Ellicott School District #22
Ellicott, Colorado
Policy Manual Project Notes

Section E

EA	*Support Service Goals.* See Repeals List.
EB	*Safety Program.* See Repeals List.
EBAB	*Hazardous Materials.* Edited for clarity. Revisions suggested to better protect the district's interests. Policy is highly recommended.
EBAB-R	*Hazardous Materials (Regulation).* Minor edit for style. Regulation is optional. *[Note: CASB policy counsel is reviewing the CASB sample regulation on this topic pursuant to the health rules revised by the Board of Health. Additional information will be forthcoming.]*
EBBA	*Prevention of Disease/Infection Transmission (Handling Body Fluids).* Minor edit for style. Policy is highly recommended.
EBBA-R	*Prevention of Disease/Infection Transmission (Handling Body Fluids and Substances) (Regulation).* Edited for style and clarity. Regulation is optional.
EBBB	*Accident Reports.* Minor edits for style. Policy is highly recommended.
EBCB	*Fire Drills.* See Repeals List.
EBCE	*School Closings and Cancellations.* Edited and reorganized for clarity and to eliminate redundancies. Revisions suggested for added specificity. Policy is optional.
EC	*Buildings/Grounds/Property Management.* You may wish to include a policy on this subject. A CASB sample is provided as a resource. Policy is optional.
ECA/ECAB	*Security/Access to Buildings.* Edited for clarity. Stricken language regarding visitors is addressed by policy KI, Visitors to Schools. Stricken language regarding funds and records is addressed by other policies (DG, JRA/JRC). Policy is required by law.
ECAC	*Vandalism.* Edited for clarity. Revisions and CASB sample policy language suggested for added specificity. Policy is optional.
EDC	*Authorized Use of School-Owned Materials or Equipment.* Policy is quite dated. Therefore, CASB sample language suggested to expand the scope of this policy. Policy is optional.

EEA	*Student Transportation.* [Combined with portions of former EEAC.] Revisions and CASB sample policy language suggested for a comprehensive policy approach and to eliminate redundancies among the transportation policies. Stricken language has been recoded according to applicable subject matter: See EEAC-R, EEAE, EEAEA and EEAFA. Policy is optional. *[Note: Preschool policy, "Transportation of Children," may need revisions based on Board action regarding this policy.]*
EEA-R	*Student Transportation Services (Regulation).* You may wish to include a regulation on this subject. Regulation is optional.
EEAA	*Walkers and Riders.* You may wish to include a policy on this subject. A CASB sample is provided as a resource. Please revise to reflect current or desired practice. Policy is optional.
Former EEAC	*Bus Routes.* [Recoded EEA, EEAC-R and EEAE.]
EEAC	*Bus Scheduling and Routing.* The district's former policy EEAC, Bus Routes was quite dated and has been recoded according to applicable subject matter. Therefore, CASB sample policy EEAC, Bus Scheduling and Routing, is included as a resource for Board review. Policy is optional.
EEAC-R	*School Bus Scheduling and Routing (Regulation).* [Recoded from portions of EEA and former policy EEAC, Bus Routes.] Edits suggested. CASB sample language offered for review. Please revise further to reflect current or desired practice. Regulation is optional.
EEAE	*Bus Safety Program.* [Recoded from portions of EEA and former EEAC.] Edited and reorganized for clarity. Revisions suggested for a comprehensive policy approach. Please review further to ensure policy reflects current or desired practice. Policy is optional.
EEAEA	*School Transportation Vehicle Operator Requirements and Training.* [Recoded from portions of EEA and former EEAC.] Revisions for clarity and to reflect current terminology. Policy is optional.
EEAEAA*	*Drug and Alcohol Testing for Bus Drivers.* Edited for style. Policy is required by law.

EEAEAA*-R	*Drug and Alcohol Testing for Bus Drivers (Regulation).* Revisions suggested for style and clarity and to reflect current requirements. Regulation is required by law.
EEAEF*	*Video Cameras on Transportation Vehicles.* You may wish to include a policy on this subject. A CASB sample is provided as a resource. Policy is highly recommended.
EEAEF*-R	*Video Cameras on Transportation Vehicles (Regulation).* You may wish to include a regulation on this subject. A CASB sample is provided as a resource. Regulation is optional.
EEAEF*-E	*Notice to Students and Parents/Guardians Regarding the Use of Video Recorders on School Buses.* You may wish to include an exhibit on this subject. A CASB sample is provided as a resource. Exhibit is optional.
EEAEG*	*Use of Wireless Communication Devices by School Transportation Vehicle Operators.* Revisions reflect current terminology. Policy is required by law.
EEAFA	*Extracurricular Activity Buses/Field Trips/Special Events Transportation.* [Recoded from portions of EEA and former EEAC.] Edited for clarity. CASB sample policy language suggested for a comprehensive policy approach. Policy is optional.
EEAFB*	*Use of School Vehicles by Community Groups.* Edited for clarity. Stricken procedural language has been moved to regulation EEAFB*-R. Suggested updates and CASB sample language reflect current requirements and/or terminology. Policy is required by law.
EEAFB*-R	*Use of School Vehicles by Community Groups (Regulation).* Portions of procedural language from policy EEAFB* have been added. Edited and reorganized for clarity and to reflect current terminology. Additional revisions suggested for a comprehensive approach and to better protect the district's interests. Regulation is recommended.
EEAG	*Student Transportation in Private Vehicles.* You may wish to include a policy on this subject. A CASB sample is provided as a resource. Policy is highly recommended.
EEAG-E	*Student Transportation in Private Vehicles (Exhibit).* You may wish to include an exhibit on this subject. A CASB sample is provided as a resource. Exhibit is optional.
EEBA	*School Transportation Vehicles (Use of Safety Belts).* You may wish to include a policy on this subject. A CASB

	sample is provided as a resource. Policy is highly recommended.
EF	*Food Services.* Edited for clarity. Optional language presented for review, if applicable. Stricken language is not necessary in the Board's manual. Policy is optional.
EFC	*Free and Reduced-Price Food Services.* Edited for style. CASB sample language suggested. Update legal references. Policy is optional.
EFEA*	*Nutritious Food Choices.* CASB's explanatory notes are not necessary on the policy. Update legal references. Policy is required by law. *[Note: Please ensure that preschool policy "Snack Policy and Procedure" is consistent with policy EFEA*.]*
EFEA*-E	*Healthy Beverages Standards for Schools (Exhibit).* You may wish to include an exhibit on this subject. A CASB sample is provided as a resource. Exhibit is optional.
EGAD	*Copyright Compliance.* You may wish to include a policy on this subject. A CASB sample is provided as a resource. Policy is highly recommended.
EGAEA	*Electronic Communication.* Edited for style. Policy is required by law.
EGAEA-R	*Monitoring Public Electronic Mail Records (Regulation).* See Repeals List.
EHB	*Records Retention.* Edited for style. Policy is optional.
EI	*Insurance Program/Risk Management.* Revisions suggested to make policy less restrictive regarding the review of the insurance program and to better protect the district's interests. Policy is optional.
EIE	*Compliance with the Affordable Care Act.* You may wish to include a policy on this subject. A CASB sample is provided as a resource. Policy is optional.

Hazardous Materials

~~The Board of Education recognizes its responsibility for providing an environment which is reasonably secure from known hazards.~~ **Hazardous materials include any substance or mixture of substances that poses a fire, explosive, reactive or health hazard as more fully defined by law.** There are many areas of the school operation, from science laboratories and art departments to custodial services and vehicle maintenance, which use a variety of materials that ~~are~~**may be** hazardous.

The Board, through the superintendent, shall cause to be created procedures which address the purchase, storage, handling, transportation and disposal of hazardous materials for all school facilities and operations including instructional ~~use~~ **areas. Emergency response actions and evacuation plans shall be coordinated with the procedures.**

The procedures shall comply with all local, state and federal laws and regulations which pertain to the safe and proper storage, transportation and disposal of hazardous materials.

The goal of the procedures shall be to set into place an ongoing process by which each location in the district may begin a program of identifying and managing potentially hazardous materials. District personnel shall be encouraged to make less dangerous substitutions for hazardous substances to the extent possible and to minimize the quantities of such substances stored on school property.

Appropriate school personnel shall be trained to take precautions to prevent accidents and to handle them in the event they do occur.

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

Adopted: ~~04/19/89~~**April 19, 1989**
Revised: date of manual revision

LEGAL REFS.: **42 U.S.C. §6901 (1982 & Supp. III 1985)** ***(Resource Conservation and Recovery Act [RCRA] and accompanying regulations)***
42 U.S.C. §9601 (1982 & Supp. IV 1986) ***(Comprehensive Environmental Response Compensation and Liability Act [CERCLA] and accompanying regulations)***
49 U.S.C. 1801 ***(Hazardous Materials Transportation Act)***
C.R.S. 13-21-108.5 ***(persons rendering assistance relating to discharge of hazardous materials immune from civil liability)***
C.R.S. 24-10-106.5 ***(duty of care in Colorado Governmental Immunity Act)***
C.R.S. 25-15-101 ***et seq.*** ***(state hazardous waste management program)***
C.R.S. 29-22-101 ***et seq.*** ***(hazardous substance incidents)***

C.R.S. 42-4-228 *(vehicles transporting explosive or hazardous materials)*
C.R.S. 42-4-234 (3)
C.R.S. 42-20-101 ***et seq.*** *(Hazardous Materials Transportation Act of 1987)*
6 CCR 1007-3, Part 261 *(identification and listing of hazardous waste)*
8 CCR 1507-1 *(operation of commercial vehicles and transportation of hazardous materials)*

File: EBAB-R

Hazardous Materials

1. Each principal will cause an initial inventory of all hazardous materials to be completed in their building to identify potentially hazardous substances. This inventory will be updated annually.

2. A copy of each building's inventory and documentation of all hazardous materials will be kept in the ~~s~~Superintendent's office.

3. Hazardous material will not be purchased through any mechanism other than a purchase order using the proper, approved procedures.

4. Any unapproved purchase of hazardous materials is beyond the course and scope of the district employee's authority and is forbidden. Such a purchase may be grounds for termination.

5. All hazardous materials will be stored in an acceptable storage area. Storage of hazardous materials will be in compliance with federal, state, and local law. All hazardous materials will be separated according to physical properties and stored safely in storage areas appropriate to the risk posed by the materials.

6. All containers for hazardous materials will be labeled to show date of receipt by the district, shelf life and expiration date.

7. When materials are determined to be ready for disposal, arrangements will be made for disposal in a manner that complies with all local, state and federal laws and regulations.

Approved: ~~04/19/89~~**April 19, 1989**
Reviewed: date of manual revision

File: EBBA

Prevention of Disease/Infection Transmission
(Handling Body Fluids)

All schools shall provide a sanitary environment and shall establish routines, recommended by appropriate health professionals, for handling body fluids.

All school district personnel shall be advised of and follow routine procedures regarding handling body fluids. These procedures shall provide simple and effective precautions against transmission of diseases to persons potentially exposed to the blood~~,~~ or body fluids of another. These procedures shall be standard health and safety practices developed in consultation with medical personnel. No distinction shall be made between body fluids from individuals with a known disease and individuals without symptoms or with an undiagnosed disease.

The procedures shall be published as school district regulations and distributed to all staff on a regular basis. Training and appropriate supplies shall be available to all personnel including those involved in transportation and custodial services.

In addition to ensuring that these health and safety practices are carried out on a district-wide basis, special emphasis shall be placed in those areas of school district operation that potentially present a greater need for these precautions. Under no circumstances shall students be directed or knowingly be allowed to handle body fluids other than their own.

Adopted: ~~12/18/02~~**December 18, 2002**
Revised: date of manual revision

CROSS REFS.: **GBGA, Staff Health**
JLCC, Communicable/Infectious Diseases
JLCCA, Students with HIV/AIDS
JLCE, First Aid and Emergency Medical Care

Prevention of Disease/Infection Transmission

(Handling Body Fluids and Substances)

The body fluids and substances of all persons should be considered to contain potentially infectious agents. No distinction may be made between body fluids and substances from individuals with a known disease or infection and those from asymptomatic or undiagnosed individuals. Body fluids and substances include~~:~~ blood, semen, drainage from scrapes and cuts, feces, urine, vomitus, respiratory secretions (e.g., nasal discharge) and saliva.

The following infection control practices shall be followed by a~~A~~ll school district personnel in all situations involving potential contact with any body fluids and substances ~~shall comply with the following infection control practices~~:

1. Wear gloves when it is likely that hands will be in contact with body fluids or substances (blood, urine, feces, wound ~~discharge~~ **drainage**, oral secretions, sputum or vomitus). When possible, wear gloves while holding bloody noses and dealing with cuts that are bleeding heavily. Gloves should be kept in emergency response kits and be readily accessible at sites ~~were~~ **where** students seek assistance for bloody noses or injuries.

    a. If gloves are not available, the use of towels or some other clean material as a barrier may provide some protection.

    b. Cuts and sores on *your skin* should be routinely covered to avoid infection.

    c. When possible, have students wash off their own cuts and abrasions. After cuts are washed with soap and water, they should be covered with Band-Aids or bandages of the appropriate size. Where possible, students should be taught to hold their own bloody noses.

2. When possible, pocket facemasks should be used for mouth-to-mouth resuscitation.

3. Wash hands often and well, paying particular attention to areas around and under fingernails and between fingers.

4. Clean up as soon as possible after **any** skin contact with any body fluid or substance.

    a. Wash skin with soap and water.

    b. Wash contaminated surfaces and non-disposable items with standard disinfectant. **Use aerosol germicide cleaner.**

    c. Wash contaminated clothing and linen in detergent with hot water.

d. Contaminated tissues, paper towels and other disposable items should be placed in plastic bags before **being** discarded.

Use individual judgment in determining when barriers are needed for unpredictable situations. It is strongly recommended that barriers be used when contact with body fluids or substances is anticipated.

Although HIV (human immuno-deficiency virus)/AIDS (acquired immune deficiency syndrome) has received a great deal of attention, there are other diseases more communicable than HIV/AIDS of which staff members **also** should ~~also~~ be aware. The following page includes a table listing communicable diseases and body substance sources of infection.

1. It is extremely difficult to be infected with HIV/AIDS. Exposure of blood to intact skin is a highly unlikely way of being infected with HIV/AIDS.

2. **HIV/AIDS is transmitted by g**~~G~~etting blood, semen or vaginal secretions into the bloodstream of a non-infected person ~~transmits HIV/AIDS~~.

3. Other body substances (saliva, tears, urine or feces) have extremely small, if any, levels of virus.

4. There have been no documented cases of HIV/AIDS transmitted by mouth-to-mouth resuscitation.

5. HIV is easily destroyed by common disinfectants.

TRANSMISSION CONCERNS–BODY SUBSTANCE SOURCES OF INFECTIOUS AGENTS

Body Substance Source		Organism of concern		Transmission
Blood – cuts/abrasions – nose bleeds – menses – contaminated needle		Hepatitis B virus HIV/AIDS Cytomegalovirus		Bloodstream inoculation through cuts and abrasions on hands Direct blood stream inoculation
*Feces – incontinence		Hepatitis A virus Salmonella bacteria Shigella bacteria	**	Oral inoculation from contaminated hands
*Respiratory secretions – saliva – nasal discharge		Common cold virus Influenza virus *** Epstein-Barr virus	**	Oral inoculation from contaminated hands
*Vomitus		Gastrointestinal viruses (e.g., Norwalk virus)	**	Oral inoculation from contaminated hands
*Urine – incontinence	***	Cytomegalovirus		Bloodstream inoculation through cuts and abrasions

		on hands
Semen/vaginal fluids	Hepatitis B virus HIV/AIDS Gonococcus bacteria	Sexual contact (intercourse)

*There are no reported cases of HIV/AIDS suspected of having been transmitted by these sources. Wear gloves when exposed to body secretions, especially blood, urine or feces.

**HAND WASHING IS VERY IMPORTANT!

***These agents cause mononucleosis-like illness.

Adopted: December 18, 2002
Revised: date of manual revision

File: EBBB

Accident Reports

Adequate and prompt accident reporting is essential if similar accidents are to be prevented from happening again. If there are injuries or property damage, prompt reports also are vital in assuring the district staff, students and others of insurance coverage. Such reports may be important in the event of litigation.

The Board requires ~~therefore~~ that an accident report be filed on every accident that takes place on school property~~,~~ or that involves a school vehicle, students or staff 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.

The superintendent shall establish procedures for filing accident reports including details that:

1. Might be helpful in preventing similar accidents in the future~~;~~

2. Are needed for filing insurance claims~~;~~

3. Might be important in case of litigation~~.~~

Adopted: ~~05/20/87~~**May 20, 1987**
Revised: ~~07/26/00~~**July 26, 2000**
Revised: ~~12/18/02~~**December 18, 2002**
Revised: date of manual revision

File: EBCE

School ~~Emergency~~ Closings and Cancellations

The superintendent or his/her designee ~~shall be responsible for canceling~~ **is empowered to close the** schools, **dismiss them early** or **cancel** school activities in ~~case~~ **event of hazardous** ~~of stormy~~ weather~~, bad roads,~~ or other emergency conditions **which threaten the safety, health or welfare of students or staff members. It is understood that the superintendent will take such action only after consultation with appropriate authorities.** ~~If a scheduled school day is lost due to an emergency, t~~The Board **shall ratify the closing** at its next **regular** meeting ~~shall ratify the administrative action of closing the school~~.

Parents, students and staff members shall be informed early in each school year as to how they shall be notified in event of emergency closings or early dismissals. The superintendent will annually be responsible for identifying and communicating which media outlets will be contacted to broadcast school closure information.

All staff members, except for teachers and personnel who work only on teacher work days or on student days, unless otherwise notified shall be required to report to work as soon as possible on emergency days.

Adopted: ~~05/20/87~~**May 20, 1987**
Revised: ~~07/26/00~~**July 26, 2000**
Revised: date of manual revision

LEGAL REFS.: **C.R.S. 22-1-112** ***(school year and national holidays)***
C.R.S. 22-32-109 (1)(n) ***(Board's duty to determine number of instructional/ contact hours/days)***
C.R.S. 22-33-101 *et seq.* ***(school attendance law)***
1 CCR 301-39, Rules 2254-R-2.06 ***(Board may reduce teacher-pupil instructional/contact time; closings deemed by Board necessary for health, safety or welfare of pupils)***

CROSS REFS.: **IC/ICA**, School Year/School Calendar/Instruction Time
JLIB, Student Dismissal Precautions

CASB SAMPLE POLICY

File: EC

NOTE: While Colorado school districts are not required by law to adopt a policy on this subject, some content in this sample reflects legal requirements school districts must follow. This sample contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Buildings/Grounds/Property Management

The Board shall maintain school properties in good physical condition in compliance with State Department of Health standards. School properties shall be as safe, clean, sanitary, comfortable and convenient as the facilities will permit or the use requires.

The superintendent shall have the general responsibility for the care, custody and safekeeping of all school property and shall establish such procedures and employ such means as may be necessary to discharge this responsibility.

At the building level, the principal shall be responsible for overseeing the school plant and for the proper care of school property by the staff and students.

(Adoption date)

LEGAL REF.: 6 CCR 1010-6 *(department of health rules governing schools)*

CROSS REF.: CF, School Building Administration

COLORADO SAMPLE POLICY 1991©

File: ECA/ECAB

Security/Access to Buildings

Security for district buildings and grounds (during regular school hours as well as non-school hours) contributes to the well being and safety of students and staff as well as to that of the sites themselves.

Each school building shall be inspected annually to address removal of hazards and vandalism and any other barriers to safety and supervision.

During regular school hours, flow of traffic into and out of buildings shall be closely monitored and limited to certain doors. ~~Visitors shall be required to check in to show proper identification and reason for being at the school and shall wear name tags identifying them as visitors. This will not apply when parents/guardians have been invited to a classroom or assembly program~~**Access to school buildings and grounds outside of regular school hours shall be limited to district personnel whose work requires it and to sponsors of approved student activities**.

An adequate key control system shall be established which shall limit access to buildings to authorized district personnel and shall safeguard against entrance to buildings by persons unauthorized to have keys.

"Security" means not only keeping buildings locked and secure but also providing protection against physical hazards and acts of violence. It also includes having available floor plans of buildings and site plans showing campus boundaries and access points. The Board requires and encourages close cooperation with local police, fire and sheriff's departments and insurance company inspectors.

~~Funds and valuable records shall be kept in a secure place.~~

Alarm systems and other devices that protect buildings against illegal entry and vandalism shall be installed where appropriate. Employment of security personnel may be approved by the Board in situations where special risks are involved.

Adopted: ~~06/27/01~~**June 27, 2001**
Revised: date of manual revision

LEGAL REFS.: C.R.S. 18-9-112 ***(definition of loitering)***
C.R.S. 18-9-117 ***(unlawful conduct on public property)***
C.R.S. 22-32-109.1 (5) ***(Board must adopt safety and security policy)***

CROSS REF.: KI, Visitors to School

File: ECAC

Vandalism

The school system's buildings ~~and~~, grounds **and other property** are built, **purchased** and maintained with taxes levied on the community's taxpayers, and all damage~~s~~ caused must be paid for in the same way. Therefore, every citizen of the district, students and members of the police department are urged by the Board to cooperate in reporting any incidents of vandalism to property belonging to the district and the name of the person or persons believed to be responsible. Each employee of the district shall report to the principal of the school every incident of vandalism known to him~~/~~ **or** her and, if known, the names of those responsible.

The superintendent, the principal or their designee~~s~~ ~~is~~ **are** authorized to sign a criminal complaint against persons suspected of vandalism against school property.

Students who willfully or maliciously destroy school property through vandalism or arson or who create a hazard to the safety of other people on school property may be referred to law enforcement authorities. **Vandalism includes the knowing and unauthorized use, alteration, damage or destruction of any computer, computer system, software, program or computerized data.** Students who are caught vandalizing school property may be suspended and/or expelled.

It is the intent of the Board of Education to seek damages as permitted by law from students who vandalize school property and/or their parents or guardian**s.**

Adopted: ~~09/85~~**September 1985**
Revised: date of manual revision

LEGAL REFS.: C.R.S. 13-21-107
~~C.R.S. 19-3-113~~
~~C.R.S. 19-3-117~~
C.R.S. 18-9-113
C.R.S. 18-9-117

CROSS REFS.: GBGB, Staff Personal Security and Safety
JKD/JKE, Suspension/Expulsion of Students

File: EDC

Authorized Use of School-Owned Materials or ~~Community Use of School~~ Equipment

School equipment may be loaned to community groups for educational, civic or charitable purposes when:

1. **The group borrowing the equipment agrees to accept responsibility for repairing or replacing any equipment damaged or lost while in its possession.**

2. **The equipment is not unusually expensive and subject to easy damage.**

3. **The equipment is in good condition.**

4. **The group will provide a competent operator for any machine loaned.**

5. **Outside use of the equipment will not interfere with the school program.**

Any student or other individual borrowing school equipment must sign an official receipt. A deposit may be required as determined by the principal, business office or the superintendent.

~~Chairs and folding tables may be loaned to approved groups or individuals by permission of the building principal. The cost of repairing any broken items shall be the responsibility of the user.~~

Adopted: ~~06/04/75~~**June 4, 1975**
Revised: date of manual revision

CROSS REF.: KF, Community Use of School Facilities

File: ~~EEAC~~ EEA

~~Bus Routes~~ Student Transportation

The Board of Education authorizes student transportation to and from schools and for field and activity trips ~~as per~~**in accordance with** Colorado statutes and Colorado Department of Education school bus regulations. Furthermore, the Board recognizes that providing student transportation services is not mandated by state or federal law and should be viewed as a privilege by student riders and parents or guardians.

The school district's transportation program shall be designed to get students who live an unreasonable walking distance from school or are attending a school other than their assigned school pursuant to the No Child Left Behind Act (NCLB) choice option to school and back in an efficient, safe and economical manner.

General r~~R~~esponsibility for the transportation system ~~shall be~~**is** vested in the superintendent and the director of transportation. ~~The superintendent or his/her designee shall have the authority to alter or suspend services because of weather, poor road conditions, or other emergencies or dangerous conditions. In the case of all bus service being suspended, no school will be held in Ellicott School District 22.~~

It shall be the duty of the _____ to provide the Board with regular reports and information regarding the efficiency and conduct of the transportation program.

In the event the Board determines that the unreimbursed expenses associated with providing student transportation are impacting the budget for instructional programs, the Board may explore opportunities to offset those costs through imposition of a transportation fee in accordance with state law.

Alternatively, the district may submit to the voters the question of whether to impose a mill levy increase for the payment of excess transportation costs in accordance with state law. If the mill levy increase is approved, the revenues shall be deposited in the transportation fund.

The district shall waive any transportation fee for any student eligible for reduced price or free lunches as determined by federal regulations.

~~Late Bus Routes~~

~~Late bus routes will be discontinued beginning the fall of 2008.~~

~~Bus Drivers' Duties and Responsibilities~~

~~Drivers of district owned buses shall make themselves available for service in driving buses to and from approved school functions when requested to do so. They shall be reimbursed at a rate established by the Board of Education for each extra trip so made. Drivers shall refrain from using tobacco while actually transporting pupils. Pupils shall not use tobacco while riding school buses. Drivers at no time shall put gas into tank of the bus while smoking.~~

~~Drivers shall make sure that all students are on their bus before leaving school. If they are not sure they shall check with the transportation director.~~

~~All district drivers are covered by the Workmen's Compensation Law of Colorado.~~

~~Bus drivers shall be under the supervision of the Supervisor of Transportation and the Superintendent of Schools and shall make regular reports as directed by the Superintendent. Drivers shall make regular inspection of their buses each day before beginning the route. They shall report to the Supervisor of Transportation any mechanical difficulties, road conditions, or other hazardous situations endangering pupils.~~

~~School buses shall be operated in a safe and sane manner for both the safety of the pupils and the conservation of buses. Drivers shall observe the traffic laws of the State of Colorado, and observe the Rules and Regulations of the State Board of Education and the Local Board of Education. Speeding and careless driving will not be tolerated.~~

~~Bus drivers will check with the Supervisor of Transportation when in doubt about going on routes in bad weather. In case the Supervisor cannot be contacted they shall use their own judgment. Drivers of district owned buses shall have their bus greased and oil changed as directed by the transportation director.~~

~~Drivers shall see that no one stands, enters or alights from a bus while it is in motion. Passengers who must cross the roadway either upon disembarking from a school bus or entering the bus shall cross the roadway to the front of the bus. Under such circumstances, the driver of the bus shall not deactivate the flashing red warning lights until all such passengers shall have reached an area where they are safe from approaching traffic, or shall have entered the bus.~~

~~Drivers shall see that pupils observe the rules of conduct and safety as stated herein or as recommended by the Superintendent/Principal. They shall report to the superintendent/principal any pupil or pupils who willfully disrespect the authority of the driver in charge.~~

~~Bus drivers shall be responsible for the sanitary conditions of their buses. This shall mean cleaning the interior regularly and washing the exterior as necessary.~~

~~Drivers shall conform to state laws and to regulations of the Colorado Department of Education and of the Colorado Department of Revenue Division of Motor Vehicles in regard to training, licensing and other requirements and shall participate in required in-service training programs.~~

~~This shall apply to all drivers, including those on regular and special trips.~~

~~Activity and Field Trips~~

~~Any student participating in any school activity shall ride to and from the activity in the transportation provided by the school, unless other arrangements are made with the Principal.~~

~~All sponsors and coaches must remain with students and players at the school upon returning from an activity until the students are picked up at the school. If a student is to leave the bus at a point other than the regular stop, a note from parents will be necessary. The note is to be given to the sponsor prior to the event.~~

~~Pupils being transported to and from school events by school approved transportation shall be under the supervision of a faculty sponsor and shall be governed by school regulations regarding such matters.~~

~~Without written permission, a coach or sponsor can only release pupils to their parents/guardian. Pupils wishing to be released to other family members or individuals must present a written note to the principal prior to leaving school for the event. Any other arrangements must be cleared in advance by the administration.~~

The district shall operate its own fleet of buses and other types of vehicles as needed.

~~Transportation shall, as a rule, be in district-owned vehicles. Exceptions to this rule must have the prior approval of the superintendent.~~

Adopted: ~~06/1975~~**June 1975**
Revised: ~~06/16/99~~**June 16, 1999**
Revised and recoded: date of manual revision

LEGAL REFS.: **20 U.S.C. 1116** ***(choice options contained in No Child Left Behind Act of 2001)***
C.R.S. 22-32-110 (1)(a) ***(hold real property in name of district)***
C.R.S. 22-32-113 ***(transportation of pupils and imposition of fee for excess transportation costs)***
C.R.S. 22-32-114 ***(transportation by parents of own children)***
C.R.S. 22-51-101 ***et seq.*** ***(Public School Transportation Fund)***20

CROSS REFS.: **DEA,** Fund From Local Tax Services
EEA, subcodes, (all relate to the district's transportation program)
EFC, Free and Reduced Price Food Services
JFBA, Intra-District Choice/Open Enrollment
JQ, Student Fees, Fines and Charges
LBD*-R, Relations with District Charter Schools

CASB SAMPLE REGULATION

File: EEA-R

NOTE: While Colorado school districts are not required by law to adopt a regulation on this subject, some content in this sample reflects legal requirements school districts must follow. This sample contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Student Transportation

(Transportation Fee)

The district may impose and collect a fee for the payment of excess transportation costs by adoption of a Board resolution, in accordance with state law. Prior to adoption of such Board resolution, the Board shall hold a public meeting to solicit and consider recommendations from, at a minimum, the school district accountability committee or its equivalent; teachers; parents; students; and any statewide or local organization that represents parents, students and teachers within the district. The recommendations shall pertain to whether the Board should impose a transportation fee and to the proposed transportation fee schedule. Public notice of this meeting shall be provided at least 30 days prior to the meeting.

At a meeting held subsequent to the meeting at which the Board hears public comments and recommendations, the Board may adopt a transportation fee schedule and Board resolution to impose such a fee. In imposing any transportation fee, the district shall ensure that only those students who use the district's transportation services shall be required to pay the fee.

[Optional language to include if district has district charter schools: Prior to imposing any transportation fee on students enrolled in any district charter school, the district shall consult with the students' parents. The full amount of any transportation fee charged shall be used to offset the costs of providing district transportation services to these district charter school students.]

(Approval date)

CASB SAMPLE POLICY

File: EEAA

NOTE: While Colorado school districts are not required by law to adopt a policy on this subject, some content in this sample reflects legal requirements school districts must follow. This sample contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Walkers and Riders

The district shall furnish transportation to all elementary school students who live beyond one mile from their assigned school, to junior and senior high students who live beyond one and one-half miles from their assigned school, and to students who are attending a school other than their assigned school pursuant to the No Child Left Behind Act (NCLB) choice option.

Transportation shall be furnished for shorter distances if, in the opinion of the Board, extreme hardship or dangerous conditions prevail.

(Adoption date)

NOTE: An accompanying regulation may be needed to establish how walking distances will be measured. Because student transportation is a sensitive area, official Board approval of the regulation would be advisable. This also is true of other regulations pertaining to student transportation.

CASB SAMPLE POLICY

File: EEAC

NOTE: While Colorado school districts are not required by law to adopt a policy on this subject, some content in this sample reflects legal requirements school districts must follow. This sample contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Bus Scheduling and Routing

Adequate service, safety and efficient operation shall be the goals in the planning of school bus schedules, routes and stops.

The supervisor of transportation shall be responsible for the development of these transportation plans which shall be subject to the approval of the superintendent.

Spot locations maps developed from school census information and supplementary surveys as needed shall be used in planning routes.

The Board desires that all students be received and discharged from buses as near their homes as possible, but on public roads. Bus stops shall be designed to comply with state law regarding students' embarking and disembarking on major thoroughfares. In no event shall students be required to walk more than one-half mile to buses.

(Adoption date)

LEGAL REFS.: C.R.S. 22-32-113 (2) *(Board may determine routes)*
C.R.S. 42-4-1904 *(discharge of passengers)*
1 CCR 301-26, Rule 4204-R-224.00 *(small vehicles, 14 or less passenger capacity multifunction buses, or school buses may be operated on route)*

File: ~~EEA,~~ EEAC-**R**

Bus Scheduling and Routing ~~Routes~~

Once school bus routes are defined and drawn, there will be no changes and/or variation without the approval of the superintendent and of the Board and until parents are informed.

In order to effectively plan transportation routes, parents or guardians will be required ~~to,~~ at the beginning of each school year~~,~~ **to** designate in writing one pick-up and one drop-off location for each child. These locations do not need to be the same; however, once locations are designated, students will only be allowed to ride to or from these locations and will not be allowed to ride busses to other locations for reasons including, but not limited to parties, day care, scouts, etc.

In the event of a family move, a change of custody, or other situations that require permanent changes in pick-up or drop-off locations, changes can be made by written request submitted to the director of transportation at least seven days in advance.

Temporary changes (less than 10 days) will only be allowed upon written request to the director of transportation at least seven days in advance and only on a daily space-available basis.

Bus stops will be planned so that a student does not have to cross a major thoroughfare immediately after getting off the bus. Bus stops will not be set up along major thoroughfares whenever access is possible by the use of an adjacent street or road. A "major thoroughfare," as defined in state law, is a freeway, a U.S. highway outside incorporated limits, an interstate highway, a highway with four or more lanes, or a road with a median separating multiple lanes of traffic. Two-lane highways will be exempt from this requirement if the Board in consultation with local traffic officials determines they can be crossed safely.

Drivers are to make no changes whatsoever in routes or receiving and discharging points except in cases where road conditions require an immediate decision and such changes are absolutely required. When such conditions prevail, safety of the students is to be the governing factor. Drivers are to report such conditions to the transportation supervisor as soon as possible.

Students will be expected to be at bus stops on schedule. Drivers will wait for students only for a brief time at such stops, according to time schedules.

~~Late Bus Routes~~

~~Late bus routes will be discontinued beginning the fall of 2008.~~

~~In cases of early school closure, this policy may be waived to assist parents provided that space is available for all riders.~~

~~Transportation shall, as a rule, be in district-owned vehicles. Exceptions to this rule must have the prior approval of the superintendent.~~

~~Buses rated for over 42 passengers are not to travel on non-county maintained roads. The above applies to driving into private driveways to pick up or drop off students, except when necessary to turn a bus around or for off-road loading or unloading. The director of transportation must approve exceptions to this portion of policy.~~

~~Bus drivers will check with the Supervisor of Transportation when in doubt about going on routes in bad weather. In case the Supervisor cannot be contacted they shall use their own judgment. Drivers of district owned buses shall have their bus greased and oil changed as directed by the transportation director.~~

~~Adopted~~**Approved**: ~~06/1975~~ **June 1975**
Revised: ~~06/16/99~~ **June 16, 1999**
Revised and recoded: date of manual revision

File: ~~EEA, EEAC~~ **EEAE**

Bus Safety Program

The s~~S~~chool ~~buses~~ **district** shall ~~be operated in a safe and sane manner for both the safety of the pupils and the conservation of buses. Drivers shall observe the traffic~~ **comply with all state** laws ~~of the State of Colorado, and observe the Rules~~ and r~~R~~egulations ~~of the State Board of Education and the Local Board of Education. Speeding and careless driving will not be tolerated~~ **pertaining to the operation of school buses and shall make these requirements known to bus drivers. It also shall cooperate with local safety officials in formulating and accomplishing its school bus safety program.**

The safety and welfare of student riders shall be the first consideration in all matters pertaining to the bus safety program. Safety precautions shall include the following:

1. **Students shall be instructed as to the proper procedure for boarding and exiting from a school bus and in proper and safe conduct while aboard.** Drivers shall make sure that all students are on their bus before leaving school. If ~~they~~ **drivers** are not sure, they shall check with the transportation director.

2. Drivers shall see that no one stands, enters or alights from a bus while it is in motion. Passengers who must cross the roadway either upon disembarking from a school bus or entering the bus shall cross the roadway to the front of the bus. Under such circumstances, the driver ~~of the bus~~ shall not deactivate the flashing red warning lights until all ~~such~~ passengers **have entered the bus or** ~~shall~~ have reached an area where they are safe from approaching traffic~~, or shall have entered the bus~~.

3. **A bus driver who observes a vehicle passing the school bus when the signal lights are activated shall notify the transportation supervisor of the violation and provide the basic information required by law. The transportation supervisor shall convey this information to the appropriate law enforcement agency.**

4. **Emergency evacuation drills shall be conducted at least two times a year to acquaint student riders with procedures in emergency situations.**

5. **Passengers of any school bus used on mountainous terrain shall not occupy the front row of seats and any seats located next to emergency doors unless the bus is equipped with retarders which supplement the bus brake system or the passengers are adequately restrained in a fixed position.**

6. Buses rated for over 42 passengers ~~are~~ **shall** not ~~to~~ travel on non-county maintained roads. ~~The above~~**This** applies to driving into private driveways to pick up or drop off students, except when necessary to turn a bus around or for off-road loading or unloading. The director of transportation ~~must~~ **may** approve exceptions to this ~~portion of policy~~**provision**.

7. **All vehicles used to transport students shall be inspected periodically to see that they meet safety regulations.** Drivers shall make regular inspection of their buses each day before beginning the route. They shall report to the **s**~~S~~upervisor of **t**~~T~~ransportation any mechanical difficulties, **hazardous** road conditions, or other ~~hazardous~~ situations ~~endangering pupils~~**which may endanger students**.

Drivers shall ~~see that pupils observe the rules of conduct and safety as stated herein or as recommended by the Superintendent/Principal. They shall~~ report to the superintendent~~/~~ **or** principal any ~~pupil or pupils~~**student** who ~~willfully disrespect~~**fails to observe bus safety rules or who fails to respect** the **bus driver's** authority ~~of the driver in charge~~.

Adopted: ~~06/1975~~**June 1975**
Revised: ~~12/16/87~~ **December 16, 1987**
Revised: ~~09/14/94~~ **September 14, 1994**
Revised: ~~06/19/99~~ **June 19, 2000**
Revised: ~~07/26/00~~ **July 26, 2000**
Revised: ~~08/21/08~~ **August 21, 2008**
Revised and recoded: date of manual revision

LEGAL REFS.: **C.R.S. 42-4-707** ***(certain vehicles must stop at railroad grade crossings)***
C.R.S. 42-4-1901-1904
1 CCR 301-26, Rules 4204-R-200 ***et seq.***

CROSS REFS.: **EEAEG***, **Use of Wireless Communication Devices by School Transportation Vehicle Operators**
JICC, Student Conduct in School Vehicles

File: ~~EEA, EEAC~~ **EEAEA**

School Transportation Vehicle Operator Requirements and Training

~~Drivers~~ **School transportation vehicle operators** shall conform to state **and federal** laws and to regulations **regarding** ~~of the Colorado Department of Education and of the Colorado Department of Revenue Division of Motor Vehicles in regard to~~ training, licensing and other requirements and shall participate in required ~~in-service~~ **inservice** training programs.

This shall apply to all ~~drivers,~~ **operators** including those on regular ~~and special trips~~ **routes, activity and/or other trips**.

~~Bus drivers shall be responsible for the sanitary conditions of their buses. This shall mean cleaning the interior regularly and washing the exterior as necessary.~~

Adopted: ~~06/1975~~**June 1975**
Revised: ~~12/16/87~~ **December 16, 1987**
Revised: ~~09/14/94~~ **September 14, 1994**
Revised: ~~06/19/99~~ **June 19, 1999**
Revised: ~~07/26/00~~ **July 26, 2000**
Revised: ~~08/21/08~~ **August 21, 2008**
Revised and recoded: date of manual revision

LEGAL REFS.: **C.R.S. 42-2-401 *et seq.* *(Commercial Driver's License Act)***
1 CCR 301-26, Rules 4204-R-200 *et seq.*

CROSS REF.: **EEAEAA*, Drug and Alcohol Testing for Bus Drivers**

Drug and Alcohol Testing for Bus Drivers

In accordance with federal law and regulations, the district shall be responsible for implementing a drug and alcohol testing program for school bus drivers. The purpose of the testing program shall be to help prevent accidents and injuries resulting from the misuse of alcohol and controlled substances by bus drivers.

Prohibited conduct

Drivers shall be prohibited from any alcohol misuse that could affect performance on the job including use on the job, use during the four hours before driving, having prohibited concentrations of alcohol in their systems while driving and use during eight hours following an accident.

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substances except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect his or her ability to safely operate a motor vehicle.

Required testing

Drivers shall be subject to pre-employment/pre-duty drug testing and to reasonable suspicion, random, post-accident, return-to-duty and follow-up alcohol and drug testing pursuant to procedures set out in the federal regulations. These procedures use an evidential breath testing device for alcohol testing. For controlled substances testing, urine specimen collection and testing by a laboratory certified by the U.S. Department of Health and Human Services shall be required.

Pre-employment drug testing shall be administered to an applicant offered a position in the district prior to the first time the driver performs any safety-sensitive function for the district.

Random alcohol testing shall be limited to the time period surrounding the performance of safety-related functions which includes just before or just after the employee performs the safety-related function. Controlled substances testing may be performed at any time while the driver is at work.

An employee covered by the federal regulations may not refuse to take a required test.

Consequences if testing indicates drug or alcohol misuse

If the testing confirms prohibited alcohol concentration levels or the presence of a controlled substance, the employee shall be removed immediately from safety-related functions in accordance with the federal regulations. Before a driver is reinstated, if at all, the driver shall undergo an evaluation by a substance abuse professional, comply with any required rehabilitation and undergo a return-to-duty test with verified test results.

A driver who is prohibited from performing safety-sensitive functions may be assigned to non-safety-sensitive functions until such time as the driver complies with the requirements for returning to duty.

The Board retains the authority consistent with state and federal law to discipline or discharge any employee who is an alcoholic or chemically dependent and whose current use of alcohol or drugs affects the employee's qualifications for and performance of his **or her** job.

The district is not required under federal law requiring drug and alcohol testing to provide rehabilitation, pay for substance abuse treatment or to reinstate the employee. All employment decisions involving reinstatement, termination or dismissal shall be made in accordance with applicable district policies.

Record retention

The district shall maintain records in compliance with the federal regulations in a secure location with controlled access. With the driver's consent, the district may obtain any of the information concerning drug and alcohol testing from the driver's previous employer. A driver shall be entitled upon written request to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances including information pertaining to alcohol or drug tests.

Records shall be made available to a subsequent employer upon receipt of a written request from a driver only as expressly authorized by the terms of the driver's request.

Other provisions

The district shall take steps to ~~insure~~ **ensure** that supervisors receive proper training to administer the drug and alcohol testing program and that employees receive the notifications required by federal regulations.

Adopted: ~~9/14/94~~ **September 14, 1994**
Revised: date of manual revision

LEGAL REFS.: 49 U.S.C. §2717 *et seq.* *(Omnibus Transportation Employee Testing Act of 1991)*
49 C.F.R. Part 40 *(procedures for transportation workplace drug and alcohol testing programs)*
49 C.F.R. Part 382 *(controlled substance and alcohol use and testing)*
49 C.F.R. Part 391 *(qualification of drivers)*
C.R.S. 25-1.5-106(12)(b) ***(possession or use of medical marijuana in or on school grounds or in a school bus is prohibited)***
C.R.S. 42-2-~~501~~**401** *et seq.* *(Commercial Driver's License Act)*
~~8 CCR 1507-1 (Colorado Department of Public Safety Rules)~~

CROSS REFS.: **EEAEA**, School Transportation Vehicle Operator Requirements and Training
GBEC, Alcohol and Drug-Free Workplace
GDQD, Discipline, Suspension and Dismissal of Support Staff

Drug and Alcohol Testing for Bus Drivers

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

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

References to *tests* in these regulations include both drug and alcohol tests unless the context specifies otherwise. The terms *drugs* and *controlled substances* are interchangeable and have the same meaning. ~~*Drugs*~~ **and the terms** refer to marijuana **(THC)**, cocaine, opiates, phencyclidine (PCP) and amphetamines (including methamphetamines).

Pre-employment drug tests

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

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

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

Post-accident tests

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

1. Was performing safety-sensitive functions with respect to the vehicle if the accident involved loss of human life~~.~~; **or**

2. **Where any person involved in the accident required immediate medical attention away from the scene and the driver** ~~R~~received a citation under state or local law for a moving traffic violation arising from the accident; **or**

3. **Where the vehicle required towing from the scene and the driver received a citation for a moving violation.**

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

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

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

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

Random tests

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

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

Reasonable suspicion tests

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

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

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

A supervisor or district official who makes a finding of reasonable suspicion also must make a written record of his **or her** observations leading to a reasonable

suspicion drug test within 24 hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

Return-to-duty tests

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

Employees whose conduct involved misuse of drugs may not return to duty in a safety-sensitive function until the return-to-duty drug test produces a verified negative result.

Employees whose conduct involved alcohol may not return to duty in a safety-sensitive function until the return-to-duty ~~tests~~**alcohol test** produces a verified result that meets federal and district standards.

Follow-up tests

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

Records

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

Notifications

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

1. The person designated by the district to answer driver questions about the materials.

2. Categories of drivers who are subject to the drug and alcohol testing requirements.

3. Sufficient information about the safety-sensitive functions performed by drivers to make clear for what period of the workday driver compliance is required.

4. Specific information concerning driver conduct that is prohibited.

5. Circumstances under which a driver will be tested for drugs and/or alcohol.

6. Procedures that will be used to test for the presence of drugs and alcohol, protect the driver and the integrity of the testing processes, safeguard the validity of test results and ~~insure~~ **ensure** that test results are attributed to the correct driver.

7. The requirement that a driver submit to drug ~~or~~ **and** alcohol tests administered in accordance with federal regulations.

8. An explanation of what constitutes a refusal to submit to a drug or alcohol test and the attendant consequences.

9. Consequences for drivers found to have violated the drug and alcohol prohibitions including the requirement that the driver be removed immediately from safety-sensitive functions and the procedures for referral, evaluation and treatment.

10. Consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04.

11. Information concerning the effects of drugs and alcohol on an individual's health, work and personal life; external and internal signs and symptoms of a drug or alcohol problem, and available methods of intervening when a drug or alcohol problem is suspected including confrontation, referral to an employee assistance program and/or referral to administrative officials.

Each driver must sign a statement certifying ~~that he has received~~ **receipt of** a copy of the above materials.

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

The district will notify a driver of the results of a pre-employment drug test if the driver requests such results within 60 calendar days of being notified of the disposition of ~~his~~ **the** employment application.

The district will notify a driver of the results of random, reasonable suspicion and post-accident drug tests if the test results are verified positive. The district also will tell the driver which controlled substances were verified as positive.

Drivers will inform their supervisors if at any time they are using a controlled substance which their physician has prescribed for therapeutic purposes. Such a substance may be used only if the physician has advised the driver that it will not adversely affect ~~his~~**the** ability to safely operate a commercial motor vehicle.

Enforcement

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

A driver who in any other way violates district prohibitions related to drugs and alcohol will receive from the district the names, addresses and telephone numbers of substance abuse professionals and counseling and treatment programs available to evaluate and resolve drug and alcohol-related problems. The employee will be evaluated by a substance abuse professional who will determine what help, if any, the driver needs in resolving such a problem.

Any substance abuse professional who determines that a driver needs assistance will not refer the driver to a private practice, person or organization in which ~~he~~**the professional** has a financial interest except under circumstances allowed by law.

Before the driver is returned to safety-sensitive duties, if at all, the district must ~~insure~~ **ensure** that the employee:

1. Has been evaluated by a substance abuse professional.

2. Has complied with any recommended treatment.

3. Has taken a return-to-duty drug and alcohol test with a result indicating an alcohol concentration level of less than 0.02.

4. Is subject to unannounced follow-up drug and alcohol tests. The number and frequency of such follow-up testing will be as directed by the substance abuse professional and consist of at least six tests in the first 12 months following the driver's return to duty.

Approved: ~~09/14/94~~ **September 14, 1994**
Revised: ~~02/23/95~~ **February 23, 1995**
Revised: date of manual revision

CASB SAMPLE POLICY

File: EEAEF*

NOTE: While Colorado school districts are not required by law to adopt a policy on this subject, CASB believes this sample contains the content/language that reflects "best practices." However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Video Cameras on Transportation Vehicles

The Board of Education recognizes the district's continuing responsibility to maintain and improve discipline and to ensure the health, welfare and safety of its staff and students on school transportation vehicles.

After having weighed carefully and balanced the rights of privacy of students with the district's duty to ensure discipline, health, welfare and safety of staff and students on school transportation vehicles, the Board supports the use of video cameras on its transportation vehicles.

Video cameras may be used to monitor student behavior on school vehicles transporting students to and from school or extracurricular activities.

Students in violation of bus conduct rules shall be subject to disciplinary action in accordance with established Board policy and regulations governing student conduct and discipline.

The district shall comply with all applicable state and federal laws related to video recordings when such recordings are considered for retention as part of the student's behavioral record as determined by the district and in accordance with law.

Video surveillance shall be used only to promote the order, safety and security of students, staff and property.

The superintendent is directed to develop regulations governing the use of video cameras in accordance with the provisions of law and established Board policies and regulations.

(Adoption date)

LEGAL REFS.: 20 U.S.C. §1232g *(Family Educational Rights and Privacy Act of 1974)*
34 C.F.R. §99.1 *et seq.* *(FERPA regulations)*
C.R.S. 24-72-113 *(limit on retention of passive surveillance records)*

CROSS REFS.: JIC, Student Conduct, and subcodes
JK, Student Discipline, and subcodes
JRA/JRC, Student Records/Release of Information on Students

NOTE: State law prohibits the retention of any "passive surveillance record" for more than three years after the record's creation, unless such retention is because of "a notice of claim filed, or an accident or other specific incident that may cause the passive surveillance record to become evidence in any civil, labor, administrative, or felony criminal proceeding." C.R.S. 24-72-113(2)(a). State law also prohibits the district's records custodian from accessing a passive surveillance record after the first year of its creation, unless a claim has been filed or an accident or other specific incident may cause it to be used as evidence. If the passive surveillance record is accessed after the first year of its creation, the custodian must "preserve a record" of the person who accessed the record and the reason for doing so. "Passive surveillance" is defined as "the use by a government entity of a digital video camera, video tape camera, closed circuit television camera, film camera, photo radar recorder, or other image recording device positioned to capture moving or still pictures or images of human activity on a routine basis or for security or other purposes. . . ." C.R.S. 24-72-113(1).

CASB SAMPLE REGULATION

File: EEAEF*-R

NOTE: While Colorado school districts are not required by law to adopt a regulation on this subject, some content in this sample reflects legal requirements school districts must follow. This sample contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Video Cameras on Transportation Vehicles

Student records

1. The district will comply with provisions of federal law regarding student records requirements as applicable in the district's use of video recordings. Video recordings considered for retention as part of a student's behavioral record will be maintained in accordance with established student record procedures governing access, review and release of student records.

2. The district will include a notice in parent/student handbooks that video cameras may be used on school vehicles transporting students to and from school or extracurricular activities. The district will include as a part of its notice to parents/guardians and students a copy of the Board's video camera policy and regulations accompanied by a form to be signed and returned to the district as an acknowledgment of its being read and understood.

3. Parents/guardians and students will not be notified when a video camera is on board and in use on a district vehicle.

Storage/security

1. All video recordings will be stored and secured to ensure confidentiality.

2. Video recordings will be stored for a minimum of _____*[five]*_____ days after initial recording, whereupon if no reason for continued storage is known to the district such recordings will be released for erasure.

3. Video recordings held for review of student incidents will be maintained in their original form pending resolution. Tapes then will either be released for erasure or retained as necessary as part of the student's behavioral record in accordance with established district procedures.

Use

Choose one of the following options.

1. Video cameras will be used on all school vehicles transporting students to and from school or extracurricular activities at the discretion of the ____*[transportation supervisor]*___.

-or-

Video cameras will be rotated on school vehicles transporting students to and from school or extracurricular activities at the discretion of the ____*[transportation supervisor]*____.

-or-

Video cameras will be used on school transportation vehicles as determined by the _____*[transportation supervisor]*_____.

2. Staff and students are prohibited from tampering with or otherwise interfering with video camera equipment.

Viewing requests

1. Requests for viewing video recordings will be limited to the appropriate bus driver, transportation supervisor, school administrator, parent/guardian or eligible student (18 years of age or older), or others as deemed appropriate by the principal.

2. Requests for viewing may be made to the principal within ___*[five]*___ school days of the date of recording.

3. Requests for viewing will be limited to those parents/guardians, students and district officials with a direct interest in the proceedings as deemed appropriate by the principal.

4. Only the portion of the video recording concerning a specific incident will be made available for viewing.

5. Approval/denial for viewing will be made within ___*[five]*___ school days of receipt of the request and so communicated to the requesting individual.

6. Video recordings will be made available for viewing within ___*[three]*___ school days of the request approval.

Viewing

1. Actual viewing will be permitted only at school-related sites including the transportation office, school buildings, or central administrative offices.

2. All viewing will include the transportation supervisor and/or building principal.

3. A written log will be maintained of those viewing video recordings including the date of viewing, reasons for viewing, date the recording was made, vehicle video-taped, name of driver, and signature of the viewer.

4. Video recordings will remain the property of the district and may be reproduced only in accordance with law including applicable Board policy and regulations.

(Approval date)

CROSS REF.: JRA/JRC, Student Records/Release of Information on Students

COLORADO SAMPLE REGULATION 1993©

CASB SAMPLE EXHIBIT

File: EEAEF*-E

NOTE: This policy/regulation/exhibit does not need to be filed in the Board's policy manual. It is provided as informational only and if applicable, may be kept by the district in another location.

Notice to Students and Parents/Guardians Regarding the Use of Video Recorders on School Buses

The district has installed video recording equipment on all school buses to monitor school transportation and will be videotaping on bus routes at random during the school year. Each bus has been equipped with a video monitor box in which a video recording device may be installed. Students will not be notified when a recording device has been installed on their bus.

Tapes will be reviewed on a routine basis by the principal, and evidence of student misconduct will be documented. Students found to be in violation of the district's bus conduct rules will be notified and disciplinary action will be initiated under the Board-adopted Code of Conduct and Discipline.

Videotapes will be treated as protected student records under the Family Educational Rights and Privacy Act. The following guidelines will apply:

1. Tapes will remain in the custody of the _____*[transportation supervisor]*_____. Tapes may be erased after _____ days if no reason for continued storage is known to the district.

2. Parents/guardians or students who wish to view a videotape in response to disciplinary action taken against a student may request such access under the procedures set forth in policy JRA/JRC–Student Records/Release of Information on Students.

3. Persons unrelated to a disciplinary incident will not be permitted to view bus videotapes.

.....

Acknowledgment

I understand and acknowledge the Board's policy and regulations concerning the use of video recorders on school buses. I also understand that my son/daughter will be held accountable for his/her conduct on district transportation and for the consequences outlined in the Board's policy and regulations for student conduct on district-approved transportation.

_____ _____

Parent/guardian Date

(Issue date)

COLORADO SAMPLE EXHIBIT 1993©

File: EEAEG*

Use of Wireless Communication Devices by ~~Bus Drivers~~ School Transportation Vehicle Operators

While the Board of Education believes the use of wireless communication devices by district ~~bus drivers~~**transportation vehicle operators** is important to provide instant communication regarding emergencies as well as to convey other important information, ~~bus drivers~~**vehicle operators** shall be subject to the following restrictions to ensure safe use.

For purposes of this policy, wireless communication device is defined as any device intended to ~~facilitation~~ **facilitate** communication, including but not limited to cell phones, two-way radios, walkie talkies, palm pilots, beepers, pagers, etc.

~~Bus drivers~~**Vehicle operators** shall not place or receive communications on any personally owned wireless communication device while passengers are loading or unloading from the ~~bus~~ **school transportation vehicle** or while the ~~bus~~**vehicle** is in motion.

Under usual circumstances, use of district owned wireless communication devices shall be allowed when used to assist a ~~driver~~**vehicle operator** and/or dispatcher in the necessary communications periodically needed to safely deliver children – home to school, school to school, school to home and on activity trips. Use of such devices while the ~~bus~~**vehicle** is in motion shall be limited whenever possible.

~~Bus drivers~~**Vehicle operators** shall under no circumstances place or receive communications unrelated to district business while on duty.

Violation of this policy may subject the vehicle operator to disciplinary action.

Adopted: ~~09/21/05~~**September 21, 2005**
Revised: date of manual revision

LEGAL REFS.: **C.R.S. 42-4-239** ***(using a wireless telephone for text messaging while driving is prohibited)***
1 CCR ~~302~~ **301**-26, Rule 4204-R-232.00

CROSS REFS.: EDB, Maintenance and Control of Materials and Equipment
EEAE, Bus Safety Program

File: ~~EEA, EEAC~~ **EEAFA**

Extracurricular Activity Buses/Field Trips/Special Events Transportation

School bus services may be used as transportation for student field trips and extra-curricular activities in accordance with amounts budgeted for such purposes and subject to regulations approved by the superintendent.

All arrangements for bus services for special trips shall be made through and approved by the director of transportation.

Activity and f~~F~~ield t~~T~~rips

~~Any s~~**S**tudent**s** participating in ~~any~~ school ~~activity~~ **activities** shall ride to and from the activity in the transportation provided by the school, unless other arrangements are made **in advance** with the p~~P~~rincipal.

All sponsors and coaches must remain with students and players at the school upon returning from an activity until the students are picked up at the school. If a student ~~is to~~**must** leave the bus at a point other than the regular stop, a note from parents will be necessary. The note ~~is to~~ **shall** be given to the sponsor prior to the event.

~~Pupils~~ **Students** being transported to and from school events by school~~-~~approved transportation shall be under the supervision of a faculty sponsor and shall be governed by **the student code of conduct and** ~~school~~ **district** regulations ~~regarding such matters~~.

~~Without written permission, a coach or sponsor can only release pupils to their parents/guardian~~**Students shall only be released to a parent/guardian**. ~~Pupils~~ **Students** wishing to be released to other family members or individuals must present a ~~written~~ note **from parents** to the principal prior to ~~leaving school for~~ the event. ~~Any other arrangements must be cleared in advance by the administration.~~

All sponsors and coaches must remain with students and players at the school upon returning from an activity until the students are picked up at the school. If a student is to leave the bus at a point other than the regular stop, a note from parents will be necessary. The note ~~is to~~**shall** be given to the sponsor prior to the event.

~~Pupils~~ **Students** being transported to and from school events by school approved transportation shall be under the supervision of a faculty sponsor and shall be governed by school regulations regarding such matters.

Without written permission, a coach or sponsor can only release ~~pupils~~ **students** to their parents/guardian**s**. ~~Pupils~~ **Students** wishing to be released to other family members or individuals must present a written note to the principal prior to leaving school for the event. Any other arrangements must be cleared in advance by the administration.

Adopted: ~~06/1975~~**June 1975**
Revised: ~~12/16/87~~ **December 16, 1987**

File: ~~EEA, EEAC~~ **EEAFA**

Revised: ~~09/14/94~~ **September 14, 1994**
Revised: ~~06/19/99~~ **June 19, 1999**
Revised: ~~07/26/00~~ **July 26, 2000**
Revised: ~~08/21/08~~ **August 21, 2008**
Revised and recoded: date of manual revision

LEGAL REF.: **C.R.S. 40-10-116 (1)(b)**

CROSS REFS.: **IJOA, Field Trips**
JJH, Student Travel

Use of ~~Buses~~School Vehicles by Community Groups

~~As a~~**The** general **philosophy of the Board of Education is that school vehicles purchased by the** ~~rule, school buses belong to the d~~District **are to** ~~and shall not be loaned or released to private individuals or groups, and shall~~ be used ~~in regular transportation of pupils or for approved school functions or trips~~ **primarily for school purposes and that taxpayers shall not be expected to subsidize the expense of providing school vehicles or personnel not necessary for school district purposes. Nevertheless, it is the policy of the Board of Education to make available for use by appropriate community groups school vehicles to the extent that such use does not impinge upon or impair use for school district purposes.**

~~At times specified by the Board,~~ **Among community groups that qualify for the use of** school ~~district owned motor~~ vehicles ~~used for the transportation of pupils shall be available to other governmental agencies or district-resident groups of five with special considerations being given to those residents~~ **are those composed of citizens** ~~who are sixty-five~~ **65** years of age or older**. Such groups shall be given special consideration as required by the statute relating to community use of school vehicles. As permitted by law, all groups shall be expected to pay the actual costs involved in the use of school vehicles.**

~~The buses may also be used for transportation to and from organized 4H, Boy Scout, Girl Scout, and youth summer programs upon approval of the Superintendent. These requests must be submitted in writing to the Superintendent at least two weeks prior to the date of requested use and must include such items as dates and time of use, purpose of trip, destination, responsible individual and driver or drivers to be used. The School District must be reimbursed for all expenses of the operation of such motor vehicles. Requests for use by other resident groups should be submitted in writing thirty days in advance to the Superintendent for approval by the Board of Education. The Board reserves the right to judge each request or application on its merits.~~

Nonschool use of school vehicles shall not be intermingled with student transportation, nor shall it interfere with:

1. **Student transportation to, from or between schools.**
2. **Student transportation for school activities and functions.**
3. **Emergency transportation for students.**
4. **Time required for maintenance and service of vehicles.**
5. **Provision of standby vehicles for school purposes.**

Regulations for community use of school vehicles shall be developed by the administration.

Adopted: ~~06-1975~~ **June 1975**

File: EEAFB*

Revised: ~~07/26/00~~**July 26, 2000**
Revised: date of manual revision

LEGAL REF.: C.R.S. 22-32-128 ***(use of school vehicles by residents of district)***

Use of ~~Buses~~School Vehicles by Community Groups

The transportation director or designee shall determine the hours and days when school vehicles may be used by nonschool community groups. This information will be made available to community groups through the office of the superintendent of schools.

The transportation director or designee shall be responsible for approving and scheduling in the time available the use of school vehicles by community groups. In approving and scheduling such use, such official will apply the following criteria:

1. No use by groups of less than five will be approved.

2. Insurance coverage must:

   a. be provided by the users

   b. be in effect during the time of any such use, with coverage similar to and limits not less than the insurance coverage which is in effect while the school vehicle is being used for transportation of students

3. No use will be approved which involves travel over roads or distances which are unduly wearing or damaging to the vehicle or for which the vehicle is inappropriate.

4. Use will not be approved if the fuel consumption involved adversely affects the fuel availability for school district purposes.

5. Any approval of use will be subject to cancellation in the event of adverse road, weather or other conditions which could reasonably present a danger to passengers, drivers or vehicles or in the event of unexpected or emergency school needs.

6. Use will not be approved unless some individual identifies himself/herself as coordinator or leader of the group and agrees to assume the responsibility for collection and remittance to the district of the required reimbursement.

7. ~~Requests for u~~Use ~~by other resident groups should be submitted in writing~~ will be approved only where the group requesting such use submits a written request ~~thirty~~ to the superintendent 30 days ~~in advance~~ prior to the use ~~to the Superintendent for approval by the Board of Education~~., designating the number of riders, the dates and hours of use, the pickup and delivery points, and such other information as the transportation director or designee deems appropriate. Each such request must be accompanied by a deposit in the approximate amount of the reimbursement which will be required as determined by the business officer or designee. Upon final determination of reimbursement required, the deposit will be supplemented by the users or a refund made by the district as is appropriate.

8. **Use will not be approved if it is for partisan political activity, activity promoting or opposing any sectarian views, activity which is potentially disruptive or dangerous, activity which if uniformly extended would result in uses which would impinge upon school use or activities of a similar nature which are inappropriate for school district participation.**

9. **Special consideration will be given to groups comprised primarily of persons 65 years of age or older.**

10. ~~The buses may also be used~~**Use may be** for transportation to and from organized 4H, Boy Scout, Girl Scout~~,~~ and youth summer programs upon approval of the **s**~~S~~uperintendent. These requests must be submitted in writing to the **s**~~S~~uperintendent at least two weeks prior to the date of requested use and must include such items as dates and time of use, purpose of trip, destination, responsible individual and driver or drivers to be used.

11. **Use will be approved only where the vehicle and service available are appropriate to the physical condition of the users.**

12. **Use will be approved only where the group requesting such use is open to all persons who may be reasonably and appropriately included in the group.**

All such use will be subject to the availability of appropriate vehicles and district personnel. The transportation director or designee may impose such requirements as are deemed necessary relative to supervisory personnel accompanying any group utilizing school vehicles. School vehicles may only be driven by school vehicle operators in compliance with policy EEAEA.

~~The School District must be reimbursed for all expenses of the operation of such motor vehicles.~~ **Any group availing itself of use pursuant to these regulations shall agree to and shall reimburse the school district for all of the expenses for operation of such school vehicles as determined by the school district business official. Such expenses in addition to any others approved by the business official will, upon approval of the business official, include the following:**

1. **The actual cost of salaries of vehicle operators and other personnel involved in providing or facilitating the transportation by the non-school group.**

2. **The actual *pro rata* cost to the district, if any, of the insurance required to be provided.**

3. **The actual cost of fuel and oil consumed.**

4. **A reasonable *pro rata* assessment to cover maintenance.**

5. **A reasonable assessment to cover a *pro rata* share of depreciation.**

6. **A reasonable assessment to cover a *pro rata* share of driver preparation and training cost.**

7. **All costs resulting from vandalism occurring during the use.**

Incidental costs such as but not limited to alternative transportation in the event of a breakdown, feeding and housing of users, and similar costs will be the responsibility of the group using the school vehicle.

~~The Board reserves the right to judge each request or application on its merits.~~

Adopted: ~~06-1975~~ **June 1975**
Revised: ~~07/26/00~~ **July 26, 2000**
Revised and recoded: date of manual revision

CASB SAMPLE POLICY

File: EEAG

NOTE: While Colorado school districts are not required by law to adopt a policy on this subject, some content in this sample reflects legal requirements school districts must follow. This sample contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Student Transportation in Private Vehicles

A staff member may transport a student or group of students in a personal vehicle for school-related purposes only if the staff member has special permission covering the specific trip.

Special permission for providing student transportation may be granted in exceptional cases by the superintendent. Exceptional cases shall be determined by review of the number of students traveling, relative costs, safety factors, distance, etc.

Personnel with special permission to use their own vehicles for transporting students must carry their own liability insurance coverage in compliance with state law. A copy of the staff member's driver's license, motor vehicle record, and insurance card shall be placed on file with the appropriate administrative official prior to the transportation of students. A memo of understanding shall be signed by the staff member and district administrative official(s) acknowledging that the staff member's personal liability insurance shall be used first for any necessary coverage.

(Adoption date)

LEGAL REFS.: C.R.S. 22-32-113 (4)
C.R.S. 42-7-101 *et seq.* *(Motor Vehicle Financial Responsibility Act)*

[Revised November 2010]
COLORADO SAMPLE POLICY 1984©

CASB SAMPLE EXHIBIT

File: EEAG-E

NOTE: This exhibit does not need to be filed in the Board's policy manual. It is provided as informational only and if applicable, may be kept by the district in another location.

Student Transportation in Private Vehicles

(Memorandum of Understanding)

Permission to transport students in private vehicles must be obtained from the superintendent prior to travel.

I understand that my driver's personal liability insurance shall be the primary insurance in case there is a need for any coverage. I also understand that I must carry liability insurance coverage that is in compliance with Colorado state law.

The following shall be on file in the superintendent's office and in the transportation director's office before student transportation in my private vehicle takes place:

_____ Copy of my driver's license.

_____ Copy of my motor vehicle record.

_____ Copy of my auto insurance card.

_____

Owner/driver of private vehicle Date

_____

Superintendent Date

_____

Transportation director Date

(Issue date)

COLORADO SAMPLE EXHIBIT 2010©

CASB SAMPLE POLICY

File: EEBA

NOTE: While Colorado school districts are not required by law to adopt a policy on this subject, some content in this sample reflects legal requirements school districts must follow. This sample contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

School Transportation Vehicles

(Use of Safety Belts)

The use of safety belts in school transportation vehicles is mandatory for all personnel using vehicles that are equipped with safety belts.

Operators of all school transportation vehicles except school buses shall be responsible for ensuring that all passengers use safety belts. The operator shall not begin to move the vehicle until the operator and all passengers are belted or secured in a child restraint system as required by state law.

(Adoption date)

LEGAL REF.: C.R.S. 42-4-236 *(children must be placed in a child restraint system that is appropriate for the child's size and age)*

NOTE: State law requires children under the age of 8 to be properly restrained in a child restraint system. This applies to small vehicles transporting students. The following are the motor vehicle child restraint requirements:

- *Infants must ride in the back seat in a rear facing car seat until they are at least 1 year old and at least 20 pounds.*
- *A child 1 year old but less than four 4 years old and weighing more than 20 pounds but less than 40 pounds must ride in a rear-facing or forward-facing child restraint system.*
- *Children 4 to 8 years must continue to ride in a child restraint system. This is typically a booster seat.*
- *Children who are at least 8 years of age but less than 16 years of age shall be properly restrained in a safety belt or child restraint system according to the manufacturer's instructions.*

File: EF

Food Services ~~Management~~

The district ~~shall~~**will** operate a school lunch program in its schools which shall be under the overall supervision of the supervisor of food services ~~who is responsible to the Superintendent~~.

The supervisor of food services shall cooperate with each school principal in matters essential to the proper functioning of the food service program. The responsibility for control of students using the school cafeteria shall rest with the building principal.

Food services shall include hot lunches **and breakfasts,** through participation in the National School Lunch Program ***[optional language: and School Breakfast Program].***

The Board shall approve the prices set for meals and the price of ~~milk~~ **beverages**.

~~As required for participation in the National School Lunch Program, the Board agrees to the following regulations:~~

~~1. That the food services program be operated on a nonprofit basis.~~

~~2. That a "Type A" lunch be made available for students to meet at least one-third of their daily food requirements.~~

~~3. That free and reduced-price lunches be provided students who cannot afford to pay the price of the "Type A" lunch.~~

Adopted: ~~06/30/75~~**June 30, 1975**
Revised: date of manual revision

LEGAL REFS.: **42 U.S.C. 1751** ***et seq.*** ***(National School Lunch Act)***
7 C.F.R. Part 210 ***(National School Lunch Act regulations)***
7 C.F.R. Part 220 ***(School Breakfast Program regulations)***
C.R.S. 22-32-120 ***(food services)***
C.R.S. 22-32-136.3 ***(trans fat ban)***
~~C.R.S. 22-45-106~~
C.R.S. 22-82.7-101 ***et seq.*** **(*Start Smart Nutrition Program provides funding to eliminate amount students who qualify for reduced priced meals pay in school breakfast program)***
C.R.S. 22-82.9-101 ***et seq.*** ***(Child Nutrition School Lunch Protection Program provides funding to eliminate amount students in preschool through fifth grade pay for school lunch program, if they qualify for reduced price meals)***

CROSS REF.: **EFC,** Free and Reduced-Price Food Services

File: EFC

Free and Reduced-Price Food Services

The district shall take part as feasible in the National School Lunch and other food programs which may become available to ~~assure~~ **ensure** that all ~~children~~ **students** in the district receive proper nourishment.

The administration shall establish regulations which conform with state and federal (or other) requirements regarding participation in programs for free and reduced price meals and supplementary food. Such regulations shall be presented to the Board from time to time for its approval.

Adopted: ~~03-1983~~ **March 1983**
Revised: ~~07/26/00~~ **July 26, 2000**
Revised: date of manual revision

LEGAL REFS.: **42 U.S.C. 1751 *et seq.*** ***(National School Lunch Act)***
C.R.S. 22-32-120 ***(food services)***
C.R.S. 22-82.7-101 *et seq.* ***(Start Smart Nutrition Program provides funding to eliminate amount students who qualify for reduced price meals pay in school breakfast program)***
C.R.S. 22-82.9-101 *et seq.* ***(Child Nutrition School Lunch Protection Program provides funding to eliminate amount students in preschool through fifth grade pay for school lunch program, if they qualify for reduced price meals)***

CROSS REF.: **EF, Food Services**

Nutritious Food Choices

At every possible eating occasion, students will have opportunities to practice what they are taught in nutrition education and choose nutritious snacks that are low in fat, sodium and added sugars.

Schools are encouraged to take steps to ensure:

- nutritious foods are always available as an affordable option whenever food is served or sold;
- students have limited opportunities to eat snacks high in fat, sodium or added sugars; and
- competition with nutritious meals served by the school food service program is minimized.

The emphasis on healthy choices applies to:

- a la carte items (separate food choices) offered by the food service program;
- "competitive foods" which are snacks and beverages sold from vending machines, school stores and fund-raising activities that compete with the food service program; and
- refreshments that are available at school parties, celebrations and meetings.

Each beverage offered for sale to students from any source, including the school cafeteria, vending machines, school stores and fund-raising activities conducted on school grounds, shall satisfy the minimum nutritional standards for beverages adopted by the State Board of Education. This applies to beverages sold on campus during the regular school day and extended school day, including but not limited to before and after school activities such as clubs, year book, band, student government, drama and childcare/latchkey programs.

The State Board's nutritional standards for beverages shall not apply to the sale of beverages at school-related events where parents and other adults are a significant part of the audience. Such activities include but are not limited to interscholastic sporting events, school plays and band concerts.

~~NOTE 1: All schools participating in the School Breakfast and/or National School Lunch program(s) must also comply with any federal rules or regulations regarding competitive food service or the service of Foods of Minimal Nutritional Value, as defined by USDA. Schools that participate in these federal programs must prohibit the sale of foods in the categories of minimal nutritional value in food service areas during designated meal periods.~~

~~NOTE 2: The requirement for healthy beverages applies to contracts with vendors entered into or renewed by the school district on or after July 1, 2009.~~

~~NOTE 3: The State Board of Education's healthy beverages rules provide, "To the greatest extent possible beverage products should be Colorado produced products." 1 CCR 301-79, Rule 3.05.~~

~~Adoption date~~**Adopted**: ~~03/19/09~~**March 19, 2009**
Revised~~ date~~: ~~01/21/10~~ **January 21, 2010**
Revised: date of manual revision

LEGAL REFS.: C.R.S. 22-32-134.5 *(healthy beverage requirement)*
C.R.S. 22-32-136.3 ***(trans fat ban)***
1 CCR 301-79 *(State Board of Education – healthy beverages rules)*

CASB SAMPLE EXHIBIT

File: EFEA*-E

NOTE: This exhibit does not need to be filed in the Board's policy manual. It is provided as informational only and if applicable, may be kept by the district in another location.

Healthy Beverages Standards for Schools

The healthy beverages standards for schools adopted by the State Board of Education are as follows:

Beverages sold in elementary school

a. Bottled water
b. Up to 8 ounce servings of fat free or low fat milk. Milk includes nutritionally equivalent milk alternatives (per USDA)
c. Up to 8 ounce servings of fat free or low fat nutritionally equivalent flavored milk up to 150 calories / 8 ounces
d. Up to 8 ounce servings of 100% juice, with no added sweeteners and up to 120 calories / 8 ounces

Beverages sold in middle school

a. Bottled water
b. Up to 10 ounce servings of fat free or low fat milk. Milk includes nutritionally equivalent milk alternatives (per USDA)
c. Up to 10 ounce servings of fat free or low fat nutritionally equivalent flavored milk up to 150 calories / 8 ounces
d. Up to 10 ounce servings of 100% juice, with no added sweeteners and up to 120 calories / 8 ounces

Beverages sold in high school

a. Bottled water
b. No or low calorie beverages with up to 10 calories / 8 ounces, except diet soda may not be sold in high school (e.g., unsweetened or diet teas, low calorie sport drinks, fitness waters, flavored waters, seltzers)
c. Up to 12 ounce servings of fat free or low fat milk. Milk includes nutritionally equivalent milk alternatives (per USDA)
d. Up to 12 ounce servings of fat free or low fat nutritionally equivalent flavored milk up to 150 calories / 8 ounces
e. Up to 12 ounce servings of 100% juice, with no added sweeteners and up to 120 calories / 8 ounces
f. Other drinks, up to 12 ounce servings with no more than 66 calories / 8 ounces
g. At least 50% of non-milk beverages must be water and no or low calorie options

If the middle and high school students have shared access to areas on a common campus or in common buildings, then the school community has the option to adopt the high school standard.

(Issue date)

COLORADO SAMPLE EXHIBIT 2009©

CASB SAMPLE POLICY

File: EGAD

NOTE: While Colorado school districts are not required by law to adopt a policy on this subject, some content in this sample reflects legal requirements school districts must follow. This sample contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Copyright Compliance

It is the intent of the district to adhere to the provisions of copyright laws in all areas, e.g., print, computer software, audiovisual materials, music, etc. Though there continues to be controversy regarding interpretation of copyright laws, the district's intention is to make known that all district employees shall be expected to adhere to the provisions of law, rules and regulations concerning the use of copyrighted materials. The district's legal or insurance protection shall not be extended to employees who violate copyright laws.

Information on copyright infringement and "fair use" guidelines for copyrighted materials shall be made available at the district level as well as the respective building levels.

(Adoption date)

LEGAL REF.: 17 U.S.C. §101 *et seq.* *(agreement on guidelines for classroom copying in Not-for-Profit Educational Institutions, 3/19/76, printed as H.R. Rep. No 1476, 94th Cong., 2d Sess. 81(1976))*

Electronic Communication

Electronic communication is the transmittal of a communication between two or more computers or other electronic devices, whether or not the message is converted to hard copy format and whether or not the message is viewed upon receipt. Electronic communication includes all electronic messages that are transmitted through a local, regional or global computer network.

All district electronic communication systems are owned by the district and are intended for the purpose of conducting official district business only. District electronic communication systems are not intended for personal use by district employees. Employees shall have no expectation of privacy when using district electronic communication systems.

Electronic communication sent or received by the Board, the district or district employees may be considered a public record subject to retention under state or federal law. Such electronic communication may also be subject to public disclosure or inspection under the Colorado Open Records Act.

Whenever the district is a party in litigation or reasonably anticipates being a party in litigation, Board members and district employees in possession of electronic documents, ~~e-mail~~ **email** and/or other evidence relevant to the litigation or reasonably anticipated litigation shall retain all such documents, ~~e-mails~~ **emails** and other evidence until otherwise directed by the superintendent or designee.

To ensure compliance with applicable law and district policy, the district retains the right to review, store and disclose all information sent over the district electronic communication systems for any legally permissible reason, including but not limited to determining whether the information is a public record, whether it contains information discoverable in litigation and to access district information in the employee's absence.

Upon sending or receiving an electronic communication, all users shall segregate or store those communications that are public records. Public records are those that evidence the district's functions, policies, decisions, procedures, operations or other activities of the district or that contain valuable district data.

Electronic communication on district computers or district electronic communication systems shall be retained only as long as necessary. Such electronic communication shall be deleted on a routine basis unless otherwise required to be retained by district policy or state or federal law.

The custodian of records for the district shall assist the public in locating any specific public electronic records requested and shall provide public access to public electronic records in accordance with state law. The district's records custodian shall also be responsible for assisting the district's schools and other sites in complying with record retention requirements.

District employees may be subject to disciplinary action for violation of this policy.

~~Adoption date~~**Adopted**: ~~06/16/97~~ **June 16, 1997**
Revised ~~date~~: ~~09/18/02~~**September 18, 2002**
Revised ~~date~~: ~~03/19/09~~**March 19, 2009**
Revised: date of manual revision

LEGAL REFS.: C.R.S. 24-72-203 (1)(b)(I) *(district must adopt policy regarding the retention, archival and destruction of electronic records)*
C.R.S. 24-72-204.5 *(district must adopt policy on monitoring of electronic mail)*
C.R.S. 24-80-101 *et seq. (State Archives and Public Records Act)*

CROSS REFS.: EHB, Records Retention
GBEE*, Staff Use of **the** Internet and Electronic Communications
GBJ, Personnel Records/Files
JRA/JRC, Student Records/Release of Information on Students
JS*, Student Use of **the** Internet and Electronic Communications
KDB, Public's Right to Know/Freedom of Information

Records Retention

The Board has approved the district's use of the Colorado School District Records Management Manual (records management manual) developed by the Colorado State Archives Department to assist the district in determining the appropriate retention period for various types of records. School district records regarding the district's organization, functions, policies, decisions, procedures, operations, or other activities may be considered public records subject to retention.

The district shall retain records for the time periods specified by the records management manual, as may be amended from time to time, unless a longer retention period is required by state or federal law. District employees and Board members shall be responsible for adhering to the records management manual.

Whenever the district is a party in litigation or reasonably anticipates being a party in litigation, Board members and district employees in possession of hard copy or electronic documents, ~~e-mail~~ **email** and/or other evidence relevant to the litigation or reasonably anticipated litigation shall retain all such documents, ~~e-mails~~ **emails** and other evidence until otherwise directed by the superintendent or designee.

Documents and other materials that are not "records" required to be retained by district policy, the records management manual, or state or federal law, and are not necessary to the functioning of the district, may be destroyed when no longer needed. Examples include telephone message slips, miscellaneous correspondence not requiring follow-up or district action, and ~~e-mails~~**emails** that do not contain information otherwise required to be retained by district policy, the records management manual, or state or federal law.

District employees may be subject to disciplinary action for violation of this policy.

~~Adoption date~~**Adopted**: ~~03/19/09~~**March 19, 2009**
Revised~~ date~~: **date of manual revision**

LEGAL REFS.: **C.R.S. 24-72-113** ***(limit on retention of passive surveillance records)***
C.R.S. 24-80-101 *et seq.* *(State Archives and Public Records Act)*

CROSS REFS.: EGAEA, Electronic Communication
GBJ, Personnel Records and Files
JRA/JRC, Student Records/Release of Information on Students

Insurance Program/Risk Management

The Board has the responsibility for maintaining an adequate insurance program covering its buildings and grounds, fleet of school ~~buses~~**vehicles** and employees carrying out official duties for the district. The Board also may authorize and participate in insurance programs for employees and students. ~~The Board shall annually review its insurance program and shall designate specific insurance companies to underwrite the various insurance plans approved by the Board.~~

The insurance program shall be administered by the _____, under the general supervision of the superintendent.

The administration shall make ~~every effort~~ **reasonable efforts** to obtain insurance at the best available rates–consistent with required coverage and service–through obtaining quotations or bids.

Adopted: ~~05/20/87~~ **May 20, 1987**
Revised: date of manual revision

LEGAL REFS.: **C.R.S. 8-44-110** ***(notice of cancellation of insurance coverage)***
~~1973~~ C.R.S. 22-32-110 (1)(s),(t),(u),(v) ***(board to procure insurance coverage)***
C.R.S. 22-45-103 (1)(c),(e) ***(risk management reserves)***
C.R.S. 22-54-105 (2) ***(funding requirements)***
~~1973~~ C.R.S. 24-10-**115** ~~102 et seq.~~ ***(authority to obtain insurance)***
C.R.S. 24-10-115.5 ***(self-insurance pool)***
~~1973~~ C.R.S. 29-13-101 *et seq.* ***(insurance on property)***

CROSS REF.: **BID/BIE, School Board Member Compensation/Expenses/Insurance/ Liability**

CASB SAMPLE POLICY

File: EIE*

NOTE: While Colorado school districts are not required by law to adopt a policy on this subject, CASB believes this sample contains the content/language that reflects "best practices." However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Compliance with the Affordable Care Act

The Board of Education directs the superintendent or designee to take steps to ensure compliance with the Patient Protection and Affordable Care Act (ACA). Compliance activities shall include adoption or revision of administrative policies and procedures and implementation of same, including record keeping procedures, preparation of necessary documents, employee training, and all other activities necessary to ensure ACA compliance.

(Adoption date)

LEGAL REF.: P.L. 111-148 *(Patient Protection and Affordable Care Act)*

CROSS REFS.: GBGD, Workers' Compensation
GCBD, Professional Staff Fringe Benefits
GDBD, Support Staff Fringe Benefits