

POLICY SERVICES ADVISORY

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POLICY ADVISORY DISCUSSION

Summary

Sections E and F Revisions

Section E:

Section E revisions are due to a reorganization that aligns similar policy content and maintains comprehensive information for effective Board governance and District operations. The policy documents listed above have either been removed, added due to recodification, merged with policy documents containing similar topics, or revised (see Discussions below for specific information regarding each document). Documents not listed in this comparison document from Section E did not change. The clean copy document linked on the Policy Advisory communication provides the revised Section E in its entirety.

Section F:

Section F includes minor revisions; see Discussions below for specific information regarding each document.

Policy Advisory No. 917

Policy EA — Support Services Goals / Priority Objectives

In **Policy EA**, original language in “A.” and “C.” was updated, and original language in “B.” regarding transportation was removed as student services, which includes transportation, is noted in the revised “B.”

Policy Advisory No. 918

Regulation EB-R — Environmental and Safety Program

The title of **Regulation EB-R** was revised to align with the related policy, *Safety Program*. Headings within the regulation were updated, and the following language was added under the subheading *Students*: A. Avoid behaviors ***that jeopardize the safety of self or others including but not limited to.***

Policy Advisory No. 919 *DELETED* Policy EBAA — Reporting Hazards / Warning Systems

DELETED Regulation EBAA-R — Reporting Hazards / Warning Systems

Language in **Policy EBAA** and **Regulation EBAA-R — Reporting Hazards/Warning Systems** was moved to newly created **Policy EBAB** and **Regulation EBAB-R — Hazardous Materials** to better align with content; therefore, **Policy EBAA** and **Regulation EBAA-R** were removed from the model manual.

Policy Advisory No. 920 NEW Policy EBAB — Hazardous Materials
NEW Regulation EBAB-R — Hazardous Materials

Policy EBAA and **Regulation EBAA-R** were recodified as **Policy EBAB** and **Regulation EBAB-R** (the subtitle remained the same). Headings were added, content was reorganized, and language was updated to enhance clarity. The *Posting of Notice* portion in the regulation was removed as this information pertained specifically to emergency pesticide applications and the requirements for the certified applicator, not the District. Information regarding where to locate certified applicator requirements and exemptions for non-residual pesticide and emergency applications was added to the end of the regulation.

Policy Advisory No. 921 Policy EBBB — Accident Reports
Regulation EBBB-R — Accident Reports

In **Policy EBBB**, headings were added, content was reorganized, and language was updated to enhance clarity. For example, information regarding employee reporting in paragraph three was moved to the regulation under the heading *Employees*, and District reporting requirements per A.R.S. 23-908 and the Industrial Commission of Arizona were updated under the heading *District Responsibilities*. In **Regulation EBBB-R**, the subtitle *Student Accidents* was removed as the revised content pertains to employees and students, headings were added, and the following phrase, “report the matter to their supervisor immediately” was added regarding employee reporting to enhance clarity.

Policy Advisory No. 922 Policy EBC — Emergencies
NEW Regulation EBC-R – Emergencies:
Response Plans and School Closings

Policy EBC was revised to include “Response Plans and School Closings” in the title as language in **Policy EBCD — Weather-related and Emergency Closings** was moved to this policy under the heading *Emergency School Closings*. Therefore, **Policy EBCD** was removed from the model manual. Headings and subheadings were also added, and content was reorganized to enhance clarity. Newly created **Regulation EBC-R** contains information formerly in **Regulation EBCD-R**; therefore, **Regulation EBCD-R** was removed from the model manual. Content regarding *Delayed Opening* and *School Closing* was combined into one paragraph in the revised regulation, and language relating to information dissemination was updated to enhance clarity.

Policy Advisory No. 923 DELETED Policy EBCD — Weather – Related
and Emergency Closings
DELETED Regulation EBCD-R — Weather – Related
and Emergency Closings

Language in **Policy EBCD** was moved to **Policy EBC** under the heading *Emergency School Closings*; therefore, **Policy EBCD** was removed from the model manual. Language in **Regulation EBCD-R** was moved to newly created **Regulation EBC-R**; therefore, **Regulation EBCD-R** was removed from the model manual.

Policy Advisory No. 924

**Policy ECA — Security
Regulation ECA-R — Security**

Language in **Policy ECA** was expanded to include additional security-related content (e.g., preventing unauthorized visitors, fingerprinting volunteers, complying with workplace occupational safety and health standards, and complying with sex offender notification requirements). In **Regulation ECA-R**, the subtitle *Access and Keys* was added, as well as headings to enhance clarity.

Policy Advisory No. 925

**Policy ECAC - Vandalism
Regulation ECAC-R — Vandalism**

Information on *Reporting Suspected Crimes or Incidents* previously found in **Policy GBEB – Staff Conduct** has been relocated to Policy ECAC. The policy and regulation titles were updated to *Vandalism and Reporting Suspected Crimes* to better reflect the revised scope and content. Additionally, the heading *Reporting* was added to Regulation ECAC-R for clarity; the regulation’s content remains unchanged.

Policy Advisory No. 926

**Policy ECB — Building and Grounds
Maintenance**

Minor edits were made to **Policy ECB**, including the additions of “Oversight” to School Facilities Board and Legal Reference A.R.S. 41-5731.

Policy Advisory No. 927

**~~Policy ED — Materials and
Equipment Management~~**

Policy ED was removed from the model manual as a District warehouse is not statutorily required. Districts may retain this policy if the information is applicable.

Policy Advisory No. 928

**Policy EDB — Maintenance and Control of
Materials and Equipment
Regulation EDB-R — Maintenance and Control of
Materials and Equipment**

Policy EDB was revised to include “and Instructional Materials” in the title as language in **Policy EDBA — Maintenance and Control of Instructional Materials** was moved to this policy under the heading *Instructional Materials*. Therefore, **Policy EDBA** was removed from the model manual. Additional updates include headings, and the replacement of “furniture” with “materials” in paragraph two and “second” with “replacement” in paragraph six. **Regulation EDB-R** was also updated to align the title with the revised **Policy EDB**. Information regarding *Donation of Surplus* was added to **Regulation EDB-R** to enhance clarity, and the following terminology changes were made: “unit” was replaced with “district site” in paragraph one and “business manager” was replaced with “Superintendent” in paragraphs one and three.

Policy Advisory No. 929 *DELETED* Policy EDBA — Maintenance and Control of Instructional Materials

Language in **Policy EDBA** was moved to **Policy EDB**; therefore, **Policy EDBA** was removed from the model manual.

Policy Advisory No. 930 Policy EDC — Authorized Use of School - Owned Materials and Equipment

Minor edits to **Policy EDC** include the addition of “materials” in the opening sentence and the removal of information regarding competition with local business firms; however, Districts may retain this portion if preferred.

Policy Advisory No. 931 Policy EE — Transportation Services

The final paragraphs regarding student transportation in **Policy EE** were moved to newly created **Policy EEA — Student Transportation** under the subheading *Students with Disabilities* (information regarding statutory requirement) and heading *Responsibility* (information pertaining to operation and safety). Legal References were also updated.

**Policy Advisory No. 932 NEW Policy EEA — Student Transportation
NEW Regulation EEA-R — Student Transportation**

Newly created **Policy EEA — Student Transportation** incorporates language from **EEAA — Walkers and Riders**, **EE – Transportation Services**, **EEAF — Special Use of Buses**, and **EEAG — Student Transportation in Private Vehicles** as these policies relate specifically to student transportation (therefore, **Policies EEAA, EEAF, EEAG** were removed from the model manual). The list of eligible student categories who qualify for transportation services was also updated, and information regarding transportation and student detention was added under the heading *Extenuating Circumstances*. Newly created **Regulation EEA-R** contains language from the former Regulation **EEAG-R**.

Policy Advisory No. 933 *DELETED* Policy EEAA — Walkers and Riders

Language in **Policy EEAA** was moved to newly created **Policy EEA** under the heading *School Bus Transportation*; therefore, **Policy EEAA** was removed from the model manual.

**Policy Advisory No. 934 Policy EEAE — Bus Safety Program
Regulation EEAE-R — Bus Safety Program
Exhibit EEAE-EA — Bus Safety Program
Exhibit EEAE-EB — Bus Safety Program**

Policy EEAE was revised to include “and Student Conduct” in the title as language in **Policy EEAE — Student Conduct on School Buses** was moved to this policy under the heading *Student Conduct*. Therefore, **Policy EEAE** was removed from the model manual. Arizona Administrative Code was also updated,

headings were added, and content was reorganized to enhance clarity. The title for **Regulation EEAE-R** was revised to align with the policy (Bus Safety and Student Conduct), and a reference to **Exhibit EEAE-EA** was added to the end of the regulation. The titles for **Exhibits EEAE-EA** and **EEAE-EB** were revised to align with the policy (Bus Safety and Student Conduct), and Exhibit EEAE-EA updated “C.” under the heading *Prohibited items* to include the service animal exception.

**Policy Advisory No. 935 Policy EEAEA — Bus Driver Requirements,
Training and Responsibilities
NEW Regulation EEAEA-R - Bus Driver
Requirements, Training and Responsibilities**

Statutory language regarding *Certification and Training* was added to **Policy EEAEA**, and language in **Policy EEAEA** was moved to **Policy EEAEA**. Therefore, **Policy EEAEA** was removed from the model manual. Headings and subheadings were also added, and information was reorganized to enhance clarity. Newly created **Regulation EEAEA-R** contains language from **Regulation EEAEA-R**; therefore, **Regulation EEAEA-R** was removed from the model manual.

**Policy Advisory No. 936 DELETED Policy EEAEA — Drug and
Alcohol Testing of Transportation Employees
DELETED Regulation EEAEA-R — Drug and
Alcohol Testing of Transportation Employees
DELETED Exhibit EEAEA-E — Drug and
Alcohol Testing of Transportation Employees**

Language in **Policy EEAEA** was moved to **Policy EEAEA** under the heading *Transportation Employees: Prohibitions and Alcohol and Controlled Substances Testing*; therefore, **Policy EEAEA** was removed from the model manual. **Regulation EEAEA-R** was recodified as **Regulation EEAEA-R**; therefore, **Regulation EEAEA-R** was removed from the model manual. **Exhibit EEAEA-E** regarding records retention was removed from the model manual and general language pertaining to *Transportation Employees Retention Requirements for Alcohol and Controlled Substances Testing* was added to **Regulation EHB-R — Data/Records Retention**.

**Policy Advisory No. 937 Policy EEAEB — Bus Purchasing and
Maintenance**

Language in **Policy EEAEB** was expanded to include *Bus Inspection and Maintenance* information contained in statute and Arizona Administrative Code; the policy title was revised to align with the updated content: “Bus Inspection and Maintenance.”

**Policy Advisory No. 938 DELETED Policy EEAE — Student Conduct
on School Buses**

Language in **Policy EEAE** was moved to **Policy EEAE** under the heading *Student Conduct*; therefore, **Policy EEAE** was removed from the model manual.

Policy Advisory No. 939 ~~DELETED~~ Policy EAAF — Special Use of Buses

Language in **Policy EEF** was moved to newly created **Policy EEA** under the heading *Special Use*; therefore, **Policy EEF** was removed from the model manual.

Policy Advisory No. 940

***DELETED* Policy EEAG — Student Transportation in Private Vehicles**

***DELETED* Regulation EEAG-R — Student Transportation in Private Vehicles**

Language in **Policy EEAG** regarding student transportation (paragraphs 1, 2, and 4) was moved to newly created **Policy EEA** under the heading *Private Vehicle Transportation* (language in **Policy EEAG** regarding District employees and Governing Board members (paragraph 3) was already included in **Policy EEB** under the heading *Use of Private Vehicle*). Therefore, **Policy EEAG** was removed from the model manual. **Regulation EEAG-R** was recodified as newly created **Regulation EEA-R**; therefore, **Regulation EEAG-R** was removed from the model manual.

Policy Advisory No. 941 Policy EEB — Business and Personnel Transportation Services

Language in **Policy EEBD** was moved to **Policy EEB**; therefore, **Policy EEBD** was removed from the model manual. To reflect the expanded scope, the phrase “and Records and Reports” was added to the policy’s title.

Policy Advisory No. 942 *DELETED* Policy EEBD — Business Transportation Records and Reports

Language in **Policy EEBD** was moved to **Policy EEB** under the heading *Transportation Records and Reports*; therefore, **Policy EEBD** was removed from the model manual.

Policy Advisory No. 943	Policy EF — Food Services
	Regulation EF-RA — Food Services
	<i>NEW</i> Regulation EF-RB – Food Services

Language in **Policy EFC — Free and Reduced-Price Food Services** and **Policy EFE — Competitive Food Sales/Vending Machines** was moved to **Policy EF**; therefore, **Policies EFC** and **EFE** were removed from the model manual. The following subtitle was added to **Policy EF** to align with the updated policy content: *Free and Reduced Price, Competitive Food Sales, Vending Machines*. In addition, minor language updates were made under the heading *Competitive Food Sales* to align with the Arizona Healthy Schools Act, and headings were added to enhance clarity. **Regulation EF-R** was updated to **EF-RA** due to newly created **Regulation EF-RB**. Language from **Regulation EFC-R** was moved to newly created **Regulation EF-RB**; therefore, **Regulation EFC-R** was removed from the model manual.

Policy Advisory No. 944

***DELETED* Policy EFC — Free and
Reduced – Price Food Services
DELETED Regulation EFC-R — Free and
Reduced – Price Food Services**

Language in **Policy EFC** was moved to **Policy EF** under the heading *Free and Reduced Price*; therefore, **Policy EFC** was removed from the model manual. **Regulation EFC-R** was recodified as **Regulation EF-RB**; therefore, **Regulation EFC-R** was removed from the model manual.

Policy Advisory No. 945

***NEW* Policy EFD — Pricing of and
Payment for Food Services**

Newly created **Policy EFD** contains language from **Policy EFDA** which was recodified, reorganized, and updated for compliance and enhanced clarity in **Policy EFD**. Therefore, **Policy EFDA** was removed from the model manual.

Policy Advisory No. 946

***DELETED* Policy EFDA — Collection of
Money / Food Tickets**

Information from **Policy EFDA** was moved to newly created **Policy EFD**; therefore, **Policy EFDA** was removed from the model manual.

Policy Advisory No. 947

***DELETED* Policy EFE — Competitive Food
Sales / Vending Machines**

Language from **Policy EFE** was moved to **Policy EF** under the headings *Competitive Food Sales* and *Vending Machines*; therefore, **Policy EFE** was removed from the model manual.

Policy Advisory No. 948

***DELETED* Policy EG — Office Services**

Policy EG was removed from the model manual as office hours may differ throughout the District. The legal reference pertains to hours of labor, not hours of operation.

Policy Advisory No. 949

Policy EGAD — Copyright Compliance

Policy EGAD revisions include simplified language while retaining the *Fair Use Guidelines*.

Policy Advisory No. 950

**Policy EGAE — Mail and
Delivery Services**

Policy EGAE contains minor updates (e.g., replaced “shall” with “may”) as a mail and delivery service is not required by statute.

Policy Advisory No. 951

**Policy EGAEA — Electronic Mail
NEW Regulation EGAEA-R - Electronic Mail**

Headings were added to **Policy EGAEA** to enhance clarity, and guidelines were moved to newly created **Regulation EGAEA-R**.

Policy Advisory No. 952

**Policy EGD — Use of Technology in
Office Services**

In **Policy EGD**, headings were added and language regarding *Records Retention* was moved to **Policy EHB — Data/Records Retention**. Additional revisions include minor updates to language, and the inclusion of additional Open Meeting Law information (e.g., Governing Board OML review requirement per A.R.S. 38-431.01, reiterated in **Policy BBA — Board Powers and Responsibilities**, as well as recommended email notification provided by the Arizona Attorney General).

Policy Advisory No. 953

**Policy EHB — Data / Records Retention
Regulation EHB-R — Data / Records Retention**

Language under the heading *Records Retention* in **Policy EGD** was moved to **Policy EHB** under the heading *Governing Board and Staff*; in addition, headings were added, and content was reorganized to enhance clarity. **Regulation EHB-R** added general information regarding *Transportation Employees Retention Requirements for Alcohol and Controlled Substances Testing*, originally addressed in deleted **Exhibit EEAEAA-E**.

Policy Advisory No. 954

**Policy FA — Facilities Development Goals /
Priority Objectives**

Legal references have been revised to reflect current law: repealed statutes A.R.S. 15-2002 and 15-2031 were removed, while A.R.S. 41-5711 (Minimum School Facility Adequacy Requirements) and 15 U.S.C. 2643 (Asbestos Hazard Emergency Response) were added. No changes were made to the policy content.

Policy Advisory No. 955

Policy FCB — Retirement of Facilities

Policy FCB was reorganized to enhance clarity, with updated legal references and added headings. The section outlining the process for closing a school facility now includes more specific, statutorily required information to better guide districts. Additionally, the policy title was revised to more accurately reflect its content, and a new section addressing boundary changes resulting from a school closure was added.

Policy Advisory No. 956

**Policy FEA — Educational Specifications for
Construction**

Headings were added to Policy FEA and legal references were updated to enhance clarity; the original language in B., D., and E. was removed to better align with statutory requirements.

Policy Advisory No. 957

Policy FF — Naming Facilities

The following sentence was added to Policy FF: “The District may consider community feedback in this process.”

Policy Advisory No. 958

Policy GBEB — Staff Conduct

Information pertaining to *Reporting Suspected Crimes or Incidents* was moved to **Policy ECAC – Vandalism and Reporting Suspected Crimes**, and legal references were updated to reflect this change.

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If you have any questions, call Policy Services at (602) 254-1100. Ask for Dr. Charlotte Patterson, Policy Analyst; Lynne Bondi, Policy Analyst; or Renae Watson, Policy Technician. Our e-mail addresses are, respectively, [cpatterson@azsba.org], [lbondi@azsba.org] and [rwatson@azsba.org]. You may also fax information to (602) 254-1177.

Note: This material is written for informational purposes only, and not as legal advice. You may wish to review the policy references and consult an attorney for further explanation.

ADVISORY 917

**EA ©
SUPPORT SERVICES GOALS /
PRIORITY OBJECTIVES**

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

A. To provide a ~~physical~~ safe and enriching environment ~~for~~ conducive to teaching and learning ~~that is safe and pleasant~~ for students, staff members, and the public.

B. ~~To provide safe transportation for students who ride the school bus to and from school.~~

C. To provide student services, resources, and assistance responsive to the needs of the educational programs.

Adopted: _____

LEGAL REF.:

A.R.S.

15-341

ADVISORY 918

EB-R ©

REGULATION

**ENVIRONMENTAL AND
SAFETY PROGRAM**

Responsibilities

~~Responsibilities of the m~~Maintenance ~~s~~Supervisor:

- A. Maintain an overall safety program in maintenance and operation of buildings and grounds.
- B. Provide specialized assistance as requested by school principal.
- C. Comply with HVAC requirements listed in A.R.S. 41-5832 and A.A.C. R7-6-215.
- D. Document District responses to the biennial information on improving and maintaining the indoor air quality (IAQ) in school buildings, which is required by A.R.S. 41-5702(A)(9) to be distributed to school districts by the School Facilities Oversight Board.

~~Responsibilities of the school p~~Principals:

- A. Schedule regular inspections.
- B. Post required state and federal safety regulations and maintain appropriate safety records.
- C. Arrange for the correction of defects reported to them by employees in the building by requesting assistance from the maintenance department.
- D. Cooperate in the correction of defects reported by the maintenance department or other school administrators.
- E. Implement procedures to monitor and maintain safe indoor air quality.

~~Responsibilities of the t~~Transportation ~~s~~Supervisor:

- A. Maintain standards for certification of school bus drivers.
- B. Maintain standards for periodic inspection and maintenance of school buses.
- C. Maintain standards for school bus operation and idling procedures for gasoline, diesel, and alternative fuel engines which minimize air pollution by buses.

~~Responsibilities of o~~Other ~~e~~Employees:

- A. Report promptly to the principal of the school or immediate supervisor any events or situations which may cause increased air pollution within the school or on the campus and any defects in buildings, grounds, or equipment that might prove injurious to the safety, health, or comfort of students, employees, or other persons.
- B. Take reasonable precaution for the safe use of buildings, grounds, and equipment by students.

~~Responsibilities of s~~Students:

A. Avoid ~~the following~~ behaviors that jeopardize the safety of self or others including but not limited to:

- 1. Setting off a false fire alarm.
- 2. Misusing the fire alarm system, fire extinguishers, or other fire protection and safety equipment.
- 3. Setting a fire in the building or on the school grounds.
- 4. Taking any action or creating any situation which either directly or indirectly affects indoor air quality in an adverse manner.

B. Report promptly to the principal of the school or other appropriate school employee any defects in buildings, grounds, indoor air quality, or equipment that might prove injurious to the safety, health, or comfort of employees, students, or other persons.

***~~Responsibilities of o~~Other ~~i~~Individuals
~~u~~Utilizing ~~s~~School ~~b~~Buildings:***

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

ADVISORY 919

~~EBAA ©
REPORTING OF HAZARDS /
WARNING SYSTEMS~~

~~(Pesticide Application Notice)~~

~~The intent of this policy is to ensure that students, employees, and parents/guardians receive adequate notice prior to pesticide application.~~

~~In accord with A.R.S. 15-152, the District shall:~~

~~A. Provide notice of pesticide application during a regular school session to students, employees, and parents/guardians, given in a form reasonably calculated to provide a warning at least forty-eight (48) hours prior to such application.~~

~~B. Provide for oral notification to pupils and employees during the regular school session.~~

~~C. Provide written, electronic or telephonic notification to parents or guardians at least forty-eight (48) hours prior to the application of pesticides.~~

~~Pest control applicator(s) employed by the District shall provide the school contact person with notice at least seventy-two (72) hours prior to the date and time the application of pesticides is to occur, including in such notice:~~

~~A. The brand name of the pesticide(s) to be applied.~~

~~B. The location and area or areas where the pesticide is to be applied.~~

~~C. The date and time the application is to occur.~~

~~D. The name, address, phone number and contact person of the certified applicator.~~

~~E. A statement that further information, such as the product label or safety data sheet, is available by contacting the certified applicator.~~

~~In case of pesticide applications performed for or by public health agencies or emergency applications because of immediate threat to the public health, the licensed applicator shall give the school office oral and, if possible, written notice, with posting of the area to be treated in accord with A.R.S. 3-3606.~~

~~The Superintendent may require the pest control applicator to fill out and make all required postings in accord with statute and with District policy and regulation. The name and telephone number of the applicator shall be attached to any posting.~~

~~Only a certified applicator may apply pesticides at a school.~~

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

Adopted: _____

~~LEGAL REF.:~~

~~A.R.S.~~

~~3-3606~~

~~15-152~~

~~CROSS REF.:~~

~~IKEA - Make Up Opportunities~~

~~EBAA-R ©~~

REGULATION

**~~REPORTING OF HAZARDS /
WARNING SYSTEMS~~**

~~(Pesticide Application Notice)~~

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

~~Oral and Written Notice~~

~~All oral and written notification shall contain, at a minimum, the date, time, general areas to be treated, and brand name of the pesticide to be applied. During the regular school session, and not less than forty eight (48) hours prior to pesticide application, notification shall be provided in the manner indicated below.~~

~~A. Oral notification to all students and school employees shall be provided by means of:~~

- ~~1. School public address systems; or~~
- ~~2. Assembly communications; or~~
- ~~3. Staff meeting announcements; or~~
- ~~4. Any similar means reasonably calculated to provide sufficient notice in advance of pesticide application.~~

~~B. Written notification to the parents or guardians of enrolled students shall be provided by means of:~~

- ~~1. Weekly school lunch menus; or~~
- ~~2. Special communications; or~~
- ~~3. Newsletters; or~~
- ~~4. Any similar means reasonably calculated to provide sufficient notice in advance of pesticide application.~~

~~Posting of Notice~~

~~No less than forty-eight (48) hours prior to pesticide application, signs measuring at least eight and one half inches by eleven inches (8 1/2" x 11") shall be posted to identify pesticide application areas. The signs shall display:~~

- ~~A. The words "warning pesticides."~~
- ~~B. The registration number issued by the United States Environmental Protection Agency.~~
- ~~C. The date and time of the application.~~
- ~~D. A phone number for the school contact person and one (1) for the licensed pesticide applicator.~~

~~The signs shall be placed at:~~

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

~~The signs may be removed no less than forty-eight (48) hours after the pesticide is applied.~~

CROSS REF.:

~~IKEA—Make Up Opportunities~~

ADVISORY 920

EBAB ©
HAZARDOUS MATERIALS

(Pesticide Application Notice)

The intent of this policy is to ensure that students, employees, and parents/guardians receive adequate notice prior to pesticide application.

Notice Requirements

In accord with A.R.S. 15-152, the District shall:

A. Provide notice of pesticide application during a regular school session to students, employees, and parents/guardians, given in a form reasonably calculated to provide a warning at least forty-eight (48) hours prior to such application.

B. Provide for oral notification to pupils and employees during the regular school session.

C. Provide written, electronic or telephonic notification to parents or guardians at least forty-eight (48) hours prior to the application of pesticides during a regular school session.

Pesticide Application Requirements

Only a certified applicator may apply pesticides at a school.

Pest-control applicator(s) employed by the District shall provide the school contact person with notice at least seventy-two (72) hours prior to the date and time the application of pesticides is to occur, including in such notice:

A. The brand name of the pesticide(s) to be applied.

B. The location and area or areas where the pesticide is to be applied.

C. The date and time the application is to occur.

D. The name, address, phone number and contact person of the certified applicator.

E. A statement that further information, such as the product label or safety data sheet, is available by contacting the certified applicator.

In case of pesticide applications performed for or by public health agencies or emergency applications because of immediate threat to the public health, the certified applicator shall give the school office oral and, if possible, written notice, with posting of the area to be treated in accord with A.R.S. 3-3606.

The Superintendent may require the pest-control applicator to fill out and make all required postings in accord with statute and with District policy and regulation. The name and telephone number of the applicator shall be attached to any posting.

Regulations

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

Adopted: _____

LEGAL REF.:

A.R.S.

3-3606

15-152

CROSS REF.:

IKEA - Make Up Opportunities

EBAB-R ©

REGULATION

HAZARDOUS MATERIALS

(Pesticide Application Notice)

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

Notice

The certified applicator shall provide the school contact person with at least a seventy-two (72)-hour notification prior to application, the following information pursuant to A.R.S. 3-3606: date, time, general areas to be treated; brand name of the pesticide(s) to be applied; name, address, phone number and contact person of the certified applicator providing the service; and a statement that further information, the product label or the safety data sheet is available by contacting the certified applicator.

During the regular school session, and not less than forty-eight (48) hours prior to pesticide application, notification shall be provided in the manner indicated below.

A. Oral notification to all students and school employees shall be provided by means of:

1. School public address systems; or
2. Assembly communications; or
3. Staff meeting announcements, to be then shared with students; or
4. Any similar means reasonably calculated to provide sufficient notice in advance of pesticide application.

B. Written, electronic or telephonic notification to the parents or guardians of enrolled students shall be provided by means of:

1. Weekly school lunch menus; or
2. Special communications; or
3. Newsletters; or
4. Any similar means reasonably calculated to provide sufficient notice in advance of pesticide application.

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

For further information regarding certified applicator requirements and exemptions for non-residual pesticide and emergency applications, see A.R.S. 3-3606(C).

CROSS REF.:

IKEA - Make Up Opportunities

ADVISORY 921

EBBB © ACCIDENT REPORTS

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

Procedures

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

District Reporting Responsibilities

The District shall report to the Arizona Division of Occupational Safety and Health (ADOSH) all workplace accidents as follows: all work-related fatalities within eight (8) hours following the incident; all work-related inpatient hospitalizations, all amputations, and all losses of an eye within twenty-four (24) hours.

The District shall report other injuries or accidents as required by state or federal regulation. Within ten (10) days after receiving notice of an accident, the District shall inform the insurance carrier and the Industrial Commission of Arizona.

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

~~Any employee of the District who suffers a job-related injury/accident must file a report with the District business office within five (5) days after the date of occurrence. Should circumstances render the individual unable to submit such a report within five (5) days, the time limit may be extended.~~

~~Injury accidents should be promptly reported to the District's liability carrier determined by the conditions established with the carrier.~~

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

Adopted: _____

LEGAL REF.:
A.R.S.

<i>Note:</i> This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.
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23-427

23-904

23-908

CROSS REF.:

GBGC - Employee Assistance

GBGD - Workers' Compensation

EBBB-R ©

REGULATION

ACCIDENT REPORTS

~~(Student Accidents)~~

Employees

Any employee of the District who suffers a job-related injury/accident must report the matter to their supervisor immediately and file a report with the District business office within five (5) business days after the date of occurrence. Should circumstances render the individual unable to submit such a report within five (5) business days, the time limit may be extended.

Students

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

For any student who is injured on school grounds, in a school building, or in connection with a school-related or approved activity, an accident report form is to be completed by an employee who is at the scene of the accident, within twenty-four (24) hours of the accident.

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

~~Any special health concern should be reported to the nurse.~~

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

After reviewing each accident report, the Superintendent will forward the report to the school nurse, who will maintain a file of accident reports.

A student who is ill should be sent to the nurse's office or the school office, with an appropriate pass. If a student is sent home (only with parent knowledge), the teacher will be notified. Only the office can discharge students to go home.

Any special health concern should be reported to the nurse.

ADVISORY 922

EBC ©
EMERGENCIES: RESPONSE PLANS AND
SCHOOL CLOSINGS

Emergency Response Plans

Development

The Governing Board will develop District emergency response plans with the Superintendent for each school, department, and other facilities in the District and will coordinate such plans with the local law enforcement, fire, medical and hospital authorities ("local emergency responders") as necessary. The Arizona Department of Education may provide technical assistance to the District, upon request. Training components for staff and students shall be included in the District's emergency response plans.

~~Emergency response plans are confidential and exempt from public disclosure. The District shall not release emergency response plans to the public as part of a public records request. [A.R.S. 41-1803(G)]~~

Internal regulations will be developed and maintained by the Superintendent.

Requirements

The plans will be in accordance with minimum standards developed jointly by the Department of Education and the Division of Emergency Management within the Department of Emergency and Military Affairs. The plans will designate specific emergency drills to be conducted. Local emergency responders shall periodically be invited to review the plan(s).

Students With Disabilities

Emergency response plans developed by the Governing Board are required to address how the school and emergency responders will communicate with and provide assistance to students with disabilities.

~~Internal regulations will be developed and maintained by the Superintendent.~~

Confidentiality

Emergency response plans are confidential and exempt from public disclosure. The District shall not release emergency response plans to the public as part of a public records request. [A.R.S. 41-1803(G)]

Emergency School Closings

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

If possible, the Board President will be informed of such decision and will be notified when all students have departed from school.

Adopted: _____

LEGAL REF.:

A.R.S.

15-341

41-1803

Arizona Minimum Requirements for School Emergency Operations Plan

(AZ Dept. of Ed.; AZ Dept. of Emergency and Military Affairs)

Implementation Guidance: Arizona Minimum Requirements for School

Emergency Operations Plans (AZ Dept. of Ed.)

EBC-R ©

REGULATION

**EMERGENCIES: RESPONSE PLANS AND
SCHOOL CLOSINGS**

(Emergency Closings)

**Delayed Opening and
School Closing**

If the Superintendent decides to delay the opening of school or cancel classes for the day, information will be disseminated through official District communication platforms or systems (e.g., automated notification systems, the District website). The District may also notify local law enforcement agencies and the broadcast media to assist in communicating the information.

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

Early Dismissal

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

A. Students will be released from school only after the principal has confirmed that appropriate notice has been given to parents or guardians. Staff members may be released by the principal when they are no longer needed to supervise students.

B. The principal will remain at the school until all students have departed.

ADVISORY 923

~~EBCD ©~~
~~WEATHER RELATED AND~~
~~EMERGENCY CLOSINGS~~

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

~~If possible, the Board President will be informed of such decision and will be notified when all students have departed from school.~~

~~Adopted: _____~~

~~LEGAL REF.:~~

~~A.R.S.~~

~~15-341~~

~~EBCD-R ©~~

REGULATION

**~~WEATHER-RELATED AND
EMERGENCY CLOSINGS~~**

~~Delayed Opening~~

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

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

~~School Closing~~

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

~~Early Dismissal~~

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

~~A. Students will be released from school only after the principal has ascertained that appropriate notice has been given to parents or guardians. Staff members may be released by the principal when they are no longer needed to supervise students.~~

~~B. The principal will remain at the school until all students have departed.~~

ADVISORY 924

**ECA ©
SECURITY**

The Superintendent will develop security plans and procedures that to provide for the safety for anyone on District property or at a District event. The security plan(s) will:

- A. Enhance the security of District property.
- B. Minimize fire hazards.
- C. Provide for the keeping of records and funds in a safe place.
- D. Prevent unauthorized visitors to District facilities.
- E. Protect against vandalism and burglary and ~~P~~provide for the prosecution of vandals.
- F. Provide for and encourage employee responsibility for furniture, textbooks, reference material, and other District materials, equipment, and supplies assigned to the employee's care.
- G. Require volunteers to be fingerprinted, per A.R.S. 15-512.
- H. Require contractors, subcontractors or vendor or any employee of a contractor, subcontractor or vendor to obtain valid fingerprint card, per A.R.S. 15-512.
- I. Comply with workplace occupational safety and health standards.
- J. Comply with required notification requirements as they apply to adjudicated-as-dangerous sex offenders and juveniles. If a registered sex offender has legal custody of an enrolled student, they shall comply with the requirements for registration and notification per A.R.S. 13-3821 and A.R.S. 13-3822.

Adopted: _____

LEGAL REF.:

A.R.S.

13-3715

13-3716

13-3821

13-3822

15-512

CROSS REF.:

JLIF - Sex Offender Notification

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

ECA-R ©

REGULATION

SECURITY

(Access and Keys)

Access

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

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

Keys

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

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

ADVISORY 925

ECAC ©
VANDALISM AND REPORTING
SUSPECTED CRIMES

Vandalism

The Superintendent is authorized to sign a criminal complaint and to press charges against perpetrators of vandalism against school property.

Students who destroy school property through vandalism or arson, or who create a hazard to the safety of other people on school property, may be referred to law enforcement authorities. Such students who are caught vandalizing school property shall be subject to disciplinary action, including but not limited to suspension and expulsion. A conference with the student's parents will be required.

Parents and students shall be made aware that the law provides that parents are liable for the willful destruction of property by a minor in their custody or control.

The District may file suit to recover the cost of vandalism from the student and/or parent(s).

Reporting Suspected Crimes or Incidents

Staff members are to report any suspected crime against a person or property that is a serious offense, involves a deadly weapon or dangerous instrument or that could pose a threat of death or serious injury and any conduct that poses a threat of death or serious physical injury to employees, students or others on school property. All such reports shall be documented and communicated to the Superintendent who shall be responsible for reporting to local law enforcement. "Serious offense" is defined in A.R.S. 13-706; "deadly weapon," "dangerous instrument," and "serious physical injury" are defined in A.R.S. 13-105. Conduct that is considered to be bullying, harassment or intimidation shall be addressed according to Policy JICK as required in A.R.S. 15-341(A)(36).

Subject to the conditions provided under A.R.S. 8-303, the school district or charter school is to notify the parent or guardian of each student who is involved in a suspected crime or any conduct that is described above, subject to the requirements of federal law.

The District shall post the policies and procedures pertaining to "Reporting Suspected Crimes or Incidents," as developed by the Department of Education, on the District's website to verify that the District has adopted the required policies and procedures.

If the District maintains an online Manual of policies and procedures, the District may post a link to that manual with a reference to the appropriate policies and procedures.

<i>Note:</i> This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.
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A person who violates the reporting requirements may be disciplined for violating the policies of the School District Governing Board pursuant to A.R.S. 15-341 and notwithstanding A.R.S. 15-341, may be subject to dismissal. Each school district governing board shall prescribe and enforce policies and procedures that require the School District to maintain a record on any person who is disciplined pursuant to this policy and, on request, shall make that record available to any public school, school district governing board or charter school governing body that is considering hiring that person.

Adopted: _____

LEGAL REF.:

A.R.S.

8-303

12-661

13-105

13-706

15-341

15-842

ECAC-R ©

REGULATION

VANDALISM AND REPORTING
SUSPECTED CRIMES

Reporting

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

ADVISORY 926

**ECB ©
BUILDING AND GROUNDS
MAINTENANCE**

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

The Board directs a continuous program of inspection and maintenance of school buildings and equipment. Wherever possible, maintenance shall be preventive and will focus on providing an on-going healthy learning environment for both students and school personnel.

The Superintendent shall appoint a maintenance supervisor who will develop and implement inspection, maintenance, repair, use, and disposal schedules as applicable for buildings, HVAC systems, new construction and renovations, chemicals and other materials.

Routine preventative maintenance means services that are performed on a regular schedule at intervals ranging from four (4) times a year to once every three (3) years, or on the schedule of services recommended by the manufacturer of the specific building system or equipment.

The Superintendent shall oversee the development and implementation of routine preventative maintenance guidelines covering the District's:

- A. plumbing systems,
- B. electrical systems,
- C. heating, ventilation and air conditioning systems,
- D. special equipment and other systems, and
- E. roofing systems, including visual inspections performed by District personnel to search for signs of structural stress and weakness.

A roofing inspection is required to be:

- A. Accomplished prior to any repair or replacement of roof elements or roof mounted equipment performed in accordance with the requirements of the local building official requiring a permit.
- B. Conducted by a registered structural engineer or other professional with appropriate skills, training and certification.

District preventive facilities maintenance guidelines shall be submitted to the School Facilities Oversight Board for review and approval.

Adopted: _____

LEGAL REF.:

A.R.S.

15-341

15-342.01

41-5702

41-5731

41-5832

A.A.C.

R7-6-215

CROSS REF.:

EB - ~~Environmental~~ and Safety Program

JLIF - ~~Sex Offender Notification~~

ADVISORY 927

~~ED ©~~
**MATERIALS AND EQUIPMENT
MANAGEMENT**

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

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

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

Adopted: _____

~~LEGAL REF.:~~

~~A.R.S.~~

~~15-213~~

ADVISORY 928

EDB ©
MAINTENANCE AND CONTROL OF
MATERIALS AND EQUIPMENT,
AND INSTRUCTIONAL MATERIALS

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

Materials and Equipment

Control of District property shall be through, but not limited to, an accurate inventory of all District ~~furniture~~ materials and equipment that exceeds one thousand dollars (\$1,000) in value.

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

Preventive Maintenance

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

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

Instructional Materials

Students using District-provided textbooks, subject-matter materials, supplementary books, and/or instructional computer software are responsible for loss of or any damage to these items. A student who needs a replacement copy of a textbook shall be required to pay for it.

Monies collected for these items shall be used in addition to budgeted monies for purchase of new textbooks, subject-matter materials, supplementary books, or instructional computer software.

Adopted: _____

LEGAL REF.:

A.R.S.

15-341

15-342

15-721 *et seq.*

15-727

15-729

A.A.C.

R7-2-1131

Uniform System of Financial Records: ~~III-G-2~~ VI-E

2 CFR 200.313

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

CROSS REF.:

DID - Inventories

DN - School Properties Disposition

JQ - Student Fees, Fines, and Charges

EDB-R ©

REGULATION

**MAINTENANCE AND CONTROL OF
MATERIALS AND EQUIPMENT,
AND INSTRUCTIONAL MATERIALS**

Surplus Equipment

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

Donation

See Policy DN – School Properties Disposition for information on the donation of surplus.

Transfer of Equipment

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

ADVISORY 929

~~EDBA ©~~
~~MAINTENANCE AND CONTROL~~
~~OF INSTRUCTIONAL MATERIALS~~

~~Students using District provided textbooks, subject matter materials, supplementary books, or instructional computer software are responsible for loss of or any damage to these items. A student who needs a second copy of a textbook shall be required to pay for it.~~

~~Monies collected for these items shall be used in addition to budgeted monies for purchase of new textbooks, subject matter materials, supplementary books, or instructional computer software.~~

~~Adopted: _____~~

~~LEGAL REF.:~~

~~A.R.S.~~

~~15-727~~

~~15-729~~

~~CROSS REF.:~~

~~JQ Student Fees, Fines, and Charges~~

ADVISORY 930

**EDC ©
AUTHORIZED USE OF SCHOOL - OWNED
MATERIALS AND EQUIPMENT**

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

A. The District shall not incur any expense due to the use of materials or equipment.

B. The Superintendent shall establish procedures for approval of the use of materials or equipment, or shall submit requests to the Governing Board for review and action.

~~C. The District shall not be in competition with any local business firm that could provide like equipment.~~

~~D.~~ Rental or lease fees will be charged or waived, as appropriate, by the District. Income from charges will be deposited to the civic center fund or the school plant fund, as appropriate.

~~E.~~ D. Any person or agency using such materials or equipment that is lost or damaged during such period of use shall be required to reimburse the District for repair or replacement.

Adopted: _____

LEGAL REF.:

A.R.S.

15-1102

15-1105

CROSS REF.:

KF - Community Use of School Facilities

ADVISORY 931

**EE ©
TRANSPORTATION SERVICES**

Allowable Vehicles

In the budgeting process, the Governing Board may grant appropriations for vehicles and other transportation services. This may include contracts for electric vehicles as stated in A.R.S. §15-923.

Allowable Vehicles

A school district or charter school in Arizona or a privately owned and operated entity that is contracted for compensation with a school district or charter school in Arizona may use a motor vehicle that is designed to carry at least eleven (11) and not more than fifteen (15) passengers or a motor vehicle that is designed as a type A school bus or type B school bus as defined by the Department of Public Safety to carry at least eleven (11) and up to fifteen (15) passengers to transport students to or from home or school on a regularly scheduled basis in accordance with the safety rules adopted by the Department of Public Safety pursuant to sections ~~§~~ A.R.S. 28-900 and §28-3228.

~~Transportation of students is a privilege extended to students in the District, and is not a statutory requirement except for necessary transportation of students with disabilities as indicated in their respective individual education programs.~~

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

Adopted: _____

LEGAL REF.:

A.R.S.

~~15-342~~

~~15-764~~

~~15-921~~

~~15-922~~

15-923

15-925

~~15-945~~

~~15-946~~

~~28-900~~

~~28-901~~

~~28-3053~~

ADVISORY 932

EEA ©
STUDENT TRANSPORTATION

School Bus Transportation

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

A. K-8 Students:

1. who reside within the District boundaries and live more than one (1) mile from their school of attendance, or
2. who are admitted under A.R.S. 15-816.01, reside outside the District boundaries, qualify for free or reduced-price lunch under the National School Lunch and Child Nutrition Acts (42 U.S.C. 1751-1793), and live more than one mile from the school of attendance.

B. High School Students:

1. who reside within the District boundaries and live more than one and one-half (1.5) miles from their school of attendance, or
2. who are admitted under A.R.S. 15-816.01, reside outside the District boundaries, qualify for free or reduced-price lunch under the National School Lunch and Child Nutrition Acts (42 U.S.C. 1751-1793), and live more than one and one-half (1.5) miles from the school of attendance.

C. Open Enrollment Students:

Students admitted via open enrollment policies who may be eligible for transportation under state or federal law.

D. Students with Disabilities:

Students with disabilities, as defined by A.R.S. 15-761, whose Individual Education Plans include transportation as a related service provided under the Individuals with Disabilities in Education Act.

E. Homeless Students:

Homeless students who are entitled to transportation under the McKinney-Vento Act.

F. Foster Students:

Foster students as required pursuant to A.R.S. 8-530.04(C).

G. Eligible Nonresident Students:

Transportation for pupils who do not reside within an established school attendance area, limited to no more than thirty (30) miles each way to and from the school of attendance or to and from a pickup point on a regular transportation route or for the total miles traveled each day to an adjacent school for eligible nonresident pupils who meet the economic eligibility requirements established under the National School Lunch and Child Nutrition Acts (42 U.S.C. 1751 through 1793) for free or reduced-price lunches.

Responsibility

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

Special Use

School buses may be used for the transportation of students participating in school-sponsored activities.

Private Vehicle Transportation

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

Guidelines

During school or school-sponsored functions, students may be transported only in school-approved vehicles operated by District-authorized personnel unless specific approval by the Superintendent has been obtained. The Board specifically forbids any employee to transport students for school purposes without prior authorization by the Superintendent.

Extenuating Circumstances:

- A. If a student is detained after school because of reasonable detention, appropriate consideration must be given to student transportation needs.
- B. Transportation privileges may be lost due to student discipline or unacceptable behavior.

Adopted: _____

LEGALREF.:

A.R.S.

8-530.04

15-342

15-764

15-816.01

15-901

15-921

15-922

15-923

15-925

15-945

15-946

28-900

28-901

28-3053

A.G.O.

I80-025

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001,
as amended by the Every Student Succeeds Act (ESSA) of 2015

CROSS REF:

EEB - Business and Personnel Transportation Services and
Records and Reports

GBEFA - Staff Use of Digital Wireless Communications or
Electronic Devices While Operating a Motor Vehicle

JFABD - Admission of Homeless Students

EEA-R ©

STUDENT TRANSPORTATION

Private Vehicles

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

- A. This permission may be in the form of a standing permit for employees who use their own vehicles regularly for school purposes. The permit will state the particular purpose, and whether it includes transportation of students.
- B. For each special trip involving students, including field trips, a special permit must be obtained in advance for the specific trip.
- C. Each employee or Governing Board member authorized to use a private vehicle for school business purposes will be required to present proof of insurance to the District.
- D. No student will be sent on school errands with the student's own vehicle, an employee's vehicle, a Governing Board member's vehicle, or a District-owned vehicle.

ADVISORY 933

~~EEAA ©~~
~~WALKERS AND RIDERS~~

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

~~A. Students with disabilities who require transportation, as indicated in their respective individual education programs.~~

~~B. Students living within a one (1) mile radius of the school where hazardous or difficult routes exist and where other arrangements cannot be provided.~~

~~C. Students who are residents within a school attendance area and:~~

~~1. If common school students, live more than one (1) mile from the school.~~

~~2. If high school students, live more than a mile and a half (1 1/2) from the school.~~

~~D. Transportation for pupils who do not reside within an established school attendance area, limited to no more than thirty (30) miles each way to and from the school of attendance or to and from a pickup point on a regular transportation route or for the total miles traveled each day to an adjacent school for eligible nonresident pupils who meet the economic eligibility requirements established under the National School Lunch and Child Nutrition Acts (42 United States Code sections 1751 through 1793) for free or reduced price lunches.~~

~~E. Transportation for homeless students to their school of enrollment, if it is the school of origin, will be arranged as needed by the school liaison for homeless students.~~

Adopted: _____

~~LEGAL REF.:~~

~~A.R.S.~~

~~15-342~~

~~15-764~~

~~15-816.01~~

~~15-901~~

~~15-922~~

~~28-797~~

~~28-900~~

~~28-901~~

~~A.G.O.~~

~~I80-025~~

~~42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001,
—as amended by the Every Student Succeeds Act (ESSA) of 2015~~

~~CROSS REF.:~~

~~JFABD—Admission of Homeless Students~~

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

ADVISORY 934

EEAE ©
BUS SAFETY PROGRAM AND
STUDENT CONDUCT

The safety and welfare of student riders is to be the first consideration in all matters pertaining to transportation. Toward that end, all District transportation department personnel, bus operators, and bus passengers shall comply with the rules adopted pursuant to A.R.S. 28-900 and the Minimum Standards for School Buses and Certification of School Bus Drivers promulgated by the Arizona Department of Administration and adopted as Chapter ~~Nine~~ Thirteen of A.A.C. Title ~~17~~3, and shall immediately report to the Superintendent any violation of rules or state statutes that threatens the health, safety, or welfare of a passenger.

~~Bus evacuation drills shall be conducted at least twice every school year at the school and shall include every passenger who rides a school bus and is in school on the day of the evacuation drill. Each bus driver shall participate in at least two (2) evacuation drills during each school year. The bus evacuation drill shall be conducted in compliance with the requirements set out by the Arizona Department of Public Safety for such a drill.~~

Bus Driver Requirements

Each driver of a District-owned or District-contracted school bus, as defined by and covered by the Federal Motor Carrier Safety Administration (FMCSA) and the Commercial Motor Vehicle Safety Act of 1986 and A.A.C. Title 13, Chapter 13, will conform to all requirements of the Act and such state statutes, rules and regulations governing the operation of the vehicle.

Maintenance and Operation

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

~~Students shall not be put off the bus until reaching their destination.~~

In addition to the regular state inspections, each school bus shall be inspected by the driver daily, before each use, to ascertain that it is in safe condition and equipped as required by all provisions of law, and that all equipment is in good working order.

School Buses

Each school bus owned by, or contracted to, the District will conform to all applicable federal and state requirements as provided by the Commercial Motor Vehicle Safety Act of 1986 and A.A.C. Title ~~17~~13, Chapter ~~9~~ 13.

~~Each driver of a District-owned or District-contracted school bus, as defined by and covered by the Commercial Motor Vehicle Safety Act of 1986 and A.A.C. Title 17, Chapter 9, will conform to all requirements of the Act and such state statutes, rules and regulations governing the operation of the vehicle.~~

Student Transport

Students shall not be put off the bus until they reach their destination.

Student Conduct

Students are required to conduct themselves in the bus, prior to boarding the bus, and subsequent to leaving the bus in a manner consistent with established standards for classroom behavior.

When a student fails to practice proper conduct, the bus driver will inform the principal of the misconduct, which may then be brought to the attention of the parents.

Students who become serious disciplinary problems related to school transportation may have their riding privileges suspended. In such cases, the parents of the students involved become responsible for seeing that their children get to and from school safely.

Students riding on special-activity buses are under the direct supervision of the bus driver in cooperation with sponsor(s). Students who do not conduct themselves properly will be denied the privilege of riding on special-activity buses.

Evacuation Drills

Bus evacuation drills shall be conducted at least twice every school year at the school and shall include every passenger who rides a school bus and is in school on the day of the evacuation drill.

Each bus driver shall participate in at least two (2) evacuation drills during each school year. The bus evacuation drill shall be conducted in compliance with the requirements set out by the Arizona Department of Public Safety for such a drill.

Adopted: _____

LEGAL REF.:

A.R.S.

15-341

15-843

15-922

28-101

28-900

28-984

28-3228

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

A.A.C.

~~R17-9-102~~

~~R17-9-104~~

~~R17-9-106~~

~~R17-9-108~~

Title 13, Chapter 13

Commercial Motor Vehicle Safety Act of 1986

49 U.S.C. 30101 (Standards and Compliance - School Buses and
School Bus Equipment)

CROSS REF.:

GBEFA - Staff Use of Digital Wireless Communications or
Electronic Devices While Operating a Motor Vehicle

EEAE-R ©

REGULATION

**BUS SAFETY ~~PROGRAM~~ AND
STUDENT CONDUCT**

A.A.C. 13-13-104(D)(4) states, with respect to the authority of bus drivers:

"Any person boarding or attempting to board a school bus, whether or not a passenger, shall comply with all instructions given by a school bus driver. If a passenger or non-passenger boards or attempts to board a school bus and refuses to comply with the school bus driver's instructions, the school bus driver may seek emergency assistance to remove the passenger or non-passenger from the school bus, or prevent the passenger or non-passenger from boarding."

Student behavior on a school bus should be the same as that in a well-ordered classroom with the exception that students are free to talk, ~~but~~ quietly with no ~~screaming or shouting~~ disruptive behavior.

See EEAE-EA for Bus Safety and Student Conduct Checklist.

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EEAE-EA ©

EXHIBIT

**BUS SAFETY PROGRAM AND
STUDENT CONDUCT**

This checklist may be used by District officials as a guide for transportation documents or transportation handbooks.

Arriving at pickup point:

- A. Be on time. Leave home in good time so that you will arrive at the pickup point before the school bus.
- B. If you have to walk along the road to reach the bus stop, walk on the left side facing oncoming traffic.
- C. Walk on the shoulder of the road where possible, and not on the traveled portion.
- D. If other students are waiting at the bus stop, get in line without pushing or crowding and stay off the roadway.

Board the bus:

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

Conduct on the bus:

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

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

- C. Keep your books and parcels on your lap or put them under the seat or on the luggage rack.
- D. Keep the aisle clear.
- E. Do not talk to the driver except in case of emergency.
- F. Avoid doing anything that might disturb or interfere with the driver. Refrain from loud or boisterous talking or yelling.
- G. Never stick hands, arms, head, or feet out of the windows of the bus.
- H. Do not open windows without the driver's permission.
- I. Do not throw anything within the bus or out of a window; you might injure a pedestrian or force a motorist to make a dangerous maneuver.
- J. Do not touch the emergency door or exit controls or any of the bus safety equipment.
- K. Do not discard refuse in the bus.
- L. Eat at home or school, but not on the bus.
- M. Obey promptly the directions and instructions of the school bus driver.

Prohibited items:

- A. Tobacco is not allowed in a school bus.
- B. Alcoholic beverages shall not be carried in a school bus.
- C. Insects, reptiles, or other animals shall not be transported in a school bus, with the exception of service animals as defined by A.R.S. 11-1024 to assist passengers with disabilities. [A.A.C. R17 ~~13-9~~ 13-104]
- D. No weapon, explosive device, harmful drug, or chemical shall be transported in a school bus.

Exit from the bus:

- A. Remain seated until the bus has reached its destination and comes to a complete stop.
- B. Do not push or crowd when leaving the bus.

Crossing the highway:

- A. If you must cross the road, walk to a point about ten (10) feet in front of bus but do not cross until you can see that the driver has indicated that it is safe to do so.

- B. As you cross the road, look continuously to the right and left. At an intersection, look in all directions.
- C. Cross at right angles. Never cross the highway diagonally.
- D. Walk briskly across the road, but do not run.
- E. Never cross the road behind the bus.

Accident or other emergency:

- A. In case of an accident or emergency, older students should help the driver to maintain order and assist younger students.
- B. Stay in the bus unless otherwise directed by the driver.
- C. If you have to leave the bus, stay in a group and obey the driver's instructions.
- D. Do not expose yourself or others to needless hazard.

Procedures followed upon student misbehavior on school bus:

- A. When a student misbehaves on a bus for the first time, the driver will explain to the offender the necessity for good behavior.
- B. If, after talks and warning, the rider continues to violate the rules, the driver will inform the student that the rule violation will be reported to the principal. This report will include the use of a written form that lists the offense and the action taken by the principal.
- C. Upon receiving the complaint and discussing it with the driver, the principal will then call the student to the office and warn the student that the parents must be notified that the student will be put off the bus if misbehavior reoccurs.
- D. If poor conduct continues, the driver will again report the incident to the principal. After discussion it will be decided whether to take the bus-riding privilege away from the student, and, if so, for how long.
- E. When a student is not allowed transportation by school bus, the principal will inform the parents of the penalty, the reason for it, and how long the penalty will last. In such cases, the parents become responsible for seeing that their child gets to and from school safely.
- F. A student who is put off one (1) bus will be refused transportation by all drivers for the specified period of time.

(This section on student misbehavior shall be made available to parents and students in copy form.)

EEAE-EB ©

EXHIBIT

BUS SAFETY PROGRAM AND
STUDENT CONDUCT

SCHOOL BUS INCIDENT REPORT

Bus No.

Driver's Name

Date

Type of Incident

Student's Name

Incident:

- | | |
|--|---|
| ☐ Failure to remain seated | ☐ Throwing objects on bus |
| ☐ Refusing to obey driver | ☐ Hanging out of window |
| ☐ Fighting | ☐ Spitting |
| ☐ Profanity | ☐ Disobeying bus monitor |
| ☐ Lighting matches | ☐ Bothering others (see comment) |
| ☐ Smoking on bus | ☐ Vandalism |
| ☐ Throwing objects out of bus | ☐ Other (see comment) |

Comments:

Signature: _____

Action taken by school: _____

Signature of School Official

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

ADVISORY 935

**EEAEA ©
BUS DRIVER REQUIREMENTS, TRAINING,
AND RESPONSIBILITIES**

Bus drivers employed by the District or employed by contractors who provide transportation services to the District shall comply with applicable provisions of the Commercial Motor Vehicle Safety Act of 1986 and all applicable requirements of the state of Arizona.

Requirements:

A. Bus drivers shall submit an Identity Verified Fingerprint Card as described in A.R.S. 15-106 that the Department of Public Safety shall use to process the fingerprint clearance card as outlined in A.R.S. 15-106. A person who is issued a school bus driver certificate shall maintain a valid Identity Verified Fingerprint Clearance Card for the duration of any school bus driver certification period.

B. Bus driver applicants are required to possess a commercial driver license issued by the Department of Public Safety except that the applicant may possess a commercial driver license issued by another state if the applicant will be driving a school bus for a school district that is adjacent to that state.

C. Bus drivers are required to possess a bus endorsement that is issued by the Department of Transportation and a school bus certificate that is issued by the Department of Public Safety.

Licenses for ~~§15-925~~ Vehicles Described in A.R.S. 15-925

A person shall not operate a vehicle described in ~~section §~~ A.R.S. 15-925 to transport school children unless the person possesses the appropriate license class for the size of the vehicle being operated, a school bus driver certificate that is issued by the Department of Public Safety and a valid fingerprint clearance card.

Certification and Training

**For vehicles designed for sixteen
or more passengers:**

A. Meet and maintain the minimum standards prescribed by A.R.S. 28-3228 and rules adopted by the Department of Public Safety in consultation with the Student Transportation Advisory Council established by A.R.S. 28-3053.

B. Complete an initial instructional course on school bus driver safety and training, including behind-the-wheel training and complete any trainings as required by federal law.

C. Complete school transportation safety and training courses as required by the Department of Public Safety.

**Drivers of Other Vehicles as
Described in A.R.S. 15-925:**

A. Meet and maintain the minimum standards prescribed by A.R.S. 28-3228 and rules adopted by the Department of Public Safety in consultation with the Student Transportation Advisory Council established by A.R.S. 28-3053.

B. Complete school Transportation safety and training courses as required by the Department of Public Safety.

Costs

The District will assume the cost of required physical examinations for all drivers, and the drivers will assume the cost of obtaining valid commercial driver's licenses as required by law.

**Transportation Employees:
Prohibitions and Alcohol and
Controlled Substances Testing**

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

Prohibitions:

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

1. Reporting for duty or remaining on duty to perform safety-sensitive functions as defined in 49 CFR 382.107 while having an alcohol concentration of 0.04 or greater. [49 CFR 382.201]
2. Being on duty or operating a commercial motor vehicle (school bus) while the driver possesses alcohol, unless the alcohol is manifested and transported as part of a shipment. This includes the possession of medicines containing alcohol (prescription or over-the-counter), unless the packaging seal is unbroken. [49 CFR 382.204]
3. Using alcohol while performing safety-sensitive functions. [49 CFR 382.205]
4. Performing safety-sensitive functions within eight (8) hours after using alcohol. [49 CFR 382.207 and R13-13-104]

5. Using alcohol within eight (8) hours following an accident or prior to undergoing a post-accident alcohol test, whichever comes first. [49 CFR 382.299]
6. Refusing to submit to an alcohol or controlled substance test as required under post-accident, random, reasonable suspicion or follow-up testing requirements in DOT rules. [49 CFR 382.211]
7. Reporting for duty or remaining on duty, requiring the performance of safety-sensitive functions, when the driver uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle. [49 CFR 382.213]
8. Reporting for duty, remaining on duty, or performing a safety-sensitive function if the driver tests positive for controlled substances. [49 CFR 382.215]

Results of Engagement in Prohibited Conduct

Each driver who engages in the conduct prohibited herein shall:

- A. Be advised of resources available to the driver in evaluating and resolving problems associated with alcohol or controlled substances use, including the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs.
- B. Be evaluated by a substance abuse professional, who shall determine what assistance, if any, the employee needs to resolve alcohol or controlled substance problems.
- C. Before returning to duty in a safety-sensitive position, undergo a return-to-duty alcohol test with a result indicating less than 0.02 or a substance test with a verified negative result.
- D. If identified as needing assistance by a substance abuse professional, be evaluated by a substance abuse professional to determine if that driver has properly followed any rehabilitation program prescribed and be subject to unannounced follow-up tests following return to duty in accord with federal regulations. [49 CFR 382.605]

Costs

The District shall assume the cost for the initial evaluation by a substance abuse professional to determine what assistance, if any, the employee needs in resolving problems associated with alcohol misuse and controlled substances use.

Evaluation and rehabilitation of the employee, if the employee is allowed to return to work in any position, shall be in accordance with 49 CFR 382.605 and by a substance abuse professional paid by the employee.

The School District shall assume the costs of the alcohol and controlled substances testing of a transportation employee. If the results of the test are positive, the School District may charge the costs of the test to the tested employee. The cost charged to the employee is limited to the actual costs incurred as a result of testing. If the results of a test are negative, the School District shall not charge the costs of testing to the tested employee. [A.R.S. 15-513]

Alcohol and Controlled Substances Testing

A driver will inform the supervising administrator of any therapeutic controlled substances use. [49 CFR 382.213]

Controlled Substances as used in this policy refers to controlled substances as covered by the Omnibus Act and to drugs circumscribed by the Arizona Revised Statutes, Title 13, Chapter 34.

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

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

A transportation employee who refuses to submit to alcohol and controlled substance testing or whose test results are positive may be disciplined in accordance with District policy up to and including being terminated from employment. [A.R.S. 15-513]

Responsibility

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

Adopted: _____

LEGAL REF.:

A.R.S.

13-3401

15-106

15-513

15-925

28-3228

A.A.C.

~~R17-4-508 et seq.~~

Title 13, Chapter 13

49 U.S.C. 31306, (Omnibus Transportation Employee Testing Act of 1991)

49 CFR Part 40

CROSS REF.:

EEAEB - Bus ~~Purchasing~~ Inspection and Maintenance

GBEC - Drug-Free Workplace

GBECA - Nonmedical Use or Abuse of Drugs or Alcohol

GBEFA - Staff Use of Digital Wireless Communications or
Electronic Devices While Operating a Motor Vehicle

GDFA - Support Staff Qualifications and Requirements
(fingerprinting requirements)

EEAEA-R ©

REGULATION

**BUS DRIVER REQUIREMENTS, TRAINING,
AND RESPONSIBILITIES**

**Circumstances Under Which Alcohol
and Controlled Substance Tests
for Drivers Are to Be Given**

All information subject to 49 CFR 382.401 and 382.405 obtained in the course of testing of drivers shall be protected as confidential medical information and shall not be released except expressly authorized or required in 49 CFR 382.401 and 382.405, or as otherwise required and authorized by law.

Random:

A. A minimum of fifty percent (50%) of drivers shall be tested annually for controlled substances and twenty-five percent (25%) of drivers shall be tested annually for alcohol, subject to the Federal Highway Administration's administrator raising or lowering the annual percentage rate in accordance with regulations. [49 CFR 382.305] Random testing selection shall be as follows:

1. Employees are to be placed in and remain in a pool for random selection.
2. A scientifically valid random selection method will be used.
3. Tests will be given at least once each quarter.
4. Dates of testing will not be announced.

B. Random controlled substances and alcohol testing may be combined, however the District must ensure that all drivers have an equal chance of being tested for controlled substances and alcohol.

Postaccident

The District shall require each driver to review this Regulation prior to such driver operating any District commercial motor vehicle(s).

A. Drivers are required to submit to controlled substances and alcohol testing as soon as possible following a "Department of Transportation (DOT) accident" as defined in Subsection B below. [49 CFR 382.303]

B. A DOT accident is defined as an occurrence involving a commercial motor vehicle operating on a public road that results in:

1. A fatality; or

2. Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or

3. One (1) or more motor vehicles incurring disabling damage as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle. [49 CFR 390.5]

C. If a driver is seriously injured and cannot submit to testing at the time of the accident, the driver shall provide the necessary authorization for obtaining hospital reports and other documents that may indicate whether there were any controlled substances or alcohol used by the driver prior to the accident. [49 CFR 382.303]

D. A driver who is subject to postaccident testing shall remain readily available for such testing or may be deemed by the District to have refused to submit to testing. Nothing in this section shall be construed to require the delay of necessary medical treatment or to prohibit the driver from leaving the scene of an accident for a period necessary to obtain assistance in responding to the accident, or to obtain necessary medical care. [49 CFR 382.303]

E. No driver required to take a postaccident alcohol test shall use alcohol for eight (8) hours following the accident, or until the driver undergoes a postaccident alcohol test, whichever occurs first. [49 CFR 382.303]

F. The following actions are to be taken in a postaccident testing situation:

1. Treat injuries.

2. Work with law enforcement officials.

3. Explain the need for testing.

4. Obtain the driver's permission for testing, if possible.

5. Work with the medical facility to obtain the necessary documents and test information.

6. Collect specimens promptly.

7. Document events.

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

Reasonable suspicion:

A. Reasonable suspicion is defined to mean that the District believes the behavior, speech, body odor, or appearance of a driver while on duty are indicative of the use of alcohol and/or controlled substances. The conduct must be witnessed by a supervisor or District official trained in the detection of probable alcohol and drug use by observing indicators in a person's appearance, behavior, speech, and performance, in accordance with 49 CFR 382.603. If it is at all possible, the witness should not conduct the alcohol test, in order to prevent the introduction of bias to the testing procedure.

B. Alcohol testing is authorized only if the observations are made during, just before performing, or just after performing a safety-sensitive function. A written record shall be made of the observations leading to an alcohol and/or controlled substance test. This record is to be signed by the supervisor who made the observations.

C. If a reasonable suspicion alcohol test is not administered within two (2) hours following the observations, the witness shall prepare and maintain on file a record stating the reasons the alcohol test was not administered promptly. In addition, if not administered within eight (8) hours, all attempts to administer the test shall cease. A record shall be prepared and maintained stating why the alcohol test was not administered. [49 CFR 382.307]

D. Reasonable suspicion testing should include the following considerations:

1. Focus on safety.
2. Verify reasonable suspicion if possible.
3. Observe the employee's appearance, behavior, speech, and performance.
4. Inform the employee in private of any suspicion.
5. Inquire in private about any observations or suspicions.
6. Review the findings.
7. Upon concluding that reasonable suspicion exists, transport the employee to a testing site.
8. Document events.

Return-to-duty testing:

Return-to-Duty testing must be performed in accordance with 49 CFR Part 40, Subpart O (comprising 49 CFR 40.281 - 40.313). 49 CFR 382.309. Likewise, any Follow-Up testing must also be performed in accordance with 49 CFR Part 40, Subpart O. 49 CFR 382.311.

Referral:

Each driver who engages in conduct prohibited by 49 CFR 382.201 et seq., shall be evaluated by a Substance Abuse Professional ("SAP") as required by 49 CFR 40.285. The SAP shall determine what assistance, if any, the employee needs in resolving problems associated with alcohol misuse and controlled substance use. [49 CFR 382.605 and 40.281 - 40.313]

Driver Training

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

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

- A. The identity of the person designated to answer employee questions about the materials.
- B. The categories of employees subject to this part of the regulation.
- C. Sufficient information about safety-sensitive functions performed by such drivers to make clear what part of the workday a driver must be in compliance with the Omnibus Act regulations.
- D. Specific information concerning driver conduct that is prohibited by the Omnibus Act regulations.
- E. The circumstances under which a driver will be tested for alcohol and/or controlled substances by the Omnibus Act regulations.
- F. The procedures that will be used to test for the presence of alcohol and controlled substances, to protect the driver and the integrity of the testing processes, to safeguard the validity of the test results, and to ensure that the results are attributed to the correct driver; including post-accident information, procedures and instructions required by 49 CFR 382.303.

G. The requirement that the employee submit to alcohol and controlled substance tests administered in accord with the Omnibus Act regulations.

H. An explanation of what constitutes a refusal to submit to an alcohol or controlled substance test and the attendant consequences.

I. The consequences for drivers found to have violated the Omnibus Act regulations, including requirements for removal from safety-sensitive functions and the procedures under 49 CFR 40.281 *et seq.*

J. Consequences for a driver having an alcohol concentration of 0.02 but less than 0.04.

K. Information concerning the effects of alcohol and controlled substance use on an individual's health, work, and personal life; signs and symptoms of an alcohol or controlled substance problem (the driver or a co-worker); and available methods of intervention, including confrontation and referral. [49 CFR 382.601]

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

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

Supervisor Training

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

ADVISORY 936

~~EEAEAA ©~~
**DRUG AND ALCOHOL TESTING OF
TRANSPORTATION EMPLOYEES**

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

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

~~A. Reporting for duty or remaining on duty to perform safety-sensitive functions as defined in 49 CFR 382.107 while having an alcohol concentration of 0.04 or greater. [49 CFR 382.201]~~

~~B. Being on duty or operating a commercial motor vehicle (school bus) while the driver possesses alcohol, unless the alcohol is manifested and transported as part of a shipment. This includes the possession of medicines containing alcohol (prescription or over the counter), unless the packaging seal is unbroken. [49 CFR 382.204]~~

~~C. Using alcohol while performing safety-sensitive functions. [49 CFR 382.205]~~

~~D. Performing safety-sensitive functions within eight (8) hours after using alcohol. [49 CFR 382.207 and R17-9-102]~~

~~E. Using alcohol within eight (8) hours following an accident or prior to undergoing a postaccident alcohol test, whichever comes first. [49 CFR 382.299]~~

~~F. Refusing to submit to an alcohol or controlled substance test as required under postaccident, random, reasonable suspicion or follow-up testing requirements in DOT rules. [49 CFR 382.211]~~

~~G. Reporting for duty or remaining on duty, requiring the performance of safety-sensitive functions, when the driver uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle. [49 CFR 382.213]~~

~~H. Reporting for duty, remaining on duty, or performing a safety-sensitive function if the driver tests positive for controlled substances. [49 CFR 382.215]~~

~~A driver will inform the supervising administrator of any therapeutic drug use. [49 CFR 382.213]~~

~~Drugs as used in this policy refers to controlled substances as covered by the Omnibus Act and to drugs circumscribed by the Arizona Revised Statutes, Title 13, Chapter 34.~~

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

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

~~A transportation employee who refuses to submit to drug and alcohol testing or whose test results are positive may be disciplined in accordance with District policy up to and including being terminated from employment. [A.R.S. 15-513]~~

~~Each driver who engages in the conduct prohibited herein shall:~~

~~A. Be advised of resources available to the driver in evaluating and resolving problems associated with drug or alcohol use, including the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs.~~

~~B. Be evaluated by a substance abuse professional, who shall determine what assistance, if any, the employee needs to resolve drug or alcohol problems.~~

~~C. Before return to duty in a safety sensitive position, undergo a return to duty alcohol test with a result indicating less than 0.02 or a substance test with a verified negative result.~~

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

~~The District shall assume the cost for the initial evaluation by a substance abuse professional to determine what assistance, if any, the employee needs in resolving problems associated with alcohol misuse and controlled substances~~

~~use. Evaluation and rehabilitation of the employee, if the employee is allowed to return to work in any position, shall be in accordance with 49 CFR 382.605 and by a substance abuse professional paid by the employee.~~

~~The School District shall assume the costs of the drug and alcohol testing of a transportation employee. If the results of the test are positive, the School District may charge the costs of the test to the tested employee. The cost charged to the employee is limited to the actual costs incurred as a result of testing. If the results of a test are negative, the School District shall not charge the costs of testing to the tested employee. [A.R.S. 15-513]~~

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

Adopted: _____

~~LEGAL REF.:~~

~~A.R.S.~~

~~15-513~~

~~13-3402~~

~~49 U.S.C. 31306, (Omnibus Transportation Employee Testing Act of 1991)~~

~~49 C.F.R. Part 40~~

~~49 C.F.R. Part 382~~

~~49 C.F.R. Part 395~~

~~CROSS REF.:~~

~~GBEC – Drug-Free Workplace~~

~~GBECA – Nonmedical Use or Abuse of Drugs or Alcohol~~

~~EEAEAA-R ©~~

~~REGULATION~~

~~DRUG AND ALCOHOL TESTING OF TRANSPORTATION EMPLOYEES~~

~~Circumstances Under Which Tests for Drivers Are to Be Given~~

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

~~**Random:**~~

~~A. A minimum of fifty percent (50%) of drivers shall be tested annually for drugs and twenty five percent (25%) of drivers shall be tested annually for alcohol, subject to the Federal Highway Administration's administrator raising or lowering the annual percentage rate in accordance with regulations. [49 CFR 382.305] Random testing selection shall be as follows:~~

- ~~1. Employees are to be placed in and remain in a pool for random selection.~~
- ~~2. A valid random selection procedure will be used.~~
- ~~3. Tests will be given at least once each quarter.~~
- ~~4. Dates of testing will not be announced.~~

~~B. Random drug and alcohol testing may be combined. For example, when testing at fifty percent (50%) drug random rate and twenty five percent (25%) alcohol random rate, half of the randomly selected drivers chosen for testing could be tested for both drugs and alcohol, while the rest could be tested only for drugs.~~

~~**Postaccident:**~~

~~A. Drivers are required to submit to drug and alcohol testing as soon as possible following a "Department of Transportation (DOT) accident" that involves the loss of human life or for which the driver receives a citation under state or local law for a moving traffic violation arising from the accident. [49 CFR 382.303]~~

~~B. A DOT accident is defined as an occurrence involving a commercial motor vehicle operating on a public road that results in:~~

- ~~1. A fatality; or~~
- ~~2. Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or~~
- ~~3. One (1) or more motor vehicles incurring disabling damage as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle. [49 CFR 390.5]~~

~~C. If a driver is seriously injured and cannot submit to testing at the time of the accident, the driver shall provide the necessary authorization for obtaining hospital reports and other documents that may indicate whether there were any drugs or alcohol used by the driver prior to the accident. [49 CFR 382.303]~~

~~D. A driver who is subject to postaccident testing shall remain readily available for such testing or may be deemed by the District to have refused to submit to testing. Nothing in this section shall be construed to require the delay of necessary medical treatment or to prohibit the driver from leaving the scene of an accident for a period necessary to obtain assistance in responding to the accident, or to obtain necessary medical care. [49 CFR 382.303]~~

~~E. No driver required to take a postaccident alcohol test shall use alcohol for eight (8) hours following the accident, or until the driver undergoes a postaccident alcohol test, whichever occurs first. [49 CFR 382.303]~~

~~F. The following actions are to be taken in a postaccident testing situation:~~

- ~~1. Treat injuries.~~
- ~~2. Work with law enforcement officials.~~
- ~~3. Explain the need for testing.~~
- ~~4. Obtain the driver's permission for testing, if possible.~~
- ~~5. Work with the medical facility to obtain the necessary documents and test information.~~
- ~~6. Collect specimens promptly.~~
- ~~7. Document events.~~

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

Reasonable suspicion:

~~A. Reasonable suspicion is defined to mean that the District believes the behavior, speech, body odor, or appearance of a driver while on duty are indicative of the use of alcohol and/or controlled substances. The conduct must be witnessed by a supervisor or District official trained in the detection of probable alcohol and drug use by observing indicators in a person's appearance, behavior, speech, and performance, in accordance with 49 CFR 382.603. If it is at all possible, the witness should not conduct the alcohol test, in order to prevent the introduction of bias to the testing procedure.~~

~~B. Alcohol testing is authorized only if the observations are made during, just before performing, or just after performing a safety sensitive function. A written record shall be made of the observations leading to an alcohol and/or controlled substance test. This record is to be signed by the supervisor who made the observations.~~

~~C. If a reasonable suspicion alcohol test is not administered within two (2) hours following the observations, the witness shall prepare and maintain on file a record stating the reasons the alcohol test was not administered promptly. In addition, if not administered within eight (8) hours, all attempts to administer the test shall cease. A record shall be prepared and maintained stating why the alcohol test was not administered. [49 CFR 382.307]~~

~~D. Reasonable suspicion testing should include the following considerations:~~

- ~~1. Focus on safety.~~
- ~~2. Verify reasonable suspicion if possible.~~
- ~~3. Observe the employee's appearance, behavior, speech, and performance.~~
- ~~4. Inform the employee in private of any suspicion.~~
- ~~5. Inquire in private about any observations or suspicions.~~
- ~~6. Review the findings.~~
- ~~7. Upon concluding that reasonable suspicion exists, transport the employee to a testing site.~~
- ~~8. Document events.~~

~~Return-to-duty testing:~~

~~A. A driver who has been prohibited from performing a safety-sensitive function after engaging in conduct regarding alcohol misuse or controlled substance use prohibited by U.S. Department of Transportation regulations, and before returning to duty, shall undergo a return-to-duty test, which must indicate a concentration of less than 0.02 for breath alcohol and/or a negative result for controlled substances. [49 CFR 382.309 and 382.605(C)]~~

~~B. When a driver has been determined to be in need of assistance in resolving problems associated with alcohol misuse and/or controlled substance use, the driver will be subject to unannounced follow-up alcohol and/or controlled substance testing. The driver will be subject to a minimum of six (6) follow-up tests in the first twelve (12) months. The follow-up testing period shall not exceed sixty (60) months. Follow-up testing for alcohol shall be administered only when the driver is performing, just before performing, or just after performing a safety-sensitive function. [49 CFR 382.311 and 382.605(C)]~~

~~Referral:~~

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

~~Driver Training~~

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

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

- ~~A. The identity of the person designated to answer employee questions about the materials.~~
- ~~B. The categories of employees subject to this part of the regulation.~~
- ~~C. Sufficient information about safety-sensitive functions performed by such drivers to make clear what part of the work day a driver must be in compliance with the rule.~~

~~D. Specific information concerning driver conduct that is prohibited by the rule.~~

~~E. The circumstances under which a driver will be tested for alcohol and/or controlled substances by rule.~~

~~F. The procedures that will be used to test for the presence of alcohol and controlled substances, to protect the driver and the integrity of the testing processes, to safeguard the validity of the test results, and to ensure that the results are attributed to the correct driver.~~

~~G. The requirement that the employee submit to alcohol and controlled substance tests administered in accord with Omnibus Act regulations.~~

~~H. An explanation of what constitutes a refusal to submit to an alcohol or controlled substance test and the attendant consequences.~~

~~I. The consequences for drivers found to have violated the rule, including requirements for removal from duty.~~

~~J. Consequences for a driver having a concentration of 0.02 but less than 0.04 in a breath alcohol test.~~

~~K. Information concerning the effects of alcohol and controlled substance use on an individual's health, work, and personal life; signs and symptoms of an alcohol or controlled substance problem (the driver or a co-worker); and available methods of intervention, including confrontation and referral. [49 CFR 382.601]~~

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

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

~~Supervisor Training~~

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

~~EEAEA E ©~~

~~EXHIBIT~~

~~DRUG AND ALCOHOL TESTING OF
TRANSPORTATION EMPLOYEES
RECORDS RETENTION~~

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

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

~~A. *Five years:*~~

- ~~1. Records of alcohol test results showing concentrations of 0.02 or more.~~
- ~~2. Records of driver-verified positive controlled substance tests.~~
- ~~3. Documentation of refusals to take required tests.~~
- ~~4. Calibration documentation.~~
- ~~5. Driver evaluation and referrals.~~
- ~~6. A copy of each annual calendar year summary.~~

~~B. *Two years:*~~

~~Records related to the alcohol and controlled substance collection process and training.~~

~~C. *One year:*~~

~~Records of negative and canceled drug test results and alcohol test results with concentrations of less than 0.02.~~

~~What types of records must be kept?~~

~~A. *Records relating to the collection process, as follows [49 CFR 302.401(c)(1)]:*~~

- ~~1. Collection logbook, if used.~~
- ~~2. Documents relating to the random selection process.~~

- ~~3. Calibration documents for evidential breath testing devices.~~
- ~~4. Documentation of breath alcohol technician training.~~
- ~~5. Documents regarding decisions to administer reasonable suspicion tests.~~
- ~~6. Documents regarding decisions of postaccident tests.~~
- ~~7. Documents verifying existence of a medical explanation of the inability of a driver to provide an adequate breath or urine specimen for testing.~~
- ~~8. Consolidated annual calendar year summaries as required by 49 CFR 382.403.~~

~~B. Records relating to driver's test results [49 CFR 382.401(c)(2)]:~~

- ~~1. Employer's copy of alcohol test forms, including the results of the test.~~
- ~~2. Employer's copy of drug test chain of custody and control form.~~
- ~~3. Documents sent by the medical review officer (MRO) to the employer, including those required by 49 CFR 382.407(a).~~
- ~~4. Documents related to refusal by any driver to submit to a drug or alcohol test required by the rules.~~
- ~~5. Documents presented by a driver to dispute the results of an alcohol or substance abuse test required by the rules.~~

~~C. Records related to other violations.~~

~~D. Records related to evaluations:~~

- ~~1. Records pertaining to a determination by a substance abuse professional (SAP) concerning a driver's need for assistance.~~
- ~~2. Records concerning a driver's compliance with recommendations of the SAP.~~

~~E. Records relating to education and training:~~

- ~~1. Materials on alcohol misuse and drug use awareness, including a copy of the employer's policy on both.~~
- ~~2. Documentation of compliance with the requirements of 49 CFR 382.601, including the driver's signed receipt for materials.~~

~~3. Documentation of training provided to supervisors for determining the need for reasonable suspicion testing for alcohol misuse or use of controlled substances.~~

~~4. Certification that any training that has been conducted complies with the requirements for such training.~~

~~F. *Records relating to drug testing:*~~

~~1. Agreements with the collection site facilities, laboratories, medical review officers, and consortia.~~

~~2. Names and positions of officials and their roles in the employer's alcohol and controlled substance testing program.~~

~~3. Monthly laboratory statistical summaries of urinalysis required by 49 CFR 40.29(g)(6).~~

~~4. The employer's drug and alcohol testing policy and procedures.~~

How must these records be reported?

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

~~What happens if records are not kept properly?~~

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

Where are records to be located?

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

What summary records are required?

~~A. The District must prepare by March 15th of each year, and maintain, an annual calendar year summary of the results of all controlled substance and alcohol testing performed during the previous calendar year.~~

~~B. Each summary that contains verified positive controlled substance test results and alcohol screening tests with concentrations of .02 or greater or any other violations or alcohol misuse must include the following elements:~~

~~1. The number of drivers subject to 49 CFR 382.~~

- ~~2. The number of drivers subject to testing under the alcohol misuse or drug use rules of more than one (1) DOT Agency—identified by each Agency.~~
- ~~3. The number of urine specimens collected, by type of test (e.g., random, reasonable suspicion, et cetera).~~
- ~~4. The number of positives verified by an MRO for type of test and type of drug.~~
- ~~5. The number of negative drug tests verified by an MRO, by type of test.~~
- ~~6. The number of persons denied a position as drivers following preemployment verified positive drug testing and/or alcohol testing with concentrations of 0.04 or greater.~~
- ~~7. The number of drivers with MRO verified positive tests for multiple controlled substances.~~
- ~~8. The number of drivers who refused to submit to alcohol or drug tests required by 49 CFR 382.~~
- ~~9. The number of supervisors who have received required alcohol training during the reporting period.~~
- ~~10. The number of supervisors who have received required controlled substances training during the reporting period.~~
- ~~11. The number of screening alcohol tests, by type of test.~~
- ~~12. The number of confirmation alcohol tests, by type of test.~~
- ~~13. The number of confirmation alcohol tests with concentrations of 0.02 or greater but less than 0.04, by type of test.~~
- ~~14. The number of confirmation alcohol tests with concentrations of 0.04 or greater, by type of test.~~
- ~~15. The number of drivers returned to duty, after complying with a SAP's recommendation in this reporting period, who had previously had verified positive drug test results or engaged in prohibited alcohol misuse.~~
- ~~16. The number of drivers who were administered drug and alcohol tests at the same time with both verified positive drug test results and alcohol test results with concentrations greater than 0.04.~~

~~17. The number of drivers who were found to have violated any nontesting prohibition of 49 CFR 382.403(b) and any action taken in response to the violation.~~

~~C. Each employer with an annual calendar year summary that contains only negative drug test results, alcohol screening test results of less than 0.02, and no other violations may prepare and submit either a standard summary form with information as listed above or an "EZ" report form. The abbreviated "EZ" form requires selected information from the list above. [49 CFR 382.403]~~

~~Who may have access to the records?~~

~~A. The covered employee, to the employee's records, upon written request.~~

~~B. The employer.~~

~~C. The Secretary of Transportation, upon request.~~

~~D. Any DOT agency, upon request.~~

~~E. Any state or local official with regulatory authority over the employee, upon request.~~

~~F. Any person or employer, upon the employee's written request.~~

~~G. National Transportation Safety Board may review postaccident test information upon request and as a part of an accident investigation. [49 CFR 382.405]~~

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

~~Yes; therefore, they are not subject to disclosure under the Inspection of Public Records, A.R.S. 39-121 *et seq.*, with the possible exception of the Annual Calendar Year Summary once released to the DOT. [49 CFR 382.405]~~

ADVISORY 937

EEAEB ©
BUS PURCHASING INSPECTION AND MAINTENANCE

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

Inspection

A. At least annually:

1. Each school bus registered in this state shall be inspected according to rules adopted pursuant to A.R.S. 28-900.
2. An official certificate of inspection and approval shall be obtained from the Department of Public Safety for each school bus registered in this state.

B. The inspections shall be made and the certificates shall be obtained as prescribed by law and by rules adopted pursuant to A.R.S. 28-900.

C. Inspection of a school bus shall be made when the bus is initially registered in this state. The Superintendent of the School District shall have all school buses that are registered by the District inspected pursuant to A.R.S. 28-984. If a school bus is privately owned, the owner of the school bus shall have the bus inspected pursuant to A.R.S. 28-984.

Maintenance

A school bus owner shall systematically inspect, repair, and maintain, or cause to be systematically inspected, repaired, and maintained, all parts of a school bus chassis and body and any other parts and accessories that may affect safe operation of the school bus, pursuant to Sections R13-13-106, R13-13-107, and R13-13-108 of the Arizona Administrative Code. The school bus owner shall ensure that the maintenance of a school bus and repair of major defects is done by:

- A. An Automotive Service Excellence (ASE)-certified technician;
- B. An individual working under the supervision of an ASE-certified master school bus technician;
- C. An individual with at least one (1) year of participation in a school bus manufacturer-sponsored or commercial vehicle maintenance training program; or
- D. An individual with at least one (1) year of experience as a school bus mechanic.

Adopted: _____

LEGAL REF.:

A.R.S.

28-900

28-984

A.A.C.

~~R17-9-105 et seq.~~

Title 13, Chapter 13

ADVISORY 938

~~EEAEC ©~~
~~STUDENT CONDUCT ON~~
~~SCHOOL BUSES~~

~~Students are required to conduct themselves in the bus, prior to boarding the bus, and subsequent to leaving the bus in a manner consistent with established standards for classroom behavior.~~

~~When a student fails to practice proper conduct, the bus driver will inform the principal of the misconduct, which may then be brought to the attention of the parents.~~

~~Students who become serious disciplinary problems related to school transportation may have their riding privileges suspended. In such cases, the parents of the students involved become responsible for seeing that their children get to and from school safely.~~

~~Students riding on special activity buses are under the direct supervision of the bus driver in cooperation with sponsor(s). Students who do not conduct themselves properly will be denied the privilege of riding on special activity buses.~~

Adopted: _____

~~LEGAL REF.:~~

~~A.R.S.~~

~~15-341~~

~~CROSS REF.:~~

~~EEAE – Bus Safety Program~~

~~JIC – Student Conduct~~

~~JK – Student Discipline~~

ADVISORY 939

~~EEAF ©~~
SPECIAL USE OF BUSES

~~School buses may be used for the transportation of students participating in school-sponsored activities under the following conditions:~~

~~A. Bus usage for educational field trips or educationally related activities by student organizations may be considered an extension of classroom activities.~~

~~B. The Board delegates to the administration authority concerning requests for noncurricular usage. In such cases, the student organization or group making the trip will be required to reimburse the District for all or a portion of the cost of the transportation.~~

Adopted: _____

~~LEGAL REF.:~~

~~A.R.S.~~

~~15-1105~~

ADVISORY 940

~~EEAG ©~~
~~STUDENT TRANSPORTATION~~
~~IN PRIVATE VEHICLES~~

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

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

~~Each District employee or Governing Board member authorized to use a private vehicle for District purposes shall be notified in writing that the employee's or Governing Board member's automobile insurance is the primary coverage and District insurance coverage is secondary.~~

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

~~Adopted: _____~~

~~LEGAL REF.:
A.R.S.
15-341~~

~~CROSS REF.:
EEB—Business and Personnel Transportation Services
GBEFA—Staff Use of Digital Wireless Communications or
Electronic Devices While Operating a Motor Vehicle~~

~~EEAG-R ©~~

~~REGULATION~~

~~STUDENT TRANSPORTATION
IN PRIVATE VEHICLES~~

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

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

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

~~C. Each employee or Governing Board member authorized to use a private vehicle for school business purposes will be required to present proof of insurance to the District.~~

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

ADVISORY 941

EEB ©
BUSINESS AND PERSONNEL TRANSPORTATION
SERVICES AND RECORDS AND REPORTS

(District Travel Policy -
Employees and Governing Board Members)

Transportation Services

Administrative Requirements

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

Use of School Vehicles

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

Use of Private Vehicle

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

Each District employee or Governing Board member authorized to use a private vehicle for District purposes shall be notified in writing that the employee's or Governing Board member's automobile insurance is the primary coverage and District insurance coverage is secondary.

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

Accident Report

Any accident (no matter how minor) in a school vehicle or in any private vehicle while on school business is to be reported immediately to the District transportation office, or to an administrator if the accident occurs after school hours. The business office shall immediately report the accident to the District's insurance company.

Transportation Records and Reports

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

Adopted: _____

LEGAL REF.:

A.R.S.

15-321

15-341

15-901

15-903

38-538

A.A.C.

R13-13-108

USFR: VI-I.

CROSS REF.:

DKC - Expense Authorization/Reimbursement

EEAG - Student Transportation in ~~Private Vehicles~~

GBEFA - Staff Use of Digital Wireless Communications or
Electronic Devices While Operating a Motor Vehicle

ADVISORY 942

~~EEBD ©~~
BUSINESS TRANSPORTATION
RECORDS AND REPORTS

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

Adopted: _____

~~LEGAL REF.:~~

~~A.R.S.~~

~~15-321~~

~~15-901~~

~~15-903~~

~~A.A.C.~~

~~R17-4-612~~

ADVISORY 943

**EF ©
FOOD SERVICES**

**(Free and Reduced Price, Competitive
Food Sales, Vending Machines)**

Food Services

~~The District food service program shall strive to provide well-balanced meals that are nourishing, available at moderate prices, and served in a pleasant surrounding.~~

The Board shall establish prices to be paid by students for school meals and the price charged to adults who purchase meals.

The Superintendent shall develop procedures to implement this policy and shall formulate a plan to provide free or reduced-price meals for all eligible students.

Free and Reduced Price

Upon Board approval, the District shall enter into an agreement with the Arizona Department of Education to participate in the National School Lunch Program and School Breakfast Program and to receive commodities donated by the United States Department of Agriculture.

The Superintendent shall develop procedures with respect to determining eligibility of children for free and reduced-price meals which follow federal regulations and state guidelines.

Competitive Food Sales

Competitive food sales and marketing shall align with nutrition education and health promotion, in accordance with 7 CFR 210.11(2) and the Arizona Healthy Schools Act. Pursuant to A.R.S. 15-242.01, beginning in the 2026-2027 school year, any school that participates in a federally funded or assisted meal program shall not serve, sell or allow a third party to sell ultra-processed food on the school campus during the normal school day. This does not prevent a student's parent or guardian from providing ultra-processed food to the student during the normal school day. Accordingly, schools will limit food and beverage marketing to items that meet established nutrition standards for meals or for individual sale. The marketing of ultra-processed foods on school grounds is prohibited. Schools are encouraged to promote healthy, minimally processed food options, including fruits, vegetables, whole grains, and low-fat dairy products.

Allowable marketing activities that promote healthful behaviors include vending machine covers promoting water; pricing structures that promote healthy options in á la carte lines or vending machines; sales of fruit for fund-raisers; and coupons for discount health and fitness memberships.

Vending Machines

Vending machines may be located on school campuses.

Vending machines will only dispense foods that meet nutrition standard guidelines as set forth by the Arizona Department of Education Child Nutrition Programs and the U.S. Department of Agriculture requirements for foods and beverages that are sold individually. Vending machines shall not compete with the District food service program.

Adopted: _____

LEGAL REF.:

A.R.S.

15-239

15-242

15-242.01 Arizona Healthy Schools Act (HB 2164)

15-341

15-342

15-1151

15-1152

15-1153

15-1154

15-1155

15-1157

15-1158

15-1251

A.A.C.

R9-8-701 et seq.

42 U.S.C. 17751 et seq.

42 U.S.C. 1771 et seq.

7 CFR Part 210

7 CFR Part 215

7 CFR Part 220

7 CFR Part 245

Public Law 111-296, Healthy, Hunger-Free Kids Act of 2010 Sec. 205 -

Equity in School Lunch Pricing

USFR, Section X, Appendix F Food Service Fund

Richard B Russell National School Lunch Act 42 U. S. C. 1751 et seq.

Child Nutrition Act of 1966 42 U.S.C. 1771 et seq.

CROSS REF.:

GDN - Supervision of Support Staff Members

JL - Student Wellness

EF-RA ©

REGULATION

FOOD SERVICES

District and school administrators will work together to provide a safe, accessible and compliant food service program and shall observe the following directives in operating the food services programs.

Meals in Sschools.

Each school shall:

- A. Provide meals at a reasonable price and accordingly shall use state allocated food services funds to supplement federal funds as a means of keeping prices within reach of paying students.
- B. Encourage students to participate in each school's meal program while still allowing meals to be brought from home.
- C. Provide modified meals, upon a ~~physician's written~~ request, for students with food allergies or other special food dietary needs. ~~(The allergies would be of a life threatening or severe reaction nature.)~~
- D. Provide any student with a 504 Plan accommodations for food allergies or other special dietary needs based on Section 504 of the Rehabilitation Act.

Menu.

Each school that includes grades kindergarten (K) through eight (8) shall:

Ensure that nutritious foods are available as an affordable option whenever food is sold or served and that Foods of Minimal Nutritional Value (FMNV) as defined by United States Department of Agriculture (USDA) and the Arizona Department of Education (ADE) are prohibited. This includes all food and beverages sold and/or served to students at school during the normal school day exclusive of school parties.

Each school that includes grades nine (9) through twelve (12) are:

Prohibited from the sale of FMNV in the dining, serving, and kitchens areas during breakfast and lunch periods.

Each school, (kindergarten [K] through twelve [12]) shall inform families, upon request, about the ingredients and nutritional value of the foods served.

Competitive ~~F~~foods–

Competitive foods mean any foods sold in competition with the National School Breakfast and Lunch Program to students during the meal periods. The principal may approve the sale of competitive foods if:

- A. All income from the sale of such foods accrue to the benefit of:
 - 1. The nonprofit school food service; or
 - 2. The school or student organizations approved by the District.
- B. They are sold in locations other than the dining, serving, and kitchen areas.
- C. The school promotes an overall school environment that encourages students to make healthy food choices.
- D. The competitive foods meet the state nutrition standards.

Pricing, ~~P~~osting, and ~~E~~xpenses–

The school meal program must be nonprofit. Pricing for student meals shall be established considering market share, creation and loss of revenue and shall be reviewed and adjusted periodically as necessary. The District in compliance with Section 205 of the Healthy, Hunger-Free Kids Act of 2010, shall provide the same level of support for lunches served to students who are not eligible for free or reduced-price lunches as they are for lunches served to students eligible for free lunches. Revenue generation should not take precedence over the nutritional needs of students. Prices for adult meals and catering shall be reviewed periodically and shall reflect direct cost of operations. Revenues received are to be used only for the operation or improvement of the program.

Schools shall ensure that:

- A. The sale price of any food items sold including a reimbursable meal shall be posted in the dining area.
- B. School meal program facilities used by outside organizations or individuals must have approval from the school principal or food service supervisor.
- C. If outside organizations or individuals use the food service facilities, a qualified staff member must be on duty.
- D. All food items and/or consumable supplies purchased through the food service program and all labor used for a special meal function must be reported. The sponsoring agency must be billed for the food, labor and other costs of the special function. All special meal functions must operate on a self-sustaining basis.

E. Each person who eats a school meal must pay the regular price for the meal with two (2) exceptions:

1. Students who have an approved free or reduced-price income application on file for the current school year.
2. Food service employees who are paid from school lunch funds.

F. No person is permitted to take food or garbage from the food service program for personal use.

Training

The school meal program director/supervisor will develop ongoing in-service and staff development training opportunities for staff in the area of food safety, nutrition, and customer service.

Eligibility

Principals will ensure that families are aware of need-based programs for free or reduced-price meals and encourage eligible families to apply. The confidentiality of students and families applying for or receiving free or reduced-priced meals shall be maintained.

Dining Environment

Principals shall ensure that students and staff have adequate space to eat meals in pleasant surroundings and shall have adequate time to eat, relax, and socialize. Safe drinking water and convenient access to facilities for hand washing and oral hygiene shall be available.

Student Workers

Students shall be allowed to assist with meal preparation and service if mutually agreeable between the parent, teacher, and food service staff. Student workers must receive documented food safety and sanitation training.

Denial of Meals as Disciplinary Action

School personnel shall not withhold food from students as punishment. Disciplinary action, which indirectly results in the loss of meals, is allowable (such as suspension from school). Any student attending school, who is not allowed to eat in the cafeteria for disciplinary reasons, shall have a reimbursable meal made available to them.

Feeding Senior Citizens–

The District may enter into an agreement to provide meals for persons sixty (60) years of age or older and their spouses, or any group of such persons.

Student, Parent, Teacher and Community Involvement–

The District shall promote activities to involve student and parents in the food/nutrition program. Activities may include menu planning, enhancement of the eating environment, program promotion and related student-community support activities. Schools are encouraged to use the school meal program to teach students about good nutrition practices. School faculties and the general community should be involved in activities to improve the overall acceptability of the food service program. Each school should welcome and encourage parents to eat with students.

Recordkeeping–

The District must keep complete and accurate records of the school meal program to serve as a basis for claims for reimbursement and for audit and review purposes. All records and tickets must be kept in accordance with the National School Lunch Program and School Breakfast Program State Guidance Manual.

Safety Inspections–

The District is required to obtain a minimum of two (2) food safety inspections each school year.

Other Food Sales–

Food sales by student or adult entities or organizations shall be permitted provided these sales ensure optimum student participation in the school meals program and are in compliance with state and federal regulations.

When meals or snacks are offered to students in organized after-school education or enrichment programs, they should be provided by the food services program.

EF-RB ©

REGULATION

FOOD SERVICES

Free and reduced-price meals will be provided to all eligible students. The District shall have an approved free and reduced-price policy statement on file at the Arizona Department of Education.

The supervisor of the school meal program is designated to determine which individual children are eligible for free or reduced-price meals and to ensure compliance with all policies, rules and regulations of the United States Department of Agriculture and the Arizona Department of Education.

In providing free and reduced-price meals, the District shall:

Provide for public announcements. Near the beginning of the school year, an announcement must be made to notify the public of the availability of the National School Lunch Program (NSLP), the School Breakfast Program (SBP), the School Milk Program (SMP), and the Food Commodity Program (FCP). The notice must include the eligibility criteria for reduced-price meals and/or milk. The public news release will be provided to the local news media. The District shall submit a public/press release to local employment offices and major employers contemplating layoffs in the attendance area of the school. Copies of the public release shall be made available upon request to any interested party.

Send notices to households (Parent Letter). A letter or notice informing households about the availability of the school meal program is to be distributed at the beginning of each school year.

The letter must state the option of free and reduced-price benefits. An application form must be distributed to all households of children in attendance at the school who were not determined eligible through Direct Certification match results or from the migrant/homeless/runaway list. The application should not be distributed earlier than July 1, or no more than thirty (30) calendar days prior to the beginning of the school year, whichever is later. New students enrolling in school after the school year begins must be provided a letter/notice and application form when they enroll.

Applications for free or reduced-price meals programs shall be available to students at all times during the regular school day.

Provide for Foreign Language Translations. In schools where a significant number or proportion of the population eligible to be served needs information in a language other than English, the District must make reasonable efforts, considering the size and concentration of such population, to send appropriate non-English language household letters/notices and application forms to such households. Schools will provide households with assistance in completing applications through the use of foreign language personnel.

Enforce Confidentiality/Disclosure of Eligibility. All procedures shall ensure that names of children eligible to receive free or reduced-price meals shall not be published, posted, or announced in any manner. Information such as family size, income and social security numbers shall remain confidential and shall not be disclosed for any unauthorized purpose. No individual indicators of participation shall be maintained in the permanent record of any student not otherwise allowed by law.

Disclosure may be made of aggregate information, such as the number of children eligible for free or reduced-price meals, to any program or individual. Aggregate information shall not identify children.

Ensure Nondiscrimination Practice. There shall be no overt identification of any eligible children by use of special tickets, special tokens, serving lines, separate entrances, separate dining areas, or by any other means. When more than one (1) lunch, breakfast or type of milk is offered, the children shall have the same choice of meals that is available to those children who pay the full price. Children shall not work for their meal unless other children are required to do so as part of their educational training.

No child shall be discriminated against because of race, color, national origin, religion, age, sex or disability.

Parents/guardians who appeal the challenge of decisions on applications and school officials' challenges to the correctness of information contained in an application or of continued eligibility of any students for free or reduced-price meals shall have a fair hearing. During an appeal and hearing, the student will continue to receive free or reduced-price meals.

ADVISORY 944

~~EFC ©~~
~~FREE AND REDUCED PRICE~~
~~FOOD SERVICES~~

~~Upon Board approval, the District shall enter into an agreement with the Arizona Department of Education to participate in the National School Lunch Program and School Breakfast Program and to receive commodities donated by the United States Department of Agriculture.~~

~~The Superintendent shall develop procedures with respect to determining eligibility of children for free and reduced price meals which follow federal regulations and state guidelines.~~

Adopted: _____

LEGAL REF.:

A.R.S.

~~15-242~~

~~15-1151~~

~~15-1152~~

~~15-1153~~

~~15-1154~~

~~15-1155~~

~~15-1157~~

~~15-1158~~

~~15-1251~~

~~Arizona Department of Education: The Arizona Nutrition Standards Administrative Regulations, USFR, Section VI, Food Services~~
~~Richard B Russell National School Lunch Act 42 U. S. C. 1751 *et seq.*~~
~~Child Nutrition Act of 1966 42 U.S.C. 1771 *et seq.*~~

CROSS REF.:

~~GDN—Supervision of Support Staff Members~~

~~JL—Student Wellness~~

~~EFC-R ©~~

REGULATION

~~FREE AND REDUCED PRICE
FOOD SERVICES~~

~~Free and reduced price meals will be provided to all students who are eligible. The District shall have an approved free and reduced price policy statement on file at the Arizona Department of Education.~~

~~The supervisor of the school meal program is designated to determine which individual children are eligible for free or reduced price meals and to ensure compliance with all policies, rules and regulations of the United States Department of Agriculture and the Arizona Department of Education.~~

~~In providing free and reduced price meals, the District shall:~~

~~**Provide for public announcements.** Near the beginning of the school year, an announcement must be made to notify the public of the availability of the National School Lunch Program (NSLP), the School Breakfast Program (SBP), the School Milk Program (SMP), and the Food Commodity Program (FCP). The notice must include the eligibility criteria for reduced price meals and/or milk. The public news release will be provided to the local news media. The District shall submit a public/press release to local employment offices and major employers contemplating layoffs in the attendance area of the school. Copies of the public release shall be made available upon request to any interested party.~~

~~**Send notices to households (Parent Letter).** A letter or notice informing households about the availability of the school meal program is to be distributed at the beginning of each school year.~~

~~The letter must state the option of free and reduced price benefits. An application form must be distributed to all households of children in attendance at the school who were not determined eligible through Direct Certification match results or from the migrant/homeless/runaway list. The application should not be distributed earlier than July 1, or no more than thirty (30) days prior to the beginning of the school year, whichever is later. New students enrolling in school after the school year begins must be provided a letter/notice and application form when they enroll.~~

~~Applications for free or reduced price meals programs shall be available to students at all times during the regular school day.~~

~~**Provide for Foreign Language Translations.** In schools where a significant number or proportion of the population eligible to be served needs information in a language other than English, the District must make reasonable efforts, considering the size and concentration of such population, to send appropriate non-English language household letters/notices and application forms to such households. Schools will provide households with assistance in completing applications through the use of foreign language personnel.~~

~~**Enforce Confidentiality/Disclosure of Eligibility.** All procedures shall insure that names of children eligible to receive free or reduced price meals shall not be published, posted, or announced in any manner. Information such as family size, income and social security numbers shall remain confidential and shall not be shared for any purpose. No individual indicators of participation shall be maintained in the permanent record of any pupil not otherwise allowed by law.~~

~~Disclosure may be made of aggregate information, such as the number of children eligible for free or reduced price meals, to any program or individual. Aggregate information shall not identify children.~~

~~**Ensure Nondiscrimination Practice.** There shall be no overt identification of any eligible children by use of special tickets, special tokens, serving lines, separate entrances, separate dining areas, or by any other means. When more than one (1) lunch, breakfast or type of milk is offered, the children shall have the same choice of meals that is available to those children who pay the full price. Children shall not work for their meal unless other children are required to do so as part of their educational training.~~

~~No child shall be discriminated against because of race, color, national origin, religion, age, sex or handicap.~~

~~Parents/guardians who appeal the challenge of decisions on applications and school officials' challenges to the correctness of information contained in an application or of continued eligibility of any students for free or reduced price meals shall have a fair hearing. During an appeal and hearing, the student will continue to receive free or reduced price meals.~~

ADVISORY 945

EFD ©
PRICING OF AND PAYMENT
FOR FOOD SERVICES

Meal Charges

The District shall maintain a meal charge program that minimizes identification of children with insufficient funds to pay for school meals and maintains the financial integrity of the District food service fund account. Further, the District shall abide by program regulation 7 CFR 245.5 by providing parents and guardians of all children who attend the school in the District information regarding the availability of reimbursable school meals and must be provided, in writing, information about applying for free or reduced-price meals.

Unpaid Meal Charges

The District shall make a reasonable effort to collect unpaid meal charges classified as delinquent debt. The District shall ensure that efforts to collect delinquent debt do not have a negative impact on the student involved. Such efforts shall focus primarily on the parents or guardians responsible for providing for the students' funds for meals. When the District determines that collection efforts for delinquent debt are useless or too costly, the debt must be reclassified as "bad debt" as defined in the National School Lunch Program.

Notification

The District will promote activities to involve students and parents or guardians in the school meal programs and inform families about the availability of all District meal programs. The District shall include students, families, and the school community in establishing and developing a communication plan for the District's meal charge policy that complements the public announcement of meal eligibility requirements in 7 CFR 245.5 and is consistent with the involvement required in 7 CFR 210.12.

Adopted: _____

LEGAL REF.:

A.R.S.

15-116

15-1153

15-1154

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

CROSS REF.:

JL - Student Wellness

ADVISORY 946

~~EFDA ©
COLLECTION OF MONEY /
FOOD TICKETS~~

~~Meal Charges~~

~~To ensure students receive the nutrition they need to stay focused during the school day the District shall maintain a meal charge program that minimizes identification of children with insufficient funds to pay for school meals and maintain the financial integrity of the District food service fund account. Further, the District shall abide by program regulation 7 CFR 245.5 by providing parents and guardians of all children who attend the school in the District information regarding the availability of reimbursable school meals and must be provided, in writing, information about applying for free or reduced price meals. The District will promote activities to involve students and parents or guardians in the school meal programs and inform families about the availability of all District meal programs. The District shall include students, families, and the school community in establishing and developing a communication plan for the District's meal charge policy that complements the public announcement of meal eligibility requirements in 7 CFR 245.5 and is consistent with the involvement required in 7 CFR 210.12.~~

~~**(NOTE (To be removed with adoption of Policy):** ASBA offers the following language. However the guidance presented by the USDA provides for local districts to establish direction related to meal charges within the parameters of language found in USDA Memo Code SP 46-2016, SP 47-2016, and SP23-2017 Districts may approve and implement the following language or establish local language the meets conditions presented by USDA)~~

~~The District provides the following regarding meal charges:~~

- ~~A. For all types of reimbursable meals, students in grades up to and including eighth (8th) grade are allowed to charge up to three (3) meals.~~
- ~~B. A student in grades up to and including eighth (8th) grade who has reached the limit of three (3) charged meals will be provided an alternative meal.~~
- ~~C. Students in grades nine (9) through twelve (12) may not charge meals.~~
- ~~D. No lunch charges will be allowed under any circumstances during the last ten (10) days of the school year.~~

~~At least one (1) advance written warning communication shall be given to the student and parent/guardian prior to providing additional meals beyond the conditions established by the District. The written communication shall explain the procedure should the student not have sufficient funds to pay for a meal.~~

~~The District shall make a reasonable effort to collect unpaid meal charges classified as delinquent debt. The District shall ensure that efforts to collect delinquent debt do not have a negative impact on the student involved. Such efforts shall focus primarily on the parents or guardians responsible for providing for the student's funds for meals. When the District determines that collection efforts for delinquent debt are useless or too costly, the debt must be reclassified as "bad debt" as defined in 2 CFR 200. 426. Bad debt must be written off as operating loss. However, "bad debt" must be restored using non-federal funds. Delinquent meal charges that are converted to "bad debt" must be recorded and maintained in accordance with record retention requirements in 7 CFR 210.9(b)(17) and 7 CFR 210.15(b).~~

Adopted: _____

~~LEGAL REF.:~~

~~The Child Nutrition Act (42 U.S.C. 1771 *et seq.*)~~

~~CROSS REF.:~~

~~JL Student Wellness~~

ADVISORY 947

~~EFF ©~~
~~COMPETITIVE FOOD SALES /~~
~~VENDING MACHINES~~

~~Vending Machines~~

~~Vending machines may be located on school campuses.~~

~~Vending machines will only dispense foods that meet nutrition standard guidelines as set forth by the Arizona Department of Education Child Nutrition Programs and the U.S. Department of Agriculture requirements for foods and beverages that are sold individually. Vending machines shall not compete with the District food service program.~~

~~Competitive Food Sales~~

~~Competitive food sales and marketing will be consistent with nutrition education and health promotion. As such, schools will limit food and beverage marketing to the promotion of foods and beverages that meet nutrition standards for meals or for foods and beverages sold individually. School-based marketing of Foods of Minimal Nutritional Value (FMNV) is prohibited. The promotion of healthy foods, including fruits, vegetables, whole grains, and low-fat dairy products is encouraged.~~

~~Allowable marketing activities that promote healthful behaviors include vending machine covers promoting water; pricing structures that promote healthy options in à la carte lines or vending machines; sales of fruit for fund-raisers; and coupons for discount health and fitness memberships.~~

~~Adopted: _____~~

~~LEGAL REF.:~~

~~A.R.S.~~

~~15-242 Nutrition Standards~~

~~The National School Lunch Act (42 U. S. C. 1751 *et seq.*)~~

~~—and the Child Nutrition Act (42 U.S.C. 1771 *et seq.*), as amended.~~

~~CROSS REF.:~~

~~JL—Student Wellness~~

~~LC—Relations with Education Research Agencies~~

ADVISORY 948

~~EG ©~~
OFFICE SERVICES

~~All offices in the District shall be open during the school year from 8:00 a.m. until 5:00 p.m., Monday through Friday, except during holidays and as otherwise stipulated by the Superintendent. Hours of the working day shall be assigned by supervisors.~~

Adopted: _____

~~LEGAL REF.:~~

~~Arizona Constitution, Article 18, Section 1~~

ADVISORY 949

**EGAD ©
COPYRIGHT COMPLIANCE**

~~School equipment and personnel cannot be used for any printing work for Parent Teacher Association (P.T.A.) or for professional, charitable, or character building organizations. The only exception to this policy is when an individual school duplicates notices of the parent group meetings directly connected with a specific activity in the school.~~

~~The District does not condone violations of the United States copyright law. Subject to certain specific exceptions, the owner of a copyright has the exclusive rights to reproduce, distribute, perform, or display the copyrighted work, or to authorize such reproduction, distribution, performance, or display by others.~~

~~An exception to the exclusive rights enjoyed by copyright owners is the doctrine of fair use. The fair use of a copyrighted work for purposes of teaching, scholarship, or research is not an infringement of copyright. All of the following factors shall be considered in determining fair use:~~

Copyrighted materials shall be used solely for educational purposes and in accordance with applicable laws and recognized fair use guidelines.

To determine whether the use of a work constitutes fair use, the following factors shall be considered:

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

~~A further exception shall be performance or display of a work by instructors or students in the course of face-to-face teaching activities in a classroom or other similar place devoted to instruction.~~

Adopted: _____

LEGAL REF.:

17 U.S.C. 101 *et seq.*

ADVISORY 950

**EGAE ©
MAIL AND DELIVERY SERVICES**

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

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

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

The Superintendent may establish procedures for implementation of this policy.

Adopted: _____

ADVISORY 951

**EGAEA ©
ELECTRONIC MAIL**

Appropriate Use

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

Board members, officers and employees may create electronic records subject to public disclosure through the use of e-mail on their private computers or borrowed computers when communicating about school business-related issues. All business-related electronic communications by Board members, officers and employees are to be turned over to the school records office to be sorted and have their value as a record determined.

Record Keeping System

For ~~these~~ the reasons stated above, a record keeping system for electronic communications shall be established in which those types of electronic communications:

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

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

- ~~A. A repository for electronic communications shall be established at the direction of the Superintendent.~~
- ~~B. All school business related communications, including communications from private computers used by School Board members, officers and employees shall be segregated to a file folder and then to a location designated by the District so that these records may be maintained and inspected by any person upon request, unless the materials are otherwise made confidential by law.~~
- ~~C. The determination of record status shall be on the same basis as is used for paper records.~~

~~D. Once the communication is transferred to the records maintenance location and into the recordkeeping system the original electronic version may be deleted. The version maintained in the proper recordkeeping system is the official copy and must be retained for the same period as required for other forms of the same record series.~~

~~E. A retrieval system for electronic mail and data transmitted with mail shall be established that will permit reasonable access to the records with a minimum of effort, identifying the recipient and the sender.~~

Adopted: _____

LEGAL REF.:

A.R.S.

15-141

15-142

15-186

15-241

15-350

15-537

15-551

15-828

15-843

15-1041 et seq.

~~38-431-01 et seq.~~

39-101

39-121 et seq.

41-151 et seq.

~~41-1343~~

A.G.O.

I05-004

~~General Retention Schedule for All State Agencies and Political Subdivisions
— for Records Received via E-mail~~

ASLAPR General Retention Schedule for School Districts and
Charter Schools

20 U.S.C. 1232g Family Educational Rights and Privacy Act

CROSS REF.:

~~BDF - Advisory Committees~~

BEDH - Public Participation and News Media Services at Board Meetings

BHC - Board Communications

~~BHD - Board Communications with the Public~~

CFD - School-Based Management (School Councils)

EGD - Use of Technology in Office Services

EHB - Data/Records Retention (Records Management)

EGAEA-R ©

REGULATION

ELECTRONIC MAIL

Guidelines

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

A. A repository for electronic communications shall be established at the direction of the Superintendent.

B. All school business-related communications, including communications from private devices and accounts used by School Board members, officers and employees, shall be segregated to a file folder and then to a location designated by the District, for public record administration.

C. The determination of record status shall be on the same basis as is used for paper records.

D. Once the communication is transferred to the records maintenance location and into the recordkeeping system the original electronic version may be deleted. However, the District should ensure the preservation of the record's original metadata insofar as possible. The version maintained in the proper recordkeeping system is the official copy and must be retained for the same period as required for other forms of the same record series.

E. A retrieval system for electronic mail and data transmitted with mail shall be established that will permit reasonable access to the records identifying the recipient and the sender.

ADVISORY 952

**EGD ©
USE OF TECHNOLOGY IN
OFFICE SERVICES**

**Electronic Information Systems
(EIS)**

Electronic information systems ~~communications~~ (including communications and records made with other software and sent in e-mail) which are sent or received by the Board or District employees pertaining to the business of the school may be subject to public disclosure and inspection as public records and discovery in litigation as evidence ~~in support of a claim~~.

Open Meeting Law

~~All~~ A Governing Board member shall review the Open Meeting Law materials at least one (1) day before the day he/she takes office. It is recommended that Board members and selected staff are encouraged to participate in Open Meeting Law (OML) and Public Records Law training within the first thirty (30) days after becoming a member of the Board or the date of employment, as is applicable.

~~In order to encourage the Board, individual Board members, staff communicating with or on behalf of the Board and members of councils/committees of the Board~~ To comply with the requirements of the OML and Public Records Law, the following guidelines shall be followed:

Guidelines:

- A. E-mail or any other electronic messaging service shall not be used as a substitute for deliberations at Board meetings or for other communications or business properly confined to Board meetings.
- B. E-mail or any other electronic messaging service may be used to disseminate factual information, such as agenda packet, suggestions for public agenda items and reminders regarding committee meeting times, dates and places.
- C. Confidential information about employees, students or other Board members shall not be included in e-mail communications due to the risk of improper disclosure.
- D. Should electronic devices be utilized for participation or attendance at public meetings, the public in attendance including media representatives shall have the same access to the electronic input as the Governing Board members.
- E. The Arizona Attorney General recommends including the following statements shall notice be used on all Board member and staff electronic communications advising Board members of potential OML consequences:

Superintendent and Staff: "To ensure compliance with the Open Meeting Law, [Board member] recipients of this message should not forward it to other Board members of the public body. ~~nor should Board members~~ Members of the public body may reply to this message, but they should not send a copy of the reply to other members."

Board Members: "To ensure compliance with the Open Meeting Law, recipients of this message should not forward it to other board members and board members should not reply to this message."

Although the OML does not require this notice, such notification may serve as a helpful reminder to board members that they should not discuss or deliberate through e-mail.

F. Board members shall ~~communicate~~ use electronic communications with staff members and the public by following procedures established in policy.

~~Records Retention:~~

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

Compliance

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

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

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

Adopted: _____

LEGAL REF.:

A.R.S.

38-431.01 *et seq.*

39-101

<i>Note:</i> This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.
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39-121 *et seq.*

41-151.11

~~41-1343~~

A.G.O.

I05-004

ASLAPR General Retention Schedule for School Districts and
Charter Schools

~~General Retention Schedule for School Districts and Charter Schools—
Electronic Communications and Social Networking Records~~

20 U.S.C. 1232g Family Educational Rights and Privacy Act

CROSS REF.:

~~BDF—Advisory Committees~~

BEDH - Public Participation and News Media Services at Board Meetings

BHC - Board Communications ~~with Staff Members~~

~~BHD—Board Communications with the Public~~

CFD - School-Based Management (School Councils)

EGAEA - Electronic Mail

EHB - Data/Records Retention (Records Management)

EHB-R - Data/Records Retention (Records Management Program)

ADVISORY 953

**EHB ©
DATA / RECORDS RETENTION**

(Records Management)

Management

The Arizona State Library, Archives and Public Records (ASLAPR) has adopted records management standards for the maintenance and storage of school District's public records, which standards provide for the maintenance and storage of records either on paper or in an electronic format, or a combination of paper and electronic format.

All required records and any other records that are deemed necessary or helpful will be prepared in a manner consistent with law and the requirements of the Uniform System of Financial Records (USFR). An administrative records management program approved by the Governing Board shall be established and maintained, and copies of retention schedules shall be submitted to the ASLAPR. ~~Records management standards adopted by the ASLAPR for the maintenance and storage of the District's public records provides for the maintenance and storage of records either on paper or in an electronic format, or a combination of paper and electronic format.~~

Governing Board and Staff

The Governing Board is the custodian of the official copies of all records, required or optional, and the Superintendent shall be responsible for protecting such records on behalf of the Board. As a part of the records management program, the Superintendent may assign management responsibilities to other employees by naming the employee positions and a general description of the records assigned to their ~~jurisdiction~~ supervision.

Each Board member or staff member computer user shall segregate or store electronic communications pertaining to the business of the District to or from members of the Board or staff to a file folder and then to a location designated by the District so that these records may be administered as public records.

Adopted: _____

LEGAL REF.:

A.R.S.

15-271

15-272

15-341

23-721

23-926

23-962

38-421

38-423

38-424

39-101

39-103

39-121

~~41-1346~~ *et seq.*

44-1373

A.A.C.

R7-2-803

USFR

ASLAPR General Retention Schedule for School Districts
and Charter Schools

EHB-R ©

REGULATION

DATA / RECORDS RETENTION

(Records Management Program)

Records shall be prepared and managed as outlined below.

Business and Financial Records

Management of the following records is the responsibility of the ~~business manager~~ Superintendent:

- A. Annual District budget.
- B. Audit reports.
- C. Financial statements.
- D. Capital levy plan.
- E. Bids.
- F. Contracts (except employment).
- G. Deeds.
- H. Leases/lease purchases.
- I. Inventory (history records of general fixed assets).
- J. Records identified in the Uniform System of Financial Records.

Other District Records

The current year's records will be kept in the District administration office. When it is practical to do so, but no later than during the second immediate past year, all paper records will be grouped, bundled together, and labeled, with the disposal date noted on the label. Records created and/or maintained in an electronic format will be preserved in a manner approved by the Records Management Division of the Arizona State Library, Archives and Public Records (ASLAPR). Retention periods noted will refer to the number of years after the end of the fiscal year in which the records were made or superseded, as specified in the General Retention Schedules for School Districts and Charter Schools.

Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

Retention Requirements

All records shall be managed in compliance with the requirements of the Records Management Division of the Arizona State Library, Archives, and Public Records (ASLAPR). Due to the ongoing process by the ASLAPR to revise existing and add new retention schedules for school districts and charter schools, the current point-in-time status of records retention requirements must be confirmed prior to determining disposition of the subject records by accessing the General Retention Schedule for School Districts and the Standards and Guidelines for Electronic Records available on the ASLAPR website at: [Retention Schedules, Forms, Standards, Guidance and FAQs | Arizona State Library \(azlibrary.gov\)](https://azlibrary.gov/RetentionSchedulesFormsStandardsGuidanceFAQs) and [frequently asked questions schools 10-19-2015.pdf \(azlibrary.gov\)](https://azlibrary.gov/frequently-asked-questions-schools-10-19-2015.pdf)

Transportation Employees Retention Requirements for Alcohol and Controlled Substances Testing

The District shall maintain Transportation employee records of alcohol and controlled substances misuse and prevention programs in a secure location with controlled access. Specific requirements regarding these records should be implemented according to all applicable state and federal law.

ADVISORY 954

**FA ©
FACILITIES DEVELOPMENT GOALS /
PRIORITY OBJECTIVES**

Priority in the development of facilities shall be based on identified educational needs and on programs developed to meet those needs.

The Board establishes these broad goals for development:

- A. To integrate facilities planning with other aspects of planning in a comprehensive educational program.
- B. To base educational specifications for school buildings on identifiable learner needs.
- C. To design for sufficient flexibility to permit program modification or the installation of new programs.
- D. To design school buildings as economically as feasible, providing that learner needs are effectively and adequately met by the design.
- E. To involve the community, school staff members, available experts, and the latest in related current development and research in building plans and specifications.
- F. To analyze life-cycle costs as they compare with capital expenditures versus a maintenance and operations expense projection.
- G. To analyze the core facility as it relates to future expansion.
- H. To design school buildings for community use when feasible.

Adopted: _____

LEGAL REF.:

A.R.S.

15-341

15-342

~~15-2002 et seq.~~

~~15-2031~~

41-5711

15 U.S.C. 2643

ADVISORY 955

FCB ©
**RETIREMENT OF FACILITIES
CLOSING A SCHOOL FACILITY:
PROCESS, SALE, LEASE**

~~(Closing a School Facility)~~

~~If it is determined the Board needs to consider closing a school facility the Board may consult with the Arizona School Facilities Board (SFB) for technical assistance and for information on the impact of closing a school. The information provided from the SFB shall not require the Board to take or not take any action.~~

The Board recognizes the impact closing a school has on the community, the students who attend the school being considered, the projected impact on other schools in the District, and the District. ~~In response the Board shall discuss and consider a proposed school closing at a scheduled Board meeting. The Superintendent shall present at a Board meeting demographic data related to present and future school facility needs along with information related to a school closing.~~

Process:

A. Provide written notice to the parents or guardians of all students enrolled in the School District at least ten (10) days before a public meeting to discuss closing a school within the School District. The notice shall include the reasons for the proposed closure and the time and place of the meeting.

B. The Governing Board shall fix a time for a public meeting on the proposed closure not less than ten (10) days before voting in a public meeting to close the school. The School District Governing Board shall give notice of the time and place of the meeting.

C. At the time and place designated in the notice, the School District Governing Board shall hear reasons for or against closing the school.

The above process is required unless the Governing Board determines that a school shall be closed because it poses a danger to the health or safety of the students or employees of the school.

If it is determined the Board needs to consider closing a school facility, the Board may consult with the Department of Administration – Division of School Facilities for technical assistance and for information on the impact of closing a school. The information provided by the Division of School Facilities within the Department of Administration shall not require the Board to take or not take any action.

Decision to Sell or Lease

Following a decision to sell or lease a vacant ~~and unused~~ building or a ~~vacant and unused portion of a~~ partially used building, the District may not prohibit a charter school or private school from negotiating to buy or lease the property in the same manner as other potential buyers or lessees. The District shall attempt to obtain the highest possible value under current market conditions for the sale or lease of the vacant ~~and unused~~ building or ~~the vacant and unused portion of a~~ partially used building and may not accept an offer from a potential buyer or lessee that is less than an offer from a charter school or private school. This does not require the owner of a building to sell or lease the building or a portion of the building to a charter school, to any other school or to any other prospective buyer or tenant, except that the owner of a building may not withdraw the property from sale or lease solely because a charter school or private school is the highest bidder.

~~Community members shall be provided an opportunity to address the consideration at the Board meeting.~~

Definitions

Except as otherwise provided under A.R.S. 15-119(D), "partially used building" means a building with at least four thousand five hundred square feet (4,500 sq. ft.) of contiguous, unused space.

"Vacant building" means a building that has been vacant and unused for at least two (2) years.

Boundary Changes

The District shall follow policy and statutory requirements regarding possible boundary changes as a result of a school closure.

Adopted: _____

LEGAL REF.:

A.R.S.

15-119

~~15-189~~

15-341

38-431.01

CROSS REF.:

DN - School Properties Disposition

JC - School Attendance Areas

ADVISORY 956

**FEA ©
EDUCATIONAL SPECIFICATIONS
FOR CONSTRUCTION**

New School Facilities

The Governing Board may delegate authority in writing to the Superintendent to submit plans for new school facilities to the School Facilities Oversight Board for the purpose of certifying that the plans meet the minimum school facility adequacy guidelines prescribed in A.R.S. ~~15-2011~~ 41-5711.

**New or Remodeled
School Facilities**

In the construction of new or remodeled educational facilities, the Board may requires the Superintendent to develop a set of comprehensive educational specifications. In conferences with the architect, the following specifications ~~and statutory references shall~~ may be discussed for design inclusion:

- A. Information concerning the plan of school organization and estimated enrollment in the proposed building.
- B. ~~A description of the proposed curriculum and the teaching methods and techniques to be employed.~~
- C. A schedule of space requirements, including an indication of relative locations of various spaces.
- D. ~~A desired layout of special areas and the equipment needed for such areas.~~
- E. ~~An outline of mechanical features and special finishes desired.~~
- C. F. Standards established by the School Facilities Oversight Board.

Adopted: _____

LEGAL REF.:

A.R.S.

15-213

15-341

~~15-2001 et seq.~~

~~15-2011~~

34-461

41-1492 et seq.

41-5711

41-5741

20 U.S.C. 1400 et seq., Individuals with Disabilities Education Act

29 U.S.C. 794, Rehabilitation Act, (Section 504)

42 U.S.C. 12101 et seq., The Americans with Disabilities Act

ADVISORY 957

**FF ©
NAMING FACILITIES**

In naming facilities, the District will consider names derived from significant geographic locations, historical events, or events of community significance, as well as worthy deceased individuals who:

- A. Have made unique contributions to the District; and
- B. Have been deceased for at least ten (10) years.

The District may consider community feedback in this process.

In this policy, the word *facility* refers to any school building, administration building, gymnasium, stadium, athletic field, or playground.

Adopted: _____

ADVISORY 958

**GBEB ©
STAFF CONDUCT**

All employees of the District are expected to conduct themselves in a manner consistent with effective and orderly education and to protect students and District property. No employee shall, by action or inaction, interfere with or disrupt any District activity or encourage any such disruption. No employee, other than one who has obtained authorization from the appropriate school administrator, shall carry or possess a weapon on school grounds. All employees shall at all times attempt to maintain order, abide by the policies, rules, and regulations of the District, and carry out all applicable orders issued by the Superintendent.

Potential consequences to employees of the District who violate these rules may include, but are not limited to:

- A. Removal from school grounds.
- B. Both civil and criminal sanctions, which may include, but are not limited to, criminal proceedings under Title 13, Chapter 29, Arizona Revised Statutes.
- C. Warning.
- D. Reprimand.
- E. Suspension.
- F. Dismissal.
- G. Having consideration given to any such violations in the determination of or establishment of any pay or salary in later contracts or employment, if any.

**~~Reporting Suspected
Crimes or Incidents~~**

~~Staff members are to report any suspected crime against a person or property that is a serious offense, involves a deadly weapon or dangerous instrument or that could pose a threat of death or serious injury and any conduct that poses a threat of death or serious physical injury to employees, students or others on school property. All such reports shall be documented and communicated to the Superintendent who shall be responsible for reporting to local law enforcement. Conduct that is considered to be bullying, harassment or intimidation shall be addressed according to Policy JICK as required in A.R.S. 15-341(A)(36).~~

~~The school district or charter school is to notify the parent or guardian of each student who is involved in a suspected crime or any conduct that is described above, subject to the requirements of federal law.~~

~~On or before January 1, 2020, the District shall post the policies and procedures pertaining to "Reporting Suspected Crimes or Incidents" on its website as the Department of Education shall develop a process to verify that each school district has adopted the required policies and procedures by this date.~~

~~If the District maintains an online Manual of policies and procedures, the District may post a link to that manual with a reference to the appropriate policies and procedures.~~

~~A person who violates the reporting requirements may be disciplined for violating the policies of the School District Governing Board pursuant to A.R.S. 15-341 and notwithstanding A.R.S. 15-341, may be subject to dismissal. Each school district governing board shall prescribe and enforce policies and procedures that require the School District to maintain a record on any person who is disciplined pursuant to this policy and, on request, shall make that record available to any public school, school district governing board or charter school governing body that is considering hiring that person.~~

~~A person who is employed by the School District or is an applicant for employment with the School District, who is arrested for or charged with any nonappealable offense listed in section 41-1758.03, subsection B and who does not immediately report the arrest or charge to the person's supervisor or potential employer is guilty of unprofessional conduct and the person shall be immediately dismissed from employment with the School District or immediately excluded from potential employment with the School District. A person dismissed from employment for failure to report being arrested for or charged with a nonappealable offense has no right to appeal under the provisions of A.R.S. 15-539, subsection F. Prior to an action to terminate for failure to report, an employee will be given the opportunity to provide a written explanation of circumstances or events which they believe mitigate the failure to report.~~

Use of Physical Force by Supervisory Personnel

Any administrator, teacher, or other school employee entrusted with the care and supervision of a minor may use reasonable and appropriate physical force upon the minor to the extent reasonably necessary and appropriate to maintain order. Similar physical force will be appropriate in self-defense, in the defense of other students and school personnel, and to prevent or terminate the commission of theft or criminal damage to the property of the District or the property of persons lawfully on the premises of the District.

The threat or use of physical force is not justified as a response to verbal provocation alone, nor when the degree of physical force used is disproportionate to the circumstances or exceeds that necessary to avoid injury to oneself or to others or to preserve property at risk.

Adopted: _____

LEGAL REF.:

A.R.S.

~~13-2911~~

13-3102

13-3111

13-3411

~~15-153~~

~~15-341~~

~~15-342~~

15-507

15-509

15-511

15-512

15-514

15-539

15-550

38-531

38-532

~~41-770~~

41-1758.03

A.A.C.

R7-2-205

CROSS REF.:

GCF - Professional Staff Hiring

GCMF - Professional Staff Duties and Responsibilities

GCO - Evaluation of Professional Staff Members

JIC - Student Conduct

JK - Student Discipline

KFA - Public Conduct on School Property