



FIRST READING OF SCHOOL BOARD POLICIES

POLICY ISSUE/SITUATION:

Attached are OSBA and BSD staff suggested changes presented for a first reading. The following will be reviewed:

- **EEA** – Student Transportation Services
- **EEACA** – School Bus Driver Selection and Training
- **IIBGA** – Electronic Communications System

BACKGROUND INFORMATION:

Departments are continuing to work to reach compliance of the policies pertinent to their areas. During this school year the district will continue to present various sets of new policy changes for review.

RECOMMENDATION:

It is recommended that the School Board review these first readings.

District Goal: All students will show continuous progress toward their personal learning goals, developed in collaboration with teachers and parents, and will be prepared for post-secondary education and career success.

The Beaverton School District recognizes the diversity and worth of all individuals and groups. It is the policy of the Beaverton School District that there will be no discrimination or harassment of individuals or groups based on race, color, religion, gender, sexual orientation, gender identity, gender expression, national origin, marital status, age, veterans' status, genetic information or disability in any educational programs, activities or employment.

Student Transportation Services *

School transportation services will be provided for students to and from their neighborhood school, consistent with ORS 327.043. Transportation to and from parent/student selected optional program placements, as well as to curricular and extracurricular activities associated with District programs, may be provided at the discretion of the District. Transportation will be provided for homeless students to and from the student's school of origin¹ as required by the No Child Left Behind Act of 2001 (NCLBA).

Elementary students who live more than one mile from school will be transported. Secondary students who live more than one and one-half miles from school will be transported. Mileage exceptions for health, safety or disability will be made in accordance with the district's approved supplemental plans.

Special Education Students may be eligible for transportation for health or safety reasons.

Miles from school will be determined by District Transportation practice, in accordance with OAR 581-023-0040 (1)(c).

Upon parental request, transportation will be provided to a student of a school receiving Title I funds to attend a District school out of the student's attendance area if his/her home school has been identified as in need of improvement, corrective action or restructuring. Such transfers will be permitted and transportation provided only to a safe school that has not been identified for improvement, corrective action or restructuring. The obligation of the District to provide transportation will terminate at the end of the school year if the school from which the student transferred is no longer in need of school improvement.

In the event all other District schools a student may transfer to have also been identified as in need of improvement, corrective action or restructuring the District shall, to the extent practicable, establish a cooperative agreement with other districts in the area for a transfer. Transportation for students who transfer for such purposes will be provided in accordance with the agreement.

The District may also provide transportation using federal funds² or through cooperative agreements with local victims assistance units for a student to attend a safe District school³ out of the student's attendance area for any student who is a victim of a violent criminal offense occurring in or on the grounds of the school the student attends, or for a student who attends a school identified as persistently

¹"School of origin" means the school that the student attended when permanently housed or the school in which the student was last enrolled.

²Federal funds means funds available through Title IV, Part A, and Title V, Part A.

³If there is not another school in the district to which students can transfer, districts are encouraged, but not required, to explore other appropriate options, i.e., an agreement with a neighboring district.

dangerous. Transportation provided will, to the extent possible, be to a school that is making adequate yearly progress and that has not been identified as in need of improvement, corrective action or restructuring. If there are no other schools within the District a student may transfer to, the District may establish a cooperative agreement with other districts in the area for a transfer. Transportation for students who transfer for such purposes will be provided in accordance with the agreement.

Students attending private, parochial or public charter school under the compulsory school attendance laws will, where the private, parochial or public charter school is along or near the bus route, be provided riding privileges consistent with federal and state statute.

A seat that fully supports each person and meets the minimum standard and specifications of law will be provided at all times. Seating is not permitted on any portion of the vehicle not designed for that purpose. Passengers shall not be permitted to stand while the vehicle is in motion. A child under 40 inches in height or under 40 pounds must be properly secured with a child safety system that meets the minimum standards and specification established by the Oregon Department of Education. In accordance with ORS 811.210 and 811.215 vehicles in excess of 10,000 pounds used for student transportation are exempt from statutory requirements unless they have been equipped with lap belts. Vehicles in excess of 10,000 pounds that have been equipped with lap belts must meet child car seat requirements as set forth in law.

School buses carrying students will be considered extensions of the school experience. All students using school transportation will abide by the code of conduct posted in each school bus. Violations of such code, as well as other conduct which is improper or which jeopardizes the safety of self or others, will be reported by the school bus driver to the school. Violators, consistent with OAR 581-053-0010(16), may forfeit their bus rider privilege for a period of time as deemed proper by the building principal and/or transportation supervisor. A student entitled to home to school to home transportation services, and subject to suspension or expulsion from his/her assigned school under School Board Policy JGD/JGE, may be provided such transportation to a District determined alternate educational placement.

The principal or designee shall ensure transportation officials and drivers receive notification of students having special medical or behavioral protocols identified in student records.

Appropriate training, regarding specific protocols including confidentiality requirements, will be provided to drivers.

The school bus driver will be responsible for the school bus at all times from departure until return. The driver will not participate in any activities that might impair his/her driving abilities.

Aids or assistants that ride a school bus shall receive training on emergency procedures and their role in the safe transportation of all students on the bus.

The District will comply with all state and federal laws and regulations pertaining to school bus transportation.

END OF POLICY

Legal Reference(s):

ORS 327.006
ORS 327.033
ORS 327.043
ORS 332.405
ORS 332.415
ORS 338.145
ORS 339.240 - 339.250
ORS 343.155 - 343.246
ORS 343.533
ORS 811.210
ORS 815.055
ORS 815.080
ORS 820.105 - 820.190

OAR 581-021-0050 to -0075
OAR 581-022-1530
OAR 581-023-0040
OAR 581-053-0002-0004, 0010, 0031, 0040, 0053, 0060, 0070, 0210, 0220, 0230, 0240
OAR 735-102-0010

Letter Opinion, Office of the Attorney General (Nov. 22, 1988).
No Child Left Behind Act of 2001, P.L. 107-110, Title I, Section 1116 and Title IX, Section 9532.
McKinney-Vento Homeless Education Assistance Improvements Act of 2001, P.L. 107-110, 42 U.S.C. Section 11431
Elementary and Secondary Education Act (ESEA) Flexibility Waiver, July 18, 2012

SCHOOL BUS DRIVER SELECTION AND TRAINING

The District shall design and implement selection and training procedures to ensure that all District bus drivers can fully *and safely* perform their job responsibilities. School bus driver selection procedures will be utilized that ensure employment of drivers whose capabilities are commensurate with job responsibilities.

1. School bus driver selection will be based on: results from investigating application references; a motor vehicles report from the department of motor vehicles; a criminal records check; a verification that a physical examination was performed by a medical examiner whose certificate was listed in the Federal Motor Carrier safety Administration's National Registry of Certified Medical Examiners as of the date of the issuance of the bus driver's examination certificate; a drug and alcohol test; other physical requirements tests; planned oral interview; and a driver-training program. Continued employment requires adherence to ongoing driver training, physical examination, maintaining driving performance standards, maintaining an average of eight training hours per year and participation in drug screening as outlined in the Omnibus Transportation Employee Testing Act of 1991.
2. No school bus driver shall drive a route or in any vehicle transporting students without a school bus certificate issued by the Oregon Department of Education.
3. In emergencies, only school bus drivers who are on the Oregon Department of Education emergency drivers' list will be used.

END OF POLICY

Legal References:

ORS 659.840
ORS 659A.300
ORS 659A.306
ORS Chapters 801, 802, 807, 809, 811, 813
ORS 807.038
ORS 820.110

OAR 581-053-0002 to 0004
~~OAR 581-053-0006~~
~~OAR 581-053-0015~~
OAR 581-053-0031
OAR 581-053-0040
OAR 581-053-0053
OAR 581-053-0060

Omnibus Employee Testing Act of 1991, 49 U.S.C. Sections 31301-31317; 49 CFR Parts 40, 382 and 391-395 (2006).

Federal Motor Carrier Safety Administration Regulations, 49 C.F.R. Part 391, Sections 391.42, 391.43 (2014)

Cross References:

Policy GBEDA - Drug and Alcohol Testing - Transportation Personnel
Policy GCDA/GDDA - Criminal History Checks/Fingerprinting

Electronic Communications System

The Board is committed to the development and establishment of a quality, equitable and cost-effective electronic communications system. The system's sole purpose shall be for the advancement and promotion of learning and teaching.

The district's system will be used to provide statewide, national and global communications opportunities for staff and students.

The superintendent will establish administrative regulations for the use of the district's system including compliance with the following provisions of the Children's Internet Protection Act:

1. Technology protection measures, installed and in continuous operation, that protect against Internet access by both adults and minors to visual depictions that are obscene, child pornography or, with respect to the use of the computers by minors, harmful to minors;
2. Educating minors about appropriate online behavior, including cyberbullying awareness and response, and how to interact with other individuals on social networking sites and in chat rooms;
3. Monitoring the online activities of minors;
4. Denying access by minors to inappropriate matter on the Internet and World Wide Web;
5. Ensuring the safety and security of minors when using electronic mail, chat rooms and other forms of direct electronic communications;
6. Prohibiting unauthorized access, including so-called "hacking" and other unlawful activities by minors on-line;
7. Prohibiting unauthorized disclosure, use and dissemination of personal information regarding minors;
8. Installing measures designed to restrict minors' access to materials harmful to minors.

The superintendent will establish administrative regulations for use of the district's system by staff using their own personal electronic devices to download and store district proprietary information including personally recognizable information about the district students or staff. Regulations shall insure compliance with privacy rights under applicable federal and state laws and regulations, including but not

limited to the Age Discrimination in Employment Act of 1967 (ADEA), the Americans with Disabilities Act (ADA), the Genetic Information Nondiscrimination Act of 2008 (GINA) and the Health Insurance Portability and Accountability Act of 1996 (HIPPA).

The administrative regulations will be consistent with sound guidelines as may be provided by the education service district, the Oregon Department of Education and/or the Government Standards and Practices Commission and will include a complaint procedure for reporting violations. The superintendent will also establish administrative regulations for use of the district's electronic communications system to comply with copyright law.

Failure to abide by district policy and administrative regulations governing use of the district's system may result in the suspension and/or revocation of system access. Additionally, student violations will result in discipline up to and including expulsion. Staff violations will also result in discipline up to and including dismissal. Violations of law will be reported to law enforcement officials and may result in criminal or civil sanctions. Fees, fines or other charges may also be imposed.

END OF POLICY

Legal Reference(s):

ORS 30.765	ORS 167.090
ORS 133.739	ORS 167.095
ORS 163.435	ORS Ch. 192
ORS 164.345	ORS 332.107
ORS 164.365	ORS 336.222
ORS 167.060	ORS 339.250
ORS 167.065	ORS 339.270
ORS 167.070	OAR 581-021-0050
ORS 167.080	OAR 581-021-0055
ORS 167.087	OAR 584-020-040 to 584-020-0041

Children's Internet Protection Act, 47 U.S.C. Sections 254 (h) and (l) (2008); 47 CFR Section 54.520 (2001).
Copyrights, Title 17, as amended, United States Code; 19 CFR Part 133 (2000).
Oregon Attorney General's Public Records and Meetings Manual, pp. 24-26, Appendix H, Department of Justice (2001).
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. Sections 7101-7117.
Drug-Free Workplace Act of 1988, 41 U.S.C. Sections 701-707; 34 CFR Part 85, Subpart F.
Controlled Substances Act, 21 U.S.C. Section 812, schedules I through V, 21 CFR 1308.11-1308.15 (2000).
Drug-Free Schools and Communities Act Amendments of 1989, P.L. 101-226, 103 Stat. 1928.
Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213; 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).
Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 CFR Part 99 (2000).
Oregon Government Standards and Practices Commission, Advisory Opinion No. 98A-1003 (July 9, 1998).
No Child Left Behind Act of 2001, P.L. 107-110, Title II, Section 2441.
Americans with Disabilities Act Amendments Act of 2008.

ORS 167.090	ORS 336.222
ORS 167.095	ORS 339.250
ORS Chapter 192	ORS 339.260
ORS 332.107	ORS 339.270

[OAR 581-021-0050](#)
[OAR 581-021-0055](#)
[OAR 584-020-0040](#)
[OAR 584-020-0041](#)

Children's Internet Protection Act, 47 U.S.C. Sections 254 (h) and (l) (2008); 47 CFR Section 54.520 (2001).
Copyrights, Title 17, as amended, United States Code; 19 CFR Part 133 (2000).
Oregon Attorney General's Public Records and Meetings Manual, pp. 24-26, Appendix H, Department of Justice (2001).
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