

SECTION E

SUPPORT SERVICES

POLICY	TITLE	PAGE
E-0050	Support Services Goals Priority Objectives	4
E-0150	Environmental and Safety Program	5
E-0161	Environmental and Safety Program (Regulation)	6
E-0250	Reporting of Hazards Warning Systems	8
E-0261	Reporting of Hazards Warning Systems (Regulation)	10
E-0300	Hazardous Materials	12
E-0400	Accident Prevention and Safety Procedures	13
E-0500	Accident Reports	14
E-0511	Accident Reports (Regulation)	15
E-0531	Accident Reports (EXHIBIT)	16
E-0550	Emergencies	18
E-0561	Emergencies (Regulations)	20
E-0562	Emergency Drills (Regulation)	21
E-0563	Emergency First Aide (Regulation)	22
E-0750	Weather Related and Emergency Closings	24
E-0761	Weather Related and Emergency Closings (Regulation)	25
E-0900	Security	26
E-0911	Security (Regulation)	27
E-1050	Vandalism	28
E-1061	Vandalism (Regulation)	29
E-1100	School Personal Property Replacement/Restitution	30
E-1200	Building and Grounds Maintenance	31
E-1600	Materials and Equipment Management	32
E-1700	Maintenance and Control of Materials and Equipment	33
E-1711	Maint. & Control of Materials & Equipment (Regulation)	34

E-1750	Maintenance & Control of Instructional Materials	35
E-1800	Authorized use of School Owned Materials and Equip.	36
E-1831	Auth. use of School Owned Materials and Equip. (EXHIBIT)	38
E-1950	Transportation Services	40
E-1981	Transportation Services	42
E-2000	Student Transportation	43
E-2031	Student Transportation (Regulation)	44
E-2000	Student Transportation (Exhibit)	52
E-2050	Walkers and Riders	53
E-2100	Special Education Student Transportation	56
E-2250	Bus Safety Program	58
E-2261	Bus Safety Program (Regulation)	60
E-2300	Bus Driver Requirements, Training, & Responsibilities	63
E-2350	Drug & Alcohol Testing of Transportation Employees	65
E-2361	Drug & Alcohol Testing of Trans. Employees (Regulation)	68
E-2381	Drug & Alcohol Testing of Trans. Employees (EXHIBIT)	74
E-2400	Bus Purchasing and Maintenance	81
E-2450	Student Conduct on School Buses	82
E-2650	Extracurricular Activity Buses Special Events	83
E-2661	Transportation to Student Activities	86
E-2700	Student Transportation in Private Vehicles	87
E-2711	Student Transportation in Private Vehicles (Regulation)	88
E-2850	Business & Personnel Transportation Services	90
E-3050	Business Transportation Records and Reports	92
E-3100	Food Services	93
E-3111	Food Services (Regulation)	94
E-3131	Food Services (EXHIBIT)	96

E-3300	Free and Reduced Price (Food Services)	98
E-3400	Collection of Money (Food Services)	100
E-3450	Competitive Food Sales Vending Machines	101
E-3500	Miscellaneous Food Services Practices	104
E-3550	Food Services Sanitation Program	106
E-3600	Food Services Records and Reports	107
E-3900	Copyright Compliance	108
E-3950	Mail and Delivery Services	121
E-4250	Use of Technology in Office Services	122
E-4550	Insurance Programs Risk Management	125

SUPPORT SERVICES GOALS

PRIORITY OBJECTIVES

The Board recognizes that the daily support service operations of the District are essentials, yet auxiliary, to the primary educational goals of the District. To ensure that the support services contribute to the achievement of the District educational goals in the most effective way possible, the Board intends to:

- Ensure the proper operation and maintenance of District buildings, vehicles equipment and services. Set high standards of safety. Promote the health of pupils and staff. Reflect the expectations of the community. Support environmentally the efforts of the staff to provide the highest level of instruction.
- Encourage, through the Superintendent and staff, the establishment of efficient and appropriate procedures for the management of buildings and grounds, offices, vehicles, equipment, supplies and food services.
- Ensure the adherence to generally accepted management principals and applicable laws and regulations in implementing the responsibilities delegated to support service functions.

Adopted: January 12, 2017

ENVIRONMENTAL AND
SAFETY PROGRAM

The Superintendent will establish procedures to protect the safety of all students, employees, visitors, and others present on District property or at school-sponsored events.

The practice of safety shall also be considered a facet of the instructional plan of the District schools by virtue of educational programs in traffic and pedestrian safety, driver education, fire prevention, and emergency procedures, appropriate for students at different grade levels. General areas of emphasis shall include, but not be limited to: in-service training; accident record keeping; plant inspection; driver and vehicle safety programs; fire prevention; school site selection; and emergency procedures and traffic safety problems relevant to students, employees, and the community.

Adopted: January 12, 2017

ENVIRONMENTAL AND SAFETY PROGRAM

Responsibilities of the maintenance supervisor:

- Maintain an overall safety program in maintenance and operation of buildings and grounds.
- Provide specialized assistance as requested by building principal.

Responsibilities of the school principals:

- Schedule regular inspections.
- Post required state and federal safety regulations and maintain appropriate safety records.
- Arrange for the correction of defects reported to them by employees in the building by requesting assistance from the maintenance department.
- Cooperate in the correction of defects reported by the maintenance department or other school administrators.

Responsibilities of the transportation supervisor:

- Maintain standards for certification of school bus drivers.
- Maintain stands for periodic inspection and maintenance of school buses.
- Maintain standards for school bus operation.

- Maintain standards for personnel operating and using school vehicles.

Responsibilities of other employees:

- Report promptly to the principal of the school or immediate supervisor any defects in buildings, grounds, or equipment that might prove injurious to the safety, health, or comfort of students, employees, or other persons.
- Take reasonable precaution for the safe use of buildings, grounds, and equipment by students.

Responsibilities of students:

- Avoid the following behaviors:
 - Setting off a false fire alarm.
 - Misusing the fire alarm system, fire extinguishers, or other fire protection and safety equipment.
 - Setting a fire in the building or on the school grounds.
- Report promptly to the principal of the school or other appropriate school employee any defects in buildings, grounds, or equipment that might prove injurious to the safety, health, or comfort of employees, students, or other persons.

Responsibilities of other individuals utilizing school buildings:

- Refrain from abusing safety equipment, such as fire extinguishers, alarm systems, et cetera.
- Report promptly to the Superintendent or another school employee any defects in buildings, grounds, or equipment that might prove injurious to the safety, health, or comfort of students, employees, or other persons.

REPORTING OF HAZARDS
WARNING SYSTEMS
(Pesticide Application Notice)

The intent of this policy is to provide adequate management of pesticide applications to reduce the impact on students, employees, and parents/guardians.

In accord with 6.29.1.9 NMAC, the District shall:

- Use no pesticide or device except those currently registered for legal use in this state.
- Have no pesticide applied except by a person certified in the applicable category and currently licensed by the state.
- Apply pesticides only if an infestation is present and only when the property will not reasonably expected to be occupied for at least six (6) hours from the time of the application.
- Maintain list of those students, parents, and guardians who wish to be notified when pesticides will be applied.
- Maintain written records of pesticide applications.

The District shall provide the school contact person notice prior to the date and time the application of pesticides is to occur and shall provide the following information:

- The area or areas where the pesticide is to be applied.
- The date and time the application is to occur.
- The pesticide to be used.

Notice will be provided to those persons so requesting and signs will be posted indicating the location of the application of pesticides. In case of pesticide applications performed for or by public health agencies or emergency applications because of immediate threat to the public health, the office shall provide oral and, if possible, written notice, with posting of the area to be treated.

The Superintendent shall prepare regulations for the implementation of this policy.

Adopted: January 12, 2017

LEGAL REF.: 6.29.1.9 NMAC

CROSS REF.: IKEA – Make Up Opportunities

REGULATION**REGULATION****WARNING SYSTEMS****(Pesticide Application Notice)**

The site administrator shall be the contact person for providing information regarding pesticide application activities at the school, including but not limited to giving oral and written notification, supervising the posting of notifications as required, and maintaining records of pesticide-application notifications.

Oral and Written Notice

All oral and written notification shall contain, at a minimum, the date and time of the pesticide to be applied. During the *regular school session*, and not less than twenty-four (24) hours prior to pesticide application, notification shall be provided in the manner indicated below.

- Oral notification to all students and school employees shall be provided by means of:
 - School public address systems; or
 - Assembly communications; or
 - Staff meeting announcements; or
 - Any similar means reasonably calculated to provide sufficient notice in advance of pesticide application.
- Written notification to the parents or guardians of enrolled students shall be provided by means of:
 - Weekly school lunch menus; or
 - Special communications; or
 - Newsletters; or
 - Any similar means reasonably calculated to provide sufficient notice in advance of pesticide application.

Posting of Notice

No less than twenty-four (24) hours prior to pesticide application, signs shall be posted to identify pesticide application areas. The sign shall display:

- The words “warning-pesticides.”
- The date and time of the application.
- A phone number for the school contact person.

The signs shall be placed at:

- The main entrance to all buildings where pesticide is to be applied.
- Playing fields where pesticide is to be applied.

The signs may be removed no less than twenty-four (24) hours after the pesticide is applied.

CROSS REF.: IKEA - Make Up Opportunities

HAZARDOUS MATERIALS

The Superintendent shall develop and implement an effective Hazard Communication Program (HCP) as required by law. The HCP shall at all times meet the requirements of the federally-approved State Plan. The Program shall be reduced to writing, including all associated documents and will be maintained in the Superintendent's office and each school site for review by employees and the public. The program will ensure:

- The development and distribution of a list of toxic substances used by the District employees accompanied by procedures for their proper and safe containment and use.
- The development and provision of procedures and training regarding the purchase, storage, use, transportation and disposal of hazardous materials. Emergency response and evacuation plans will be part of the procedures.
- That whenever possible, District staff shall substitute non-hazardous materials for hazardous substances and minimize the quantity of hazardous substances stored in school facilities.
- That before any staff member begins a position requiring work with hazardous materials on a regular basis, the staff member attends an approved training course.

Adopted: January 12, 2017

ACCIDENT PREVENTION AND SAFETY PROCEDURES

Accidents are undesirable, unplanned occurrences which may result in tragic consequences; bodily harm; loss of school time; property damage; legal action and even fatality. To guard against such occurrences, the Board intends for the District to take every precaution to protect the safety of all students, employees, visitors and others while on District property or at school-sponsored events.

The Superintendent shall develop administrative procedures to meet the intent of this policy in areas that include, but are not limited to:

- Plant inspection;
- Fire prevention;
- Traffic and parking safety;
- Accident record keeping;
- Inclement weather conditions;
- First aid and emergency care;
- Bicycle and scooter use;
- Safety patrol program;
- Student supervision.

Adopted: January 12, 2017

ACCIDENT REPORTS

Adequate and prompt accident reporting is essential if similar accidents are to be prevented. If there are injuries or property damage, prompt reports are also vital in assuring the District of insurance coverage.

Reports will be filed on accidents that take place on school property or that involve school vehicles, students, or staff members on school-sponsored trips, including staff members on authorized school business trips. Such reports are required whether or not there are any immediately evident injuries or damage to property.

Injury accidents should be promptly reported to the District's liability carrier. The meaning of *promptly* is defined in the District's insurance policy with the carrier.

The administration shall establish procedures for filing accident reports, and shall make sure reports include details that (1) might be helpful in preventing similar accidents in the future, (2) are needed for filing insurance claims, and (3) might be important in case of litigation.

Adopted: January 12, 2017

LEGAL REF.: 10-7-13 NMSA

CROSS REF.: GBGC – Employee Assistance

GBGD – Workers' Compensation

REGULATION**REGULATION****ACCIDENT REPORTS****(Student Accidents)**

Employees are to report to the nurse or office any accident involving a student who is at school.

For any student who is injured on school grounds, in a school building, or in connection with a school-related or approved activity, an accident report form is to be completed by an employee who is at the scene of the accident.

A student who is ill should be sent to the office, with an appropriate pass. If a student is sent home (only with parent knowledge), the teacher will be notified. Students are discharged to go home only from the office.

Any special health concern should be reported to the nurse.

A written report of an accident shall be made by the school principal to the Superintendent not later than noon of the school day following the incident. The insurance carrier shall be notified as appropriate.

EXHIBIT**EXHIBIT****ACCIDENT REPORTS****CONFIDENTIAL, THIS REPORT IS NOT TO BE RELEASED
TO PARENT AND/OR STUDENTS**

The school employee either witnessing the accident or supervising at the time
Should complete and submit this form within 24 hours.

**IN CASE OF SERIOUS INJURIES, A TELEPHONE
REPORT IS TO BE MADE IMMEDIATELY**

1. School District: _____
2. School: _____ Address: _____
3. Student's Name _____ DOB _____ Grade: _____
4. Student's Address: _____ Phone: (____) _____
5. Location of Accident: _____ Date: _____ Time: _____
6. Describe how accident occurred: _____

1. Person in charge at time of accident: _____

Was that person present at the time? ☐ Yes ☐ No

Did the injured violate any school rule(s)? ☐ Yes ☐ No

2. Witnesses: _____
Address: _____ Phone: (____) _____
3. Apparent Nature of Injury: _____

4. Injured Part of Body (Indicate R/L):

☐ Abrasion ☐ Cut ☐ Internal ☐ Abdomen ☐ Chest ☐ Finger ☐ Head
☐ Concussion ☐ Dislocation ☐ Strain/Sprain ☐ Arm ☐ Eye ☐ Foot ☐ Leg
☐ Contusion ☐ Fracture

5. First aid procedures used: _____
By whom: _____
6. Disposition of injured after accident:
☐Class ☐Home ☐Doctor ☐Hospital
7. Who was notified: _____
Relationship to injured student: _____
8. If injured student left school, to whom released: _____
9. Name and address of anyone contacting school: _____

10. Student accident benefits available: _____
Name of company: _____
11. Remarks: _____
12. Report completed by: _____
Approved by: _____ Date: _____

EMERGENCIES

Disaster can strike at any time and cause wide-spread damage and injury.

Such disasters can be created by humans or the result of natural causes and can occur with little, if any, warning. Thus, it is the intent of the Board to create a systematic means to minimize the negative impact of any disaster on students, employees, visitors, and others while on District property or at school-sponsored events. To this end, the Superintendent, with staff and community input, shall develop a tactical emergency response plan which will include, but not be limited to the threat of:

- Chemical, biological and nuclear incidents.
- Bomb threats.
- Building collapse.
- Hostage situations.
- Conditions of nature.
- Arson.
- Civil disturbances.
- Explosions.
- Vehicular accidents.
- Active Shooter

A tactical emergency response plan in a safe school plan that details risk assessments and establishes the plans or procedures to manage an emergency events after it has occurred and includes, but is not limited to, emergency routes and staff assignments as they related to immediate actions, delayed actions, mitigation actions, facility evacuations and facility reentry. The plan shall clearly outline the requirements and discretion afforded each school with regard to the administration of the plan. The plans will also designate specific emergency drills to be conducted. The plan shall be presented to the Board for approval but shall not be released to the public due to the student wellness and safety issues related to the information.

Adopted: August 15, 2019

LEGAL REF.: 22-13-14 NMSA

59A-52-1 NMSA

6.12.6.7 NMAC

6.12.6.8 NMAC

6.29.1.9 NMAC

CROSS REF.: JL – Student Wellness

REGULATION**REGULATION****EMERGENCIES**

Each principal or other appropriate unit administrator will develop emergency plans for fire or other threats. Such plans will be submitted by September of each year. These plans will provide for such emergencies as are outlined in policy or required by the Superintendent.

- Inside emergencies, such as but not limited to a fire, actual or potential explosion, propane leak, or collapsing structure.
- Outside emergencies, such as but not limited to a fallen electrical wire, plane crash on campus or nearby, sniper, or earthquake.

The plans will specify the conditions under which evacuation of the building will occur (and the procedures therefore). The plans will also designate specific emergency drills to be conducted. A diagram of the school floor plan will be posted in each room showing emergency exits to be used.

REGULATION**REGULATION****EMERGENCIES****(Emergency Drills)**

Emergency drills will be scheduled and conducted at least once each week during the first four (4) weeks of the school year. During the first four weeks of the school year, each school shall conduct one shelter in place drill that includes preparation to respond to an active shooter, one evacuation drill and two fire drills. During the rest of the school year, each school shall conduct at least four more emergency drills, at least two of which shall be fire drills. The purpose of a drill is to train students, under staff direction, to move safely, quickly, and quietly from any location within the building to a designated position or location.

The following rules and procedures will be complied with in all schools:

- Evacuation routes will be posted in each room. These routes will indicate the primary and alternated exits and the evacuation area to which the student should proceed upon leaving the building. During the first week of the school year, rules for emergency evacuation will be discussed with each class using the room.
- A distinct alarm signal will be used for emergency drills only; another signal will be established by the principal for return to class.
- No student or staff member is to remain in the building during emergency drills.
- All persons should exit according to their posted evacuation routes and proceed to assigned locations a safe distance away from the building.
- It is each student's responsibility to move quickly, quietly, and in an orderly manner through the assigned exit to the assigned evacuation area.
- The teacher will be responsible for:
 - Maintaining order during the evacuation.
 - Taking the grade book and checking roll when the class is in the assigned evacuation area. The name of any student not accounted for will be reported immediately to the principal, who shall promptly notify the Superintendent.
- A report stating the date and time that the drill was conducted, and the time required to complete the evacuation will be made.

The fire department (if one [1] is maintained within the District boundaries) shall be requested to attend for instruction and constructive criticism.

Adopted: August 15, 2019

REGULATION**REGULATION****EMERGENCIES****(First Aid)**

If a student is injured or becomes ill during the school day or while attending a school-sponsored activity, it is the responsibility of any staff member present to render assistance and to summon aid.

First aid procedures shall be based on the following fundamental concepts:

- The school is responsible for the emergency handling of accidents and sudden illness occurring at school or on school property. The school is not responsible for subsequent treatment.
- At the time of an emergency, the school has the responsibility for:
 - Caring for the student.
 - Notifying the student's parents or guardians, or, if these cannot be reached, following directions given on the student's enrollment card.
 - In extreme cases, getting the student under professional care with or without family permission.
- In the absence of family transportation or ambulance service, an authorized District employee may have to take the sick or injured student home, to the physician's office, or to the hospital. A sick or injured student should be accompanied from the school by an adult. If the destination is the student's home, the adult shall have ascertained that a responsible person is at home to assume responsibility.
- In case of any serious injury or illness, the parent or responsible person should always be notified as soon as possible. Emergency care of the student has priority.

- Medication administered by any school personnel, shall be in compliance with JLCD and JLCD-R.
- A written report of an accident shall be made by the school principal to the Superintendent not later than noon of the school day following the incident.

CROSS REF.: JLCD-Administering Medicines to Students

WEATHER-RELATED AND
EMERGENCY CLOSINGS

The decision to delay opening of school or to dismiss school early will be made by the Superintendent.

Except for teachers and other staff members who work only on student days, all personnel will report to work as soon as possible on days when school is closed.

Adopted: January 12, 2017

LEGAL REF.: 6.41.4.9 NMAC

REGULATION**REGULATION****WEATHER-RELATED AND
EMERGENCY CLOSINGS****Delayed Opening**

If the Superintendent decides to delay the opening of school, the law enforcement and the local broadcast media will be notified, requesting that they assist in disseminating the information.

All staff members will report to their assigned schools to assist in the supervision of students.

School Closing

If the Superintendent decides to cancel classes for the day, law enforcement and local broadcast media will be notified and asked to assist in disseminating the information.

Early Dismissal

If the Superintendent decides to dismiss school early, the procedure shown below will be followed for early dismissal of students:

- Students will be released from school only after the principal has ascertained that appropriate notice has been given to parents or guardians. Staff members may be released by the principal when they are no longer needed to supervise students.
- The principal will remain at the school until all students have departed.

SECURITY

The Superintendent will develop plans and procedures that will:

- Enhance the security of District property.
- Minimize fire hazards.
- Provide for the keeping of records and funds in a safe place.
- Protect against vandalism and burglary.
- Provide for the prosecution of vandals.
- Provide for and encourage employee responsibility for furniture, textbooks, reference material, and other District materials, equipment, and supplies assigned to the employee's care.

Adopted: January 12, 2017

REGULATION**REGULATION****SECURITY**

Access to school buildings and grounds will be established by the Superintendent in accordance with the following:

- Unlimited access – the Superintendent, assistant superintendent, and maintenance supervisor.
- Limited access – school principals, assistant principals, teachers, custodians to their assigned buildings, and extracurricular sponsors, counselors, and supervisors for the respective areas or activities.

Possession of keys shall be in accordance with the following principals:

- A log of key assignments shall be maintained by the office of the Superintendent or other designated office.
- Unassigned duplicate keys shall be maintained in a safe or a secured box.
- Individuals assigned keys may not duplicate or loan them.
- All keys must be surrendered when no longer needed or upon request by the Superintendent.
- The loss of a key must be reported to the Superintendent upon discovery of the loss, and the employee may be required to pay for rekeying or replacing all affected locks.
- Use of keys for unauthorized purposes will be cause for surrender of keys. Employees will be subject to discipline and/or dismissal for unauthorized use of keys.
- A set of master keys and/or duplicate of keys shall be kept in the custody of the Superintendent.
- The employee will sign a receipt for keys assigned. The receipt will list the applicable rules.

VANDALISM

As part of the protection from vandalism, the Board of Education may: Offer and upon compliance with the condition of such offer, pay rewards for information leading to the arrest and conviction or other appropriate disciplinary disposition by the courts or juvenile authorities of offenders in case of theft, defacement, or destruction of local school District property.

The payment of a reward will be subject to the availability of funds. The sources of information will remain confidential.

The Board of Education shall be responsible for recommending reward amounts with direction by the Superintendent.

Adopted: June 19, 2018

LEGAL REF.: 22-5-4 NMSA

REGULATION**REGULATION****VANDALISM**

The principal will establish a system through which students and members of the school community can report any instance of vandalism or suspected vandalism. Each employee of the District shall report to the principal or other administrator every perceived incident of vandalism and, if known, the names of those responsible.

SCHOOL AND PERSONAL PROPERTY

REPLACEMENT/RESTITUTION

(Personal Property)

The District shall not assume responsibility for the loss of, or damage to, personal property stored, installed, or used on school premises.

Adopted: January 12, 2017

BUILDING AND GROUNDS
MAINTENANCE

Adequate maintenance of buildings, grounds and property is essential to efficient management of the District.

The Board directs a continuous program of inspection and maintenance of school buildings and equipment. Wherever possible, maintenance shall be preventive.

Adopted: January 12, 2017

MATERIALS AND EQUIPMENT
MANAGEMENT

The District may provide for the central purchasing, receiving, warehousing, and distribution of supplies, equipment, and materials common to the requirements of all schools.

A District warehouse shall be operated as an adjunct of the business office to store and distribute supplies requisitioned by staff members.

All materials needed for instruction, business, and custodial operations of the individual schools shall be ordered from the warehouse when available from that sources.

Adopted: January 12, 2017

MAINTENANCE AND CONTROL
OF MATERIALS AND EQUIPMENT

Employees are responsible for the proper care of all District facilities, equipment, and property in their custody or control.

Control of District property shall be through, but not limited to, an accurate fixed inventory system of all District furniture and equipment.

The Superintendent may establish procedures for transferring surplus or other materials and equipment.

Preventive Maintenance

The Superintendent shall establish a preventive-maintenance program that will extend the useful life for District equipment.

The Superintendent is authorized to use the services of specialists for such maintenance, and provision(s) shall be made in the annual budget for such services.

Adopted: January 12, 2017

CROSS REF.: DID-Inventories

REGULATION**REGULATION**

MAINTENANCE AND CONTROL
OF MATERIALS AND EQUIPMENT

Surplus Equipment

Property that is surplus at any unit shall be transferred to the business office for reassignment to other District locations where a need may exist for the equipment.

Transfer of Equipment

All transfer of property within a school or other District location must first have the approval of the principal or department head. Transfers of equipment from one school to another must be approved by the business office, whether the transfer is temporary or permanent.

MAINTENANCE AND CONTROL
OF INSTRUCTIONAL MATERIALS

Students using District-provided textbooks, subject-matter materials, supplementary books, or instructional computer software are responsible for loss of or any damage to these items. Accurate records of distribution or assignment of materials or textbooks to students shall be maintained.

Adopted: January 12, 2017

CROSS REF.: DN- School Properties Disposition

IJ – Instructional Resources and Materials

IJL – Library Materials Selection and Adoption

KEC – Public Concerns/Complaints about Instructional Resources

AUTHORIZED USE OF SCHOOL-OWNED MATERIALS AND EQUIPMENT

District equipment may be used by school or non-school agencies and individuals for purposes that are not in conflict with any New Mexico Revised Statute(s), federal or state rules or regulations, or Board policies, subject to the following:

- The District shall not incur any expense due to the use of materials or equipment.
- The Superintendent shall establish procedures for approval of the use of materials or equipment, or shall submit requests to the Board for review and action.
- The District shall not be in competition with any local business firm that could provide like equipment.
- Rental fees will be charged or waived, as appropriate, by the District.
- Any person or agency using such materials or equipment that is lost or damaged during such period of use shall be required to reimburse the District for repair or replacement.

Student Use of Equipment

Equipment (i.e., laptop computers, audio recorders, etc.) owned by the School District may be loaned to students.

When equipment is lost or damaged not due to normal usage while assigned to the student, the School District authorizes that replacement/repair costs be assessed.

The following guidelines must be addressed when equipment is loaned to students:

- The parent/guardian of the student will sign an equipment loan agreement containing a description of the equipment, serial number, and inventory number.

- In the event of loss or damage of a piece of equipment, the school representative will document the damage, collect repair/replacement costs, notify the parent/guardian, and turn the fine into the principal's office.

Adopted: January 12, 2017

CROSS REF.: KF - Community Use of School Facilities

EXHIBIT**EXHIBIT**

AUTHORIZED USE OF SCHOOL-OWNED
MATERIALS AND EQUIPMENT

EQUIPMENT LOAN

	<u>Equipment Description</u>	<u>Serial #</u>	<u>Inventory #</u>
1.	_____		
2.	_____		
3.	_____		
4.	_____		
5.	_____		
6.	_____		

Acknowledgment:

I/We acknowledge the receipt of the equipment listed below and understand that the aforementioned equipment is the property of the school district and pledge to use it with reasonable care and to return same upon request and in the same general condition as the item was in when I/we took custody.

Signature

Date

Print Name

Address

Phone

Signature of Principal/Administrator Loaning

Date

*Original to be sent to Central Office

**Copy to be kept on file at the lender's location

TRANSPORTATION SERVICES

In the budgeting process, the Board may grant appropriations for transportation.

Transportation of students is a privilege extended to students in the District, and is not a statutory requirement except for necessary transportation of students with disabilities, certain children with health management plans, foster children and other at risk students as required by New Mexico Statutes.

The responsibility for the operation of student transportation shall be vested in the Superintendent. Reasonable efforts shall be made to eliminate any particular hazards that might adversely affect the safety and welfare of any student.

Transportation services for students may be provided through use of school buss service contracts for up to five years approved by the School Board on forms approved by the Public Education Department (PED). The district shall follow the rules of PED pertaining to the parameters of such contracts including placing a lien on each contractor school bus. All contracts must require that all state and federal statutes and regulations, including department regulations are adhere to in the performance of the contract. The contract can only be terminated in accord with state law and PED regulations.

Transportation service providers are to follow 6.41.4.10 NMAC titled "Requirements of Transportation Service Providers" and that regulation is incorporated into this policy by reference.

Community members, parents, and transportation service providers may be involved in the development of student transportation policies and procedures. This should be in accord with the procedures outlined in board policies relevant to community involvement ad adoption of policy as cross referenced below. Complaints from parents, transportation providers, and others regarding school transportation may be made using the complaint forms found with policies KEB through KED as applicable.

Adult volunteers, district employees, supervisory personnel and others may be transported with students as determined necessary by the school administration.

The local education agency or school district, in providing student transportation as indicated by the PED, shall adhere to the requirements of 6.41.4.8 NMAC and 6.41.4.9 NMAC. These sections of the New Mexico Administrative Code are incorporated in this document by reference.

Adopted: June 19, 2018

LEGAL REF.: 22-8-27 NMSA *et seq.* (1978)

22-9-20 NMSA

22-16-1 NMSA *et seq.* (1978)

6.41.4 NMAC *et seq.*

CROSS REF.: BG -School Board Policy Process

BGB – Policy Adoption

EEAE – Bus Safety Program

JFABD – Admission of Homeless Students

JGC – Assignment of at-risk students to classes and programs

KEB – Public Concerns and Complaints

KEC – Concerns / Complaints about Personnel

KED – Concerns / Complaints about Facilities and Services

TRANSPORTATION SERVICES

6.41.4.10 NMAC provides the requirements for Transportation Service Providers and may be needed as a resource for districts that contract student transportation services for to and from school. Additionally, these districts may need to get the forms for agreements from the New Mexico Public Education Department Transportation division.

Adopted: June 19, 2018

STUDENT TRANSPORTATION

The school district recognizes that transportation is an essential part of the school district services to students and parents, but the district further recognizes that transportation by school bus is a privilege and not a right for most students. The purpose of this policy is to provide guidance for safe transportation and to education students, staff, parents, community members and transportation providers on safety issues and the responsibilities on safety issues and the responsibilities of school bus ridership.

All persons who ride school buses to and from school, for extra-class or co-curricular purpose or provide these services are to be aware and practice the established procedures indicated. The guidance provided in this policy should be distributed to all students, parents, staff and transportation service providers in preschool communications, handbooks or individually at registration if entering school or employment after the beginning of the school year. Parents are encouraged to go over these procedures with their children and caretakers to ensure that the procedures are followed for the safety and welfare of those students. Student complaints about transportation services may be made using the forms found in policy JII for Student Concerns, Complaints and Grievances. Adults may use established complaint procedures cross-referenced below.

Adopted: June 19, 2018

LEGAL REF.: 22-16-4 NMSA (1978)
 22-12-10 NMSA (1978)
 6.41.4.14 NMAC
 42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001

CROSS REF.: EEAFB – Extracurricular Activity Event Driver Requirements
 JFABD – Admission of Homeless Students
 JGC – Assignment of At-Risk Students to Classes and Programs
 JIC - Student Conduct
 JII – Student Concerns, Complaints and Grievances
 JK – Student Discipline
 JKD – Student Suspension Expulsion
 JLCD – Administering Medicines to Students
 JLCG – Do Not Resuscitate
 KEB – Public Concerns and Complaints
 KEC – Concerns / Complaints about Personnel
 KED – Concerns / Complaints about Facilities and Services

REGULATION**REGULATION****STUDENT TRANSPORTATION****Student bus transportation procedures****Arriving at pickup point:**

- Be on time. Leave home in good time so that you will arrive at the pickup point before the school bus.
- If you have to walk along the road to reach the bus stop, walk on the left side facing oncoming traffic.
- Walk on the shoulder of the road where possible, and not on the traveled portion.
- If other students are waiting at the bus stop, get in line without pushing or crowding and stay off the roadway.
- Respect the property of others while waiting at your bus stop.
- Keep your arms, legs and belongings to yourself.
- Use appropriate language.
- Stay away from the street, road or highway when waiting for the bus. Wait until the bus stops before approaching the bus.

Board the bus:

- Line up in single file parallel to the roadway, with younger students in front, so they can board first.
- Wait until the bus comes to a complete stop before attempting to get on board.
- Board the bus quickly but without crowding or pushing.
- Never run on the bus, as the steps or floor may be slippery, especially in wintertime. Place your foot squarely on the step, not on the edge, and use the handrail.
- Be particularly careful if you are carrying books or parcels, as it is difficult to see the steps and to hold the handrail.
- Go directly to your seat and sit straight, well to the back of the seat, and face the front of the bus.

Conduct on the bus:

- Follow driver's instructions.
- The bus will not move until all passengers are seated.
- Remain seated throughout the trip, and leave your seat only when the bus has reached its destination and comes to a complete stop.

- Keep your books and parcels on your lap or put them under the seat or on the luggage rack.
- Keep the aisle clear.
- Do not talk to the driver except in case of emergency.
- Avoid doing anything that might disturb or interfere with the driver. Refrain from loud or boisterous talking or yelling.
- Never stick hands, arms, head or feet out of the windows of the bus.
- Do not open windows without the driver's permission.
- Do not throw anything within the bus or out of a window; you might injure a pedestrian or force a motorist to make a dangerous maneuver.
- Do not touch the emergency door or exit controls or any of the bus safety equipment.
- Do not discard refuse in the bus.
- Eat at home or school, but not on the bus.
- Obey promptly the directions and instructions of the school bus driver.
- Consequences for school bus stop misconduct will apply to all regular and late routes. Decisions regarding a student's eligibility to ride the bus in connection with co-curricular and extra-curricular events (for example, field trips or competitions) will be at the sole discretion of the school district. Parents or guardians will be notified of any suspension of bus privileges.

Prohibited items:

- Tobacco is not allowed in a school bus.
- Alcoholic beverages shall not be carried onto a school bus.
- Insects, reptiles, or other animals shall not be transported in a school bus with the exception of Service Animals.
- No weapon, explosive device, harmful drug, or chemical shall be transported in a school bus.

Exit from the bus:

- Remain seated until the bus has reached its destination and comes to a complete stop.
- Do not push or crowd when leaving the bus.
- No fighting, harassment, intimidation or horseplay.
- After getting off the bus, move away from the bus.

Crossing the highway:

- If you must cross the road, walk to appoint about ten (10) feet in front of the bus but do not cross until you can see the driver has indicated that it is safe to do so.
- As you cross the road, look continuously to the right and left. At an intersection, look in all directions.

- Cross at right angles to the highway. Never cross the highway diagonally.
- Walk briskly across the road, but do not run.
- Never cross the road behind the bus.
- Accident or another emergency:
- In case of an accident or emergency, older students should help the driver to maintain order and assist younger students.
- Stay in the buss unless otherwise directed by the driver.
- If you have to leave the bus, stay in a group and obey the driver's instructions.
- Do not expose yourself or others to needless hazard.
- Medical needs for students with disabilities are to be handled in accord with the individualized educational program (IEP).
- All medications required by disabled students will be carried and administered by the person and means designed by the IEP.

All medication transportation shall be prearranged and be subject to a prior health management plan being prepared if for purposes of possible use on the transportation.

Consequences for misconduct:

- Emergency removal of a student from the bus may occur if the student endangers or reasonably appears to endanger the health, welfare, or safety of themselves, any other person, student, teacher, or employee. The driver must contact the school administration for approval of any emergency removal and file a written behavioral report within twenty-four (24) hours with a copy sent to the parents of the removed child.
- Consequences for bus misconduct are to be handled by the Principal of the school of attendance in accord with the minimal due process procedure including an opportunity to be heard. Exception: Students with individual educational programs or 504 accommodation plans including transportation will be referred to the team responsible for preparing the program. Such plans or programs shall include procedures for discipline and emergency removal for violation of bus conduct rules. A student may use policy JII Student Concerns, Complaints, and Grievances to make a complaint regarding transportation.

Procedures followed upon student misbehavior on school bus:

- When a student misbehaves on a bus for the first time, the driver will explain to the offender the necessity for good behavior.
- If, after talks and warnings, the rider continues to violate the rules, the driver will inform the student that the rule violation will be reported to the principal. This report will include the use of a written form that lists the offense and the action taken by the principal.

- Upon receiving the complaint, the principal will then call the student to the office and warn the student that the parents must be notified that the student may be put off the bus or suffer other consequences if misbehavior reoccurs.
- If poor conduct continues, the driver will again report the incident to the principal. After discussion with the child the consequences will be determined.
- When a student is not allowed transportation by school bus, the principal will inform the parents of the penalty, the reason for it, and how long the penalty will last. In such cases, the parents become responsible for seeing that their child gets to and from school safely/ Parents, community members, and others may submit complaints regarding transportation issues by completing the forms provided with Policies KE through KED. These can be obtained through the school website or from the school office.
- A student who is put off one (1) bus will be refused transportation by all drivers for the specified period of time.

Possible reporting outcomes:

- 1st report: Student will be placed on probation and the parent/guardian will be notified that further behavior infractions may result in disciplinary action up to or including loss of ridership privileges.
- 2nd report: Student may be suspended from the bus for a minimum of 1 day or suffer other consequences dependent upon the seriousness of the offenses reported.
- 3rd report: Meeting with parent/guardian. Possible loss of bus ridership privileges for an extended period.

Other Discipline:

Depending on the nature and number of the offenses, consequences such as loss of transportation privilege, suspension or expulsion from school also may result from school bus stop misconduct.

Records:

Records of school bus stop misconduct will be forwarded to the individual school building and will be retained in the same manner as other student discipline records. Reports of serious misconduct may be provided to law enforcement.

Vandalism / Bus Damage:

Students damaging school buses will be responsible for the damages. Failure to pay such damages (or make arrangements to pay) may result in the loss of bus privileges or other disciplinary sanctions until damages are paid.

Notice:

Students will be given a copy of school bus rules and the responsibilities and behavior standards for bus riders before the end of the first full week of school or when a child enrolls, if this occurs during the school year. The rules will also be posted on each bus.

Criminal Conduct:

In cases involving criminal conduct (for example, assault, weapons, possession or vandalism), the Superintendent, local law enforcement officials and the Department of Public Safety may be informed.

Parent/Guardian Responsibilities for Transportation Safety

- Provide the school office with proper student information including the home address, the home telephone number, and the telephone number at which the parent/guardian may be reached in the event of an emergency.
- Provide the school office and the transportation office with accurate information regarding student name, address, phone number, emergency information and day care information. Remember to immediately notify the school office of any changes.
- Instruct children to be at the school bus stop at least 5 minutes before the scheduled pick-up time and not to arrive at the bus stop substantially more than 10 minutes prior to the scheduled pick-up time.
- Remain alert to impending weather patterns and have your child properly clothed for the current weather conditions.
- Consider in advance how long your child should wait at pick-up locations during conditions of extreme cold or extreme wild-chill conditions.
- Both parents and students should know the school name and the route number of the bus. Students in K-2 should have a “bus tag” fastened to their book bag or backpack containing the route, stop and child’s name and contact information.
- Provide the child with a book bag or backpack for books and loose papers, pencils, etc.

Parent and Guardian Notification:

A copy of the school district school bus stop rules will be provided to each family at the beginning of the school year or when a child enrolls, if this occurs during the school year. Parents and guardians are asked to review the rules with their students.

School Bus Driver Duties and Responsibilities:

All school bus drivers shall be adequately prepared, both physically and mentally, each day to perform required duties. These shall include:

- Operating the vehicle in a safe and efficient manner.
- Wearing the driver's seat belt whenever the bus is in motion.
- Safety. The primary concern of each driver is safety. Drivers will exercise extreme caution during the loading and unloading process as well as when driving.
- Defensive Driving. All drivers are to drive defensively at all times. A definition of defensive driving is: driving in a manner to avoid accident involvement despite adverse conditions created by roads, weather, traffic or errors of other drivers or pedestrians.
- Driving Adjustments. Winter and wet weather conditions require adjusting speed and normal driving practices to compensate for road conditions.
- Emergency Doors. Emergency doors must be free and operable. Under no circumstances may the doors be obstructed to prevent easy access.
- Service Door. The service door of the bus must be closed at all time while the bus is in motion.
- Overloads. The registration card in all vehicles designates the maximum number of passengers allowed. This limit cannot be exceeded. A driver should call the dispatch office for instruction should a vehicle become overloaded.
- Railroad Crossings. All vehicles must stop at railroad crossings, using required procedures, whether they are loaded or empty. Drivers shall not activate the eight-way lights. Four-way hazard lights are to be used before stopping and when crossing the tracks.
- Speeding and other Moving Violations. No bus will travel faster than road, traffic and weather conditions safely permit, regardless of the posted speed limit. Any driver convicted of a moving violation with a school bus will face disciplinary action. Other reports or warnings regarding speeding will result in suspension and / or termination.

Conducting thorough pre-trip and post-trip inspections of the vehicle and special equipment.

- Bus Inspection. Drivers are required to make a pre-trip inspection of the bus before each trip. Failure to do so is a violation of State law. Defects are to be reported in writing. Drivers are required to check their buses for students, vandalism and articles left on the bus after each route segment.
- Safety Equipment. All drivers are responsible for ensuring that the necessary safety equipment is aboard the bus, including fire extinguisher, first aid kit, bodily fluids clean-up kit, flashlight, reflectorized emergency warning device, and any additional items required by the district. Drivers of vehicles for disabled students will ensure all student health information cards are on board the bus.
- Bus Cleaning. Drivers are required to keep the interior of their buses swept and free of trash at all times.

- **Fueling.** The driver is responsible for ensuring that his or her assigned vehicle is adequately fuel before leaving the yard. Smoking is prohibited in the fueling area. The engine shall be turned off while fueling. It is against the law to fuel with passengers aboard.

Ensuring the safety, welfare and orderly conduct of passengers while on the bus.

Meeting emergency situations in accordance with operating procedures.

Communicating effectively with school staff, students, parents, law enforcement officials and the motoring public.

- **Relations with Students.** Bus drivers will treat students with respect and will refrain from any conduct which is intended or could be perceived as demeaning, intimidating or harassing.
- **Relations with School Officials.** School officials can and will be of considerable assistance to drivers. They are trained in the education of students and it is in their best interest that control and discipline be maintained on the bus. Therefore, it is very important drivers have good relationships with the school officials and give them full cooperation.
- **Relations with the Public.** It is important to remember that to the general public, the driver represents the school district. Buses are one of the most visible vehicles on the road. Drivers must deal with students, parents, and other motorists in a polite, professional and considerate manner.
- **Student Discipline.** Although drivers are responsible for maintaining order on the bus, drivers must always remember that the types of actions they may use are governed by school district policy.
- **Route Changes.** Drivers may not make changes in the pick-up or drop-off schedule for his or her route without prior authorization. Bus stops may not be added, deleted or moved without approval. Drivers may not deviate from the established route without prior permission except as required by an emergency or temporary road conditions.
- **Route Problems.** Any problems, of whatever kind, encountered by a driver on the routes or trips should be brought to the attention of the Dispatch Office or the transportation supervisor as soon as possible.
- **Unauthorized Passengers.** Only authorized passengers may be transported in a bus. Any other passenger must be specifically approved by a school administrator.
- **Notices.** It is the responsibility of the driver to check for notices each day and to check with his or her supervisor regularly.

Completing required reports.

- It is the responsibility of the driver to completely fill out and turn in all reports, discipline referrals, time cards, and mechanical defect slips as required. This includes all requirements pertaining to pre-trip inspections and stop-arm violation reports.

Completing required training programs successfully.

Providing maximum safety for passengers during loading and unloading.

- Standees Prohibited. Standees are not allowed on a moving school bus. Drivers must not move a bus from a stopped position until all passengers are seated. Students are to remain seated until the bus has stopped.
- Dangerous articles. No weapons or articles that may be classified as dangerous, may be transported on a school bus. This includes any and all weapons, gasoline cans, animals, and other dangerous or objectionable items. Possession of weapons on school property or the bus will not be tolerated. Service animals are allowed.

Adopted: June 19, 2018

EXHIBIT**EXHIBIT**

**STUDENT TRANSPORTATION
SCHOOL BUS INCIDENT REPORT**

Bus No._____
Driver's Name_____
Date_____
Type of Incident_____
Student's Name

Incident:

☐ Failure to remain seated
☐ Refusing to obey driver
☐ Fighting
☐ Profanity
☐ Lighting matches
☐ Smoking on the bus
☐ Throwing objects out of bus

☐ Throwing objects on the bus
☐ Hanging out of the window
☐ Spitting
☐ Disobeying bus monitor
☐ Bothering others (see comment)
☐ Vandalism
☐ Other (see comment)

Comments: _____

Signature: _____ Date: _____

Action taken by school: _____

Signature of School Official: _____

ELIGIBILITY FOR BUS TRANSPORTATION /
WALKERS AND RIDERS

The Board authorizes the administration to provide regular school bus transportation to and from school for the following categories:

- Students with disabilities who require transportation, as indicated in their respective individual education programs including three (3) and four (4) year-old developmentally disabled children.
- Students living within a two (2) mile radius of the school where hazardous or difficult routes exist and where other arrangements cannot be provided.
- Students who are residents within a school attendance area and:
 - If students in grades kindergarten through six (6), live more than one (1) mile from the school.
 - If students in grades seven (7) through nine (9), live more than a mile and a half (1 1/2) from the school.
 - If students in grades ten (10) through twelve (12), live more than two (2) miles from the school.
- Transportation for homeless students to their school of enrollment, if it is the school of origin, will be arranged as needed by the school liaison for those students.

Upon proof of need by the Superintendent and as specified in statute 22-16-4 NMSA up to six (6) students whose residences are five (5) or more miles from their school or schools of enrollment, may be transported to and from school by means of a school owned sport utility vehicle, driven by a school employee certified activity driver, in accord with the safety rules of the Public Education Department. If an SUV is proven necessary, reference procedures

in 6.41.4.9 NMAC C3 and NMAC A through K for General Requirements before establishment of the route.

Transportation Zones

The following stipulations will define bus transportation zones and other items that may affect students in open enrollment.

Student(s) who select the freedom of choice alternative in school attendance, and commute from one zone to another must provide individual means of transportation. The District assumes no responsibility in freedom of choice transportation endeavors nor will the District provide transportation for the students.

Transfers must be made at the beginning of a semester. If an emergency arises or reasonable justification can be provided, the school principal will review the request. In the event the principal negates the request, the matter may be presented to the Superintendent and ultimately to the Board for a decision. Transfer students will be expected to remain in the school of their choice until the close of the semester in which they are enrolled.

The Kirtland transportation zone shall encompass the area from the Farmington School District on the east, to the Hogback Diversion Dam on the west. The southern boundary is Navajo Tribal Grazing District 13, Unit 3 boundary line. The northern boundary is the Colorado State Line. This zone includes students prekindergarten (PK) through grade twelve (12).

The Shiprock transportation zone is bounded by the Hogback Diversion Dam on the east, the Arizona State Line on the west, the Colorado Line on the north and the former radio tower south of Table Mesa to the south. This zone includes students prekindergarten (PK) through grade twelve (12).

The District is transporting students from the Newcomb attendance area to schools in Shiprock. This practice was established several years ago. The District will discontinue this practice, and it will be phased out in order to comply with Board Policy. Effective with the 1999-2000 school year, no additional students residing in the Newcomb attendance area will be transported outside the attendance area, subsequent to adoption of this policy on September 21, 1999. Any student residing in the Newcomb attendance area who is currently transported to schools in the Shiprock area will be allowed to continue attending schools in Shiprock, including transportation, until they have graduated, enrolled elsewhere, or have been withdrawn. A student who has been

withdrawn or enrolled elsewhere is no longer eligible for transportation to schools in the Shiprock attendance area. The Transportation Department will maintain a list of students eligible to continue with this practice and will share this information with the Superintendent and/or other members of the administration

Newcomb transportation zone extends from the former radio tower south of Table Mesa on the north, to the Sheep Springs Trading Post on the south, from the Arizona State Line on the west and to the Navajo Reservation line to the east. This zone includes students prekindergarten (PK) through grade twelve (12).

The Naschitti transportation zone extends from Sheep Springs Trading Post on the north, to the McKinley County Line on the south, from the Navajo Reservation line on the east and to the Arizona State Line on the west. This zone includes students prekindergarten (PK) through grade six (6). Students from grades seven (7) through twelve (12) will attend Newcomb Schools.

Students may be denied enrollment in a school out of their attendance boundary if the school of their choice is overcrowded.

Adopted: June 19, 2018

LEGAL REF.: 22-16-4 NMSA (1978)
 22-12-10 NMSA (1978)
 6.41.4.9 NMAC
 6.41.4.14 NMAC
 22-13- NMAC
 42 U.S.C. 11301, McKinney-Vento Homeless Assistance
 Act of 2001

CROSS REF.: EEFAB – Extracurricular Activity Event Driver Requirements
 JFABD - Admission of Homeless Students

SPECIAL EDUCATION STUDENT TRANSPORTATION

(Students with Special Transportation Needs)

If a student with special needs is capable of using the same transportation services as non-disabled students, special education law does not require transportation to be listed as a related service in the Individual Educational Program (IEP).

It must be decided on an individualized basis whether or not a special education student or one with a disability requires transportation as a related serviced in order to receive a free appropriate public education (FAPE). If a student with a disability requires transportation as a related service, the school district must provide it.

Homeless children, those in foster care and those with a disruption in their education as defined in New Mexico statue shall be afforded transportation as indicated in related policies. Transportation for homeless students and foster children to their school liaison or contact person for those students. If additional costs are incurred for this service reference 6.41.4.9 NMAC for alternative sources of funding.

A representative of the district's transportation services or the transportation provider shall be afforded the opportunity to participate in the development of the transportation service required as a part of any of the following student groups:

- Those with an Individual Educational Program (IEP) stipulating the requirement of transportation services.
- Those with health management plans in need of special transportation.
- Those with 504 accommodation plans.
- Homeless students, foster care students and those with disruption in their education to their school of origin or enrollment as necessary.

A plan for implementation of any and all transportation related needs will be prepared and approved for each student to receive such services.

Transportation time to and from school for a student with an IEP shall be comparable to transportation time provided to neighborhood students as a part of the required services. The transportation services to be provided shall be spelled out in the student's IEP or transportation plan including who and how will any required student medication be transported and if necessary applied during transport. Misconduct on student transportation will be in accord with standard procedures unless a change in transportation arrangements (removal of transportation for more than an aggregate of ten (10) days for a student with an (IEP) is contemplated. At that time, matters will be referred to the team responsible for determination of transportation.

See related policies cross referenced below for additional policy issues referent to special needs students.

Adopted: June 19, 2018

LEGAL REF.: 6.41.4.8 NMAC
6.41.4.9 NMAC
6.41.4.11 NMAC
6.41.4.13 NMAC
6.41.4.14 NMAC
34 C.F.R.300.34
34 C.F.R.300.104
34 C.F.R.300.107

CROSS REF.: EE – Transportation Services
EEA – Student Transportation
EEAE – Bus Safety Program
IHB – Special Instructional Programs
IHBA – Special Instructional and Accommodation Programs for
Disabled Students
IMG – Animals in the Schools
JFABD – Admission of Homeless Students
JGC – Assignment of At-Risk Students to Classes and Programs
JLCD – Administering Medications to Students
JIC – Student Conduct
JK – Student Discipline

BUS SAFETY PROGRAM

The safety and welfare of student riders is to be the first consideration in all matters pertaining to transportation. Toward that end, all District transportation department personnel, bus operators, and bus passengers shall comply with the applicable regulations and shall immediately report to the Superintendent any violation of rules or state statutes that threatens the safety of a passenger. A roster of students shall be maintained and updated with information provided by the school office. Bus drivers are to track the students daily bus attendance, and keep and enforce a seating roster in case of emergencies.

Bus evacuation drills shall be conducted and documented at least once each semester, at the school in accord with 6.41.4.9 C2 NMAC and shall include every passenger, driver or support person who rides a school bus and is in school on the day of the evacuation drill.

All vehicles used to transport students shall be maintained in such condition as to provide safe and efficient transportation service with a minimum of delays and disruption of such service due to mechanical or equipment failure. Buses shall be replaced at such intervals as will provide good equipment at all times.

Students shall not be put off the bus until reaching their destination without proper administrative authorization.

Notwithstanding regular state inspections, each school bus shall be inspected by the driver daily, before and after each use, to ascertain that it is in safe condition and equipped as required by all provisions of law, and that all equipment is in good working order. Additionally, the drivers, bus assistants, substitute assistants and activity vehicle drivers shall perform the responsibilities as enumerated in 6.41.4.11 NMAC and 6.41.4.14 NMAC.

All school buses used to transport students on school bus routes and LEA-sponsored activities shall meet requirements pursuant to 6.40.2. NMAC and the state of New Mexico guide for school bus maintenance and safety audit program, school bus inspection guide. Regulation 6.41.4.12 NMAC shall, as it relates to safety and equipment, become a part of this policy by reference.

Each driver of a District-owned or District-contracted school bus, as defined by and covered by the Commercial Motor Vehicle Safety Act of 1986, will conform to all

requirements of said act and such statutes and regulations as may govern the operation and maintenance of the vehicle including the New Mexico guide for school vehicle maintenance and safety audit program.

Adopted: June 19, 2018

LEGAL REF.: 6.40.2.. NMAC
 6.41.4.8 NMAC
 6.41.4.9 NMAC
 6.41.4.11 NMAC
 6.41.4.12 NMAC
 6.41.4.13 NMAC
 6.41.4.14 NMAC

LEGAL REF.: EE – Transportation Services
 EEA – Student Transportation
 EEAEA – Bus Driver Requirements, Training and Responsibilities

REGULATION**REGULATION****BUS SAFETY PROGRAM****(Emergency Plan of Action)**

To be provided to each driver.

Fire.

In the event of a fire, the first priority is to evacuate the bus. Drivers will make certain passengers are safe and accounted for before attempting to put out the fire using on board safety equipment.

Injuries/Medical Emergencies.

Drivers will be familiar with first aid and CPR procedures. Drivers should first contact the dispatcher to call 911 in the case of serious injuries. Drivers should administer proper first aid in accordance with their training and level of ability. In the event an injured passenger is taken to the hospital, record the students name and the name of the hospital where the student is sent.

Tornado.

If there is likelihood that a tornado or similar wind event will hit a vehicle, and there is no escape route available or no time to drive to a safe location, the driver should evacuate the bus, taking the first aid kit. The driver will take the students to the basement of a nearby building or to the nearest depression or ditch upwind (toward the storm) of the bus far enough away from the bus so that the bus will not roll over on them. Instruct the students to cover their heads with their arms. If the students are wearing coats or jackets, these can be used to provide additional protection for their heads and bodies. Drivers should take only the first aid kit and roster of students from the bus.

If drivers are on the road when they hear a tornado warning or spot a funnel, and there is not time to evacuate the students after stopping the bus, drivers should have the students assume the protective position, remaining in their seats, with their heads below window level.

Evacuation.

Drivers should evacuate buses only when there is a danger of fire, collision or other potential hazard. Drivers should inform passengers that there is an emergency, and in very calm and precise terms, tell them exactly what they are to do. When safely possible, drivers will keep

all evacuees a minimum of 100 feet from the bus. They should be loaded back onto the bus only when the driver has determined it is safe to do so.

Accident.

In case of an accident, the driver should immediately assess students for injuries and begin any emergency first aid procedures if necessary. The driver must also notify the school district and law enforcement of any school bus accidents immediately.

Upon providing emergency care and notifying the district, the driver shall:

- In cooperation with police officer and/or ambulance service, assist with the care of students.
- See that all injured students receive proper care.
- Determine facts pertaining to the accident.
- Call transportation/district staff to give a list of names of students and circumstances so they can begin calling parents.
- Discuss the accident only with police and school district officials.
- Record all students' names in the accident log form.
- Not leave the scene of an accident until released by the driver's supervisor.

Before leaving for the day, the driver shall fill out an accident report.

If a driver is stuck or stalled in cold weather, the driver should call for assistance and wait for help. The driver should avoid relying on the engine to provide heat for the driver and passengers as long as possible. If it is necessary to run the engine to provide heat, the driver will make sure the exhaust pipe is clear of snow, open windows for ventilation, and check passengers frequently for headaches or drowsiness.

Dangerous Weapons

If a driver observes or learns that a passenger may have a dangerous weapon on the bus, he or she should remain calm and call for assistance using a pre-determined code. The driver should give the location of the bus to the dispatcher, continue the route and wait for assistance. The driver should not inform the passenger suspected of having the weapon that he or she knows of the weapon. Follow the directions of those providing assistance as to when and where to stop and what to do next.

Lights.

In an emergency stop, the driver should turn on the four-way hazard warning lights, and running or clearance lights.

Obtaining Assistance.

The driver should use the communications system to obtain assistance. Drivers should report the location and number of the bus, the nature of the problem, and the status of the passengers. If the driver cannot contact the dispatcher, he/she should ask a passerby or other motorist to do so from the nearest telephone. The driver should record the number and location of the school bus, the nature of the emergency, and the status of the passengers for the person providing the communication.

BUS DRIVER REQUIREMENTS, TRAINING, AND RESPONSIBILITIES

Bus drivers and support staff employed by the District or employed by contractors who provide transportation services to the District shall comply with applicable provisions of the Commercial Motor Vehicle Safety Act of 1986 and all applicable requirements of the state of New Mexico. Additionally, bus drivers and bus support personnel, where appropriate, shall perform their regulations, department regulations, and district policies. Regulations 6.41.4.11 NMAC through 6.41.4.13 NMAC are made a part of this policy by reference as a means of emphasizing safety, records requirements, and safety equipment as they apply to all drivers and assistants.

Bus drivers and substitutes shall also maintain and provide their employer with a copy of the following:

- A current CDL with appropriate class and endorsements.
- A current DOT medical examiner's certificate in compliance with federal and state CDL licensing requirements.
- A driving record obtained through the New Mexico motor vehicle division or the national drivers register or other states' motor vehicle division and printed annually; and
- A current first aid and CPR certificate which has been obtained from a course approved by the department.

School Bus Assistants and substitute assistants shall maintain and provide their employer with a copy of the following:

- A current first aid and CPR certificate pursuant to the requirements in Paragraph A of 6.41.4.13 NMAC; and
- A physical examination renewed every 24 months from the date of the last examination or before as specified by a licensed medical professional.

In-service Training: To remain qualified, school bus drivers, substitute school bus drivers, school bus assistants, and substitute school bus assistants shall complete a total of eight hours per semester of in-service training that has been approved by the transportation administrator, person who do not complete the required hours of in-service training are disqualified from duty until those hours of in-service training are completed.

Adopted: June 19, 2018

LEGAL REF.: 6.41.4.11 NMAC
6.41.4.12 NMAC
6.41.4.13 NMAC

CROSS REF.: EE – Transportation Services
EEA – Student Transportation
EEAE – Bus Safety Program

DRUG AND ALCOHOL TESTING OF TRANSPORTATION EMPLOYEES

The District is committed to the establishment of a drug and alcohol misuse prevention program that meets or exceeds all applicable requirements of the Omnibus Transportation Employee Testing Act of 1991 (Omnibus Act). All statements in this document will be interpreted so as to conform to the Department of Transportation rules.

Each employee of the District who is required to have a commercial driver's license (CDL) for performance of job functions shall be prohibited from:

- Reporting for duty or remaining on duty to perform safety-sensitive functions as defined in 49 CFR 382.107 while having an alcohol concentration of 0.04 or greater. [49 CFR 382.201]
- Being on duty or operating a commercial motor vehicle (school bus) while the driver possesses alcohol, unless the alcohol is manifested and transported as part of a shipment. This includes the possession of medicines containing alcohol (prescription or over-the-counter), unless the packaging seal is unbroken. [49 CFR 382.204]
- Using alcohol while performing safety-sensitive functions. [49 CFR 382.205]
- Performing safety-sensitive functions within eight (8) hours after using alcohol. [49 CFR 382.207]
- Using alcohol within four (4) hours following an accident or prior to undergoing a post accident alcohol test, whichever comes first. [49 CFR 382.299]
- Refusing to submit to an alcohol or controlled substance test as required under post-accident, random, reasonable suspicion or follow-up testing requirements in DOT rules. [49 CFR 382.211]

- Reporting for duty or remaining on duty, requiring the performance of safety-sensitive functions, when the driver uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle. [49 CFR 382.213]
- Reporting for duty, remaining on duty, or performing a safety-sensitive function if the driver tests positive for controlled substances. [49 CFR 382.215] A driver will inform the supervising administrator of any therapeutic drug use. [49 CFR 382.213]

Drugs as used in this policy refers to controlled substances as covered by the Omnibus Act and to drugs circumscribed by the New Mexico Revised Statutes.

All drivers shall be subject to preemployment/pre-duty drug and alcohol testing, including reasonable suspicion, random, and post-accident testing in accord with the regulations of the Omnibus Act. If applicable, return to duty and follow up testing shall be required in accord with regulations of the Omnibus Act. [49 CFR 382.301 *et seq.*]

All offers of employment with the District for drivers will be made contingent upon preemployment test results. An applicant testing positive for alcohol or controlled substances will not be employed. [49 CFR 382.505]

Each driver who engages in the conduct prohibited herein shall:

- Be advised of resources available to the driver in evaluating and resolving problems associated with drug or alcohol use, including the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs.
- Be evaluated by a substance abuse professional, who shall determine what assistance, if any, the employee needs to resolve drug or alcohol problems.
- Before return to duty in a safety-sensitive position, undergo a return-to-duty alcohol test with a result indicating less than 0.02 or a substance test with a verified negative result.

- If identified as needing assistance by a substance abuse professional, be evaluated by a substance abuse professional to determine if that driver has properly followed any rehabilitation program prescribed, and be subject to unannounced follow-up tests following return to duty in accord with federal regulations. [49 CFR 382.605]

The District shall assume the cost for the initial evaluation by a substance abuse professional to determine what assistance, if any, the employee needs in resolving problems associated with alcohol misuse and controlled substances use. Evaluation and rehabilitation of the employee, if the employee is allowed to return to work in any position, shall be in accordance with 49 CFR 382.605 and by a substance abuse professional paid by the employee.

The Superintendent is responsible for supervision of the District drug and alcohol misuse prevention program. The Superintendent will develop procedures for the implementation of the program in compliance with the applicable provisions and regulations of the Omnibus Transportation Employee Testing Act of 1991.

Adopted: January 12, 2017

LEGAL REF.: 49 U.S.C. 31306, (Omnibus Transportation Employee Testing Act of 1991)
49 C.F.R. Part 40
49 C.F.R. Part 382
49 C.F.R. Part 395

CROSS REF.: GBEC - Drug-Free Workplace
GBECA - Nonmedical Use or Abuse of Drugs or Alcohol

REGULATION**REGULATION****DRUG AND ALCOHOL TESTING OF
TRANSPORTATION EMPLOYEES****Circumstances Under Which Tests****For Drivers Are to Be Given**

All information obtained in the course of testing of drivers shall be protected as confidential medical information. Except as required by law or expressly authorized or required in 49 CFR 382.405, no information that is to be maintained pursuant to 49 CFR 382.401 shall be released.

Random:

- A minimum of fifty percent (50%) of drivers shall be tested annually for drugs and twenty-five percent (25%) of drivers shall be tested annually for alcohol, subject to the Federal Highway Administration's administrator raising or lowering the annual percentage rate in accordance with regulations. [49 CFR 382.305] Random testing selection shall be as follows:
 - Employees are to be placed in and remain in a pool for random selection.
 - A valid random selection procedure will be used.
 - Tests will be given at least once each quarter.
 - Dates of testing will not be announced.
- Random drug and alcohol testing may be combined. For example, when testing at fifty percent (50%) drug random rate and twenty-five percent (25%) alcohol

random rate, half of the randomly selected drivers chosen for testing could be tested for both drugs and alcohol, while the rest could be tested only for drugs.

Post-accident:

- Drivers are required to submit to drug and alcohol testing as soon as possible following a "Department of Transportation (DOT) accident" that involves the loss of human life or for which the driver receives a citation under state or local law for a moving traffic violation arising from the accident. [49 CFR 382.303]
- A *DOT accident* is defined as an occurrence involving a commercial motor vehicle operating on a public road that results in:
 - A fatality; *or*
 - Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; *or*
 - One (1) or more motor vehicles incurring disabling damage as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle. [49 CFR 390.5]
- If a driver is seriously injured and cannot submit to testing at the time of the accident, the driver shall provide the necessary authorization for obtaining hospital reports and other documents that may indicate whether there were any drugs or alcohol used by the driver prior to the accident. [49 CFR 382.303]
- A driver who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the District to have refused to submit to testing. Nothing in this section shall be construed to require the delay of necessary medical treatment or to prohibit the driver from leaving the scene of an accident for a period necessary to obtain assistance in responding to the accident, or to obtain necessary medical care. [49 CFR 382.303]
- No driver required to take a post-accident alcohol test shall use alcohol for eight (8) hours following the accident, or until the driver undergoes a post-accident alcohol test, whichever occurs first. [49 CFR 382.303]

- The following actions are to be taken in a post-accident testing situation:
 - Treat injuries.
 - Work with law enforcement officials.
 - Explain the need for testing.
 - Obtain the driver's permission for testing, if possible.
 - Work with the medical facility to obtain the necessary documents and test information.
 - Collect specimens promptly.
 - Document events.

The results of a breath or blood test for the use of alcohol or a urine test for the use of drugs conducted by federal, state, or local officials having independent authority for the test shall be considered to meet the requirements for postaccident testing if the results are obtained by the School District. [49 CFR 382.305]

Reasonable suspicion:

- *Reasonable suspicion* is defined to mean that the District believes the behavior, speech, body odor, or appearance of a driver while on duty are indicative of the use of alcohol and/or controlled substances. The conduct must be witnessed by a supervisor or District official trained in the detection of probable alcohol and drug use by observing indicators in a person's appearance, behavior, speech, and performance, in accordance with 49 CFR 382.603. If it is at all possible, the witness should not conduct the alcohol test, in order to prevent the introduction of bias to the testing procedure.
- Alcohol testing is authorized only if the observations are made during, just before performing, or just after performing a safety-sensitive function. A written record shall be made of the observations leading to an alcohol and/or controlled substance test. This record is to be signed by the supervisor who made the observations.

- If a reasonable suspicion alcohol test is not administered within two (2) hours following the observations, the witness shall prepare and maintain on file a record stating the reasons the alcohol test was not administered promptly. In addition, if not administered within eight (8) hours, all attempts to administer the test shall cease. A record shall be prepared and maintained stating why the alcohol test was not administered. [49 CFR 382.307]
- Reasonable suspicion testing should include the following considerations:
 - Focus on safety.
 - Verify reasonable suspicion if possible.
 - Observe the employee's appearance, behavior, speech, and performance.
 - Inform the employee in private of any suspicion.
 - Inquire in private about any observations or suspicions.
 - Review the findings.
 - Upon concluding that reasonable suspicion exists, transport the employee to a testing site.
 - Document events.

Return-to-duty testing:

- A driver who has been prohibited from performing a safety-sensitive function after engaging in conduct regarding alcohol misuse or controlled substance use prohibited by U.S. Department of Transportation regulations, and before returning to duty, shall undergo a return-to-duty test, which must indicate a concentration of less than 0.02 for breath alcohol and/or a negative result for controlled substances. [49 CFR 382.309 and 382.605(C)]
- When a driver has been determined to be in need of assistance in resolving problems associated with alcohol misuse and/or controlled substance use, the driver will be subject to unannounced follow-up alcohol and/or controlled substance testing. The driver will be subject to a minimum of six (6) follow-up tests in the

first twelve (12) months. The follow-up testing period shall not exceed sixty (60) months. Follow-up testing for alcohol shall be administered only when the driver is performing, just before performing, or just after performing a safety-sensitive function. [49 CFR 382.311 and 382.605(C)]

Referral:

- Each driver who engages in conduct prohibited by 49 CFR 382.201 *et seq.* shall be evaluated by a substance abuse professional, who shall determine what assistance, if any, the employee needs in resolving problems associated with alcohol misuse and controlled substance use. [49 CFR 382.605]

Driver Training

A copy of materials explaining the requirements of the Omnibus Act and the District's policies and procedures with respect to meeting such requirements will be distributed to each driver prior to the start of alcohol and controlled substance testing and to each driver hired or subsequently transferred into a driving position. The District shall provide written notice to representatives of employee organizations of the availability of this information. [49 CFR 382.601]

These materials shall include detailed discussions of at least the following:

- The identity of the person designated to answer employee questions about the materials.
- The categories of employees subject to this part of the regulation.
- Sufficient information about safety-sensitive functions performed by such drivers to make clear what part of the work day a driver must be in compliance with the rule.
- Specific information concerning driver conduct that is prohibited by the rule.
- The circumstances under which a driver will be tested for alcohol and/or controlled substances by rule.
- The procedures that will be used to test for the presence of alcohol and controlled substances, to protect the driver and the integrity of the testing processes, to

safeguard the validity of the test results, and to ensure that the results are attributed to the correct driver.

- The requirement that the employee submit to alcohol and controlled substance tests administered in accord with Omnibus Act regulations.
- An explanation of what constitutes a refusal to submit to an alcohol or controlled substance test and the attendant consequences.
- The consequences for drivers found to have violated the rule, including requirements for removal from duty.
- Consequences for a driver having a concentration of 0.02 but less than 0.04 in a breath alcohol test.
- Information concerning the effects of alcohol and controlled substance use on an individual's health, work, and personal life; signs and symptoms of an alcohol or controlled substance problem (the driver or a co-worker); and available methods of intervention, including confrontation and referral. [49 CFR 382.601]

Policies, regulations, and consequences based on the District's independent authority outside of the Omnibus Act shall be presented and clearly and obviously described as being based on independent authority [49 CFR 382.601]. All such references shall be placed in bold within the document and shall contain applicable statutory citations.

Each driver must provide a signed receipt for the materials. [49 CFR 382.401(c)(5)(iii)]. Written notice of the availability of this information shall be provided to representatives of employee organizations. [49 CFR 382.601(a)(2)]

Supervisor Training

Persons designated to determine whether reasonable suspicion exists to require a driver to undergo reasonable-suspicion testing shall receive at least sixty (60) minutes of training on alcohol misuse and at least an additional sixty (60) minutes of training on controlled substance use. The training shall cover the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances. [49 CFR 382.603]

EXHIBIT**EXHIBIT**

**DRUG AND ALCOHOL TESTING OF
TRANSPORTATION EMPLOYEES
(Records Retention)**

The District shall maintain records of its alcohol misuse and prevention program in a secure location with controlled access. The records are to be kept as indicated below.

How long is the employer required to keep records? [49 CFR 382.401(c)(1)]

- *Five years:*
 - Records of alcohol test results showing concentrations of 0.02 or more.
 - Records of driver-verified positive controlled substance tests.
 - Documentation of refusals to take required tests.
 - Calibration documentation.
 - Driver evaluation and referrals.
 - A copy of each annual calendar year summary.
- *Two years:*
 - Records related to the alcohol and controlled substance collection process and training.

- *One year:*
 - Records of negative and canceled drug test results and alcohol test results with concentrations of less than 0.02.

What types of records must be kept?

- *Records relating to the collection process, as follows[49 CFR 302.401(c)(1)]:*
 - Collection logbook, if used.
 - Documents relating to the random selection process.
 - Calibration documents for evidential breath testing devices.
 - Documentation of breath alcohol technician training.
 - Documents regarding decisions to administer reasonable-suspicion tests.
 - Documents regarding decisions of post-accident tests.
 - Documents verifying existence of a medical explanation of the inability of a driver to provide an adequate breath or urine specimen for testing.
 - Consolidated annual calendar year summaries as required by 49 CFR 382.403.
- *Records relating to driver's test results [49 CFR 382.401(c)(2)]:*
 - Employer's copy of alcohol test forms, including the results of the test.
 - Employer's copy of drug test chain of custody and control form.

- Documents sent by the medical review officer (MRO) to the employer, including those required by 49 CFR 382.407(a).
 - Documents related to refusal by any driver to submit to a drug or alcohol test required by the rules.
 - Documents presented by a driver to dispute the results of an alcohol or substance abuse test required by the rules.
- *Records related to other violations.*
 - *Records related to evaluations:*
 - Records pertaining to a determination by a substance abuse professional (SAP) concerning a driver's need for assistance.
 - Records concerning a driver's compliance with recommendations of the SAP.
 - *Records relating to education and training:*
 - Materials on alcohol misuse and drug use awareness, including a copy of the employer's policy on both.
 - Documentation of compliance with the requirements of 49 CFR 382.601, including the driver's signed receipt for materials.
 - Documentation of training provided to supervisors for determining the need for reasonable-suspicion testing for alcohol misuse or use of controlled substances.
 - Certification that any training that has been conducted complies with the requirements for such training.

- *Records relating to drug testing:*
 - Agreements with the collection site facilities, laboratories, medical review officers, and consortia.
 - Names and positions of officials and their roles in the employer's alcohol and controlled substance testing program.
 - Monthly laboratory statistical summaries of urinalysis required by 49 CFR 40.29(g)(6).
 - The employer's drug and alcohol testing policy and procedures

How must these records be reported?

- All records must be kept in prescribed form and be supplied to DOT when requested. The District will be notified whether to submit the records. [49 CFR 382.403(b)]

What happens if records are not kept properly?

- Penalties can be severe; for example, just an error in paperwork can mean a fine of up to five hundred dollars (\$500) for each violation.
- Other violations can be penalized as high as ten thousand dollars (\$10,000) per occurrence and loss of federal funding. [49 U.S.C. Section 521(b)]

Where are records to be located?

- All records required shall be maintained as required by 49 CFR 390.31 and shall be made available for inspection at the employer's principle place of business within two (2) business days after a request by an authorized representative of the Federal Highway Administration. [49 CFR 382.401(d)]

What summary records are required?

- The District must prepare by March 15th of each year, and maintain, an annual calendar year summary of the results of all controlled substance and alcohol testing performed during the previous calendar year.
- Each summary that contains verified positive controlled substance test results and alcohol screening tests with concentrations of .02 or greater or any other violations or alcohol misuse must include the following elements:
 - The number of drivers subject to 49 CFR 382.
 - The number of drivers subject to testing under the alcohol misuse or drug use rules of more than one DOT Agency - identified by each Agency.
 - The number of urine specimens collected, by type of test (e.g., random, reasonable suspicion, etc.).
 - The number of positives verified by an MRO for type of test and type of drug.
 - The number of negative drug tests verified by an MRO, by type of test.
 - The number of persons denied a positions as drivers following preemployment verified positive drug testing and/or alcohol testing with concentrations of 0.04 or greater.
 - The number of drivers with MRO-verified positive tests for multiple controlled substances.
 - The number of drivers who refused to submit to alcohol or drug tests required by 49 CFR 382.

- The number of supervisors who have received required alcohol training during the reporting period.
- The number of supervisors who have received required controlled substances training during the reporting period.
- The number of screening alcohol tests, by type of test.
- The number of confirmation alcohol tests, by type of test.
- The number of confirmation alcohol tests with concentrations of 0.02 or greater but less than 0.04, by type of test.
- The number of confirmation alcohol tests with concentrations of 0.04 or greater, by type of test.
- The number of drivers returned to duty, after complying with a SAP's recommendation in this reporting period, who had previously had verified positive drug test results or engaged in prohibited alcohol misuse.
- The number of drivers who were administered drug and alcohol tests at the same time with both verified positive drug test results and alcohol test results with concentrations greater than 0.04.
- The number of drivers who were found to have violated any non-testing prohibition of 49 CFR 382.403(b) and any action taken in response to the violation.
- Each employer with an annual calendar year summary that contains only negative drug test results, alcohol screening test results of less than 0.02, and no other violations may prepare and submit either a standard summary form with information as listed above or an "EZ" report form. The abbreviated "EZ" form requires selected information from the list above. [49 CFR 382.403]

Who may have access to the records?

- The covered employee, to the employee's records, upon written request.
- The employer.
- The Secretary of Transportation, upon request.
- Any DOT agency, upon request.
- Any state or local official with regulatory authority over the employee, upon request.
- Any person or employer, upon the employee's written request.
- National Transportation Safety Board may review postaccident test information upon request and as a part of an accident investigation. [49 CFR 382.405]

Are the records relating to the drug and alcohol testing program confidential?

- Yes; therefore, they are not subject to disclosure under the Inspection of Public Records,—with the possible exception of the Annual Calendar Year Summary once released to the DOT. [49 CFR 382.405]

BUS PURCHASING AND MAINTENANCE

The District and all contractors who provide transportation services to the District shall comply with applicable provisions of the Commercial Motor Vehicle Safety Act of 1986 and all applicable requirements of the state of New Mexico guide for school vehicle maintenance and safety audit program that pertain to vehicle standards, periodic inspection, and maintenance of school buses.

Adopted: January 12, 2017

LEGAL REF.: 22-16-1-NMSA et seq. (1978)

STUDENT CONDUCT ON
SCHOOL BUSES

See policy EEA and Regulation EEA-R

TRANSPORTATION TO STUDENT ACTIVITIES

Planned District sponsored activity trips including co-curricular and extra-curricular activities will be arranged through the transportation department. All such trips outside of the district boundaries using school buses or commercial common carriers shall require a signed authorization for the activity trip to be presented to the bus drivers. Commercial common carrier buses may be used for activity trips as needed per the determination of the transportation department and available funding. Prior to and during work periods all drivers, school bus assistants, and substitute school bus assistants shall not have used and will not use alcoholic beverages, illegal substances, or legal substances which would impair the driver's or the assistant's ability to perform required duties.

Activities of special nature including co-curricular and extra-curricular activities shall be conducted in accord with 6.41.4.8 NMAC D and 6.41.4.9 NMAC T. By reference these sections of the New Mexico Administrative Code shall be considered incorporated into this policy in their entirety.

Students are required to ride to and from school-sponsored activities in District-provided transportation unless other arrangements have been approved by the Superintendent. An exception may be granted for a student to be released to a parent or legal guardian at the completion of the activity if a written request is received and approved by the principal prior to the trip. Students will only be released to persons specified in the request form after provision of satisfactory identification to the person in charge of supervision of the student.

No travel will be scheduled Administrative approval and a plan to incorporate opportunities for rest and relaxation for students, support personnel and drivers. All activity travel must conform to current Department of Transportation (DOT) Regulations regarding on duty, continuous, and total driving time.

School owned activity vehicle driver

This policy shall be interpreted in a manner which is consistent with applicable statutes and regulations adopted by the federal and state governments. In the event of inconsistency, the federal and state adopted requirements shall prevail.

Driver of school vehicles, including activity driver, are not required to obtain a Commercial Driver License (CDL) unless they operate a vehicle that is designed to carry ten (10) or more passengers, including the driver.

The employer shall make available to each driver applicant at the time of hiring a current copy of 6.41.4 NMAC and any applicable district handbooks.

School-owned activity vehicle drivers shall maintain and provide to the employer a copy of the following:

- A current driver's license;
- A current medical examiner's certificate from a physical recorded on the DOT form;
- A driving record pursuant to requirements in Paragraph (3) of Subsection A of 6.41.4.13 NMAC; and
- A current first aid and CPR certificate pursuant to the requirements in Paragraph (4) of Subsection A of 6.41.4.13.NMAC.

The District shall verify the following documentation is in each driver's applicant's file:

- A completed employment application form that meets or exceeds federal, state and department requirements, unless the applicant is currently employees by the LEA;
- Documentation pursuant to requirements listed in Subparagraphs (b), (c) and (f) of Paragraph (1) of Subsection M or 6.41.4.9 NMAC;
- A current medical examiner's certificate indicating that a physical examination was passed using the DOT physical examination form that is current as of the date of the examination. The transportation administrator or the department may require a physical examination be performed at any time. The medical examiner's certificate shall be provided to all appropriate parties.
- A completed New Mexico school-owned activity vehicle driver pre-service training record per the current SBDI or AVI DDC training, a certificate of completion of a DDC completion shall be dated within four (4) years of the driver applicant's date of application; and

All drivers and assistants are to comply with the list of responsibilities indicated in 6.41.4.11 NMAC.

Adopted: June 19, 2018

LEGAL REF.: 6.41.4.8 NMAC
6.41.4.9 NMAC
6.41.4.11NMAC
6.41.4.13 NMAC
6.41.4.14 NMAC

CROSS REF.: EEAE - Bus Safety Program
JIC - Student Conduct
JK - Student Discipline

TRANSPORTATION TO STUDENT ACTIVITIES

(Responsibilities)

6.41.4.11 NMAC provides the responsibilities for any and all drivers whether bus or activity vehicle is driven and may be taken in tact from the New Mexico Administrative Code or made into a check list form. Regardless of the form, the district should make sure each driver has a copy of 6.41.4 NMAC. And that they are aware of 6.41.4.11 NMAC.

STUDENT TRANSPORTATION
IN PRIVATE VEHICLES

During school or school-sponsored functions, students may be transported only in school-approved vehicles operated by District-authorized personnel unless specific approval by the Superintendent has been obtained.

The Board specifically forbids any employee to transport students for school purposes without prior authorization by the Superintendent.

The Board may, subject to regulations adopted by the public education department, provide per capita or per mile reimbursement to a parent or guardian in cases where regular school bus transportation is impractical because of distance, road conditions or sparseness of population or in cases where the local school board has authorized a parent to receive reimbursement for travel costs incurred by having a child attend a school outside the child's attendance zone.

The Superintendent may develop regulations to govern the use of private vehicles for transporting students.

Adopted: June 19, 2018

LEGAL REF.: 22-16-4 NMAC

REGULATION**REGULATION****STUDENT TRANSPORTATION
IN PRIVATE VEHICLES**

The use of a private vehicle for transporting students requires written permission from the Superintendent.

This permission may be in the form of a standing permit for employees who use their own vehicles regularly for school purposes. The permit will state the particular purpose, and whether it includes transportation of students.

For each special trip involving students, including field trips, a special permit must be obtained in advance for the specific trip.

Each employee authorized to use a private vehicle for school business purposes will be required to present proof of insurance to the District.

No student will be sent on school errands with the student's own vehicle, an employee's vehicle, or a District-owned vehicle.

Per Capita Feeder Policy

The transportation department will provide per capita or per mile reimbursement to a parent or guardian in cases where regular bus transportation is impractical because of distance, road condition or sparse population. To be eligible for Per Capita Feeder Route, a pupil must live outside the legal walking distance to the nearest school bus route:

- Kindergarten through grade six (6) - One (1) mile radius.
- Middle School - One and one-half (1.5) mile radius.
- High School - Two (2) mile radius.

The transportation department will approve all agreement(s) made with parents or guardians for per capita feeder services. The agreement(s) will define the term of service, the contract amount, and the responsibilities of the parent. It will be the responsibility of the parent or guardian to transport their students to the bus stop five (5) minutes prior to the scheduled bus arrival and in the afternoon be waiting for the bus to return.

A parent or guardian who has entered the per capita agreement must provide proof of insurance, vehicle registration and driver's license to the transportation department and shall maintain the insurance for the term of the agreement. If the identity of the vehicle or driver changes or number of pupils transported changes, this information must be reported. There will be no reimbursement or back payment for time lapsed if the participant's insurance expires.

The transportation department shall establish the mileage reimbursement rate. This will include the mileage from the home to the bus stop, the return mileage from the bus stop to the home during the day, and the reverse in order to pick up the students in the afternoon. In cases where the student is transported to school by parents and the parent remains in the community or goes to a job, the reimbursement would not apply other than one (1) round trip per day.

The system of accountability will be in place to ensure that services are rendered according to the terms of the agreement. The transportation department will verify student attendance on a monthly basis before payment is issued. The parent's signature on the monthly voucher will assure us that they have transported their child each day to and from. There will be no reimbursement for a day on which the student is not in school.

**BUSINESS AND PERSONNEL
TRANSPORTATION SERVICES
(District Travel Policy)**

Administrative Requirements

Administrators shall be responsible for making certain that the use of school vehicles is not abused inside or outside the District, and it is the responsibility of such administrative personnel to assure that all travel has final approval from the District administration office. Use of private vehicles for school purposes may be approved by the Superintendent only if a school vehicle is unavailable.

Use of School Vehicles

No school vehicle shall be used for personal business, unless the personal business is incidental to a school-related trip. On a space-available basis, an employee's family may be included on an out-of-town trip if approval is granted by the Superintendent. Only Board members or District employees may drive the vehicle. A school vehicle shall not be taken to an employee's home at night unless the employee has permission from the Superintendent.

Use of Private Vehicle

Only when authorized by the Superintendent, a private vehicle may be used at the mileage rate set by the District, and reimbursement for mileage will be given to the owner of the private vehicle. Credit for mileage outside the District will be given for school business only. An employee using a private vehicle for a school trip shall not claim mileage for any purely personal use of the vehicle during said trip.

Accident Report

Any accident (no matter how minor) in a school vehicle or in any private vehicle while on school business is to be reported in writing immediately to the District transportation

office, or to an administrator if the accident occurs after school hours. The business office shall immediately report the accident to the District's insurance company.

Adopted: January 12, 2017

LEGAL REF.: 10-8-1 to 10-8-8 NMSA (1978)

6.20.2.19 NMAC

CROSS REF.: DKC - Expense Authorization/Reimbursement

BUSINESS TRANSPORTATION
RECORDS AND REPORTS

Records and reports will be maintained as mandated by law or rules and as may be necessary to carry out transportation goals and objectives. The records shall be available for inspection by the Superintendent and other authorized officials.

Adopted: January 12, 2017

LEGAL REF.: 22-16-2 NMSA (1978)

6.41.2.9 NMAC

FOODSERVICES

The District may operate a school breakfast or lunch program for each school.

Food services will include lunches, and may include breakfasts, through participation in the National School Lunch Program.

The Board will approve the prices set for school meals.

As required for participation in the National School Lunch Program, the Board prescribes:

- That a school lunch be made available to students.
- That free and reduced-price lunches be provided to students who qualify under federal guidelines.

Students will also be permitted to bring their lunches from home and to purchase beverages.

The Superintendent shall develop and implement procedures as necessary, which are designed to meet the necessary requirements for participation in the National School Lunch Program and for control of students using the cafeteria.

Adopted: January 12, 2017

LEGAL REF.: 22-13-13 NMSA
6.20.2.23 NMAC

REGULATION**REGULATION****FOOD SERVICES**

The District food service program will comply with the following:

- Any student may eat in a school cafeteria.
- A student may bring a sack lunch; milk may be purchased.
- Meal prices for students and adults will be recommended by the food service supervisor, with approval by the Board, at the beginning of each school year.
- Meal prices will be posted in each cafeteria.
- Under federal law, a school that operates on a commodity program is prohibited from serving free meals to adults or employees of the District from the commodity products. All meals for adults where federal commodities are used must be paid for when served.
- A guest must be cleared through the food service supervisor by the host to be eligible to eat in the cafeteria. The host must make arrangements to pay the full price of the meal.
- Food service employees have the right to refuse to serve anyone who is not either employed by the District or cleared through the food service supervisor.
- The cafeteria laundry facilities will be used only for school-sanctioned purposes.
- Facilities used by outside organizations or individuals must have approval from the Superintendent.

- If outside organizations or individuals use the food service facilities, a staff member must be on duty.
- The food service supervisor will develop in-service training programs, approved by the Superintendent, for the food service staff.

EXHIBIT**EXHIBIT**

**FOOD SERVICES
CODE OF STANDARDS**

The duties of any officer, employee, or agent of the District who has occasion to handle school food or monies shall be performed in a manner consistent with good business practices. This shall include prohibition of:

- Solicitation or acceptance of gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements.
- Participation in awards or administration of contracts to firms in which the employee, or any member of the employee's immediate family, has a financial or other interest.

If financial interest is not substantial, or the gift is unsolicited and of nominal intrinsic value, the officer, employee, or agent of the District shall conform to the requirements of Policies BCB, DJ, or GBEAA.

Penalties or other disciplinary actions for infractions will be based on the seriousness of the violations. Disciplinary actions may include, but are not limited to:

- A written disciplinary report filed in the individual's personnel file.
- Suspension of duties.
- Termination of employment.
- Prosecution by legal authorities.

Distribution Instructions

These standards are incorporated into the general operation policy manual of the District and are reviewed regularly by the Superintendent or the Board. Copies of these standards are to be distributed to all personnel who have occasion to handle school food, monies, or supplies, together with their supervisors and program directors.

FREE AND REDUCED – PRICE
FOOD SERVICES

A program of free and reduced-price meals shall be established through Board approval and participation in the National School Lunch and School Breakfast Programs and other federal programs to provide meals for students who qualify. All parents and guardians, including those of students entering during the year, shall be informed of the program by letter in a language the parent or guardian understand. Printed meal applications or instructions on how to receive a printed application will be provided for every new enrollee at enrollment. Assistance with understanding the application will be provided as needed. The school may complete and file an application for a student who is eligible for free and reduced-price meals if aware that the student is eligible and none is on file, per Title 7. Applications shall be reviewed and maintained by the supervisor of food services.

The income poverty guidelines prescribed on July 1 of each year must be used for the ensuing fiscal year. Each state agency has special responsibilities for informing schools and service institutions of their obligation to provide free or reduced-price lunches and breakfasts to students who qualify. Furthermore, the Board will submit to the Food and Nutrition Office a policy and criteria that will be followed in determining the eligibility of all students for free or reduced-price meals.

The District will serve meals free or at a reduced price to any student who is a member of a family that has an annual income not above the applicable income level for the student's family size.

The adopted income guidelines must meet the income poverty guidelines prescribed by the federal Office of Management and Budget.

Non Discrimination or Stigmatization

- Students who cannot pay or who have a meal debt:
- Shall not be publicly identified by any means so as to separate or allow a recognition of difference from other students using food services.
- Shall not be required to do chores or other work to pay for meals.
- May be required to carry a letter addressed to their parent or guardian regarding food services but direct communication to the student about meal debt is prohibited.

Adopted: June 19, 2018

LEGAL REF.: SB 374

42 U.S.C. 1771 et seq., The Child Nutrition Act, Title 7, Vol 4,
Section 245.6d C.F.R.

COLLECTION OF MONEY /
FOOD TICKETS

Meal Charges and Payments

The district authorizes each school to collect for meals based on the Board approved meal charges and reduced meal charges for all students who are not eligible for free meals. Such charges and payments made, shall be received and recorded in a manner to keep the record confidential and treated in accord with the following provisions:

Regardless of whether or not a student has money to pay for a meal or owes money for earlier meals, the school:

- shall provide a US Department of Agriculture reimbursable meal to a student requesting one, unless the student's parent or guardian has specifically provided written permission to the school to withhold a meal, and
- shall not require that a student thrown away a meal after it has been served.

Collection for unpaid meal charges

If a student owes money for five (5) or more meals, a school shall:

- Check the state list of students categorically eligible for free meals to determine if the student is eligible
- Make at least two attempts, not including the application or instructions included in a school enrollment packet, to reach the student's parent or guardian and have the parent or guardian fill out a meal application; and
- Require a school administrator or counselor to contact the parents or guardians to offer assistance with a meal application, determine if there are other issues within the household that have caused the child to have insufficient funds to purchase a school meal and offer any other assistance that is appropriate.

Parents shall ultimately be responsible for any allowed meal charges when students are unable to pay for the meal. Communications about school meal debt shall only be to a parent or guardian. The parent or guardian shall not pay fees or costs to collection agencies for school meal debt.

Adopted: June 19, 2018

LEGAL REF.: SB 374

42 U.S.C. 1771 *et seq.*, The Child Nutrition Act

COMPETITIVE FOOD SALES / VENDING MACHINES

Vending Machines

Vending machines will only dispense foods that meet nutrition standard guidelines as set forth by the U.S. Department of Agriculture requirements for foods and beverages that are sold individually and requirements for competitive foods sold to students. The requirements for vending machine beverage sales and accompaniments in New Mexico schools are listed by designated school location of the sale.

- *Elementary schools.* Allowable beverages for elementary school-aged students are limited to:
 - Plain water or plain carbonated water (no size limit);
 - Low fat milk, unflavored (no more than 8 fluid ounces),
 - Nonfat milk, flavored or unflavored (no more than 8 fluid ounces);
 - Nutritionally equivalent milk alternatives as permitted in § 210.10 and § 220.8 of this chapter (no more than 8 fluid ounces); and
 - 100 percent fruit/vegetable juice, and 100 percent fruit and/or vegetable juice diluted with water (with or without carbonation and with no added sweeteners) (no more than 8 fluid ounces).
- *Middle schools.* Allowable beverages for middle school-aged students are limited to:
 - Plain water or plain carbonated water (no size limit);
 - Low fat milk, unflavored (no more than 12 fluid ounces);
 - Nonfat milk, flavored or unflavored (no more than 12 fluid ounces);

- Nutritionally equivalent milk alternatives as permitted in § 210.10 and § 220.8 of this chapter (no more than 12 fluid ounces); and
 - 100 percent fruit/vegetable juice, and 100 percent fruit and/or vegetable juice diluted with water (with or without carbonation and with no added sweeteners) (no more than 12 fluid ounces).
- *High schools.* Allowable beverages for high school-aged students are limited to:
 - Plain water or plain carbonated water (no size limit);
 - Low fat milk, unflavored (no more than 12 fluid ounces);
 - Nonfat milk, flavored or unflavored (no more than 12 fluid ounces);
 - Nutritionally equivalent milk alternatives as permitted in §210.10 and **§220.8** of this chapter (no more than 12 fluid ounces); and
 - 100 percent fruit/vegetable juice, and 100 percent fruit and/or vegetable juice diluted with water (with or without carbonation and with no added sweeteners) (no more than 12 fluid ounces);
 - Calorie-free, flavored water, with or without carbonation (no more than 20 fluid ounces);
 - Other beverages that are labeled to contain less than 5 calories per 8 fluid ounces, or less than or equal to 10 calories per 20 fluid ounces (no more than 20 fluid ounces); and
 - Other beverages that are labeled to contain no more than 40 calories per 8 fluid ounces or 60 calories per 12 fluid ounces (no more than 12 fluid ounces).
 - *High schools selling food products by vending machine:* Food products shall conform to 7 CFR 210.11 as to nutritional value if sold from vending machines to students and may be sold at any time.

Competitive Food Sales

Competitive food sales and marketing will be consistent with nutrition education and health promotion. Competitive food and beverage items sold during the school day must meet the nutrition standards for competitive food as required in 7 CFR 210.11 and 210.11a.

The á la carte offerings in school meal programs shall follow the nutritional minimum requirements for reimbursable school meals as issued by the Secretary of Agriculture in The National School Lunch Act and The Child Nutrition Act (see references below).

Fundraiser restrictions

A special exemption is allowed for the sale of food and/or beverages that do not meet the competitive food standards as required in this section for the purpose of conducting an infrequent school-sponsored fundraiser. A fundraiser is a sale on a school campus to benefit a school or school organization of beverage or food products limited by a United States department of agriculture school meal program for use, consumption or sale during the school day. No fundraiser may be conducted in competition with school meals in the food service area during meal service. A fundraiser may be conducted only for up to one school day on two occasions per semester or trimester term in a school that participates in United States department of agriculture school meal programs.

Adopted: January 12, 2017

LEGAL REF.: 42 U. S. C. 1751 *et seq.*, The National School Lunch Act
 42 U.S.C. 1771 *et seq.*, The Child Nutrition Act as amended.
 7 CFR 210.11 Competitive food service and standards
 7 CFR 210.11a Competitive food services
 6.12.5.8 NMAC, New Mexico Requirements for Competitive Foods Sold
 to Students
 6.12.6.8 NMAC, Wellness Requirements

CROSS REF.: JL - Student Wellness

MISCELLANEOUS FOOD SERVICES PRACTICES

Food of Low Nutritional Value and Competing Foods

Foods of low nutritional value may not be sold in the cafeteria during the school day. Sales of such foods are discouraged in all Central Consolidated School District (CCSD) schools.

Food sales of any kind may not be in competition with the breakfast and lunch programs.

A La Carte Sales

Student Nutrition Services offer students the opportunity to purchase food items in the cafeteria. These food items are in addition to the regular menu and must be purchased by students and adults with cash only. Although the food items to be sold vary from school to school, all items sold meet or exceed the standards set by the USDA for sales of foods of low nutritional value. Food items such as hard candy, gum, sodas and other high sugar-low nutrient foods and beverages will not be sold.

Catering

Student Nutrition Services provides catering services to any school or community event for a fee. All monies generated from catering activities go to improving Student Nutrition Services in the form of improved food quality and variety, upgrading of equipment, staff development, and nutrition education.

Selling, Giving or Taking of Student Nutrition Services Goods

No staff member shall sell, give or take food, equipment, or materials from CCSD Student Nutrition Services facilities. Any employee that sells, gives, or takes food, equipment, or materials from any CCSD kitchen or storage facility shall be guilty of stealing CCSD and/or federal property and may be discharged.

The following is a description of the intention of this policy:

- *Taking:* This means the removal of any food item from a school district kitchen or storage facility for any use other than meals approved by the Director of Student Nutrition Services and the school lunch/breakfast program.
- *Giving:* This means giving food or other food services to others by a Student Nutrition Services staff member.
- *Selling:* This means the selling of Student Nutrition Services food items, equipment, or materials not approved by the Director of Student Nutrition Services through the breakfast or lunch program. It shall be considered inappropriate to sell leftover food items such as cinnamon rolls, juice, desserts, sandwiches, et cetera without approval from the Director of Student Nutrition Services and without accounting for all goods sold and money collected.

It shall be the responsibility of the kitchen manager to ensure all cooks, helpers, and clerks understand what, when, and how Student Nutrition Services food items may be sold or disposed of in an appropriate manner. Anyone uncertain about the intent of this guideline should call the Director of Student Nutrition Services for clarifications.

Hungry Students

Occasionally a student will still be hungry after eating lunch and may ask the kitchen manager for an additional serving of vegetables and/or fruit. The kitchen manager will grant the request unless doing so will cause there to not be enough food for all students.

Adopted: January 12, 2017

FOODSERVICE SANITATION PROGRAM

School food service programs must meet all sanitary regulations recommended by the State Department of Health for food-handling establishments and the respective county or federal inspection agency.

Cleanliness and sanitation should be an integral part of food production, and shall receive the proper emphasis to ensure that standards are high.

Food Handlers Cards

All Student Nutrition Services staff are required to have a current Food Handlers card issued by the Office of Environmental Health of the Indian Health Service and the state of New Mexico. A copy of the card is to be on file in the Student Nutrition Services office and posted in the kitchen where the staff member is working. Substitute staff must have a current card on file in the Student Nutrition Services office and have the original with them while working. It is the staff member's responsibility to keep their card current.

Adopted: January 12, 2017

FOOD SERVICES RECORDS
AND REPORTS

The Secretary of Public Education prescribes regulations for keeping food services records and making reports. The accounts and records shall be available at all times for inspection and audit by authorized officials and shall be preserved for a period not to exceed three (3) years plus the current year. The school lunch programs will be administered according to appropriate state and federal provisions and the regulations made by the Secretary of Public Education. The Secretary of Public Education conducts or causes to be conducted audits, inspections, and administrative reviews of accounts, records, and operations.

Adopted: January 12, 2017

COPYRIGHT COMPLIANCE

A variety of machines and equipment for reproducing materials to assist staff in carrying out their educational assignments is available to staff in both the school and home setting.

Infringement on copyrighted material, whether prose, poetry, graphic images, music, audio tape, video or computer-programmed materials, is a serious offense against federal law, a violation of Governing Body policy and contrary to ethical standards required of staff and students.

All reproduction of copyrighted material shall be conducted strictly in accordance with applicable provisions of law. Unless otherwise allowed as "fair use" under federal law, permission must be acquired from the copyright owner prior to reproduction of material in any form. Permission forms are available in the office and media center.

"Fair use" guidelines are as follows:

Fair Use

Printed Materials:

- Permissible uses - school employees may:
 - make a single copy of the following for use in teaching or in preparation to teach a class:
 - A chapter from a book;
 - An article from a periodical or newspaper;
 - A short story, short essay or short poem, whether or not from a collective work;

- A chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.
- make multiple copies for classroom use (not to exceed one [1] copy per student in a course) from the following:
 - A complete poem, if it has fewer than two hundred fifty (250) words and does not exceed two (2) printed pages in length;
 - A complete article, story or essay of less than two thousand five hundred (2,500) words;
 - Prose excerpts not to exceed ten percent (10%) of whole or one thousand (1,000) words, whichever is less;
 - One (1) chart, graph, diagram, cartoon or picture per book or per issue of a periodical;
 - An excerpt from a children's book containing up to ten percent (10%) of the words found in the text.
- All permitted copying must bear an appropriate reference. References should include the author, title, date and any other pertinent information.
- Prohibited uses - school employees may not:
 - copy more than one (1) work or two (2) excerpts from a single author during one (1) class term;
 - copy more than three (3) works from a collective work or periodical volume during one (1) class term;
 - copy more than nine (9) sets of multiple copies for distribution to students in one (1) class term;

- copy to create or replace or substitute for anthologies or collective works;
 - copy "consumable" works, such as workbooks, exercises, standardized tests and answer sheets;
 - copy the same work from term to term;
 - copy the same material for more than one (1) particular course being offered (may not copy every time a particular course is offered) unless permission is obtained from the copyright owner.
- All sound recordings, including phonograph records, audiotapes, compact discs and laser discs, will be treated under the same provisions that guide the use of print materials unless as may otherwise be excepted by regulations governing the reproduction of works for libraries/media centers.

Sheet and Recorded Music:

- Permissible Uses - school employees may:
 - make emergency copies to replace purchased copies which for any reason are not available for an imminent performance provided purchased replacement copies will be substituted in due course;
 - make, for academic purposes other than performance, multiple copies (one [1] per student) of excerpts not constituting an entire performance unit such as a section, movement or aria, but in no case no more than ten percent (10%) of the whole work;
 - make, for academic purposes other than performance, a single copy of an entire performable unit such as a section, movement or aria if confirmed by the copyright holder to be out of print or the "unit" is unavailable except in a larger work. The copy may be made solely for the purpose of scholarly research or in preparation to teach a class;

- edit or simplify printed copies which have been purchased provided that the fundamental character of the work is not distorted or the lyrics, if any, altered or lyrics added if none exist;
 - copy complete works which are out of print or unavailable except in large works and used for teaching purposes;
 - make a single copy of a recorded performance by students to be retained by the school or individual teacher for evaluation or rehearsal purposes;
 - make a single copy of a sound recording, such as a tape, disc or cassette, of copyrighted music owned by the school or an individual teacher for constructing aural exercises or examinations and retained for the same purposes.
- Prohibited uses - school employees may not:
 - copy to create or replace or substitute for anthologies, compilations or collective works;
 - copy works intended to be "consumable", such as workbooks, exercises, standardized tests and answer sheets;
 - copy for the purpose of performance, except as noted above in emergencies;
 - copy to substitute for purchase of music except as noted above;
 - copy without inclusion of the copyright notice on the copy.

Television-Off-the-Air Taping:

- Permissible uses - school employees may:
 - record a broadcast program off-air simultaneously with the broadcast transmission, including simultaneous cable or satellite re-transmission, and

retain the recording for a period not to exceed the first forty-five (45) consecutive calendar days after the date of the recording.

A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers. Each additional copy will be subject to all provisions governing the original recording.

Unless authorized by the [library/media supervisor], at the conclusion of the retention period, all off-air recordings shall be erased or destroyed immediately.

Individuals who wish to retain programs beyond the 45-day period need to complete and return the preview portion of the "Request for Off-Air Video Taping" form to the [library/media supervisor] for each program videotaped. The [library/media supervisor] will coordinate requests for permission to use or retain copyrighted television programs beyond the 45-day retention period.

- edit or simplify printed copies which have been purchased provided that the fundamental character of the work is not distorted or the lyrics, if any, altered or lyrics added if none exist;
- copy complete works which are out of print or unavailable except in large works and used for teaching purposes;
- make a single copy of a recorded performance by students to be retained by the school or individual teacher for evaluation or rehearsal purposes;
- make a single copy of a sound recording, such as a tape, disc or cassette, of copyrighted music owned by the school or an individual teacher for constructing aural exercises or examinations and retained for the same purposes;
- retain videotapes of commercial programs only with written approval of appropriate copyright holders;
- use off-air recordings once for each class in the course of relevant teaching activities and repeat once only when instructional reinforcement is necessary and only within the first ten (10) consecutive school days of the 45-consecutive calendar day retention period;

- use off-air recordings for evaluation purposes only, after the first ten (10) consecutive school days up to the end of the 45-consecutive calendar day retention period. Evaluation purposes may include use to determine whether or not to include the broadcast program in the teaching curriculum;
- use off-air recordings made from a satellite dish if they conform to the 45-consecutive calendar day retention period established for broadcast or cable programming and are not subscription channels;
- use copies of off-air recordings, as stipulated in these guidelines, only if the copies include the copyright notice on the broadcast program;
- request that a library/media center record and retain for research purposes commercial television news programs from local, regional or national networks; interviews concerning current events; and on-the-spot coverage of news events. Documentary, magazine-format and public affairs broadcasts, however, are not included in the definition of daily newscasts of major events of the day;

Requests for retention of programs recorded off-air will be directed to the producers of those programs directly through the network (not affiliate).

- Prohibited uses - school employees may not:
 - copy to create or replace or substitute for anthologies, compilations or collective works;
 - copy works intended to be "consumable", such as workbooks, exercises, standardized tests and answer sheets;
 - copy for the purpose of performance, except as noted above in emergencies;
 - copy to substitute for purchase of music except as noted above;
 - copy without inclusion of the copyright notice on the copy;

- tape off-air programs in anticipation of an educator's requests;
- request that a broadcast program be recorded off-air more than once for the same educator, regardless of the number of times the program may be broadcast;
- use the recording for instruction after 45-consecutive calendar days;
- hold the recording for weeks or indefinitely because:
 - Units needing the program concepts are not taught within the 45-day use period;
 - An interruption or technical problem delayed its use; or
 - Another teacher wishes to use it, or any other supposedly "legitimate" educational reason.
- record programs off-air without written permission from the author/producer/distributor when a special notice is provided specifically prohibiting reproduction of any kind;
- alter off-air programs from their original content. Broadcast recordings may not be physically or electronically combined or merged to constitute teaching anthologies or derivative works. Off-air recordings, however, need not be used in their entirety;
- exchange program(s) with other schools without the approval of the [media/library supervisor];
- Programs will be used for the specific curriculum application for which the request was intended. No other curriculum application is authorized.
- use the recording for public or commercial viewing;

- copy or use subscription programs transmitted via subscription television cable services, such as HBO or Showtime. Such programs are licensed for private home use only and cannot be used in public schools.

"Pay" programs received via satellite dish are also subject to these prohibitions.

Rental, Purchase and Use of Videotapes:

- Permissible uses - school employees may:
 - use purchased or rented videotapes such as feature films as part of a systematic course of instruction, in accordance with school policy. Such use
 - shall be for direct instruction and must take place in a classroom or similar area devoted to instruction;
 - use only rented lawfully-made videotapes;
 - arrange for the local school to transmit videotapes over their closed circuit television systems for direct instruction;
 - use off-air videotapes made at home for classroom instruction and only in accordance with television-off-air guidelines and school policy.
- Prohibited uses - school employees may not:
 - use rented or purchased videotapes where a written contract specifically prohibits such use in the classroom or direct teaching situation;
 - use rented or purchased videotapes such as feature films for assemblies, fund-raising, entertainment or other applications outside the scope of direct instruction without public performance rights.

Computer Software:

- Permissible uses - school employees may:
 - make a copy of an original computer program for the purpose of maintaining the availability of the program should it be damaged during use. Either the copy or the original may be retained in archives. Only one (1), either the original or the copy, may be used at any one time;
 - make a copy of a program as an essential step in using the computer program as long as it is used in conjunction with the machine and in no other manner;
 - make a new copy from the archival program in the event that the program in use is damaged or destroyed;
 - use a purchased program sent from a manufacturer labeled "archival" simultaneously with the original copy of the program provided its use is permitted (not excluded) by the terms of the sales agreement;
 - make an archival copy of a rightfully-owned disk that is labeled "archival" by the software manufacturer;
 - load a software program from a single disk into a distribution network or to individual stand-alone computers for simultaneous use when the distribution network is only accessible to the owner-user if not otherwise prohibited by terms of a sales agreement;
 - adapt a copyrighted program from one language to another for which it is not commercially available or add features to a program to better meet local needs.
- Prohibited uses - school employees may not:
 - load the contents of one (1) disk into multiple computers at the same time in the absence of a license permitting the user to do so;

- load the contents of one (1) disk into local network or disk-sharing systems in the absence of a license permitting the user to do so;
- make or use illegal copies of copyrighted programs on school equipment;
- allow any student to surreptitiously or illegally duplicate computer software or access any data base or electronic bulletin board;
- make copies of software provided by a software publisher for preview or approval;
- make multiple copies of copyrighted software (or a locally produced adaptation or modification) even for use within the school;
- make replacement copies from an archival or back-up copy;
- make copies of copyrighted software (or a locally-produced adaptation or modification) to be sold, leased, loaned, transmitted or even given away to other users;
- make multiple copies of the printed documentation that accompanies copyrighted software.
- use rented or purchased videotapes where a written contract specifically prohibits such use in the classroom or direct teaching situation;
- use rented or purchased videotapes such as feature films for assemblies, fund-raising, entertainment or other applications outside the scope of direct instruction without public performance rights;
- record programs off-air without written permission from the author/producer/distributor when a special notice is provided specifically prohibiting reproduction of any kind;

- alter off-air programs from their original content. Broadcast recordings may not be physically or electronically combined or merged to constitute teaching anthologies or derivative works. Off-air recordings, however, need not be used in their entirety;
- exchange program(s) with other schools without the approval of the [media/library supervisor].
- Programs will be used for the specific curriculum application for which the request was intended. No other curriculum application is authorized.
- use the recording for public or commercial viewing;
- copy or use subscription programs transmitted via subscription television cable services, such as HBO or Showtime. Such programs are licensed for private home use only and cannot be used in public schools.

"Pay" programs received via satellite dish are also subject to these prohibitions.

- With permission from the copyright holder, prohibitions may be significantly modified or removed altogether.

Reproduction of Works for Libraries/Media Centers:

- Permissible uses - school employees may:
 - arrange for interlibrary loans of photocopies of works requested by users, provided that copying is not done to substitute for a subscription to or purchase of a work;
 - make for a requesting entity, within any calendar year, five (5) copies of any article or articles published in a given periodical within the last five (5) years prior to the date of the request for the material;

- make single copies of articles or sound recordings or excerpts of longer works for a student making a request, provided the material becomes the property of the student for private study, scholarship or research;
 - make a copy of an unpublished work for purposes of preservation, of a published work to replace a damaged copy of an out-of-print work that cannot be obtained at a fair price;
 - make off-the-air recordings of daily television news broadcasts for limited distribution to researchers and scholars for research purposes;
 - make one (1) copy of a musical work, pictorial, graphic, sculptural work, motion picture or other audiovisual work if the current copy owned by the library/media center is damaged, deteriorated, lost or stolen; and it has been determined that an unused copy cannot be obtained at a fair price.
- Prohibited uses - school employees may not:
 - make copies for students if there is reason to suspect that the students have been instructed to obtain copies individually;
 - copy without including a notice of copyright on the reproduced material.

Performances:

- Permissible uses - school employees must:
 - contact the copyright holder in writing for permission whenever copyrighted works such as plays and musical numbers are to be performed.

This is particularly important if admission is to be charged or recordings of the performance are to be sold.

Violations:

- Employees in violation of copyright law may be required to remunerate the school in the event of loss due to litigation and may be subject to discipline up to and including dismissal.

Adopted: January 12, 2017

LEGAL REF.: 17 U.S.C. 101 *et seq.*

MAIL AND DELIVERY SERVICES

A mail service system shall be maintained within the District so that in-District communications and communications from outside sources may be delivered to the intended recipients in the most practicable way.

The use of District mail facilities and personnel for the distribution of materials and communications shall be restricted to materials and communications that further the official school business and the educational purposes of the District.

The District shall not be liable for items lost or opened, nor for any damage or injury incurred by any individual as a result of the use of this mail service.

The Superintendent may establish procedures for implementation of this policy.

Adopted: January 12, 2017

USE OF TECHNOLOGY IN OFFICE SERVICES

Electronic communications (including records made with other software and sent in e-mail) which are sent or received by the Board or District employees pertaining to the business of the school may be subject to public disclosure and inspection as public records and discovery in litigation as evidence in support of a claim. Use of electronic mail should conform to the same standards of judgment, propriety, and ethics as other forms of school business-related communications. For these reasons a record keeping system for electronic communications shall be established in which those types of electronic communications:

- shall be categorized in the same manner as is required for paper records,
- shall be stored in a way permitting ease of record retrieval,
- and shall contain explicit sender and receiver identification.

All Board members and selected staff are encouraged to participate in Open Meeting Law (OML) and Public Records Law training within the first thirty (30) days after becoming a member of the Board or the date of employment, as is applicable. In order to encourage the Board, individual Board members, staff communicating with or on behalf of the Board and members of councils/committees of the Board to comply with the requirements of the OML and Public Records Law, the following guidelines shall be followed:

- E-mail or any other electronic messaging service shall not be used as a substitute for deliberations at Board meetings or for other communications or business properly confined to Board meetings.
- E-mail or any other electronic messaging service may be used to disseminate factual information, such as agenda packet, suggestions for public agenda items and reminders regarding committee meeting times, dates and places.

- Confidential information about employees, students or other Board members shall not be included in e-mail communications due to the risk of improper disclosure.
- Should electronic devices be utilized for participation or attendance at public meetings, the public in attendance including media representatives shall have the same access to the electronic input as the Governing Board members.
- The following statement shall be used on all Board member and staff electronic communications: "To ensure compliance with the Open Meeting Law, Board member recipients of this message should not forward it to other Board members nor should Board members reply to this message."
- Board members shall communicate with staff members and the public by following procedures established in policy.

The following procedures shall be adhered to in order to establish a record keeping procedure for such communications.

- A repository for electronic communications shall be established at the direction of the Superintendent.
- The determination of record status shall be on the same basis as is used for paper records.
- Once the communication is transferred to the records maintenance location and into the recordkeeping system the original electronic version may be deleted. The version maintained in the proper recordkeeping system is the official copy and must be retained for the same period as required for other forms of the same record series.
- A retrieval system for electronic mail and data transmitted with mail shall be established that will permit reasonable access to the records with a minimum of effort, identifying the recipient and the sender.

Records Retention:

- Each Board member or staff member computer user shall segregate or store electronic communications pertaining to the business of the District to or from members of the Board or staff to a file folder and then to a location designated by the District so that these records may be maintained and inspected by any person upon request, unless otherwise made confidential by law.

Compliance

In the event a Board member(s) fails to comply with the guidance of Board policy, the matter shall be referred to the Board President, who will meet with and/or discuss the matter and the Board policy with the Board member(s). The Board President may request that the Board's legal counsel participate in the meeting and/or discussion.

In the event an employee fails to comply with the guidance of Board policy, that employee may be subject to disciplinary action, up to and including possible termination.

The Superintendent may develop procedures to assist in compliance with the Open Meeting Law and the Public Records Law.

Adopted: January 12, 2017

LEGAL REF.: 10-15-1 NMSA *et seq.*

14-3-6 NMSA

1.13.4 NMAC *et seq.*

New Mexico Commission of Public Records

(www.ncprs.state.nm.us/)

CROSS REF.: BDF - Advisory Committees

BEDH - Public Participation at Board Meetings

BHC - Board Communications with Staff Members

BHD - Board Communications with the Public

CFD - School-Based Management (School Councils)

INSURANCE PROGRAMS /
RISK MANAGEMENT

The District shall provide and maintain the broadest, most complete insurance coverage of its facilities and for its employees at the most economical cost possible consistent with sound insurance principles, state and federal laws and regulations and the District's financial ability.

Annual review of all insurance programs shall be made to ascertain any needed changes. For administrative purposes, insurance coverage that is considered an employee benefit (health, dental vision, AD&D, etc.) shall be the responsibility of the District's Personnel office, with the risk insurance coverage (property, casualty, liability, fleet, etc.) being the responsibility of the District's Business office. Administrators shall develop procedures that detail the methods and processes by which each function shall be managed.

Adopted: January 12, 2017

LEGAL REF.: 52-1-1 NMSA (1978)
22-29-2 NMSA *et seq.* (1978)