation or question that can wait until you return to the office should be dealt with in that manner.

### **Operation of Two-Way Radio**

When using the two-way radio. Hold the mic approximately 4 inches from your mouth, depress key, wait for repeater to engage, and then begin talking. Do not un-key the mic until you have finished talking.

There are "10 Codes" that the office and employees will use when transmitting on the two-way radio:

- 10-4 - You have received the message
- 10-7 - Out of service
- 10-8 - In service
- 10-9 - You did not copy message and ask to have it repeated
- 10-12 - Person (Identify by "M" Male - "F" Female - "J" Juvenile) Ex. 10-12MJ
- 10-20 - Your location
- 10-21 - Phone the office or person requesting a call
- 10-30 - Unnecessary and/or inappropriate radio traffic
- 10-33 - Important radio traffic. Do not use radio unless requested until 10-33 is finished
- 10-39 - Message delivered
- 10-42 - Out of service with your bus at your residence

### ALL DRIVERS WILL CALL 10-8, 10-7 OR 10-42

Do not call your bus 10-7 (out of service) until back in the Transportation Facility or parked in the lot.

Here are some examples of using the two-way radio:

#### **Base Station to Mobile Unit:**

Base Unit: Base to Bus "2"

Mobile Unit: Bus "2" go ahead

Base Station: Stop in office when route is done

Mobile Unit: 10-4

#### **Mobile Unit to Base:**

Mobile Unit: Bus "2" to Base

Base Station: Bus "2" go ahead

Mobile Unit: Will report in 10 minutes

Base Station: 10-4

#### **Mobile to Mobile:**

Mobile Unit 1: Bus "1" to Bus "2"

Mobile Unit 2 Bus "2" go ahead

Mobile Unit 1: 10-20

Mobile Unit 2 5 miles north of Huron

Mobile Unit 1: 10-4

When carrying on a conversation and you finish with "OVER", this denotes you expect further conversation. When conversation is complete, you finish with "10-4".

#### **STROBE LIGHTS**

Strobe lights can be used at any time. They will be turned on in inclement weather. The strobe lights will be turned off in a school loading/unloading zone, including while at transfer.

#### **VIDEO CAMERA POLICY**

The goal of the Huron School District is for every student to have a safe, comfortable, and orderly ride to and from school. In order to promote appropriate behavior while riding buses, students are required to conform to certain guidelines for riding the bus as established by the administration in coordination with the Transportation Department. Video/audio monitoring provides an additional method to further ensure the safety and security of students relating to timely and appropriate corrective action for violations of bus regulations. The district will utilize video cameras in school buses as a management tool for students, an educational tool to enhance the performance of drivers, as well as an investigative tool for answering received complaints.

#### **Notification**

All student riders shall be notified that they are subject to being video/audio taped on the school bus at any time by placing a notice in the front and back of all school buses. Additionally, student handbooks and District newsletter will contain this information.

#### **Screening**

District administrators, for the purpose of examining student behavior and determining whether disciplinary consequences are appropriate, may use tapes resulting from the monitoring. Access to the tapes will be limited to Huron board of education, district administrators, district transportation team leader, school resource officer, and bus drivers. Videotapes capturing inappropriate behavior may be used at conferences with parents, students and district staff, and as evidence at student disciplinary hearings.

### Consequences for Violations of Bus Conduct

The building principal or designee, after reviewing the videotape, will judiciously determine appropriate disciplinary action for disruptive behavior in keeping with approved student disciplinary procedures. The Transportation Director and/or Team Leader in conjunction with the business manager and the superintendent of schools will determine the appropriate discipline for inappropriate behavior of staff members.



## **FIRST AID**

NEPN Code: EBBA

The school is responsible for giving first aid or emergency treatment only in case of sudden illness or injury to a pupil or a member of the staff. Further medical attention in the case of a pupil is the responsibility of the parent or guardian, or the person designated for emergencies; and in the case of a member of the staff, or the particular individual.

First aid is defined as the immediate and temporary care given in case of an accident or sudden illness, which enables the child to be taken safely home or to a physician. It does not include diagnosis or treatment. Any care beyond first aid shall not be given.

Each principal will be charged with directing the immediate care of ill or injured persons who come within his/her area of responsibility until parent, guardian, or medical professional arrives.

Procedures for the proper handling of such emergencies will be developed and made known to the staff. These will incorporate the following requirements:

1. No treatment except first aid is permitted in schools. The school's responsibility is to place the ill or injured student in the care of the home or family physician as soon as possible.
2. Teachers or other trained persons, or bus drivers if the injury occurs on a school bus, will be responsible for administering first aid to students with minor injuries such as scratches, abrasions, bruises, etc.
3. A master first aid kit will be kept and properly maintained in each school and each school bus.
4. No drugs will be administered by school personnel unless authorized by the school nurse.
5. Parents will be asked to sign and submit an emergency medical authorization, which will indicate the procedure they wish the school to follow in the event of a medical emergency involving their child.
6. In all cases where the nature of an illness or any injury appears serious, the parent or guardian will be contacted if possible, and the instructions on the child's emergency card followed. Thus, in extreme emergencies arrangements may be made for a child's immediate hospitalization whether or not the parent or guardian can be reached.
7. No young child who is ill or injured will be sent home alone, nor will an older child unless the illness is minor and the parent or guardian has been informed in advance.

## **Vomit**

Students may become ill on the bus throughout the year and may uncontrollably vomit. Notify all students during flu season that if they feel ill to either sit up front near the trash pail or take the trash pail with them to their seat.

If a student does vomit on the floor or in the seat, move the other students away as quickly as possible then proceed with the following:

- Instruct the student to go into the school office and see the nurse.
- Pour cat litter or floor dry into the vomit to contain the liquid and reduce the smell. Cat litter/floor dry should be in a container on each bus at all times. If it is gone, make a note on your pre-trip form to have the supply replenished.
- If you need to clean off a seat, ALWAYS wear rubber gloves (in First Aid Kit) using window cleaner/disinfectant and paper towels. Never use an ungloved hand.
- Get the inside of the bus mopped out upon your return to the Transportation Facility.
- Write a note to have the floor dry and rubber gloves replaced in your bus.

### **BLOODY NOSE**

Due to allergies or weather changes, some students may experience a bloody nose. In the event this happens, please follow these steps:

- ALWAYS wear rubber gloves.
- Have student place tissue over nose and instruct him/her to squeeze the nose tightly and tilt head forward.
- Instruct student to go into the school office to see the nurse.
- If blood gets onto the seat, spray the seat with window cleaner/disinfectant and wipe with a paper towel.

### **BLEEDING**

- ALWAYS wear rubber gloves.
- Press the wound firmly with a clean bandage to stop the bleeding.
- Elevate the bleeding part of the body gently. If a fracture is suspected, gently support that area.
- Bandage wound firmly without interfering with circulation.
- Instruct student to go to school office to see the nurse.
- If bleeding occurs during the PM run, notify Transportation Facility to contact parent.

### **ALLERGIC REACTION**

Students with life threatening allergies should be carrying an Epipen. The symptoms you should watch for:

- Red, watery eyes
- Itchy, sneezing, runny nose
- Severe hives or rash
- Paleness
- Confusion
- Weakness
- Difficulty breathing
- Dizziness
- Loss of consciousness

Most students know what they are allergic to and how to use an Epipen. If an Epipen has to be used, contact Emergency Medical Services (EMS) and notify the Transportation Facility of the situation.

- Instruct student to go into the office and see the school nurse.

### **FAINTING**

Fainting may have many causes, including:

- Injury
- Blood Loss
- Poisoning
- Severe allergic reaction
- Diabetic reaction
- Heat exhaustion
- Illness
- Fatigue
- Stress

Most students who faint recover quickly when lying down.

- Elevate feet
- Check breathing
- Keep the student warm
- Instruct the student to go into the office and see the school nurse.
- If the student does not recover within a few minutes, notify the Transportation Facility to call 911. On PM run, notify the Transportation Facility to contact the parent.

### **CHOKING**

If the child is choking and unable to breathe, use the Heimlich Maneuver. If the child is coughing, crying, or speaking, DO NOT use the Heimlich Maneuver, but call EMS, try to calm the child and watch for worsening symptoms.

### **FROST BITE**

Exposure to cold environments, even for a short period of time, can cause hypothermia. Fingers, toes, nose, and ears are particularly prone to frost bite. The symptoms include:

- Loss of sensation
- Discoloration of flesh

If you suspect frost bite:

- Remove student from the cold environment to protect from further injury.
- Do not rub or massage.
- Cover with dry clothing, towel or blanket.
- Instruct student to go into the office and see the school nurse.
- On the PM run, notify the Transportation Facility to contact parent.

### **Use of Auto External Defibrillators (AED)**

The AED may be used by any individual who is currently CPR/AED certified according to the American Heart Association or the American Red Cross standards.

#### **Location**

AED units will be provided by the district and housed in secure and accessible locations at the various district facilities as determined by the superintendent and/or his/her designee. If the AED is moved from its designated position, there will be a visible sign left in the place of the AED which indicates its current location. Contracted and other community activities are not guaranteed access to the AED as part of the standard rental contracts unless specified otherwise.

#### **Certification/Maintenance**

The district will encourage, but not mandate, all staff members (coaches included) to obtain and maintain certification in CPR/AED. Each building which houses an AED will have an established, trained response team. An in-service training video will be kept in the nurse's office and in the curriculum office for trained responders to review at any time to provide reinforcement of skills. The district nursing staff will maintain records of staff certification. A designated full-time person in each building will be responsible to maintain equipment in that building.