

## SECTION E: SUPPORT SERVICES

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## SUPPORT SERVICES GOALS

Support services are essential to the educational program. The Board serves as trustee of District facilities and overseer of school operations for the purpose of providing the facilities and services which support a thorough and efficient educational program.

In order to provide support services that are supportive of the educational program, the Board develops goals which will support the overall educational program. The goals of the support services program include a:

1. safe and pleasant physical environment for teaching and learning for the school community through the continual evaluation of the facilities;
2. transportation program for the safe transporting of students to and from school;
3. food services program which supports the nutrition programs through participation in the National Child Nutrition Programs and
4. safety program which evaluates personnel, buildings, vehicles, equipment and supplies to maintain a safe environment and to minimize the effects of a disaster.

[Adoption date: April 11, 2005]

CROSS REFS.: EB, Safety Program  
EBC, Emergency Management and Safety Plans  
EEA, Student Transportation Services  
EF, Food Services Management  
EFB, Free and Reduced-Price Food Services

## SAFETY PROGRAM

The Board is concerned with the safety of all students, employees and members of the school community present on District property and at all District-sponsored events at other sites. The Board directs the administration to develop a safety program which is reviewed on an annual basis.

The Superintendent/designee has responsibility for the safety program of the District and develops written procedures to comply with all applicable Federal and State laws and regulations.

The practice of safety is also a part of the instructional plan of the District through educational programs. The educational program includes instruction in traffic and pedestrian safety, fire prevention, inservice training and emergency procedures appropriately geared to students at different grade levels.

Safety concerns are discussed regularly during staff meetings. Accident prevention is an ongoing and valued activity. All employees are encouraged to take an active part in maintaining a safe workplace. In general, management regards worker safety and health as a fundamental value of this District.

[Adoption date: April 11, 2005]

[Re-adoption date: September 23, 2014]

LEGAL REFS.: Public Employment Risk Reduction Program; ORC 4167.01 et seq.  
ORC 2744  
3313.536  
3313.60; 3313.643  
3707.26  
3737.73  
OAC 3301-35-06

CROSS REFS.: EA, Support Services Goals  
EEAC, School Bus Safety Program  
GBE, Staff Health and Safety  
IGAE, Health Education  
JHF, Student Safety

**THIS IS A REQUIRED POLICY**

## REPORTING OF HAZARDS

The Board is concerned for the safety of students and staff members and, therefore, attempts to comply with all state and federal statutes and procedures to protect them from hazards that may result from industrial accidents or from the presence of asbestos materials.

### Toxic Hazards

Toxic hazards exist in chemicals and other substances used in the school setting such as in laboratories, science classrooms, kitchens and in the cleaning of rooms and equipment.

The Superintendent appoints an employee to serve as the District's Toxic Hazard Preparedness (THP) officer. The THP officer will:

1. identify potential sources of toxic hazard in cooperation with material suppliers who shall supply the THP officer with material safety data sheets (MSDS);
2. ensure that all incoming materials, including portable containers, are properly labeled with the identity of the chemical, the hazard warning and the name and address of the manufacturer or responsible party;
3. maintain a current file of MSDS for every hazardous material present on District property;
4. design and implement a written communication program which:
  - A. lists hazardous materials present on District property;
  - B. details the methods used to inform staff and students of the hazards and
  - C. describes the methods used to inform contractors and their employees of any hazardous substances to which they may be exposed and of any corrective measures to be employed;
5. conduct a training program in compliance with State and Federal law for for all District employees to include such topics as detection of hazards, explanation of the health hazards to which they could be exposed in their work environment and the District's plan for communication, labeling, etc. and
6. establish and maintain accurate records for each employee at risk for occupational exposure including name, social security number, hepatitis B vaccine status, results of exams, medical testing and follow-up procedures for exposure incidents and other information provided by and to health care professionals.

In fulfilling these responsibilities, the THP officer may enlist the aid of county and municipal authorities and others knowledgeable about potential toxic hazards.

### Asbestos Hazards

In its efforts to comply with the Asbestos Hazard Emergency Response Act, the Public Employment Risk Reduction Act (PERRA) and the Asbestos Abatement Contractors Licensing Act, the Board recognizes its responsibility to:

1. inspect all District buildings for the existence of asbestos or asbestos-containing materials;
2. take appropriate action based on the inspections;
3. establish a program for dealing with friable asbestos, if found;
4. maintain a program of periodic surveillance and inspection of facilities or equipment containing asbestos and
5. comply with EPA procedures governing the transportation and disposal of asbestos and asbestos-containing materials.

The Superintendent appoints a person to develop and implement the District's Asbestos-Management Program which will ensure proper compliance with State and Federal law and the appropriate instruction of staff and students.

The Superintendent also ensures that, when conducting asbestos abatement projects, each contractor employed by the District is licensed pursuant to the Asbestos Abatement Contractors Licensing Act.

### Occupational Exposure Training

All employees with occupational exposure are required to participate in a training program at the time of their initial assignment to tasks where occupational exposure may occur.

Follow-up training for employees is provided one year after their initial training. Additional training is provided when changes such as modifications of tasks/procedures or institution of new tasks/procedures affect employees' occupational exposure.

A record of attendance at occupational exposure training is completed and maintained by the THP officer following each training session. Such records are maintained for three years from the date of the training.

Records Availability

All records required to be maintained are made available upon request for examination and copying by the employee, employee representatives and under the provisions of PERRA. Medical records, however, are not made available to employee representatives or other persons without written consent of the employee.

Other Conditions Injurious to the Safety or Health of Building Occupants

In addition to the reporting of toxic hazards, the Board directs the Superintendent/designee to comply with all Board of Health inspections to ensure that conditions injurious to the safety or health of persons on District property are minimized.

During a Board of Health inspection, each building principal/designee provides:

1. Access to the building and grounds at any time during regular school hours;
2. A record of inspection of the school grounds and buildings for dangerous and recalled products;
3. Any records or other information the Board of Health considers necessary to evaluate the health and safety of the school and
4. A representative who accompanies the sanitation during the course of the inspection with advance notice from the Board of Health.

Liability Disclaimer

Nothing in this policy should be construed in any way as an assumption of liability by the Board for any death, injury or illness that is the consequence of an accident or equipment failure or negligent or deliberate act beyond the control of the Board or its officers and employees.

[Adoption date: April 11, 2005]  
[Re-adoption date: January 12, 2010]  
[Re-adoption date: September 23, 2014]

LEGAL REFS.: 29 CFR 1910.1030  
Asbestos School Hazard Abatement Act; 20 USC 4011 et seq.  
Asbestos Hazard Emergency Response Act; 15 USC 2641 et seq.  
Comprehensive Environmental Response, Compensation and Liability Act;  
42 USC 9601 et seq.  
ORC 3313.643; 3313.71; 3313.711  
3707.26  
4113.23  
4123.01 et seq.  
Public Employment Risk Reduction Program; ORC 4167.01 et seq.

CROSS REFS.: EB, Safety Program  
EBBC, Bloodborne Pathogens  
EBC, Emergency Management and Safety Plans  
ECG, Integrated Pest Management  
GBE, Staff Health and Safety

## FIRST AID

The school nurse develops guidelines for the emergency care of any student or staff member who is injured or becomes ill at school or while engaged in a school-sponsored activity. The guidelines are reviewed by the Board prior to implementation.

The guidelines provide for at least one person in each building to have special training in first aid.

The District provides employee automated external defibrillator (AED) training in accordance with State law. Compliance with this training requirement is reported to the Ohio Department of Education by November 30 annually through the consolidated school mandate report.

If the District reports noncompliance the Superintendent/designee must provide a written explanation to the Board within 30 days explaining this noncompliance and a written plan of action for accurately and efficiently addressing the problem.

In the case of an emergency involving a student, the emergency medical authorization form is followed and efforts are made to contact the parent/guardian.

[Adoption date: April 11, 2005]

[Re-adoption date: January 8, 2018]

[Re-adoption date: November 27, 2018]

LEGAL REFS.: ORC 2305.23  
3301.56  
3301.68  
3313.6021; 3313.6023  
3313.712; 3313.717  
OAC 3301-27-01  
3301-35-06

CROSS REFS.: EB, Safety Program  
EBBC, Bloodborne Pathogens  
EBC, Emergency Management and Safety Plans  
IGD, Cocurricular and Extracurricular Activities  
JHCD, Administering Medicines to Students  
Emergency Medical Authorization Form  
Staff Handbooks

**THIS IS A REQUIRED POLICY**

Three Rivers Local School District, Cleves, Ohio



## FIRST AID

The following requirements shall be adhered to by all personnel.

1. A school nurse or other trained persons are responsible for administering first aid and emergency care in each building. Although each nurse is assigned a school or group of schools for providing regular nursing services, a nurse is subject to call from any school if needed. An emergency medical service will be called in case of serious illness or injury.
2. The parents of all students are asked to sign and submit an emergency medical authorization form that indicates the procedure they wish to be followed in the event of a medical emergency involving their child. The forms are kept readily accessible in the health center of each school.
3. Only emergency care and first aid are provided. A physician or nurse provides training for first-aid treatment and emergency care for various types of illness and injury. Use of medications is limited to topical applications as directed by a physician for certain types of injuries or to such medication as might have been officially authorized for an individual child.
4. In cases in which the nature of an illness or an injury appears serious, the parent(s) are contacted and the instructions on the student's emergency card are followed. In extreme emergencies, arrangements may be made for a student's immediate hospitalization whether or not the parent(s) can be reached.
5. No elementary student who is ill or injured is sent home alone. Junior and senior high students may be sent home if the illness is minor and the parents, who have authorized such dismissal on the emergency medical forms, have been informed in advance.
6. Board-approved procedures are followed to guard against athletic injuries and to provide care and emergency treatment for injured athletes. Coaches meet all requirements of the State Board of Education.

(Approval date: April 11, 2005)

(Re-approval date: January 9, 2018)

## BLOODBORNE PATHOGENS

Staff/students incur some risk of infection and illness each time they are exposed to bodily fluids or other potentially infectious materials. While the risk to staff/students of exposure to body fluids due to casual contact with individuals in the school environment is very low, the Board regards any such risk as serious.

Consequently, the Board directs adherence to universally recognized precautions. Universally recognized precautions require that staff and students approach infection control as if all direct contact with human blood and body fluids is known to be infectious for HIV, HBV and/or other bloodborne pathogens.\*

To reduce the risk to staff/students by minimizing or eliminating staff exposure incidents to bloodborne pathogens, the Board directs the Superintendent to develop and implement an exposure control plan. This plan must be reviewed and updated at least annually in accordance with Federal law.

The plan shall include annual in-service training for staff, first-aid kits in each school building and each student transportation vehicle and correct procedures for cleaning up body fluid spills and for personal cleanup.

Training is followed by an offer of immunization with hepatitis B vaccine for all staff who are required to provide first aid to students and/or staff. The vaccine is also offered to all staff who have occupational exposure as determined by the administrator.

[Adoption date: April 11, 2005]  
[Re-adoption date: February 13, 2006]  
[Re-adoption date: February 8, 2011]  
[Re-adoption date: September 23, 2014]

LEGAL REFS.: 29 CFR 1910.1030  
ORC 3707.26  
Public Employment Risk Reduction Program; ORC 4167.01 et seq.

CROSS REFS.: EBBA, First Aid  
EBC, Emergency Management and Safety Plans  
GBEA, HIV/AIDS (Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome) (Also JHCCA)  
JHCC, Communicable Diseases

### **THIS IS A REQUIRED POLICY**

\* Bloodborne pathogens are pathogenic microorganisms that are present in human blood and can cause disease in humans. These include, but are not limited to, hepatitis B virus (HBV), hepatitis C virus (HCV) and human immunodeficiency virus (HIV).

## EMERGENCY MANAGEMENT AND SAFETY PLANS

The Board acknowledges that the safety and well-being of students and staff are high priorities. Although emergencies cannot be predicted, effective prevention and management strategies are used to minimize the effects of emergency situations arising in the District.

An emergency is defined as a serious, unexpected, and often dangerous situation requiring immediate action that threatens the actual safety and security of students, employees or visitors of the District or whose impact threatens the feeling of safety and security, both of which are detrimental to a positive learning environment. Emergencies or hazards include, but are not limited to, an active shooter, hostage situations, bomb threats, bullying, fire, natural disasters, medical emergencies, industrial accidents, suicide, death of a student or employee, acts of violence, trauma and terrorism.

### Comprehensive Emergency Management Plan and Test

The Superintendent/designee develops a comprehensive emergency management plan meeting State law requirements for each building. The plan establishes protocols for addressing and responding to serious threats to the safety of the school property, students, staff, volunteers and visitors. Each protocol includes procedures deemed appropriate by the Board or governing authority for responding to threats and emergency events including, but not limited to, notification of appropriate law enforcement personnel, calling upon specified emergency response personnel for assistance and informing parents of affected students. The plan includes a floor plan unique to each floor of the building, a site plan including all building property and surrounding property, and an emergency contact sheet. The plan is kept in a secure location and is not considered a public record.

A copy of each school building's current comprehensive emergency management plan is filed with the Ohio Department of Education, the law enforcement agency that has jurisdiction over the school building and, upon request, the fire department and emergency medical service organization that serves the political subdivision in which the school building is located. The floor plan is used solely by first responders responding to an emergency in the building and is not a public record.

The administration reviews the plan annually, considering the most current information dealing with the subjects, as well as making relevant information about the plan known to the community. When the comprehensive emergency management plan is used, assessment of the way the emergency was handled is completed by the Board and the administration. Suggestions for improvement, if necessary, are solicited from all stakeholders.

Although the plan is reviewed annually, State law requires the District's comprehensive emergency management plan to be updated every three years and whenever a major modification to an individual school building requires changes in that building's procedures or whenever information on the emergency contact information sheet changes.

An emergency management test is conducted annually in accordance with State law.

Emergency Drills

The Board directs the Superintendent/designee to conduct all drills required by State law. Drills provide both students and staff with practice in responding to emergency conditions should such conditions occur. Plans are posted in each classroom and other areas accessible to staff and students where required by law.

[Adoption date: December 10, 2007]

[Re-adoption date: January 12, 2010]

[Re-adoption date: January 11, 2011]

[Re-adoption date: October 7, 2014]

[Re-adoption date: August 14, 2018]

[Re-adoption date: November 27, 2018]

LEGAL REFS.: ORC 149.433  
2305.235; 2923.11  
3301.56; 3313.20; 3313.536; 3313.717; 3313.719; 3313.951  
3314.03; 3314.16  
3701.85  
3737.73; 3737.99  
OAC 3301-5-01

CROSS REFS.: EBAA, Reporting of Hazards  
EBBA, First Aid  
EBBC, Bloodborne Pathogens  
ECA, Buildings and Grounds Security  
ECG, Integrated Pest Management  
EEAC, School Bus Safety Program  
EF, Food Services Management  
EFB, Free and Reduced-Price Food Services  
EFH, Food Allergies  
GBE, Staff Health and Safety  
JHCD, Administering Medicines to Students  
JHF, Student Safety  
KBCA, News Releases  
KK, Visitors to the Schools  
Emergency Management and Safety Plans Handbook

**THIS IS A REQUIRED POLICY**

EMERGENCY MANAGEMENT AND SAFETY PLANS  
(Administrative Rules/Protocols)

The Board directs the Superintendent/designee to prepare and maintain a comprehensive emergency management plan meeting State law requirements. The plan is kept in the central office in a secure location.

Administrative Rules/Protocols

The Superintendent/designee also must develop safety rules/protocols addressing the following areas:

1. A list of dangerous or recalled products.
2. Radon rules or protocols including evidence that each school has been built radon resistant or has been tested for radon within the past five years.
3. An asbestos management plan including evidence of inspection for asbestos within three years, evidence of periodic surveillance within the past six months and a copy of the yearly written notice to the public referencing asbestos inspection and the availability of the asbestos management plan for review.
4. Guidance regarding bloodborne pathogen risk reduction.
5. Procedures for administering medications to students.
6. A written comprehensive safety plan addressing:
  - A. safety management accountabilities and strategies;
  - B. safe work practices;
  - C. accident analysis procedures;
  - D. job safety analysis procedures;
  - E. safety committees and employee involvement strategies;

- F. employee safety and health training;
  - G. treatment of sick or injured workers;
  - H. safety and health hazard audits;
  - I. ergonomics;
  - J. transportation safety;
  - K. identification and control of physical hazards;
  - L. substance abuse and
  - M. personal protective equipment.
7. A written chemical hygiene plan, which sets forth procedures, equipment, personal protective equipment and work practices that are capable of protecting employees and students from the health hazards of chemicals in the school.
  8. Safety data sheets for every hazardous chemical used in each school building or on the school grounds for cleaning, maintenance or instruction. (These must be kept where the chemicals are stored in addition to the main office of each building.)
  9. Protocols on staff and student hand washing.
  10. No-smoking signs.
  11. The District's integrated pest management policy.
  12. Protocols for using automated external defibrillators (AEDs).
  13. Protocols for the management of students with life-threatening allergies.

(Approval date: October 7, 2014)

(Re-approval date: August 14, 2018)

## DISTRICT ROLE IN A LOCAL DISASTER

The District's primary responsibility as a governmental service organization is that of an educational institution. However, a local disaster situation may develop in which the role of the District may change to one of providing needed assistance to local residents, directly or through other governmental or nongovernmental agencies, in a variety of ways. Therefore if, in the opinion of the Superintendent, such local emergency situation should exist, he/she is hereby delegated the authority by the Board to utilize District manpower, facilities, equipment and supplies to render assistance and relieve suffering and hardships of persons in the disaster area.

As soon as feasible in such situations, the Board President is notified of the actions being taken on behalf of the Board. If deemed necessary, a special Board meeting may be called.

[Adoption date: April 11, 2005]

CROSS REFS.: BDDA, Notification of Meetings  
EBC, Emergency Management and Safety Plans  
EEAD, Non-Routine Use of School Buses



## EMERGENCY CLOSINGS

The Superintendent may close the schools, dismiss students early or delay the opening of schools in the event of hazardous weather, other emergencies that threaten the safety or health of students or staff members, law enforcement emergencies or other circumstances where the Superintendent determines a closure, dismissal or delay is necessary. It is understood that the Superintendent takes such action only after consultation with transportation and other necessary authorities.

Parents, students and staff members are informed early in each school year of the method of notification in the event of emergency closings or early dismissals.

The District may choose to make up a maximum of three days via online lessons and/or blizzard bags.

[Adoption date: April 11, 2005]  
[Re-adoption date: May 13, 2008]  
[Re-adoption date: January 12, 2010]  
[Re-adoption date: August 9, 2011]  
[Re-adoption date: May 28, 2013]  
[Re-adoption date: September 23, 2014]  
[Re-adoption date: March 29, 2017]

LEGAL REFS.: ORC 3313.48; 3313.482

CROSS REFS.: EBC, Emergency Management and Safety Plans  
IC/ICA, School Year/School Calendar  
ID, School Day

CONTRACT REFS.: Teachers' Negotiated Agreement  
Classified Staff Negotiated Agreement

**THIS IS A REQUIRED POLICY**

## EMERGENCY CLOSINGS

In accordance with State law, the District may choose to make up missed days via online lessons. A plan for online lessons must be adopted by the Board prior to August 1 of each year. The plan must include:

1. the number of days the District plans to make up via online lessons (maximum of three);
2. a statement requiring each classroom teacher to develop enough lesson plans to cover the number of makeup days specified in the plan;
3. a statement requiring the District to make the lessons available to students on the District's website as soon as practicable after school closure;
4. a statement granting students a two-week period from the date of posting to complete the lesson;
5. a statement specifying that teachers will grade the online lessons in the same manner as other lessons and that students may receive an incomplete or failing grade if the lesson is not completed on time;
6. a statement allowing students to work on posted lessons at school after it reopens if the student does not have access to a computer at his/her residence. The District may provide the student access to a computer before, during or after the regularly scheduled school day, or may provide a substantially similar paper lesson. Students without access to a computer at home are granted two weeks from the date of reopening, rather than the date of posting, to complete the lesson and
7. a statement indicating whether the District will utilize blizzard bags in addition to posting classroom lessons online. Blizzard bags are paper copies of the online lessons. If the District uses blizzard bags, teachers must also prepare paper copies of the online lessons, and the Board's plan must specify the method of distributing the blizzard bags, which may include distribution by a set deadline or distribution prior to an anticipated school closure.

The District must also secure written consent of the teachers' union.

(Approval date: September 23, 2014)

(Re-approval date: March 29, 2017)

PROTECTION FOR REPORTING SAFETY AND FRAUD VIOLATIONS  
(Whistleblowers)

The Board is concerned with the safety of everyone present on District property and has directed the Superintendent/designee to develop and maintain a comprehensive safety plan, in accordance with State law, that addresses potential safety issues that may arise within the District.

In addition to the comprehensive safety plan, staff members are encouraged to participate in the safety practices of the District by providing recommendations that ensure a safe environment for all.

The Board also is concerned with the prevention of fraud, including the misuse and misappropriation of public money and , in accordance with Sate law, shall provide information to all staff members about the fraud reporting system established through the Auditor of State.

The Board shall put forth its best efforts in prevention and correction of safety and fraud issues; however, there may be times when such violations may occur. Staff members who report these violations in good faith have the right to do so without any retaliation by the Board, District administrators or other staff members.

The Board does not condone, nor does it tolerate, any act of discrimination, harassment or other acts of retaliation at any time for the reporting of safety and fraud violations. Staff members in violation of this policy will de disciplined in accordance with the negotiated agreement, Board policy and/or State law.

[Adoption date: July 24, 2012]

LEGAL REFS.: ORC 117.103  
124.341  
4113.52

CROSS REFS.: EB, Safety Program  
EBC, Emergency Management and Safety Plans  
Emergency/Safety Plans Handbook

PROTECTION FOR REPORTING SAFETY AND FRAUD VIOLATIONS  
(Whistleblowers)

State law contains a number of provisions concerning the reporting of safety and fraud violations. The following regulation gives a brief overview of these provisions.

**Safety Violations**

Awareness and reporting of a violation

If an employee becomes aware of a violation of any State or Federal law, or any Board policy or regulation that the District has authority to correct, and the employee reasonably believes that the violation is a criminal offense that is likely to cause an imminent risk of physical harm, a public health or safety hazard, a felony or an improper solicitation for a contribution, the employee shall orally notify his/her supervisor or other responsible administrator of the violation and subsequently file with the supervisor or administrator a written report that provides sufficient detail to identify and describe the violation.

Not correcting the violation

If the District does not correct the violation or make a reasonable and good faith effort to correct the violation within 24 hours after the oral notification or the receipt of the report, whichever is earlier, the employee may file a written report that provides sufficient detail to identify and describe the violation with the city or county prosecutor where the violation occurred, with a peace officer, with the inspector/general if the violation is within the inspector general's jurisdiction, or with any appropriate public official or agency that has regulatory authority over the District.

Notifying the employee

If an employee makes a report, the employer, within 24 hours after the oral notification was made or the report was received or by the close of business on the next regular business day following the day on which the oral notification was made or the report was received, whichever is later, shall notify the employee in writing, of any effort of the employer to correct the alleged violation or hazard, or of the absence of the alleged violation or hazard.

Reporting fellow employees' violations

If an employee becomes aware of a violation by a fellow employee of any State or Federal law, any Board policy or regulation or any work rule or procedure, and the employee reasonably believes that the violation is a criminal offense that is likely to cause an imminent risk of physical harm, a public health or safety hazard, a felony or an improper solicitation for a contribution, the employee shall orally notify his/her supervisor or other responsible administrator of the violation and subsequently shall file with the supervisor/administrator a written report that provides sufficient detail to identify and describe the violation.

### Retaliation

The District shall not take any disciplinary or retaliatory action against an employee for making any authorized report or having any inquiry or taken any other action to ensure the accuracy of any information reported.

The District shall not take any disciplinary or retaliatory action against an employee for making any authorized report if the employee made a reasonable and good faith effort to determine the accuracy of any information so reported, or as a result of the employee's having made any inquiry or taken any other action to ensure the accuracy of any information reported.

Disciplinary or retaliatory action by the District includes, but is not limited to:

1. Removing or suspending the employee from employment;
2. Withholding from the employee salary increases or employee benefits to which the employee is otherwise entitled;
3. Transferring or reassigning the employee;
4. Denying the employee a promotion that otherwise would have been received or
5. Reducing the employee in pay or position.

### Accuracy of reports

The employee shall make a reasonable and good faith effort to determine the accuracy of any information reported. If the employee fails to make such an effort, the employee may be subject to disciplinary action, including suspension or removal, for reporting information without a reasonable basis to do so.

### Legal remedies for retaliation

If the District takes any disciplinary or retaliatory action against the employee as a result of the employee's having filed a report, the employee may bring a civil action in the Court of Common Pleas for appropriate injunctive relief or for the remedies set forth in the next paragraph, or both, within 180 days after the date the disciplinary or retaliatory action was taken.

The court, in rendering a judgement for the employee, may order, as it determines appropriate, reinstatement of the employee to the same position that the employee held at the time of the disciplinary or retaliatory action and at the same site of employment or to a comparable position at that site, the payment of back wages, full reinstatement of fringe benefits and seniority rights or any combination of these remedies.

The court also may award the prevailing party or a portion of the costs of litigation and, if the employee who brought the action prevails in the action, may award the prevailing employee reasonable attorney's fees, witness fees and fees for experts who testify at trial, in an amount the court determines appropriate. If the court determines that the District has deliberately retaliated, the court, in making an award of back pay, may include interest.

## **Fraud Violations**

### Reporting of a fraud violation

If an employee becomes aware of fraud, including the misuse of public resources by a public office or public official, the employee may file a written report identifying the fraud or misuse with his/her supervisor or responsible administrator, or file a complaint with the Auditor of State's fraud reporting system.

If an employee reasonably believes that the fraud or misuse of public resources is a criminal offense, the employee may, besides filing a report with his/her supervisor or responsible administrator or with the Auditor of State, report it to a prosecuting attorney, director of law or chief legal officer with the appropriate jurisdiction.

### Retaliation

The District shall not take any disciplinary action against an employee for filing a report if the employee made a reasonable effort to determine the accuracy of any information in the report.

Disciplinary or retaliatory action by the District includes, but is not limited to:

1. Removing or suspending the employee from employment;
2. Withholding from the employee salary increases or employee benefits to which the employee is otherwise entitled;
3. Transferring or reassigning the employee;
4. Denying the employee a promotion that otherwise would have been received or
5. Reducing the employee in pay or position.

### Legal remedies for retaliation

If the District takes any disciplinary or retaliatory action against the employee as a result of the employee's having filed a complaint or report, the employee may file an appeal with the State Personnel Board of Review within 30 days after receiving the actual notice of the District's action.

The Board shall immediately notify the District and shall hear the appeal. The Board may affirm or disaffirm the action of the District or may issue any other order as is appropriate. The order is appealable to the Court of Common Pleas.

[Adoption Date: July 24, 2012]

PROTECTION FOR REPORTING SAFETY AND FRAUD VIOLATIONS  
(Whistleblowers)

The Ohio Auditor of State's office maintains a system for the reporting of fraud, including misuse of public money by any official or office. The system allows all Ohio citizens, including public employees, the opportunity to make anonymous complaints through a toll free number, the Auditor of State's website or through the United States mail.

Auditor of State's fraud contact information:

Telephone: 1-866-FRAUD OH (1-866-372-8364)

US Mail: Ohio Auditor of State's Office  
Special Investigations Unit  
88 East Broad Street  
PO Box 1140  
Columbus, OH 43215

Web: [www.ohioauditor.gov](http://www.ohioauditor.gov)

## CRISIS MANAGEMENT

A crisis can occur at any time and has the ability to make a significant impact on members of the community. A crisis is defined as any event which threatens the actual safety and security of students, employees or visitors of the District or whose impact threatens the feeling of safety and security, both of which are detrimental to a positive learning environment.

There are unlimited possibilities for crises that could impact the District. These include, but are not limited to, suicide, death of a student or employee, acts of violence, trauma and accidents.

In recognizing the need to be proactive in preparing for possible crises, the Board directs the Superintendent to prepare a Crisis Management Plan which addresses:

1. the primary goal of preventing a crisis from occurring;
2. appropriate means of dealing with a crisis in the District, including who shall serve as the primary spokesperson for the District and the steps in which the plan shall be carried out and
3. assessment of the way the crisis was handled with suggestions for improvement in the future, if necessary.

The administration annually reviews the Crisis Management Plan, considering the most current information dealing with the subject, as well as making relevant information about the plan known to the community.

### Automated External Defibrillators (AEDs)

Because the Board recognizes that medical emergencies may occur that justify the use of AEDs, the Board may acquire and maintain this equipment for use by qualified staff members. Only those staff members documented as having completed the required training are authorized to use an AED.

AEDs are maintained and tested in accordance with operational guidelines of the manufacturer and monitored as directed by the Superintendent/designee.

[Adoption date: April 11, 2005]

LEGAL REFS.: ORC 2305.235  
3313.20; 3313.717  
3314.16  
3701.85

CROSS REFS.: EBC, Emergency Management and Safety Plans  
GBE, Staff Health and Safety  
JHF, Student Safety  
Crisis Management Plan

Three Rivers Local School District, Cleves, Ohio



## BUILDINGS AND GROUNDS SECURITY

Buildings and grounds constitute one of the greatest investments of the Board. It is in the best interest of the District to protect such investments.

Security includes maintenance of a secure building and protection from fire hazards, faulty equipment and unsafe practices in the use of electrical, plumbing and heating equipment. The Board shall cooperate with local law enforcement agencies and fire departments and with insurance company inspectors.

Access to buildings and grounds outside of regular school hours is limited to personnel whose work requires such access. A key control system is established which limits access to buildings to authorized personnel and guards against entrance to buildings by unauthorized persons.

### Surveillance Equipment

The Board recognizes the District's responsibility to maintain order and discipline on school property and in school vehicles. Recognizing the value of electronic surveillance systems in monitoring activity, the Board directs the administration to develop procedures to implement the surveillance program. The procedures must be in compliance with law to protect the privacy rights of students and staff.

#### 1. Cameras

Surveillance cameras may be used both inside and outside of buildings to assist in the security of students, staff and property.

#### 2. Metal Detectors

When there has been a pattern of weapons found at school or when violence involving weapons has occurred at the school, the administration is authorized to use stationary or mobile metal detectors. The Board directs the administration to develop procedures for the use of detectors.

Any search of a student's person as a result of activation of the detector is conducted in private.

[Adoption date: April 11, 2005]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.  
Family Educational Rights and Privacy Act; 20 USC Section 1232g  
U.S. Const. Amend. IV  
ORC 3313.20

CROSS REFS.: EBC, Emergency Management and Safety Plans  
EEACCA, Recording Devices on Transportation Vehicles  
JFC, Student Conduct (Zero Tolerance)  
JFCJ, Weapons in the Schools  
JFG, Interrogations and Searches  
JO, Student Records  
KK, Visitors to the Schools

## BUILDINGS AND GROUNDS SECURITY

The Board recognizes the value of electronic surveillance systems in monitoring activity on school property and in school vehicles in protecting the health, welfare and safety of its students and staff. Carefully weighing the rights of privacy of students and staff against the District's duty to maintain order and discipline, the Board authorizes the use of electronic surveillance systems.

### Key Control

Each principal is responsible for keeping records accounting for the issuance of District keys. The records show the assignments of keys to all school personnel. Principals collect keys from teacher personnel at the end of the school year and from all personnel at the time of termination of service. Principals may reissue keys to teachers for summer use.

Only maintenance and administrative personnel are authorized to have keys copied or duplicated. Master keys may only be cut with the approval of the Superintendent/designee.

No employee is to possess unauthorized master keys. Master keys should be issued only when no other alternative is feasible.

All unserviceable keys are destroyed by the building principal/designee.

Whenever a key is misplaced or lost, it must be reported immediately to the principal so that a determination may be made as to changing lock cylinders and assessing costs to either the individual who lost the key or the District.

### Cameras

1. The administration notifies its students and staff that camera surveillance may occur on school property or in school vehicles.
2. The use of cameras in transportation vehicles is supervised by the transportation supervisor.
3. The use of cameras is subject to District policies concerning the confidentiality of student and staff records.
4. Surveillance cameras are used only to promote the order, safety and security of students, staff and property.

(Approval date: April 11, 2005)

## VANDALISM

Parents and students are made aware of the legal consequences of vandalism. Students, employees and citizens of the District are urged to report any incidents of vandalism to property belonging to the District together with the name(s) of the person(s) believed to be responsible. The Board may offer a reward for information leading to the arrest and conviction of any person who steals or damages Board property.

The Superintendent is authorized to sign a criminal complaint and to press charges against perpetrators of vandalism against school property. The Superintendent is further authorized to delegate, as he/she sees fit, authority to sign such complaints and to press charges.

Any student found guilty of any form of vandalism or defacement of school property may be subject to suspension or expulsion.

Parents are liable up to the amount provided by law for the willful destruction of property by a minor in their custody or control. If parents are found liable for monetary damages and are unable to make restitution, the Board may allow the parents and/or students to perform community service for the District instead of repayment of the damages.

[Adoption date: April 11, 2005]

LEGAL REFS.: ORC 2909.05  
3109.09  
3313.173  
3737.73; 3737.99

CROSS REFS.: JG, Student Discipline  
JGA, Corporal Punishment  
JGD, Student Suspension  
JGDA, Emergency Removal of Student  
JGE, Student Expulsion

## TRAFFIC AND PARKING CONTROLS

Although District grounds are public property, the Board has the responsibility for protecting District property and for assuring the safety of all persons on the grounds. Therefore, the Board directs the Superintendent/designee to set up controls related to driving and parking on District property, as well as the use of District grounds and facilities by the public.

Parking is prohibited on school property without the appropriate parking sticker/pass for any purpose other than for attendance at school activities or for employees while performing their assigned duties. Parking space is limited; therefore, rules are promulgated to permit maximum utilization of space and safe traffic flow and provide for appropriate fire lanes. Parking areas will be designated and maintained for handicapped persons as mandated by law.

Appropriate signs for accommodating the flow of traffic on school roadways are placed to facilitate traffic flow around buildings. "No Overnight or Unauthorized Parking" signs will be placed at various building parking areas for security and safety reasons.

Licensed vehicles with the exception of District and policy vehicles may be operated only on areas designated for traffic and parking. A maximum speed of 15 miles per hour, unless posted otherwise, will be observed at all times.

[Adoption date: February 8, 2011]

LEGAL REF.: ORC 3313.20

CROSS REFS.: ECA, Buildings and Grounds Security  
KGB, Public Conduct on District Property  
KK, Visitors to the Schools  
Staff Handbooks  
Student Handbooks

## ENERGY CONSERVATION AND BUILDING MANAGEMENT PROCEDURES

### Responsibilities

- Every person is expected to be an “energy saver” as well as an “energy consumer”
- The staff member is responsible for implementing the guidelines during the time that he/she is present in the classroom or office
- The custodian is responsible for control of common areas, i.e. halls, cafeteria, etc
- Since the custodian is typically the last person to leave a building in the evening, he/she is responsible for verification of the nighttime shutdown.
- The building administrator is responsible for the total energy usage of his/her building
- The Energy Manager performs routine audits of all facilities and communicates the audit results to the appropriate personnel.
- The Energy Manager is responsible for either directly or indirectly making adjustments to the Organization’s Energy Management System(EMS) including temperature settings and run times for Heating, Ventilation and Air Conditioning (HVAC) and other controlled equipment.
- The Energy Manager provides regular reports to building administrators indicating performance with regards to energy savings.
- The organization is committed to and responsible for maintenance of the learning environment.
- To compliment the organization’s energy management program, the organization shall develop and implement a preventative maintenance and monitoring plan for its facilities and systems, including HVAC, building envelope, and moisture management.

### General

1. Classroom doors shall remain closed at night or when not in use when HVAC is operating. Ensure doors between conditioned space and on-conditioned space remain closed at all times.
2. Proper and thorough utilization of data loggers will be initiated and maintained to monitor relative humidity, temperature, and light levels throughout the organization’s building to ensure compliance with organization guidelines.
3. All exhaust fans should be turned off daily.
4. All office machines (copiers, laminating equipment, etc) shall be switched off each night and during unoccupied times. Fax machines should remain on.
5. All computers should be turned off each night. This includes the monitors, local printer and speakers. Network equipment is excluded.

Set points in accordance with ASHRAE 55 “Thermal Conditions for Human Occupancy”

Cooling Season Occupied Set Points:	74 F
Unoccupied Set Points:	82 F
Heating Season Occupied Set Points:	68 F
Unoccupied Set Point:	55 F

### Air Conditioning Equipment

1. Occupied temperature settings shall NOT be set below 74 degrees F.
2. During unoccupied times, the air conditioning equipment shall be off. The unoccupied period begins when the students leave the area at the end of the day. It is anticipated that the temperature of the classroom will be maintained long enough to afford comfort for the period the staff remains in the classroom after the students have left.
3. Air conditioning start times may be adjusted (depending on weather) to ensure classroom comfort when instruction begins.
4. Ensure outside air dampers are closed during unoccupied times.
5. Ceiling fans should be operated in all areas that have them.
6. Relative humidity levels shall not exceed 60% for any 24 hour period.
7. Air conditioning should not be utilized in facilities during the summer months unless the facilities are being used for summer school or year-round school. Air conditioning may be used by exception only or in those facilities that are involved in team-cleaning.
8. In all areas which have evaporative coolers such as shops, kitchens and gymnasiums, the doors leading to halls which have air conditioned classrooms or dining areas should be kept closed as much as possible.
9. Where cross-ventilation is available during periods of mild weather, shut down HVAC equipment and adjust temperature with windows and doors. Cross-ventilation is defined as having windows and/or doors to the outside on each side of a room.
10. Ensure dry food storage areas are maintained within code requirements. Typically, this is 55-75 degrees F and 35%-60% relative humidity. Utilize loggers to verify.

### Heating Equipment

1. Occupied temperature settings shall NOT be above 68 degrees F.
2. The unoccupied temperature setting shall be 55 degrees F. This may be adjusted to 60 degrees F setting during extreme weather.
3. The unoccupied time shall begin when the students leave an area.
4. Hot water heating systems should be switched off using the appropriate loop pumps.
5. Ensure all domestic hot water systems are set no higher than 120 degrees F or 140 degrees F for cafeteria service (with dishwasher booster).
6. Ensure all domestic hot water re-circulating pumps are switched off during unoccupied times.
7. For heat pumps, ensure a 6 degree F dead-band between heating and cooling modes.

### Lighting

1. All unnecessary lighting in unoccupied areas will be turned OFF. Staff should make certain that lights are turned off when leaving the classroom or office when empty. Utilize natural lighting where appropriate.
2. All outside lighting shall be OFF during daylight hours.
3. Gym lights should not be left on unless the gym is being utilized.

4. All lights will be turned OFF when students and staff leave for the day. Custodians will turn on lights only in the areas in which they are working.
5. Refrain from turning lights on unless definitely needed. Remember that lights not only consume electricity, but also give off heat that places an additional load on the air conditioning equipment and thereby the use of electricity necessary to cool the room.

Water

1. Ensure all plumbing and/or intrusion (i.e. roof) leaks are reported and repaired immediately.
2. Ground watering should only be done between 4 a.m. – 10 a.m. Do not water during the heat of the day, typically between 10 a.m. – 8:00 p.m.
3. When spray irrigating, ensure the water does not directly hit the building.

(Approval date: July 9, 2013)



## INTEGRATED PEST MANAGEMENT

The Board is committed to providing students with a safe learning environment free of pests and pesticides and other harmful chemicals through adoption of an Integrated Pest Management (IPM) policy. The goals of the District's Integrated Pest Management Program are:

1. Provide the healthiest learning environment possible by preventing unnecessary exposure of children and staff to toxic pesticides.
2. Promote safer alternatives to chemical pesticides while preventing economic and health damage caused by pests.
3. Ensure that clear and accurate notification concerning the use of pesticides is given so that measures may be taken to prevent and address pest problems effectively without endangering the health of those within the school building and
4. Reduce the need for reliance on chemical pesticides.

The Board directs the administration to develop procedures that detail cost-effective strategies that reduce the use of pesticides that pose health risks to students and staff. The regulations must include procedures for the identification of pests and conditions that attract pests, prevention and monitoring techniques, education and training, approved least toxic chemicals use and prenotification for chemical use.

Parents of minor students, adult students and staff enrolled or employed at the school may request to receive prior notification of scheduled service visits by pesticide businesses in which pesticides may be applied, or of scheduled pesticide applications by licensed school employees.

In order to keep the facilities and grounds safe, the administration may investigate a variety of chemical and nonchemical methods that are designed to control pests effectively while minimizing potential exposure to students and staff.

[Adoption date: April 11, 2005]

[Re-adoption date: September 23, 2014]

LEGAL REFS.: Public Employment Risk Reduction Program; ORC 4167.01 et seq.  
ORC 921.01; 921.06; 921.16; 921.18  
OAC 901:5-11-14 and 5-11-15

CROSS REFS.: EB, Safety Program  
EBAA, Reporting of Hazards  
EBC, Emergency Management and Safety Plans  
GBE, Staff Health and Safety

Three Rivers Local School District, Cleves, Ohio

## INTEGRATED PEST MANAGEMENT

### Use of Pesticides

The following specific regulations are used by District staff and contractors when pesticides or alternative pest-control products are used:

1. Structural and lawn chemicals such as insecticides, herbicides and fertilizers are chosen with as low a level of toxicity as practical. The least toxic or organic formulation with the safest method of application is selected when there is a choice of products with comparable cost and effectiveness. Products labeled “caution” are to be preferred over products labeled “warning” or “danger”.
2. Long-term storage of chemicals are kept to a minimum. Since many chemicals lose effectiveness with storage, and storage further increases risk, only enough of the product for a given application is purchased. All materials are stored in accordance with label instructions.
3. All chemicals have complete label instructions and remain in the original containers until used. Material Safety Data Sheets (MSDS) and sample labels for lawn chemicals are kept on file in the District and are readily available to anyone who must handle such materials or who may be exposed to the product. Structural pesticide labels and MSDS are filed in the District as well.
4. All applications of pesticides and fertilizers are made in strict compliance with the label instructions, and under no circumstances do the product concentrations exceed those specified in the application instructions.
5. All chemicals and organic products are applied at times that individuals are not in the immediate area or scheduled to use District facilities within the restricted entry limitations identified on the product label.
6. No school support groups, (i.e. PTA, PTO, athletic boosters, etc) are permitted to apply chemicals on District property.
7. Any contracted services requiring the use of pesticides or any other chemicals must abide by Board policy and administrative regulations.

(Approval date: June 12, 2006)

COMPUTER/ON-LINE SERVICES  
(Acceptable Use and Internet Safety)

Technology can greatly enhance the instructional program, as well as the efficiency of the District. The Board recognizes that careful planning is essential to ensure the successful, equitable and cost-effective implementation of technology-based materials, equipment, systems and networks.

Computers and use of the District network or on-line services support learning and enhance instruction, as well as assist in administration. Computer networks allow people to interact with many computers; the Internet allows people to interact with hundreds of thousands of networks.

All computers are to be used in a responsible, efficient, ethical and legal manner. Failure to adhere to this policy and the guidelines below will result in the revocation of the user's access privilege. Unacceptable uses of the computer/network include but are not limited to:

1. illegal activity including violation of copyright contracts or plagiarism, or sending or copying anything pertaining to illegal, immoral, unethical or unacceptable activities;
2. personal financial or commercial gain;
3. degrading or disrupting equipment or system performance;
4. vandalizing the data of another user;
5. wasting district resources, time and printer paper;
6. gaining unauthorized access to the network or servers;
7. invading the privacy of others;
8. using someone else's account;
9. posting personal comments about someone else without permission or posting anonymous messages;
10. creation, uploading or downloading of computer viruses or spyware or any agent that would degrade or destroy electronic resources;
11. using the network for lobbying, political or religious messages or
12. displaying or using obscene words, writing, pictures, slurs or harassing messages.

The Superintendent/designee shall develop a plan to address the short- and long-term technology needs and provide for compatibility of resources among school sites, offices and other operations. As a basis for this plan, he/she shall examine and compare the costs and benefits of various resources and shall identify the blend of technologies and level of service necessary to support the instructional program.

Because access to on-line services provides connections to other computer systems located all over the world, users (and parents of users who are under 18 years old) must understand that neither the school nor the District can control the content of the information available on these systems. Some of the information available is controversial and sometimes offensive.

The Board does not condone the use of such materials. Employees, students and parents of students must be aware that the privileges to access on-line services are withdrawn from users who do not respect the rights of others or who do not follow the rules and procedures established. A user's agreement is signed to indicate the user's acknowledgment of the risks and procedures for computer/on-line services use. The District has implemented technology-blocking measures that protect against access by both adults and minors to visual depictions that are obscene, child pornography, or with respect to the use of computers by minors, harmful to minors. The District has also purchased monitoring devices which maintain a running log of Internet activity, recording which sites a particular user has visited.

“Harmful to minors” is defined as any picture, image, graphic image file or other visual depiction that:

1. taken as a whole and with respect to minors appeals to a prurient interest in nudity, sex or excretion;
2. depicts, describes or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts or lewd exhibition of genitals or
3. taken as a whole, lacks serious literary, artistic, political or scientific value as to minors.

The District will educate minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response. The Superintendent/designee will develop a program to educate students on these issues.

Annually, students and staff who wish to have computer network and internet access during the school year must read the Acceptable Use and Internet Safety Policy and submit a properly signed agreement form. Students and staff are asked to sign a new agreement each year after reviewing the policies and regulations of the District.

[Adoption date: April 11, 2005]  
[Re-adoption date: July 24, 2012]  
[Re-adoption date: August 12, 2014]

LEGAL REFS.: U.S. Const. Art. I, Section 8  
Family Educational Rights and Privacy Act; 20 USC 1232g et seq.  
Children's Internet Protection Act; 47 USC 254 (h)(5)(b)(iii); (P.L. 106-554,  
HR 4577, 2000, 114 Stat 2763)  
ORC 3313.20  
3319.321

CROSS REFS.: AC, Nondiscrimination  
ACA, Nondiscrimination on the Basis of Sex  
ACAA, Sexual Harassment  
EDEB, Bring Your Own Technology (BYOT) Program  
GBCB, Staff Conduct  
GBH, Staff-Student Relations (Also JM)  
IB, Academic Freedom  
IIA, Instructional Materials  
IIBH, District Websites  
JFC, Student Conduct (Zero Tolerance)  
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence)  
Staff Handbooks  
Student Handbooks

**THIS IS A REQUIRED POLICY**

COMPUTER/ON-LINE SERVICES  
(Acceptable Use and Internet Safety)

Internet access is provided to students to promote educational excellence in schools by facilitating resource sharing, innovation and communication.

Internet users are expected to act in a responsible, ethical and legal manner, in accordance with Board policies and State and Federal law.

If a user violates any of these provisions, his/her access will be terminated and future access could be denied.

Student users of the system and their parents (unless the student is 18 or older) are required to sign a document that they have read the agreement below and understand its significance.

Agreement

Part 1: Code of Conduct

The user is held responsible for his/her actions and activity on the Internet. The District Code of Conduct applies to all student users. Unacceptable uses will result in the suspension or revocation of Internet privileges or more serious penalties. Some examples of unacceptable use are:

1. Using the network for any illegal activity, including violation of copyright or other contracts, or plagiarism.
2. Using the Internet for financial or commercial gain without the express approval of school administration.
3. Degrading or disrupting equipment or system performance.
4. Vandalizing the data of another user.
5. Wasting finite resources such as paper and ink cartridges.
6. Gaining unauthorized access to resources or entities.
7. Invading the privacy of individuals.
8. Using an account or password owned by another user.
9. Posting personal communications without the author's consent.

10. Posting anonymous messages.
11. Using the network for advertising or political lobbying.
12. Displaying obscene writing or pictures.
13. Sending chain letters, broadcast messages or messages which contain slurs, obscenity or which could be considered to be harassment, defamation or bullying.
14. Downloading, sending or copying anything pertaining to illegal, immoral, unethical or unacceptable activities.

Part II: Terms and Conditions of Use

1. Acceptable Use: Network use must be in support of education and must be consistent with the educational objectives of the District. Use of other organizations' networks or computing resources must comply with the rules appropriate for that network. Transmission of any material in violation of any national or state regulation is prohibited. This includes but is not limited to: copyrighted material, threatening or obscene material or material protected by trade secret.
2. Privileges: Using the Internet is a privilege, not a right, offered each academic year to District students (K-12).

Inappropriate use will result in a cancellation of computer privileges. The system administrator(s) will deem what is inappropriate use and their decision is final. Also, the system administrator(s) may close an account at any time as required. The administration, faculty and staff of the District may request the system administrator(s) to deny, revoke or suspend specific user accounts.

3. Network Etiquette: The user is expected to abide by the generally accepted rules of network etiquette. These include (but are not limited to) the following:
  - A. Be polite. Do not get abusive in messages.
  - B. Use appropriate language. Do not swear, use vulgarities, racial slurs or any other inappropriate language.
  - C. Do not reveal home addresses or phone numbers of anyone.
  - D. Note that e-mail is not private. People who operate the system have access to all mail. Messages relating to or in support of illegal activities may be reported to the authorities.

- E. Do not use the network in such a way that you would disrupt the use of the network by others.
  - F. All communications and information accessible via the network should be assumed to be private property, that is, copyrighted.
4. Information Delivery: The District makes no warranties of any kind whether expressed or implied for the service it is providing. The District is not responsible for any damages, claims, losses or costs (including attorney's fees) the user may suffer. This includes loss of data resulting from delays, nondeliveries, misdeliveries or service interruptions caused by its own negligence or the user's errors or omissions. Use of any information obtained via the Internet is at the user's own risk. The District specifically denies any responsibility for the accuracy or quality of information obtained through its services.
  5. Security: Security on any computer system is a high priority, especially when the system involves many users. If the user can identify a security problem on the Internet, he/she must notify a system administrator. Do not demonstrate the problem to other users. Do not use another individual's account without written permission from that individual. Attempts to log on to the District network as a system administrator will result in cancellation of user privileges. Any user identified as a security risk or having a history of problems with other computer systems may be denied access to the Internet.
  6. Vandalism: Vandalism results in cancellation of privileges. Vandalism is defined as any malicious attempt to harm or destroy data of another user or any of the above listed agencies or other networks that are connected to any of the Internet backbones. This includes, but is not limited to, the uploading or creation of computer viruses.
  7. Personal Safety: Users are not to reveal personal information or agree to meet with people they meet on the Internet without parental permission.
  8. Privacy: The District reserves the right to monitor, inspect, copy, review and store at any time and without prior notice any and all usage of the computer network and Internet access and any and all information received in connection with such usage. All such information files shall be and remain the property of the District and no user shall have any expectation of privacy regarding such materials.

### Part III: Internet Consent and Waiver Form

Prior to obtaining Internet access, an individual must read, understand and consent to the following conditions:

1. As the District does not control or monitor information accessible on the Internet, the undersigned agrees to discharge and hold harmless the school, its officers, trustees and



employees from any and all claims, liabilities, demands, causes of action, costs, expenses or obligations of any kind, known or unknown, arising out of or in any way relating to use of access to the Internet.

2. The undersigned acknowledges that the policies of the Board apply to the use of the Internet, and that any usage of these networks in violation of these policies or the policy and procedures regarding usage of networks are subject to appropriate disciplinary action, including but not limited to loss of privileges.
3. The District emphasizes that the Internet and other networks are open systems. This means that another individual within or outside the District community might access a user's files without the user's prior knowledge or consent. Therefore, users should not put anything in writing they would not want others to read.

As it is impossible to guarantee complete security, the District accepts no responsibility for any consequences of unauthorized entry, even if such entry could have been prevented by procedures known by the District but not adopted.

4. The District makes reasonable efforts to protect the electronic files of every user. However, a user's files may be reviewed, collected and/or used by the District:
  - A. as required by law;
  - B. as a part of system maintenance activities;
  - C. when there is reason to believe an account is being used for improper or illegal use and/or
  - D. without the permission of the account holder.

(Approval date: April 11, 2005)

**THIS IS A REQUIRED PROCEDURE**

STUDENT RESPONSIBLE USE GUIDELINES FOR TECHNOLOGY

**This must be returned by the end of the first week of school or upon enrollment in order to receive an account.**

**Student's Full Name (please print)** \_\_\_\_\_

**Homeroom** \_\_\_\_\_ **Grade** \_\_\_\_\_ **School Year** \_\_\_\_\_

**Privilege:** Access to the District's computer/network/Internet and using BYOD is a privilege, not a right. Every computer/network/Internet and BYOD user within the District is expected to act in a responsible, ethical and legal manner. In accordance with Three Rivers Responsible Use Guidelines for Technology, the purposes of the other networks they use on the Internet, and the laws of the states and the United States. To have access to the District network and use BYOD (Bring your own Device), students under the age of eighteen (18) must obtain parent permission and must sign and return this form. Students eighteen (18) or over may sign their own forms. At the beginning of the school year or when a student enters the District, they must perform and acknowledge the mandatory review of Three Rivers Responsible Use Guidelines for Technology by a district staff member.

**Full disclosure of the Three Rivers Responsible Use Guidelines can be found on the district web site <http://www.threeriversschools.org>**

- Users may **not** damage, destroy or deface computers or other technology devices owned by Three Rivers or by other persons
- Users may **not** attempt to repair computer problems in devices owned by Three Rivers
- Users may **not** share user names or passwords or attempt to impersonate another user
- Users may **not** use threats, coercion or intimidation via electronic messaging
- Users may **not** use profanity, vulgarity, racial slurs or any other inappropriate language
- Users may **not** download or install software of any kind, including freeware or shareware, on Three Rivers District devices without prior consent of the technical staff
- Users may use personal devices, such as Laptops, Netbooks, iPads, Tablets (Android based) Kindle Fire, (Not plain Kindle), iPod Touch, and other cell phone types at school with prior consent of the administration.

**INAPPROPRIATE USE INCLUDES, BUT IS NOT LIMITED TO:**

- Purposeful disruption or attempt to disrupt network functionality to any degree
- Access of any internet site which has been deemed inappropriate by the system administrator including pornographic material via email, website, or any other source
- Any attempt to alter, harm or destroy data belonging to another user or agency, internal or external

- Violation of US or state regulations, including plagiarism, copyright and trade secret laws
- Violation of rules governing other networks to which you may be connected
- Creation, uploading, or downloading of computer viruses or spyware or any agent that would degrade or destroy electronic resources
- Product advertising
- Political lobbying
- Online gambling
- Chain letters
- Commercial for-profit activities
- Purchase of goods or services
- School technologies for the purpose of recreation or entertainment for example, streaming music or video or playing games without express permission of a staff member
- Instant messaging
- Personal social networking sites such as, but not limited to, MySpace.com and Facebook.com
- Educationally based network sites may be used with teacher direction and permission.

**Accidental Damage**

**The person responsible shall pay up to \$75.00 for parts and labor to repair or replace equipment.**

**Purposeful Damage**

**The person responsible shall pay the full cost for parts and labor to repair or replace the equipment.**

**Please complete the following information:**

\_\_\_\_\_

**Student Signature**

\_\_\_\_\_

**Date**

**Parent/Guardian Name (please print)** \_\_\_\_\_

\_\_\_\_\_

**Parent/Guardian Signature**

\_\_\_\_\_

**Date**

**G-Mail Accounts:**

**Students will be issued a Google Mail (email) Account for the purpose of accessing educational programs, collaboration, and teacher assigned projects.**

\_\_\_\_\_

**Student Signature**

**Parent/Guardian Name (please print)** \_\_\_\_\_

**Parent/Guardian Signature** \_\_\_\_\_

## WIRELESS COMMUNICATION STIPEND

Wireless communication devices enable communication whenever a situation arises necessitating immediate contact therefore; the Three Rivers Board of Education approved a stipend reimbursement allowance for eligible staff members pursuant to Board Policy-DLD.

The following criteria are required as a condition for wireless communication stipend reimbursement:

- Job requires them to spend a considerable amount of time outside of their assigned office or work area during normal working hours and regular access to telephone and/or internet connection is necessary while outside of their office or assigned work area;
- Their job requires them to be accessible outside of scheduled or normal working hours or to be contacted and respond in the event of an emergency;
- Their job consistently requires timely and/or immediate two-way communication for which there is no reasonable alternative technology.

The stipend reimbursement allowance shall consist of:

- An allowance up to a specific dollar amount for wireless telephone service and/or internet/data connection;
- The allowance is not intended to compensate the eligible staff member dollar-for-dollar cost for wireless service, even if the actual monthly costs exceed the allowance amount;
- The allowance does not constitute an increase to base pay and will not be included in the calculation of percentage increase to base pay due to annual raises, job upgrades or benefits based upon a percentage of salary, etc.

The eligible employee agrees to:

- Use their personally owned cell phone first and foremost for Three Rivers business;
- Use a standard greeting of: *This is Name, Position, of the Three Rivers School District. I'm not available but, if you leave a message, I will get back with you. Thanks;*
- Allow cell phone records, if requested, to be obtained and reviewed by superintendent or designee.

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

\_\_\_\_\_  
Cellular Telephone Number

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

## WIRELESS COMMUNICATIONS

Due to the increased use of electronic communications, Three Rivers School District will automate the deletion process of each user. Items that are older than 45 days from the “Sent Items and Delete Items” folders will be eliminated.

Purging of accounts/data of former students and staff will automatically be deleted per the purging process dates listed below.

The purging process will take place during the week of the month listed:

October 17  
January 23  
March 30  
June 8

The continuing routine of purging each year will take place between 5 p.m. on the last day of each quarter and 7 a.m. on the first day of each new quarter.

Users with exceptionally large amounts of data stored are asked to delete when the data is no longer administratively necessary

(Approval date: September 10, 2007)

(Re-approval date: July 8, 2008)

(Re-approval date: February 8, 2011)

(Re-approval date: August 12, 2014)

(Re-approval date: January 7, 2020)

## STUDENT TRANSPORTATION SERVICES

The transportation policies of the Board are aimed at providing a safe, efficient and economical method of getting students to and from school. It is the desire of the Board that the transportation schedule serves the best interests of all students and the District. The Board provides transportation as required by State law.

In addition to that required by law, the Board may provide transportation to all elementary and secondary school students to the extent determined by the administration in accordance with all statutory obligations and approved by the Board. All regulations governing student transportation are in accordance with the Ohio School Bus Operation Regulations issued by the Ohio Department of Education, the Ohio State Highway Patrol and the Ohio Department of Public Safety and as required by State law.

The District will transport as many students as practical on school buses that meet all the state requirements for pupil transportation. In some cases, students may be transported by other means as defined by State law.

Fees may not be charged to students for routine transportation or for non-routine transportation for educational field trips provided during the school day.

The Board annually approves designated bus stops and time schedules as presented by the Superintendent/designee, and grants authority to the transportation supervisor/designee to adjust stops during the school year.

The transportation program is under the direction of the transportation supervisor who is responsible to the Superintendent. The Board directs the Superintendent/designee to develop District-level policies and procedures for the safe and efficient operation of student transportation services.

### Transportation to Community, STEM, STEAM and Private Schools

The District will provide transportation for eligible students who attend community, STEM, STEAM, and private schools in compliance with State law when practical.

When transportation for any student is not practical by any means approved by State law, the Board may resolve to declare transportation impractical and offer the student payment in lieu of transportation.

[Adoption date: April 11, 2005]  
[Re-adoption date: September 23, 2014]  
[Re-adoption date: February 9, 2016]  
[Re-adoption date: January 9, 2018]  
[Re-adoption date: January 7, 2020]

LEGAL REFS.: ORC 3327.01 through 3327.10; 3327.015  
4511.76 through 4511.78  
OAC 3301-83

CROSS REFS.: EEAA, Eligibility Zones for Pupil Transportation  
EEAC, School Bus Safety Program

## STUDENT TRANSPORTATION SERVICES

Buses will not go into dead end side roads except for extraordinary situations in the judgment of the transportation supervisor (e.g., transportation of special education students, students physically unable to walk to regular stops, kindergarten students and students who live farther than one-half mile off the main road), and even then only if accessible.

Buses will stop on the side of the main road adjacent to the side road where possible.

Bus stop collection points are located, wherever possible, not more than one-half mile from student's homes. Collection points where too many students would congregate are avoided.

Parents are responsible for student behavior at bus stops. Students are under the jurisdiction of the District while riding the bus and from the designated point of safety while boarding and exiting the bus.

Passenger capacity is governed by the Ohio Department of Education's "Ohio Pupil Transportation Operation and Safety" Rules.

1. Seating is provided that permits each passenger to sit in a position, which provides maximum protection by the barrier.
2. The number of passengers in a school bus shall not exceed the school bus manufacturer's rated capacity. Seating is adjusted according to the passenger's individual physical size.
3. No person shall stand while the school bus is in motion, with the exception of bus aides in the official performance of their duties.

Pick up and drop off at any home or other location on regular routes may be approved, but morning location must be the same five days a week and afternoon location must be the same five days a week, even though morning and afternoon locations may be different. Buses at capacity is cause for denial or revocation of pick up or drop off at a location other than at a student's residence. Transportation other than to residence of student must be approved by the Superintendent/designee.

If a bus travels down a side street to pick up or deliver kindergarten, special education, etc., (whether or not the distance off the main road is less than one-half mile), then any other riders may be picked up or dropped off on the side street.

Exceptions to these guidelines must be approved by the Superintendent.



Private School Transportation

1. Each year the District reviews the enrollments in the nonpublic buildings served by the District's transportation system to determine whether or not it is necessary, unreasonable or impractical to provide transportation and/or whether to provide funds to the parents for them to provide transportation (a payment method known as "in-lieu of" transportation).
2. Superintendent/designee determines which nonpublic buildings are not farther distant than 30 minutes bus travel from the collection point and which also have fewer than 15 students who are residents of the District as certified by the principal and who intend to ride buses. Those building enrollments are considered by the Board to determine whether the District will provide transportation that school year for that building or whether those students' parents are offered in-lieu-of transportation payments for that school year.
3. The determination to provide or not provide transportation is reconsidered annually.

(Approval date: April 11, 2005)

(Re-approval date: September 23, 2014)

(Re-approval date: February 9, 2016)

## ELIGIBILITY ZONES FOR PUPIL TRANSPORTATION

The Board provides transportation for resident elementary students in grades kindergarten through eight, who live more than one mile from school, and students with physical or mental disabilities that make walking impossible or unsafe.

The administration designates and the Board approves areas of residence from which students are provided transportation to schools. The Board may create exceptions to the established eligibility zones.

Resident students attending a joint vocational school are provided with transportation to the program from the high school they are assigned to.

The Board authorizes the staff responsible for administering the student transportation program to require student identification as a prerequisite to riding a school bus when this is deemed necessary.

[Adoption date: April 11, 2005]

[Re-adoption date: September 23, 2014]

[Re-adoption date: February 23, 2016]

[Re-adoption date: January 7, 2020]

LEGAL REFS.: ORC 3327.01; 3327.011; 3327.015  
OAC 3301-51-10

CROSS REF.: EEA, Student Transportation Services

## SCHOOL BUS SAFETY PROGRAM

The primary consideration in all matters pertaining to transportation is the safety and welfare of student riders. Safety precautions shall include the following.

1. The transportation program meets all state requirements regarding the testing and approval of bus drivers, standards for buses and safe speeds.
2. Drivers of Board-owned, leased, contracted or operated vehicles other than school buses have met state training qualifications and the vehicles have been equipped for safety and signage according to State law.
3. Bus stops are limited, where feasible, so that students from several homes can meet safely at a central point for group pickup. Pupils in grades kindergarten through eight may be required to walk up to one-half mile to a designated bus stop. Students in grade nine through 12, if offered transportation, may have to walk farther to a designated pickup point.
4. Emergency evacuation drills, supervised by someone other than the bus driver, are conducted annually to thoroughly acquaint student riders with procedures in emergency conditions.
5. All vehicles used to transport students are maintained in such condition as to provide safe and efficient transportation service with a minimum delay and disruption of service due to mechanical or equipment failure.
6. Students in kindergarten through third grade are given instruction on school bus safety and behavior within the first two weeks of the school year. Regularly transported students in grade four through 12 are instructed in safety procedures in accordance with State law.
7. Passengers participating in non-routine use of school buses will receive safety instructions at the beginning of the bus trip.

[Adoption date: April 11, 2005]

[Re-adoption date: May 13, 2008]

[Re-adoption date: September 23, 2014]

[Re-adoption date: February 9, 2016]

LEGAL REFS.: ORC 3327.09; 3327.10  
4511.75; 4511.76; 4511.761; 4511.762 through 4511.78  
OAC 3301-51-10  
3301-83

CROSS REFS.: EB, Safety Program  
EEA, Student Transportation Services  
EEAD, Non-Routine Use of School Buses  
GBQ, Criminal Records Check  
IICA, Field Trips

**THIS IS A REQUIRED POLICY**

## STUDENT CONDUCT ON DISTRICT MANAGED TRANSPORTATION

The Board furnishes transportation in compliance with State law. This fact does not relieve parents of students from the responsibility of supervision until such time as the student boards the vehicle and after the student leaves the vehicle at the end of the school day.

Students on District managed transportation are under the authority of, and directly responsible to, the driver. The driver has the authority to enforce the established regulations for rider conduct. Disorderly conduct or refusal to submit to the authority of the driver is sufficient reason for refusing transportation services or suspending transportation services to any student once proper procedures are followed.

The Board authorizes the Superintendent or other administrators to suspend a student from District managed transportation privileges for a period not to exceed one school year. The only due process required is the student must receive notice of an intended suspension from District managed transportation and an opportunity to appear before the Superintendent or other administrator before the suspension is imposed. The administrator's decision is final.

The Board's policy regarding suspension from District managed transportation privileges must be posted in a central location in each school building and made available to students upon request.

Regulations regarding conduct on District managed transportation, as well as general information about the school transportation program, are available to all parents and students.

[Adoption date: April 11, 2005]

[Re-adoption date: January 13, 2009]

[Re-adoption date: September 23, 2014]

[Re-adoption date: February 9, 2016]

LEGAL REFS.: ORC 3327.01; 3327.014  
OAC 3301-83-08

CROSS REFS.: JFC, Student Conduct (Zero Tolerance)  
JG, Student Discipline  
Staff Handbooks  
Student Handbooks

## STUDENT CONDUCT ON DISTRICT MANAGED TRANSPORTATION

The following regulations pertain to student conduct on District managed transportation and are intended to ensure the safety and welfare of the students, the driver and other drivers on the road and to ensure safety and proper maintenance of school vehicles.

Students will:

1. be careful in approaching bus stops, walk on the left facing oncoming traffic, be sure that the road is clear both ways before crossing the highway and wait in a location clear of traffic;
2. arrive at the bus stop before the bus is scheduled to arrive in order to permit the bus to follow the time schedule;
3. not exhibit behavior at the bus stop that threatens life, limb or property of any individual;
4. sit in assigned seats (drivers have the right to assign a student to a seat and to expect reasonable conduct similar to conduct expected in a classroom);
5. reach assigned seat without disturbing or crowding other students and remain seated while the vehicle is moving;
6. obey the driver promptly and respectfully and recognize that he/she has an important responsibility and that it is everyone's duty to help ensure safety;
7. keep the vehicle clean and sanitary, refrain from chewing gum or consuming candy, food or drinks on the vehicle at any time (accept as required for medical reasons);
8. refrain from using profane language and from loud talking or laughing (unnecessary confusion diverts the driver's attention and might result in a serious accident);
9. remain seated keeping aisles and exits clear, keep head, arms and hands inside the vehicle at all times and not throw or pass objects on, from or into the vehicle;
10. be courteous to fellow students and to the driver;
11. treat equipment as one would treat valuable furniture in his/her home (damage to the school vehicle is strictly forbidden);

12. not use tobacco on the vehicle or possess alcohol or drugs on the vehicle except as prescription medications may be required for a student and
13. carry on the vehicle only items that can be held in their laps.

Students must remain seated until the vehicle stops, then promptly unload and wait in their designated place of safety until the vehicle leaves. Students who must cross the street to reach the residence side of the street must wait for the signal from the driver and cross in front of the vehicle after also checking for traffic themselves.

Failure of a student to follow these regulations may result in his/her forfeiting the right of transportation on District managed transportation.

### Discipline

The Board authorizes the Superintendent or other administrators to suspend a student from transportation privileges only for a period of up to one school year. The only due process required is notice to the student of an intended bus riding suspension and an opportunity to appear before the administrator considering the suspension before it happens. The administrator's decision is final.

When discipline problems with individual students arise, use the following guidelines.

1. If possible, the driver should resolve the problem.
2. When the driver is unable to resolve the problem, he/she should report it to the transportation supervisor. The transportation supervisor and driver, if necessary, confer with the principal. Any discipline is imposed by the principal of the school.
3. Problems that cannot be resolved by measures specified above are referred to the Superintendent.

(Approval date: February 9, 2016)

## RECORDING DEVICES AND MONITORS ON TRANSPORTATION VEHICLES

As part of the District's ongoing program to improve student discipline and ensure the health, welfare and safety of all those riding school transportation vehicles, the Board may utilize video and audio recording devices on all school vehicles transporting students to and from curricular, cocurricular and extracurricular activities.

The recording devices monitor student behavior and the recordings are hereby stipulated as admissible evidence in student disciplinary proceedings. The recordings may be student records subject to confidentiality and are subject to Board policy and administrative procedures.

### Bus Monitors

1. Adults are permitted to ride school buses on daily routes only if they have been appointed as bus monitors by the Board or by the Superintendent, except as covered below.
2. Adults may not be transported purely as passengers on daily bus routes, except for adults enrolled as high school students.
3. Drivers' family members who are not enrolled in school programs being served by regular daily routes may not be appointed as bus monitors.
4. Staff members and chaperones on field trips, aides, bus drivers in training and administrators need not be appointed as bus monitors.
5. Appointment of bus monitors is communicated to the transportation supervisor at least 24 hours in advance. They are appointed for a limited period of time as specified at the time of appointment.

[Adoption date: April 11, 2005]

[Re-adoption date: September 23, 2014]

[Re-adoption date: February 9, 2016]

LEGAL REFS.: Family Educational Rights and Privacy Act; 20 USC 1232g et seq.

ORC 149.43

3313.20; 3313.47; 3313.66

3319.321

3327.014

CROSS REFS.: EEAC, School Bus Safety Program

EEACC, Student Conduct on District Managed Transportation (Also JFCC)

JO, Student Records



DRUG TESTING FOR DISTRICT PERSONNEL REQUIRED  
TO HOLD A COMMERCIAL DRIVER'S LICENSE

It is the policy of the Board to establish a program which is designed to aid in the prevention of accidents and injuries resulting from the misuse of alcohol or the use of controlled substances by employees who are drivers of commercial motor vehicles.

The misuse of alcohol and the use of controlled substances can cause grave harm to not only the person using the substance but also to fellow employees, students and citizens. The effects of alcohol misuse or drug use are magnified when the individual is responsible for the safety-sensitive functions involved with operating a commercial motor vehicle and/or school bus.

Federal law prohibits any alcohol misuse that could affect the performance of driving a commercial motor vehicle. This includes:

1. use on the job;
2. use during the eight hours before driving a commercial motor vehicle;
3. having prohibited concentrations of alcohol in the system while driving a commercial motor vehicle;
4. use during eight hours following an accident and
5. refusal to take a required test.

Federal law prohibits any controlled substance use without a licensed physician's written prescription.

[Adoption date: April 11, 2005]

[Revised: April 22, 2014]

[Revised: September 23, 2014]

LEGAL REFS.: 49 USC 31136; 31301 et seq.  
49 CFR, Subtitle A, Part 40  
ORC 4506.15; 4506.16  
OAC 3301-83-07

CROSS REFS.: EB, Safety Program  
GBCB, Staff Conduct  
GBE, Staff Health and Safety  
GBP, Drug-Free Workplace  
GBQ, Criminal Records Check  
Staff Handbooks

**THIS IS A REQUIRED POLICY**

## DRUG TESTING FOR DISTRICT PERSONNEL REQUIRED TO HOLD A COMMERCIAL DRIVER'S LICENSE

School bus drivers and others required to hold a commercial driver's license are subject to a drug and alcohol testing program that fulfills the requirements of federal and state regulations. The Board directs the Superintendent/designee to develop a school bus driver drug testing program in compliance with State and Federal laws and regulations.

These 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. District personnel must adhere to the detailed provisions of federal regulations in administering the District's drug and alcohol program. Districts must also adhere to State laws pertaining to drug and alcohol testing for drivers required to hold a CDL.

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. Testing includes the Department of Transportation's **current drug testing requirements**.

### Pre-Employment Tests

Prior to the first time a driver performs safety-sensitive functions for the District, a controlled substances test is administered.

The test is required of an applicant only after he/she has been offered employment. Employment is conditional upon the applicant receiving a negative drug test result.

An employee may be exempt from the pre-employment drug test if he/she has participated in a drug-testing program within 30 days prior to the application for employment. While participating in that program the employee must either have been 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. The responsible administrator must be able to make all verifications required by law.

### Post-Accident Tests

Prior to a driver operating a school bus, the District will provide the driver with necessary post-accident information, procedures and instructions, so that the driver will be able to comply with these requirements.

Alcohol and controlled substance tests are conducted in the time limits imposed by the federal regulations after an accident on any driver who:

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

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

If an alcohol test is not administered within two hours or if a drug test is not administered within 32 hours after the accident, the responsible administrator prepares and maintains records explaining why the test was not conducted.

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

The Board reserves the right to require any driver involved in an accident while on duty to undergo alcohol and controlled substance testing.

### Random Tests

Alcohol and controlled substance tests are conducted on a random basis at unannounced times throughout the year. Random tests are conducted just before, during or just after the performance of safety-sensitive functions. Once notified of selection for drug testing, a driver must proceed immediately to a collection site to provide a urine specimen.

Drivers are selected by a scientifically valid random process, and each driver has an equal chance of being tested each time selections are made. All drivers, whether full-time or substitute, and other individuals who are certified to operate school buses and may be called upon to do so, will be included in the random pool. Individuals who are selected for a random test but who are not operating a school bus at the time of the selection will be passed over, and an alternate driver will be tested under the random draw. The number of bus drivers selected for random testing is 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 are 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 appropriate administrator prepares and maintains a record explaining why this was not done. Attempts to conduct alcohol tests 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 must also make a written record of his/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.

In accordance with federal regulations, third party information may not be the only determining factor used to conduct reasonable suspicion testing.

### Return-to-Duty Tests

A drug or alcohol test is conducted when a driver who has violated the drug or alcohol prohibition returns to performing safety-sensitive duties.

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

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

### Follow-Up Tests

A driver who violates the drug or alcohol prohibition and is subsequently identified by a substance-abuse professional as needing assistance in resolving a drug or alcohol problem is subject to unannounced follow-up testing as directed by the substance-abuse professional in accordance with law. Follow-up alcohol testing is 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 are maintained under strict confidentiality and released only in accordance with law. Upon written request, a driver receives copies of any records pertaining to his/her use of drugs or alcohol, including any records pertaining to his/her drug or alcohol tests. Records are made available to a subsequent employer or other identified persons only as expressly requested in writing by the driver.

## Notifications

Each driver receives educational materials that explain the requirements of the Code of Federal Regulations, Title 49, Part 382, together with a copy of the policy and regulations for meeting these requirements. Representatives of employee organizations are notified of the availability of this information. The information identifies:

1. the person designated by the Board 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 is tested for drugs and/or alcohol;
6. procedures that are used to test for the presence of drugs and alcohol, protect the driver and the integrity of the testing processes, safeguard the validity of test results and ensure that test results are attributed to the correct driver;
7. the requirement that a driver submit to drug and alcohol tests administered in accordance with federal regulations;
8. an explanation of what constitutes a refusal to submit to a drug or alcohol test and the attendant consequences;
9. consequences for 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 and

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/she has received a copy of the above materials.

The Board-designated administrator notifies 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/her employment application.

The Board designee notifies a driver of the results of random, reasonable suspicion and post-accident drug tests if the test results are verified positive. The designee also tells the driver which controlled substances were verified as positive.

Drivers inform their supervisors if at any time they are using a controlled substance that their physician has prescribed for therapeutic purposes. Such a substance may be used only if the physician is familiar with the driver's medical history and has advised the driver that it will not adversely affect his/her ability to safely operate a commercial motor vehicle. The District may require additional written notification from the prescribing physician.

### Enforcement

Any driver who refuses to submit to post-accident, random, reasonable-suspicion or follow-up tests is not allowed to perform or continue to perform safety-sensitive functions, and is ineligible to operate a school bus in the state. The Ohio Department of Education will be notified of the refusal to test.

A driver who in any other way violates District prohibitions related to drugs and alcohol receives from the Board designee 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 is evaluated by a substance-abuse professional who determines 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/she has a financial interest, except under circumstances allowed by law.

Before the driver is returned to safety-sensitive duties, if at all, the Board designee must 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 and
4. is subject to unannounced follow-up drug and alcohol tests. (The number and frequency of such follow-up testing is as directed by the substance-abuse professional and consists of at least six tests in the first 12 months following the driver's return to duty.)

In accordance with State law a driver may not operate a school bus when a drug or alcohol test indicates any measurable or detectable amount of a controlled substance.

(Approval date: April 11, 2005)

(Re-approval date: April 22, 2014)

(Re-approval date: September 23, 2014)

(Re-approval date: August 28, 2018)





DRUG TESTING FOR DISTRICT PERSONNEL REQUIRED  
TO HOLD A COMMERCIAL DRIVER'S LICENSE

Certificate of Authority

I have received a copy of the foregoing Commercial Drivers Alcohol and Drug Policy, have read its contents, and understand that I may be disciplined, up to and including termination from employment, for failure to comply with the foregoing policy.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Employee's Name

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Date

## SCHOOL BUS IDLING

The Board is committed to transporting students on school buses in a manner that is safe and consistent with the Board's goal of resource conservation. The Board recognizes that accumulated emission from diesel engines can be harmful to students and bus drivers. Also, unnecessary engine idling wastes diesel fuel and financial resources. Therefore, the Board prohibits all unnecessary diesel engine idling in excess of 5 minutes. In addition, the Board prohibits the warming up of buses for longer than 15 minutes, except in extraordinary circumstances.

Diesel engine idling in excess of five minutes in school loading zones is not permitted unless the operation of a wheelchair lift is required. This policy applies to all buses used to transport students to and from school, cocurricular/extracurricular activities, field trips and other school-related activities.

The Board directs the Superintendent/designee to develop and maintain regulations to implement this policy.

[Adoption date: December 10, 2007]

LEGAL REFS:       ORC 3327.01  
                          4511.76  
                          OAC 3301-83-20(0)

CROSS REFS:       ECF, Energy Conservation  
                          EEAC, School Bus Safety Program  
                          Staff Handbooks

## NON-ROUTINE USE OF SCHOOL BUSES

Buses owned by the Board are used primarily for the purpose of transporting students to and from school and for school-approved activities.

“Non-routine student transportation” is defined as transportation of passengers for purposes other than regularly scheduled routes to and from school. School buses may be used for non-routine trips only when approved by the Board and the trips do not interfere with routine transportation services.

All non-routine transportation will be conducted in compliance with State law. The Superintendent/designee will issue a trip permit that meets the requirements of the Ohio Administrative Code for any non-routine student transportation.

Buses are available to all classes, groups or organizations within the schools in accordance with the following.

1. The use of District-owned buses is scheduled through the transportation office.
2. Fees charged to groups for the use of the buses are established and made part of District regulations.
3. The drivers of the buses must meet all federal, state and District requirements for school bus drivers, and be registered with the Ohio Department of Education as a qualified bus driver.
4. The drivers of the buses ensure that the buses are not overloaded, emergency exits are not blocked, and that students conduct themselves in a safe and orderly manner while in the buses and that the buses are operated in a safe and lawful manner.
5. The drivers of the buses are responsible for reporting in writing to the transportation office the condition of buses, particularly any need for repair or servicing.

[Adoption date: April 11, 2005]

[Re-adoption date: September 23, 2014]

[Re-adoption date: February 9, 2016]

LEGAL REFS.: ORC 3327.01; 3327.05; 3327.10; 3327.13; 3327.14; 3327.15  
OAC 3301-83-16

CROSS REFS.: EEACD, Drug Testing for District Personnel Required to Hold a  
Commercial Driver's License  
GBQ, Criminal Records Check  
IICA, Field Trips

## STUDENT TRANSPORTATION IN PRIVATE VEHICLES

School bus transportation is provided for all officially approved transportation requests to and from student activities. The use of private vehicles for transportation of students, volunteers, teachers and other employees to and from student activities is discouraged. If an emergency arises, transportation by private vehicles is permitted only in extenuating circumstances and if previously approved by the appropriate administrator. The driver must present evidence that the vehicle and the driver are covered for liability, medical payments, physical damage and uninsured motorist liability.

If it is necessary to use private vehicles on a routine basis, evidence must be presented to the appropriate administrator that the vehicle, driver and purpose meet the requirements in Ohio Administrative Code for transportation in vehicles other than school buses, and that the driver is listed as a certified van driver by the Ohio Department of Education. The Board may procure accident insurance covering all pupils and other authorized passengers transported under the authority of the Board. This excess insurance provides compensation for injury or death to any student or authorized passenger caused by any accident arising out of or in connection with the operation of a private vehicle transporting students and other authorized passengers. The amounts and terms must be agreed upon by the Board and the insurance company.

[Adoption date: April 11, 2005]

[Re-adoption date: February 8, 2016]

LEGAL REFS.: ORC 3327.01; 3327.02; 3327.09  
OAC 3301-83-19

## STUDENT TRANSPORTATION IN PRIVATE VEHICLES

The Board authorizes the transportation by private vehicle of students of this District between the school and a school activity approved by this Board in accordance with the following.

Any such transportation must be approved in advance and in writing by the school administrator. The writing must set forth:

1. the date, time and reason for the transportation;
2. the places from and to which students will be transported;
3. the name and address of the driver;
4. the number of the driver's license to operate a motor vehicle in the state of Ohio;
5. the names of the students to be transported;
6. a brief description of the transportation vehicle (year and make);
7. the name of the insurance carrier for the vehicle and
8. the signature of the driver.

If any of the above information changes at any time during the year, it is the responsibility of the driver to update his/her form and provide it to the school administrator.

No person is approved for the transportation of students in a private vehicle who is not an employee of this Board or an approved volunteer and the holder of a currently valid license to operate a motor vehicle in the state of Ohio.

No person shall be permitted to transport students who is not the holder of automobile liability insurance to the extent of at least \$50,000 and personal injury insurance to the extent of at least \$50,000 and personal injury insurance to the extent of at least \$100,000. The Board may withdraw the authorization of any private vehicle driver.

Any private vehicle used for the transportation of students must be owned by the approved driver.

The responsibility of teaching staff members for the discipline and control of students extends to their transportation of students in a private vehicle. Drivers who are not teaching staff members are requested to report student misconduct to the administrator.

Students participating in such transportation by private vehicle shall sign a "hold harmless" waiver prior to the event.

The District assumes no responsibility for students who ride with other students, adults or drive themselves to school, school activities or school events.

(Approval date: April 11, 2005)

Three Rivers Local School District, Cleves, Ohio

STUDENT TRANSPORTATION IN PRIVATE VEHICLES

(To School Activities)

Applicants' Name \_\_\_\_\_

Address \_\_\_\_\_

Home Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

Function \_\_\_\_\_

Location \_\_\_\_\_

Approximate Round Trip Mileage \_\_\_\_\_ Date \_\_\_\_\_

Names of students with parental permission to ride in a private vehicle:

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

Liability Insurance Company \_\_\_\_\_

Limits of Coverage: \_\_\_\_\_  
(Must meet or exceed \$50,000 liability and \$100,000 personal injury insurance.)

Reason for use of private automobile: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Applicant's Signature

NO PERSON UNDER THE AGE OF 21 YEARS MAY DRIVE AN AUTOMOBILE TRANSPORTING STUDENTS TO A SCHOOL FUNCTION.

If any of the requested information changes during the year, it is the responsibility of the driver to resubmit correct information to the school administrator.

APPROVED: \_\_\_\_\_ Date \_\_\_\_\_

Principal's Signature \_\_\_\_\_

Athletic Director's Signature \_\_\_\_\_



## USE OF SCHOOL-OWNED VEHICLES

In the interest of economy and efficiency, the Board may authorize employee use of school-owned vehicles. The Superintendent/designee is responsible for developing and implementing regulations for the proper use. Regulations may include, but are not limited to:

1. list of vehicles and the appropriate coverages;
2. list of authorized users;
3. authorized uses;
4. unauthorized uses;
5. mandatory record keeping;
6. care and maintenance of vehicles;
7. observance of all Federal, State, Local and District laws, policies and regulations and
8. restrictions for use by non-employees.

Employees in violation of this policy and the established regulations are subject to disciplinary action up to and including termination.

[Adoption date: February 13, 2006]

LEGAL REFS: ORC 121.07  
125.832  
4513.263; 4513.264  
OAC 3301-83-20(M)

CROSS REFS: GBCB, Staff Conduct  
GBE, Staff Health and Safety  
GBP, Drug-Free Workplace  
Staff Handbooks

CONTRACT REFS: Teacher's Negotiated Agreement  
Support Staff Negotiated Agreement

## USE OF SCHOOL-OWNED VEHICLES

Certain designated employees are authorized to use school-owned vehicles in accordance with the following regulations:

### Authorized Vehicles and Users

The Superintendent/designee:

1. authorizes which employees have the use of school-owned vehicles;
2. keeps a record of their drivers' license numbers and
3. keeps a list of vehicles and appropriate insurance coverages.

### Authorized Uses

1. Unless specific permission is granted by the Superintendent, use of school-owned vehicles is restricted to District business only.
2. All cargo must be related to the performance of District business.
3. The cost of gasoline and oil is reimbursed only upon submitting the proper receipts.

### Unauthorized Uses

Drivers are prohibited from:

1. operating vehicles while under the influence of drugs and/or alcohol;
2. transporting non-school passengers, including hitchhikers and
3. operating vehicles, without an ear piece, while talking on the cellular telephone.

### Record Keeping

Drivers are required to keep and maintain accurate records when using vehicles for personal use. Personal use of school-owned vehicles must be reported as a taxable benefit in accordance with Internal Revenue Service regulations.

Vehicle Care and Maintenance

1. School-owned vehicles must be maintained and operated in a safe and efficient manner.
2. Drivers must report any defect or damage as soon as one is identified or sustained.
3. Drivers are responsible for the interior cleanliness of vehicles used.

Observance of All Laws, Policies and Regulations

Drivers must:

1. comply with all applicable Federal, State, Local and Board laws, regulations and policies;
2. wear seat belts;
3. be personally liable for all traffic and parking violations and supply proof of payment;
4. maintain a valid drivers' license and insurance;
5. immediately notify the Superintendent/designee of their driving privileges change in any way. E.g license suspensions or revocation and
6. immediately report any accident or related injury to the proper governmental authority and the Superintendent/designee.

Violators are subject to disciplinary action, up to and including termination.

(Approval date: February 13, 2006)

## FOOD SERVICES MANAGEMENT/FREE AND REDUCED-PRICE FOOD SERVICES

The Board operates a food services program in its schools. Food preparation is centralized for elementary, intermediate and secondary schools when appropriate.

Food services include breakfasts and lunches in all schools through participation in the National Child Nutrition Programs.

The food services staff cooperates with the principals of the schools in matters essential to the proper functioning of the food services program. The responsibility for control of students using the cafeteria rests with the building principal.

All prices set for school breakfasts, lunches and milk are subject to Board approval, except for a la carte food prices. The Food Services Supervisor sets these prices without Board approval.

As required for participation in the National Child Nutrition Programs, the Board agrees that:

1. breakfast and a "Type A" lunch are made available to students, provided at least one-third of the students are eligible under Federal law for free meals;
2. breakfast is made available in every school in which the parents of at least one-half of the children enrolled have requested that the breakfast program be established;
3. students who qualify receive free or reduced-price meals;
4. all meals must meet USDA nutritional standards;
5. the management of food services shall comply with all federal, state and local procedures and
6. a summer meal program is provided to students attending a state-mandated summer remedial program.

All students are expected to eat lunch at school and may not leave school grounds during the lunch hour, except as permission has been granted by the principal. Students are permitted to bring their lunches from home and to purchase milk and incidental items.

School lunch funds and other food service funds are kept in a special account.

The District provides for at least one employee, who has received instruction in methods to prevent choking and has demonstrated an ability to perform the Heimlich maneuver, to be present while students are being served.

### Students with Special Dietary Needs

At the beginning of each school year, or at the time of enrollment, parents are responsible for communicating any special dietary needs of their child, including food allergies, to the District. Students with dietary needs that qualify as disabilities under law will be provided reasonable accommodation.

Substitutions to regular school meals provided by the District will be made for students who are unable to eat such meals due to a qualifying dietary need when that need is certified in writing by the student's physician. Such meals will be provided in the most integrated setting appropriate to the special needs of the student.

The nature of the student's qualifying dietary need, the reason this need prevents the student from eating regular school meals (including foods to be omitted from the student's diet), the specific diet prescription along with the needed substitution must be specifically stated in the physician's statement. The District, in compliance with the USDA Child Nutrition Division guidelines, provides substitute meals to food-allergic students based upon the physician's signed statement.

The District develops and implements administrative regulations for the management of food-allergic students. Such regulations include, but are not limited to, school-wide training programs regarding food allergy education, staff development regarding food allergy identification and management, allergy emergency drills, strategies for identification of students with life-threatening food allergies and management skills including avoidance measures, designation of typical symptoms and dosing instructions for medications.

[Adoption date: April 11, 2005]

[Revised: March 9, 2010]

LEGAL REFS.: Child Nutrition and WIC Reauthorization Act; Pub. L. No. 108-265  
(Title I, Section 204), 118 Stat. 729  
National School Lunch Act; 42 USC 1751 et seq.  
Child Nutrition Act; 42 USC 1771 et seq.  
Americans with Disabilities Act Amendments Act of 2008; 42 USC 12101 et  
seq.  
Rehabilitation Act of 1973; 29 USC 794  
ORC 3313.719; 3313.81; 3313.812; 3313.813; 3313.815  
3314.18  
OAC 3301-91-01 through 3301-91-09

CROSS REFS.: ACB, Nondiscrimination on the Basis of Disability  
EFF, Food Sale Standards  
EFG, Student Wellness Program  
EFH, Food Allergies  
JHCD, Administering Medicines to Students  
JN, Student Fees, Fines and Charges

**THIS IS A REQUIRED POLICY**

## FOOD SALE STANDARDS

Through its food service program, the Board encourages students to form healthy eating habits by governing the types of food and beverages sold in the schools and the time and place at which each type of food and beverage is sold. These standards are based on the following guidelines.

1. The types of food and beverages sold in the schools are determined by their potential to contribute significantly to the:
  - A. daily nutritional needs of students, consistent with the guidelines established by the U.S. Department of Agriculture (USDA);
  - B. provisions of the District's student wellness program and
  - C. nutritional guidelines established by State law.
2. A licensed dietician, a registered dietetic technician or a certified/credentialed school nutrition specialist must be initially consulted to assist the food services supervisor in drafting for Board adoption a plan:
  - A. for complying with and enforcing the nutritional standards governing the types of food and beverages that may be sold on school premises in compliance with State law and
  - B. specifying the time and place each type of food or beverage may be sold.
3. The time of day and place for the sale of food and beverages to students must be consistent with the nutrient intake needs and eating patterns of students and compatible with class schedules. The following restrictions are enforced for non-breakfast/lunch food and beverage sales:
  - A. Foods or beverages that do not meet the nutritional standards established by the District in accordance with USDA regulations may not be sold during the school day. The Board reserves the right to totally restrict the sale of non-nutritional foods and beverages in vending machines.
  - B. Bake sales and other school fundraising activities involving food and beverage items may not be held during the school day.
4. Annually, the food services supervisor reviews and recommends to the Board the types of foods and beverages to be sold as part of the school breakfast and lunch programs.

Separate standards may be established for the types of food and beverages to be sold to staff members and for events and activities held outside the school day.

Compliance with nutritional standards is reported to the Ohio Department of Education by November 30 annually through the consolidated school mandate report.

If the District reports noncompliance the Superintendent/designee must provide a written explanation to the Board within 30 days explaining this noncompliance and a written plan of action for accurately and efficiently addressing the problem.

[Adoption date: April 11, 2005]  
[Re-adoption date: March 22, 2011]  
[Re-adoption date: August 3, 2011]  
[Re-adoption date: July 24, 2012]  
[Re-adoption date: October 7, 2014]  
[Re-adoption date: November 9, 2016]  
[Re-adoption date: November 27, 2018]

LEGAL REFS.: ORC 3301.68  
3313.814; 3313.816; 3313.817  
OAC 3301-91-09

CROSS REFS.: EF, Food Services Management  
EFG, Student Wellness Program  
IGDF, Student Fundraising Activities

**THIS IS A REQUIRED POLICY**



NUTRITION STANDARDS

The Three Rivers Local School District Nutrition Standards, effective July 1, 2011, must be met for all sales of food and beverages in all Three Rivers schools during the regular and extended school day setting. The extended school day includes periods before and after school in which students are arriving and departing school and/or participating in school-sponsored extra-curricular activities, academic or enrichment programs, or latch-key programs. This includes foods sold through the Food Services Department as well as any other organization or person. Exemptions to this apply only to fundraisers sold outside of the school day and interscholastic athletic events or other school related events held outside of the school day where parents and other adults are a significant part of an audience.

This policy applies to all foods sold or served to students outside of reimbursable school meals including foods and beverages sold through vending machines, cafeteria ala carte lines and school stores. Food provided free as refreshment for parties, potlucks, teacher appreciation luncheons or breakfasts, etc., is not subject to district nutrition standards. However, offering foods that meet these standards is highly recommended.

SCHOOL BEVERAGE GUIDELINES (as defined in OC Sec 3313.816)

Beverages	Elementary	Middle School	High School
WATER	No size restriction	No size restriction	No size restriction
Low fat or fat free MILK (white or flavored)	8 ounces	12 ounces	12 ounces
100% JUICE OR FRUIT JUICE WATER BLEND, No added sweetners	8 ounces (maximum 160 calories)	10 ounces (maximum 200 calories)	12 ounces (maximum 240 calories)
Mid Calorie Beverages (other)	None	None	12 ounce maximum size (maximum 99 calories)
Zero or Low Calories Beverages (other)	None	None	Any size (maximum 10 calories per 8 ounces)
AT LEAST 50% OF BEVERAGES (INCLUDING MILK AND 100% JUICE) OFFERED IN EACH LOCATION OR VENDING MACHINE MUST BE WATER OR ZERO OR LOW CALORIE BEVERAGES.			

SCHOOL FOOD GUIDELINES (as defined in OC Sec 3313.817)

Foods will be approved based on the Alliance for a Healthier Generation product calculator.

Food Guidelines can be found on the following chart:

ALA CARTE FOOD ITEMS ONLY	CALORIES	TOTAL FAT	SAT FAT	TRANS FAT	SUGARS BY WEIGHT	SODIUM
DRIED FRUIT WITH NO ADDED SUGAR	150 ELEMENTARY 180 MIDDLE 200 HIGH SCHOOL	0g	0g	0g	Exempt	230mg
NUTS, NUT BUTTERS, AND SEEDS	150 ELEMENTARY 180 MIDDLE 200 HIGH SCHOOL	Exempt	Exempt	0g	35 %	230mg
LOW FAT AND FAT-FREE DAIRY -Ice Cream, Yogurt, Cottage Cheese, etc. (not eggs or hard cheese, see below)	150 ELEMENTARY 180 MIDDLE 200 HIGH SCHOOL	35 %	10%	0%	35 %	480mg
SOUP	** 150	35 %	10%	0g	35 %	480mg
SNACKS (Baked goods, bars, candy, chips, crackers)	*150 ELEMENTARY *180 MIDDLE *200 HIGH SCHOOL	35 %	10%	0g	35 %	230mg
FRUIT WITH NUTS/SEEDS (TRAIL MIX) no added sweeteners	150 ELEMENTARY 180 MIDDLE 200 HIGH SCHOOL	Exempt	10%	0g	35 %	230mg

*Must contain at least one (or **two) of the following: 2g fiber; or 5g protein; or 10% DV Vitamin A, C, E, folate, calcium, magnesium, potassium, or iron; or ½ serving (1/4 cup) fruit or vegetables
Cheese may be reduced fat or part skim in 1.5 oz portions. One (1) egg or egg equivalent with no added fat is permitted.
No limits on fresh fruits and vegetables

[Adoption Date: March 22, 2011]

[Revised: April 3, 2012]

[Revised: December 8, 2015]

## STUDENT WELLNESS PROGRAM

As required by law, the Board of Education establishes the following wellness policy for the Three Rivers Local School District.

The Board recognizes that good nutrition and regular physical activity affect the health and wellbeing of the District's students. Furthermore, research suggests that there is a positive correlation between a student's health and well-being and his/her ability to learn. Moreover, schools can play an important role in the development process by which students establish their health and nutrition habits by providing nutritious meals and snacks through the schools' meal programs, by supporting the development of good eating habits, and by promoting increased physical activity both in and out of school.

The Board, however, believes this effort to support the students' development of healthy behaviors and habits with regard to eating and exercise cannot be accomplished by the schools alone. It will be necessary for not only the staff, but also parents and the public at large to be involved in a community-wide effort to promote, support, and model such healthy behaviors and habits.

The Board sets the following goals in an effort to enable students to establish good health and nutrition habits:

1. With regard to nutrition education and nutrition promotion:
  - A. Nutrition education shall be included in the Health curriculum so that instruction is sequential and standards-based and provides students with the knowledge, attitudes, and skills necessary to lead healthy lives.
  - B. Nutrition education posters, such as the Food Pyramid Guide, will be displayed in the cafeteria.
  - C. The school cafeteria shall serve as a learning lab by allowing students to apply the knowledge, attitudes, and skills taught in the classroom when making choices at mealtime.
  - D. The District shall provide information to parents designed to encourage them to reinforce at home the standards and benchmarks being taught in the classroom.
2. With regard to physical activity:
  - A. A sequential, comprehensive physical education program shall be provided for students in K-12 in accordance with the standards and benchmarks established by the state.

- B. Physical education classes shall provide students with opportunities to learn, practice, and be assessed on developmentally appropriate motor skills and social skills, as well as knowledge.
  - C. The sequential, comprehensive physical education curriculum shall stress the importance of remaining physically active for life.
  - D. Planned instruction in physical education shall be sufficient for students to achieve a proficient level with regard to the standards and benchmarks established by the state.
  - E. The K-12 program shall include instruction in physical education as well as opportunities to participate in competitive and non-competitive team sports to encourage lifelong physical activity.
  - F. Planned instruction in physical education shall teach cooperation, fair play and responsible participation.
  - G. Planned instruction in physical education shall meet the needs of all students, including those who are not athletically gifted.
  - H. Planned instruction in physical education shall be presented in an environment free of embarrassment, humiliation, shaming, taunting or harassment of any kind.
  - I. Physical activity and movement may be integrated, when possible, across the curricula.
  - J. Schools shall encourage families to provide physical activity outside the regular day such as outdoor play at home, participation in sports sponsored by community agencies or organizations, and in lifelong physical activities.
  - K. All students in grades 7-12 shall have the opportunity to participate in interscholastic sports programs.
  - L. Recess before meal periods is encouraged when building schedules permit.
3. With regard to other school-based activities:
- A. The school shall provide attractive, clean environments in which the students eat.
  - B. Students, parents and other community members shall have access to, and be encouraged to use, the school's outdoor and indoor physical activity facilities outside the normal school day.

- C. Schools in our system utilize electronic identification and payment systems, therefore, eliminating any stigma or identification of students eligible to receive free and/or reduced meals.
- D. Students are discouraged from sharing their foods or beverages with one another during mealtimes, given concerns about allergies and other restrictions on some students' diets.

Furthermore, with the objectives of enhancing student health and well-being and reducing childhood obesity, the following guidelines are established:

1. In accordance with Policy EF/EFB, entitled Food Services Management/Free and Reduced-Price Food Services, the food service program shall comply with federal and state regulations pertaining to the selection, preparation, consumption and disposal of food and beverages as well as to the fiscal management of the program.
2. As set forth in Policy EF/EFB, entitled Food Service Management/Free and Reduced-Price Food Services, the guidelines for reimbursable school meals are not less restrictive than the guidelines issued by the U.S. Department of Agriculture.
  - A. The food service program will provide all students affordable access to the varied and nutritious foods they need in order to be healthy and to learn well.
  - B. The food service program shall be administered by a director who is properly qualified.
  - C. Continuing professional development shall be provided for all staff of the food service program.

The Board designates the Superintendent/designee as the individual charged with operational responsibility for measuring and evaluating the District's implementation and progress under this policy. The Superintendent/designee shall develop administrative guidelines necessary to implement this policy.

The Superintendent/designee shall report on the District's compliance with this policy and the progress toward achieving the goals set forth herein, when requested to do so by the Board.

Review of this policy shall occur every two years, by a committee appointed by the Board, consisting of a representative of the Board, the administration, the food service provider, the parents, the students, teachers of physical education and school health professionals and the public. The committee shall provide the Board with any recommended changes to this policy.

Specific Goals:

1. Increase participation in at least one physically active extracurricular activity by at least 5% annually. (Examples: Walking Club, Girls on the Run, Sports Teams)
2. Organize at least one speaker or assembly annually on the topic of Nutrition or Physical Fitness annually for a group of at least 10% of the student population.

[Adoption date: June 12, 2006]

[Re-adoption date: December 8, 2015]

[Re-adoption date: March 29, 2017]

[Re-adoption date: November 27, 2018]

[Re-adoption date: June 11, 2019]

[Re-adoption date: January 7, 2020]

LEGAL REFS.: Child Nutrition and WIC Reauthorization Act; Pub. L. No. 108-265  
(Title I, Section 204), 118 Stat. 729  
National School Lunch Act; 42 USC 1751 et seq.  
Child Nutrition Act; 42 USC 1771 et seq.  
7 CFR, Subtitle B, Chapter 11, Part 210  
7 CFR 220  
7 CFR 225  
7 CFR 245  
ORC 3313.814  
OAC 3301-91-09

CROSS REFS.: EF, Food Services Management  
EFB, Free and Reduced-Price Food Services  
EFF, Food Sale Standards  
IGAE, Health Education  
IGAF, Physical Education  
KJ, Advertising in the Schools

**THIS IS A REQUIRED POLICY**

## COPYRIGHT

The Board conforms to existing Federal copyright laws and maintains the highest ethical standards in the use of copyrighted materials for instructional purposes.

The Board encourages its staff to enrich the learning programs by making proper use of supplementary materials. It is the responsibility of the staff to abide by the copying procedures and obey the requirements of the Federal law. Under no circumstances may employees of the District violate copyright requirements in order to perform their duties properly. The Board is not responsible for any violations of the Copyright Act by its employees.

The Copyright Act, affects all employees because it sets guidelines regarding the duplication and use of all copyrighted materials – print, nonprint, music, computer software and others. The Superintendent is responsible for disseminating the guidelines for duplication and use of copyrighted materials to all employees.

Any employee who is uncertain as to whether the reproducing or use of copyrighted materials complies with the procedures or is permissible under law shall contact the Superintendent/designee.

[Adoption date: April 11, 2005]

[Revised: February 8, 2011]

LEGAL REFS.: U.S. Const. Art. I, Section 8  
Copyright Act; Pub. L. No. 94-533; 17 USC101 et seq.

CROSS REFS.: IIA, Instructional Materials  
IIAC, Library Materials Selection and Adoption



## COPYRIGHT

### Educational Use of Copyrighted Print Materials

#### 1. Fair use

The fair use of copyrighted work for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship or research is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use, the factors to be considered include the:

- A. purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
- B. nature of the copyrighted work;
- C. amount and substantiality of the portion used in relation to the copyrighted work as a whole and
- D. effect of the use upon the potential market for or value of the copyrighted work.

#### 2. Single copying for teachers

A single copy may be made of any of the following by or for a teacher at his/her individual request for his/her scholarly research or use in teaching or preparation to teach a class:

- A. a chapter from a book;
- B. an article from a periodical or newspaper;
- C. a short story, short essay or short poem, whether or not from a collective work or
- D. a chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.

#### 3. Multiple copies for classroom use

Multiple copies (not to exceed more than one copy per student in a course) may be made by or for the teacher giving the course for classroom use or discussion, provided that:

- A. the copying meets the tests of brevity, spontaneity and cumulative effect as defined below and
- B. each copy includes a notice of copyright.

##### 1) Brevity

Poetry: (a) a complete poem if less than 250 words and if printed on not more than two pages or (b) from a longer poem, an excerpt of not more than 250 words.

Prose: (a) a complete article, story or essay of less than 2,500 words or (b) an excerpt of not more than 1,000 words or 10% of the work, whichever is less, but in any event a minimum of 500 words.

Each of the numerical limits stated in “poetry” and “prose” above may be expanded to permit the completion of an unfinished line of a poem or of an unfinished prose paragraph.

Illustration: one chart, graph, diagram, drawing, cartoon or picture per book or periodical issue.

Special work: certain work in poetry, prose or “poetic prose”, which often combines language with illustrations, of less than 2,500 words.

A “special work” may not be reproduced in its entirety. However, an excerpt comprising not more than two of the published pages of a special work, and containing not more than 10% of the words found in the text thereof, may be reproduced.

2) Spontaneity

The copying is at the instance and inspiration of the individual teacher. The inspiration and decision to use the work, and the moment of its use for maximum teaching effectiveness, are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

3) Cumulative effect

The copying of the material is for only one course in the school in which copies are made.

Not more than one short poem, article, story or essay, or two excerpts, may be copied from the same author, nor more than three from the same collective work or periodical volume, during one class term.

The limitations stated in the preceding two paragraphs shall not apply to current news periodicals and newspapers and current news sections of other periodicals.

The limitations as to single copying for teachers and multiple copies for classroom use are applicable.

4. Prohibitions

- A. Copying shall not be used to create, replace or substitute for anthologies, compilations or collective works. Such replacements or substitutions may occur whether copies of various works or excerpts therefrom are accumulated or reproduced and used separately.
- B. There shall be no copying of or from works intended to be “consumable” in the course of study or teaching. These include workbooks, exercises, standardized tests, test booklets, answer sheets and similar consumable material.
- C. Copying shall not:
  - 1) substitute for the purchase of books, publishers’ reprints or periodicals;
  - 2) be directed by higher authority or
  - 3) be repeated with respect to the same item by the same teacher from term to term.
- D. No charge shall be made to the student beyond the actual cost of the photocopying.

Educational Use of Copyrighted Music

1. Permissible uses

- A. Emergency copying may be done to replace purchased copies which for any reason are not available for an imminent performance, provided purchased replacement copies shall be substituted in due course.
- B. For academic purposes other than performance, single or multiple copies of excerpts of works may be made, provided that the excerpts do not comprise a part of the whole which would constitute a performable unit such as a section, movement or area, but in no case more than 10% of the whole work. The number of copies shall not exceed one copy per student.
- C. Printed copies which have been purchased may be edited or simplified, provided that the fundamental character of the work is not distorted or that lyrics, if any, are not altered or added.
- D. A single copy of recordings of performances by students may be retained by the educational institution or individual teacher.

- E. A single copy of a sound recording (such as a tape, disc or cassette) of copyrighted music may be made from sound recordings owned by an educational institution or an individual teacher for the purpose of constructing aural exercises or examinations and may be retained by the educational institution or individual teacher. (This pertains only to the copyright of the music itself and not to any copyright which may exist in the sound recording.)
2. Prohibitions
- A. Copying shall not be used to create, replace or substitute for anthologies, compilations or collective works.
  - B. Copying of or from works intended to be “consumable” in the course of study or of teaching such as workbooks, exercises, standardized tests, answer sheets and similar material is prohibited.
  - C. Copying shall not be used for the purpose of performance except as previously stated.
  - D. Copying shall not be used for the purpose of substituting for the purchase of music except as previously stated.
  - E. Copying without inclusion of the copyright notice which appears on the printed copy is prohibited.

#### Educational Use of Copyrighted Audio-Visual Material

- 1. Before reproducing small portions of sound recordings, filmstrips, slide sets, transparencies or motion pictures, or videotaping commercial television broadcasts, employees shall consult with the principal to determine whether the proposed action complies with the “fair use” principles of the Copyright Act.
- 2. School recordings may be made of certain instructional television programs telecast by the local Public Broadcasting Systems educational television station. Before recording the telecast, the following conditions shall be satisfied.
  - A. The monthly list of programs not licensed for recording shall be consulted. Any program listed shall not be recorded.
  - B. Recordings may be used in classroom or instructional settings as an educational activity or at a PTA meeting, Board meeting or similar activity.
  - C. Recordings shall be used only in the facilities of the District and shall not be loaned or made available outside of those facilities.

- D. Recordings made from evening programs, which may be copied, shall be retained for no more than seven days following the telecast unless an extension is received in writing in advance. Daytime telecasts may be recorded and retained permanently unless otherwise notified.

#### Educational Use of Copyrighted Library Material

1. A library may make a single copy of unpublished work in order to replace it because it is damaged, deteriorated, lost or stolen, provided that an unused replacement cannot be obtained at a fair price.
2. A library may provide a single copy of copyrighted material at cost to a student or staff member.
  - A. The copy must be limited to one article of a periodical issue or a small part of other material, unless the library finds that the copyrighted work cannot be obtained elsewhere at a fair price. Under the latter circumstances, the entire work may be copied.
  - B. The copy shall contain the notice of copyright, and the student or staff member shall be notified that the copy is to be used only for private study, scholarship or research. Any other use subjects the person to liability for copyright infringement.
3. At the request of the teacher, copies may be made for reserve use. The same limits apply as for single or multiple copies as previously stated.

#### Copying Limitations

1. Circumstances arise when personnel are uncertain whether or not copying is prohibited. In those circumstances, the Superintendent shall be contacted. If the Superintendent is uncertain, he/she shall consult with the District's legal counsel.
2. The following prohibitions have been expressly stated in federal guidelines.
  - A. Reproduction of copyrighted material shall not be used to create or substitute for anthologies, compilations or collective works.
  - B. Unless expressly permitted by agreement with the publisher and authorized by District action, there shall be no copying from copyrighted consumable materials such as workbooks, exercises, test booklets, answer sheets or similar materials.
  - C. Employees shall not:
    - 1) use copies to substitute for the purchase of books, periodicals, music recordings or other copyrighted material, except as permitted by District procedure;

- 2) copy or use the same items from term to term without the copyright owner's permission;
- 3) copy or use more than nine instances of multiple copying of protected material in any one term;
- 4) copy or use more than one short work or two excerpts from works of the same author in any one term or
- 5) copy or use protected materials without including a notice of copyright. The following shall constitute a satisfactory notice:

NOTICE: THIS MATERIAL MAY BE PROTECTED BY  
COPYRIGHT LAW.

3. Employees shall not reproduce or use copyrighted material at the direction of a District administrator without permission of the copyright owner.

### Computer Software Copyright

The Board recognizes that computer software piracy is a major problem for the industry, and that violations of copyright laws contribute to higher costs and lessen incentives for publishers to develop effective educational software. Therefore, in an effort to discourage software piracy and to prevent such illegal activity, the District will take the following steps.

1. The ethical and practical implications of software copyright violations will be provided to all employees and students using District computer facilities and software.
2. Employees and students will be informed that they are expected to adhere to the Copyright Act and all subsequent amendments thereto governing the use of software.
3. Wherever possible, efforts will be made to secure software from being duplicated from floppy disks, hard drives or networked systems.
4. Illegal copies of copyrighted software shall not be made or used on District equipment.
5. District administrators shall be designated as the only individuals who may sign license agreements for educational software used on District computers.
6. Documentation of licenses for software used on District computers will be located at the site where the software is being used.

### Unsupervised Copy Equipment

The following notice, in large type, shall be affixed to all District copying equipment (Xerox, Thermofax, audiotape recorder, videotape recorder and copy camera):

NOTICE: THE COPYRIGHT LAW OF THE UNITED STATES GOVERNS THE MAKING OF COPIES OF COPYRIGHTED MATERIAL. THE PERSON USING THIS EQUIPMENT IS LIABLE FOR ANY INFRINGEMENT.

Library Copying for Students or Staff

1. The following notice, in large type, shall be posted prominently where copies are made available to students or staff:

NOTICE: THE COPYRIGHT LAW OF THE UNITED STATES GOVERNS THE MAKING OF COPIES OF COPYRIGHTED MATERIAL.

2. The following notice, in large type, shall be posted prominently where print copies are made available to students and/or staff:

WARNING CONCERNING COPYRIGHT RESTRICTIONS

THE COPYRIGHT LAW OF THE UNITED STATES GOVERNS THE MAKING OF COPIES OR OTHER REPRODUCTION OF COPYRIGHTED MATERIAL.

UNDER CERTAIN CONDITIONS SPECIFIED IN THE LAW, LIBRARIES AND ARCHIVES ARE AUTHORIZED TO FURNISH A PHOTOCOPY OR OTHER REPRODUCTION. ONE OF THESE SPECIFIED CONDITIONS IS THAT THE PHOTOCOPY OR REPRODUCTION IS NOT TO BE "USED FOR ANY PURPOSE OTHER THAN PRIVATE STUDY, SCHOLARSHIP OR RESEARCH." IF A USER MAKES A REQUEST FOR, OR LATER USES, A PHOTOCOPY OR REPRODUCTION FOR PURPOSES IN EXCESS OF "FAIR USE," THAT USER MAY BE LIABLE FOR COPYRIGHT INFRINGEMENT.

THIS INSTITUTION RESERVES THE RIGHT TO REFUSE TO ACCEPT A COPYING ORDER IF, IN ITS JUDGMENT, FULFILLMENT OF THE ORDER WOULD INVOLVE VIOLATION OF COPYRIGHT LAW.

(Approval date: April 11, 2005)

## TELEPHONE SERVICES

District telephones are provided for official school use. In order to permit staff members to make necessary personal calls with minimum loss of time, certain telephones may be used for personal calls. Staff members making personal calls are responsible for and shall pay any long distance and/or toll charges.

Students are not to use the school office telephones, except in cases of emergency. Use of pay telephones by students while classes are in session is subject to the approval of authorized school personnel.

Cellular telephones may be provided to certain staff members who have:

1. administrative authority;
2. supervision of students during field trips or
3. supervision of students during athletic and other extracurricular activities, practices or events that meet away from District buildings.

The Board authorizes the Superintendent or his/her designee to develop administrative guidelines for the proper handling of use and charges.

[Adoption date: April 11, 2005]

LEGAL REFS.: ORC 3313.20  
OAC 3301-35-06  
3301-83-20(M)

CROSS REFS.: JFCK, Use of Electronic Communications Equipment by Students  
Staff Handbooks  
Student Handbooks



TELEPHONE SERVICES  
(Wireless Communication Allowance and  
Staff Use of Wireless Communications Devices)

Eligibility for Cell Phone Allowance

Cell phones enable communication whenever a situation arises necessitating immediate contact, regardless of the person's location at the time. Therefore, the Superintendent and administrators who meet one or more of the following criteria are required as a condition of employment to own and obtain an appropriate service plan so that the cell phone is available for use for business-related communications:

1. Their jobs require them to spend a considerable amount of time outside of their assigned office or work area during normal working hours and have regular access to telephone and/or internet connections while outside their office or assigned work area;
2. Their jobs require them to be accessible outside of scheduled or normal working hours or to be contacted and respond in the event of an emergency and
3. Their jobs consistently require timely and/or immediate two-way communication for which there is no reasonable alternative technology.

\*\*This is not intended to include occasional, incidental access or purely voluntary access such as checking email from home\*\*

Administrators who are required to have a cell phone as a condition of their employment shall receive an annual allowance reimbursement, up to an amount approved annually by the Board to compensate them for the costs associated with acquiring and utilizing a cell phone for business purposes. Additionally, other staff members who believe that they meet the above-identified criteria may apply for an allowance.

Amount of the Allowance

The allowance shall consist of an allowance of up to a specific dollar amount for wireless telephone service and/or internet/data connection.

The allowance is not intended to compensate the employee's dollar-for-dollar cost for wireless service.

The allowance does not constitute an increase to base pay, and will not be included in the calculation of percentage increases to base pay due to annual raises, job upgrades or benefits based on a percentage of salary, etc. The Board will pay only the Board-approved allowance even if actual monthly costs exceed the allowance.

### Allowance is Considered Taxable Income

Staff members who receive an allowance are not required to submit a log documenting their business-related use of the cell phone; however, they will be informed that the allowance is considered additional compensation for income tax purposes (i.e., the allowance will be paid through the District's payroll system as taxable income and appropriate payroll taxes on the amount of the allowance will be withheld from the employee's paycheck, and the amount of the allowance paid during the calendar year will be included in the wages line on the staff members' year-end W-2 statements). For determination of individual taxability, employees should check with their tax advisor.

### Employee's Responsibilities

The employee is responsible for choosing his/her cell phone, the voice and/or data plan, and the wireless service provider. Since the cell phone is the property of the employee, the phone may be used for personal calls (see below concerning the making of personal calls during work time) and be combined or enhanced with other personal plans (i.e., the employee may also, at his/her own expense, add extra services or equipment features, as desired). The employee is responsible for paying all monthly service charges in full and on time. The Board does not accept any liability for claims, charges, or disputes between the service provider and the staff member. Because the employee is personally responsible for the cell phone, any replacement for loss or damage will be at the expense of the employee. Such replacement or repair must be completed promptly and the Superintendent must be notified if the employee will not be available by their cell phone for a period of time.

Employees should contact the carrier through which they purchased their cell phone and purchase their wireless service for support.

### Safe Use of Cell Phones

Employee safety is a priority of the Board, and responsible use of cell phones includes safe use.

Using a cell phone while operating a vehicle is strongly discouraged. Employees should plan their work accordingly so that calls are placed, text messages/instant messages/emails read and/or sent, and/or the internet browsed either prior to traveling or while on rest breaks. In the interest of safety for both Board employees and other drivers, employees are required to comply with all applicable laws while driving.

### Duty to Maintain Confidentiality of Student Personally Identifiable Information - Public and Student Record Requirements

Employees are subject to all applicable policies and guidelines pertaining to protection of the security, integrity and availability of the data stored on their cell phones.

Wireless communications, including calls, text messages, instant messages, and emails sent from cell phones, may not be secure. Therefore, employees should use discretion in relaying confidential information, particularly as it relates to students.

Additionally, wireless communications, including text messages, instant messages and emails sent and/or received by a public employee or school official using his/her personal cell phone may constitute public records if the content of the message concerns District business, or an education record if the content includes personally identifiable information about a student. Wireless communications that are public records are subject to retention and disclosure, upon request, in accordance with Policy KBA – Public’s Right to Know. Wireless communications that are student records should be maintained pursuant to Policy JO – Students Records. Finally, wireless communications and other electronically stored information (ESI) stored on the staff member’s personal cell phone may be subject to a litigation hold. Staff are required to comply with District requests to produce copies of wireless communications in their possession that are either public records or education records, or that constitute ESI that is subject to a litigation hold.

Using a cell phone to take or transmit audio and/or pictures/video of an individual without his/her consent is considered an invasion of privacy and is not permitted, unless authorized by the building principal or Superintendent.

#### Personal Use of Cell Phones While at Work

During work hours personal communications made or received, regardless of whether on a cell phone, or a regular telephone or network computer can interfere with employee productivity and distract others. Employees are expected to use discretion in using cell phones while at work for personal business. Employees are asked to limit personal communications to breaks and lunch periods, and to inform friends and family members of the Board’s policy in this regard.

At no time may any cell phones be utilized by an employee in a way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated.

#### Potential Disciplinary Action/Termination of the Allowance

Violation of this policy may constitute just cause for disciplinary action up to and including termination. Use of a cell phone in any manner contrary to local, State or Federal laws will constitute misuse, and will result in immediate termination of the allowance.

(Approval date: April 26, 2011)  
(Re-approval date: December 9, 2014)  
(Re-approval date: September 13, 2016)

## WIRELESS COMMUNICATION ALLOWANCE AND STAFF USE OF WIRELESS COMMUNICATION DEVICES

### Eligibility for Cell Phone Allowance

Cell phones enable communication whenever a situation arises necessitating immediate contact, regardless of the person's location at the time. Therefore, the Superintendent and administrators who meet one or more of the following criteria are required as a condition of employment to own and obtain an appropriate service plan so that the cell phone is available for use for business-related communications:

1. Their job requires them to spend a considerable amount of time outside of their assigned office or work area during normal working hours and have regular access to telephone and/or internet connections while outside their office or assigned work area.
2. Their job requires them to be accessible outside of scheduled or normal working hours or to be contacted and respond in the event of an emergency.
3. Their job consistently requires timely and/or immediate two-way communication for which there is no reasonable alternative technology.

**\*\*This is not intended to include occasional, incidental access or purely voluntary access such as checking e-mail from home\*\***

Administrators who are required to have a cell phone as a condition of their employment shall receive an annual allowance reimbursement, up to an amount approved annually by the Board to compensate them for the costs associated with acquiring and utilizing a cell phone for business purposes. Additionally, other staff members who believe that they meet the above-identified criteria may apply for an allowance.

### Amount of the Allowance

The allowance shall consist of an allowance of up to a specific dollar amount for wireless telephone service and/or internet/data connection.

The allowance is not intended to compensate the employee's dollar-for-dollar cost for wireless service.

The allowance does not constitute an increase to base pay, and will not be included in the calculation of percentage increase to base pay due to annual raises, job upgrades or benefits based on a percentage of salary, etc. The Board will pay only the Board-approved allowance even if actual monthly costs exceed the allowance.

### Allowance is Considered Taxable Income

Staff members who receive an allowance are not required to submit a log documenting their business-related use of the cell phone; however, they will be informed that the allowance is considered additional compensation for income tax purposes (i.e., the allowance will be paid through the District's payroll system as taxable income and appropriate payroll taxes on the amount of the allowance will be withheld from the employee's paycheck, and the amount of the allowance paid during the calendar year will be included in the wages line on the staff members' year-end W-2 statements). For determination of individual taxability, employees should check with their tax advisor.

### Employee's Responsibilities

The employee is responsible for choosing his/her cell phone, the voice and/or data plan, and the wireless service provider. Since the cell phone is the property of the employee, the phone may be used for personal calls (see below concerning the making of personal calls during work time) and be combined or enhanced with other personal plans (i.e., the employee may also, at his/her own expense, add extra services or equipment features, as desired). The employee is responsible for paying all monthly service charges in full and on time. The Board does not accept any liability for claims, charges, or disputes between the service provider and the staff member. Because the employee is personally responsible for the cell phone, any replacement for loss or damage will be at the expense of the employee. Such replacement or repair must be completed promptly and the Superintendent must be notified if the employee will not be available by their cell phone for a period of time.

Employees should contact the carrier through which they purchased their cell phone and purchase their wireless service for support.

### Safe Use of Cell Phones

Employee safety is a priority of the Board, and responsible use of cell phones includes safe use.

Using a cell phone while operating a vehicle is strongly discouraged. Employees should plan their work accordingly so that calls are placed, text messages/instant messages/emails read and/or sent, and/or the internet browsed either prior to traveling or while on rest breaks. In the interest of safety for both Board employees and other drivers, employees are required to comply with all applicable laws while driving.

### Duty to Maintain Confidentiality of Student Personally Identifiable Information – Public and Student Records Requirements

Employees are subject to all applicable policies and guidelines pertaining to protection of the security, integrity and availability of the data stored on their cell phones.

Wireless communications, including calls, text messages, instant messages, and emails sent from cell phones, may not be secure. Therefore, employees should use discretion in relaying confidential information, particularly as it relates to students.

Additionally, wireless communications, including text messages, instant messages and emails sent and/or received by a public employee or school official using his/her personal cell phone may constitute public records if the content of the message concerns District business, or an education record if the content includes personally identifiable information about a student.

Wireless communications that are public records are subject to retention and disclosure, upon request, in accordance with Policy KBA – Public’s Right to Know. Wireless communications that are student records should be maintained pursuant to Policy JO – Students Records. Finally, wireless communications and other electronically stored information (ESI) stored on the staff member’s personal cell phone may be subject to a litigation hold. Staff are required to comply with District requests to produce copies of wireless communications in their possession that are either public records or education records, or that constitute ESI that is subject to a litigation hold.

Using a cell phone to take or transmit audio and/or pictures/video of an individual without his/her consent is considered an invasion of privacy and is not permitted, unless authorized by the building principal or Superintendent.

#### Personal Use of Cell Phones While at Work

During work hours personal communications made or received, regardless of whether on a cell phone, or a regular telephone or network computer can interfere with employee productivity and distract others. Employees are expected to use discretion in using cell phones while at work for personal business. Employees are asked to limit personal communications to breaks and lunch periods, and to inform friends and family members of the Board’s policy in this regard.

At no time may any cell phones be utilized by an employee in a way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated.

#### Potential Disciplinary Action/Termination of the Allowance

Violation of this policy may constitute just cause for disciplinary action up to and including termination. Use of a cell phone in any manner contrary to local, State or Federal laws will constitute misuse, and will result in immediate termination of the allowance.

[Adoption date: April 26, 2011]

[Re-adoption date: December 9, 2014]

[Re-adoption date: September 13, 2016]

## DATA AND RECORDS RETENTION

All records<sup>1</sup> are the property of the District and are not removed, destroyed, mutilated, transferred or otherwise damaged or disposed of, in whole or in part, except as provided by law or under the rules adopted by the District Records Commission (Commission). Such records shall be delivered by outgoing officials and employees to their successors and shall not be otherwise removed, transferred or destroyed unlawfully.

The Commission is composed of the Board President, the Treasurer and the Superintendent and meets at least once every 12 months.

The functions of the Commission are to review applications for one-time records disposal and schedules of records retention and disposition submitted by any employee of the District. Records may be disposed of by the District pursuant to the procedure outlined below. The Commission may at any time review any schedule it has previously approved and may revise that schedule.

The Superintendent designates a “Records Officer” in each department/building who is responsible for all aspects of records retention, including electronic mail, within that department/building.

When the District Records Commission has approved an application for one-time disposal of obsolete records, or any schedule of records retention and disposition, the applications and/or schedules are sent to the Ohio History Connection (OHC) for review. The OHC will review the application or schedule within a period of 60 days. During this time, the OHC may select for its custody any records it considers to be of continuing historical value. The OHC will denote upon any schedule of records retention, and disposal, the records for which they will require a certificate of records disposal prior to their disposal. After the OHC has completed their review, OHC will forward the applications and/or schedules to the Auditor of State for their approval or disapproval. The Auditor of State must approve or disapprove the application and/or schedule within 60 days.

Before public records are disposed of pursuant to an approved schedule, the District must inform OHC of the disposal of only the records that OHC has requested to see. OHC is given the opportunity for a period of 15 days to select for its custody such public records as it considers to be of continuing historical value.<sup>2</sup>

### Electronic Mail and Social Media Content

Electronic mail sent or received by the Board and/or District employees and social media content may be considered a public record subject to public disclosure or inspection under the Open Meetings Act (Sunshine Law). If the electronic mail or social media content is the District’s official record and meets the definition of a record as defined by State law, then the information must be retained in accordance with the District records retention schedule.

All Board and District electronic mail communications and social media content are monitored in accordance with the attached regulation to ensure that all electronic mail and social media public records are retained, archived and destroyed in compliance with State law.

District employees are subject to disciplinary action for violation of this policy and regulation.

[Adoption date: April 11, 2005]

[Re-adoption date: May 28, 2013]

[Re-adoption date: July 12, 2016]

LEGAL REFS.: Family Educational Rights and Privacy Act; 20 USC 1232g et seq.

ORC 9.01

149.011; 149.35; 149.381; 149.41; 149.43

3313.29

3319.321

3701.028

Ohio History Connection Form RC-1

Ohio History Connection RC-2

Ohio History Connection Form RC-3

CROSS REFS.: DI, Fiscal Accounting and Reporting

GBL, Personnel Records

JO, Student Records

KBA, Public's Right to Know

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<sup>1</sup>Records include any document, device or item, regardless of physical form or characteristic, including an electronic record (as defined in Ohio Revised Code Section (RC) 1306.01), created or received by or coming under the jurisdiction of the District that serves to document the organization, functions, policies, decisions, procedures, operations or other activities of the District, RC 149.011.

<sup>2</sup>The Ohio History Connection may not review or select for its custody the records set forth in RC 149.381(E).

**THIS IS A REQUIRED POLICY**



## INSURANCE MANAGEMENT

The Board has the responsibility to maintain an adequate and comprehensive insurance program covering its buildings and grounds, fleet of school buses and individuals discharging responsibilities for the District.

The Superintendent and Treasurer administer the total insurance program.

The District makes efforts to obtain insurance at the most economical cost, consistent with required coverage and service, through obtaining quotations or bids.

[Adoption date: April 11, 2005]

LEGAL REFS.: ORC 9.83  
9.90  
3313.201; 3313.202; 3313.203  
3327.09  
3917.01; 3917.04

CROSS REFS.: BHE, Board Member Insurance  
DH, Bonded Employees and Officers  
GCBC, Professional Staff Fringe Benefits  
GDBC, Support Staff Fringe Benefits  
JHA, Student Insurance Program

CONTRACT REFS.: Teachers' Negotiated Agreement  
Classified Staff Negotiated Agreement