

SECTION IV

ADMINISTRATIVE SERVICES

DISTRICT GOAL

The goal of the House Municipal School District is to provide safe facilities conducive to learning through a continuing commitment to preventive maintenance and a sustained commitment to meet needed construction requirements.

4.1. DIVISION OF ADMINISTRATIVE SERVICES

Administrative Services includes all activities related to Business and Finance, Technology Support Services, Student Nutrition/Support Services, Operations/Transportation, and Athletics. The Superintendent of Schools is directly accountable for the supervision and administration of these services.

4.2. TECHNOLOGY SUPPORT SERVICES

The purpose of Technology Support Services is to support all units, schools and programs in the District in their use of approved technology for productivity, research and academic instruction.

The direct supervision for these services will be the responsibility of the Superintendent. Technology Support Service requirements will be reviewed periodically for changes in priorities.

Responsibilities for Technology Support Services include, but are not limited to:

1. supervision of Technology Support Services personnel;
2. communication with the Public Education Department regarding data submission, various technology programs and funding; and
3. establishing and maintaining technology processes, procedures and standards between Technology Support Services and other departments and school sites within the District.

4.2.1. DATA

Technology Support Services is responsible for the infrastructure support to maintain and backup all relevant and critical student, financial and institutional data. The data involved includes, but is not limited to:

1. attendance;
2. student records and testing results;

3. personnel information;
4. instructional information;
5. accounting and purchasing;
6. NM Accountability Data System submissions; and
7. Website information.

It is not the intent of Technology Support Services to input data, ensure accuracy, or maintain any particular component/variable of a school's or department's data. It is the responsibility of TSS to attempt to provide communication services between data storehouses for purposes of daily, weekly or other scheduled synchronization.

4.2.2. SUPPORT

It is the responsibility of TSS to provide support services to all district units in maintaining a productive technology infrastructure including: desktop workstation support, server maintenance and support, software application viability and installation, user and password creation on applicable systems, and network infrastructure, maintenance and upgrades.

4.2.3. SECURITY

It is the responsibility of TSS to provide secure measures to all technology access and data warehouses from potential infiltration, theft, vandalism and loss. This includes policies and infrastructure to prevent unlawful entrance and transmission of District resources and data and protect from viruses, power abnormalities and other natural or man made occurrences.

4.2.4. TRAINING

Where possible and cost effective, TSS will provide or coordinate training to staff regarding technology use and integration in productivity and academic instruction.

4.2.5. TECHNOLOGY ACCEPTABLE USE POLICY FOR SCHOOL EMPLOYEES

(See following pages)

TECHNOLOGY ACCEPTABLE USE POLICY FOR SCHOOL EMPLOYEES

PURPOSE

The purpose of this policy is to provide the procedures, rules, guidelines and code of conduct for the use of technology and the information network in the House Municipal School District. Use of such technology is a necessary element of the School District educational mission, but is furnished to staff and students as a privilege, not a right. The School District seeks to protect legitimate users of technology by establishing limits on such use and sanctions for those who abuse the privilege. Eliminating computer abuse provides more computing resources for users with legitimate needs.

SUMMARY

Public technologies such as desktop computers, servers, electronic mail, Internet access, and any other form of electronic communication are provided as a service by the House Municipal School District , (hereinafter referred to as “HMSD”), to teachers, staff, and administrators (hereinafter referred to as employee) at their respective locations. Use is a privilege, not a right. Employees should be good citizens; they must refrain from activities that annoy others or disrupt the educational experiences of their peers. The employee is ultimately responsible for his/her actions in accessing the above listed services. Failure to comply with the regulations below and in the HMSD Board Policy Manual may/will result in loss of access privileges and/or appropriate disciplinary action. Severe violations may result in civil or criminal action under the New Mexico Revised Statutes or Federal Law.

OWNERSHIP

All hardware, software, voice-mail, electronic mail, and any other stored documents or data on a retrievable medium including, but not limited to floppy disks, hard-drives, CD-ROMs, zip drives, etc. that are resident on district equipment, are, and shall remain, the property of HMSD. The HMSD administration reserves the right to confiscate, search or otherwise investigate any of the above mentioned items at its discretion.

COMPUTER USE

Inappropriate use of any computer or computer workstation can be a severe offense. Please note that it is a violation of HMSD policy to:

1. Duplicate copyrighted software provided by HMSD. It is a criminal offense to copy ANY software that is protected by copyright, unless such copying is expressly provided for within the copyright agreement, and HMSD will treat it as such.
2. Use licensed software in a manner inconsistent with the licensing agreement. Information on licenses is available through the Technology Support Services (hereinafter referred to as “TSS”).
3. Copy, rename, alter, examine, install or delete the files or programs of another person or HMSD except in the case of troubleshooting or repairing the computer.
4. Use a computer to annoy others, including, but not limited to, sending offensive messages or intentionally cause a computer system or network to crash.
5. Use a computer for non-school-related activities, including but not limited to personal or private business.
6. Create, disseminate, or run a self-replication program (virus, worm, or any other program that inhibits operation of a computer or network, (whether destructive or not), distributing large quantities of information that overwhelm the network including but not limited to chain letters, network games, mass copying of files for no specific reason, etc.

7. Use software not expressly provided by HMSD for use on district computing equipment. Employees are not to download executable software off of the Internet, software updates to existing licensed programs resident on that personal computer, or purchased via the Internet with an official purchase order approved by TSS. For all downloads, a copy of the license agreement must be forwarded to TSS and the building administrator for tracking and audit purposes. Please consult with the TSS Department before proceeding with any of the above.
8. Install personally purchased software on HMSD computers without express permission of the Director of TSS. If permission is attained, then a copy of the license agreement and the installation media must be housed with the administrator of that building for audit purposes.
9. Take or scan pictures of students without signed permission of the parents and permission from the building administrator. Additionally, no pictures of District property are to be taken without administrator approval.
10. To post any political, commercial, pornographic or otherwise questionable material to the District web site or any HMSD hosted web site. Additionally, any postings must meet general District policy and be approved by TSS or its delegate.
11. Access or attempt to access a desktop, network, or host computer without having obtained the appropriate access log-in ID and password legitimately, and/or through use of log-in information belonging to another person. This is considered "hacking" and/or "trespass" and will be dealt with appropriately.
12. Tamper with switch settings, move, reconfigure, or do anything that could damage terminals, computers, printers, or other equipment. Individuals responsible for damaging these or any hardware, software, computer system, or computer lab in any manner, will be FINANCIALLY responsible for all repairs and/or replacements. This includes, but is not limited to unplugging cables, plugging cables into inappropriate locations, or other related activities that may cause the network or connection to the network to fail or to function improperly.

INTERNET USE

The Internet is an electronic network connecting millions of computers and individual subscribers worldwide. The purpose of the Internet is to support world-wide access to business and educational information by individuals. The use of your account must be in support of educational research and consistent with the educational objectives of HMSD.

1. Internet access may be provided to employees for research activities relating to their duties. Employees may also have access to:
 - A. Electronic mail
 - B. Surf the World Wide Web
 - C. Various discussion groups which include chat rooms
 - D. Bulletin Boards
 - E. ETC

2. Network Etiquette

You are expected to abide by the generally accepted rules of network etiquette. These include but are not limited to the following:

- A. Be polite. Do not be abusive in your messages to others.
- B. Use appropriate language. Do not swear, use vulgarities or any other inappropriate or suggestive language. Illegal activities are strictly forbidden.
- C. Do not reveal your personal address or phone number or that of other employees or students, except in your normal course of duties.
- D. Note that e-mail is not guaranteed to be private. People who operate the system have access to all mail. Messages relating to or in support of illegal activities will be reported to the appropriate authorities.
- E. Do not disrupt the use of the network by other users.

3. Inappropriate use of an account.

The use of the Internet is a privilege, not a right. Inappropriate use will result in cancellation of privileges. The following are examples of inappropriate use.

- A. Use or attempt to use another person's log-in and/or password.
- B. Copying, transferring, or duplicating software owned by or registered to HMSD.
- C. Transmission of, or downloading any material in violation of any national, state, or district regulation is prohibited. This includes, but is not limited to, copyrighted documents, or threatening or obscene/pornographic material.
- D. Using the network for commercial, political, personal, or private gain.
- E. Communication whose sole intent is not for the purpose of education or school-related research/activities.

CONSEQUENCES FOR INAPPROPRIATE USE

The system administrators will deem what is inappropriate use and may close an account at any time. The administration may request the system administrator to deny, revoke, or suspend specific employee accounts. If an employee has failed to comply with this policy, he/she may be:

- A. Removed from the system for a specific period of time or permanently, depending on the nature of the offense.
- B. Required to pay for damages with regard to technician time, computer resources, or other fees.
- C. Criminally charged under local, state, or federal laws.
- D. Subject to employee disciplinary action, up to and including termination or discharge in accordance with existing Board policies and applicable law.

HOUSE MUNICIPAL SCHOOL DISTRICT
Technology Acceptable Use Contract for HMSD Employees

As an employee of the House Municipal School District, hereinafter referred to as “HMSD”,

I, _____, recognize and understand that the district’s email systems are to be used for conducting the district business only. I understand that use of this equipment for private purposes is strictly prohibited. Further, I agree not to access a file or retrieve any stored communication or data other than where authorized unless there has been prior clearance by an authorized HMSD representative.

I am aware HMSD reserves the right to review, audit, intercept, access, and disclose all matters on the district’s e-mail systems and services at any time, with or without employee notice or consent, and that such access may occur during or after working hours. I am aware that use of an HMSD provided password or code does not restrict the district’s right to access electronic communications. I am aware that violations of this policy may subject me to disciplinary action, up to and including termination or discharge from employment.

I acknowledge that I have read and that I understand the HMSD Technology Acceptable Use Policy regarding e-mail, computer hardware usage, computer software usage, and Internet access. I acknowledge that I have read and that I understand this notice and that a copy of the entire policy has been provided to me.

Refusing to sign does not negate my responsibility to abide by the policies and procedures as set forth above and in the policy as revised. Choosing not to adhere to the policies set forth above is cause for suspension of all computer and Internet privileges.

Signature

Date

4.3. OPERATION OF PLANT

The Board will endeavor to provide schools that are safe from hazards, properly equipped, lighted, ventilated, and aesthetically suited to promoting the goals of the schools.

The administrator will:

1. be responsible for the care and maintenance of the buildings and grounds; and
2. supervise the custodial staff of the school in maintaining an adequate program for such care and maintenance.

4.4. BUILDINGS, GROUNDS AND PROPERTY MANAGEMENT

School buildings and grounds may be made available for educational, cultural, civic, religious, recreational, and governmental activities which are sponsored by responsible, recognized organizations, agencies, or institutions, provided that the activity does not interfere with the programs and best interests of the district. The Superintendent or designee is authorized to make all approvals and establish procedures for community use of buildings and grounds under the directions contained in this policy.

It is the intent of the Board that parent-teacher groups, booster clubs, and any other school-related organization should have the use of school facilities for their regular meetings at the discretion of the district administrator. For these regular meetings, the organization need not complete a Facilities Use Request form and there will be no usage charge. When such groups hold special events, any charge for facilities will be calculated on a cost-to-the-district basis. The Superintendent or designee is authorized to set aside or reduce any scheduled or normal rental fees when a mutually beneficial relationship is established between the School District and a proposed user of school facilities.

The Board of Education must approve renting of school facilities for Sunday use and use on observed school holidays. School facilities may be leased and/or rented to other governmental agencies, civic organizations, or private groups by the Board.

1. The Board reserves the right to refuse the use of school facilities when it is felt that such use seriously interferes with the primary purpose for which the facility was originally built, namely, the regular program of the school, or when it is felt that such use is not in the public interest.
2. Community organizations shall be permitted to use facilities only after they have made written application to the Superintendent and have been approved.
3. Community organizations shall be responsible for all property damage and personal injuries or public liability resulting from their use of school facilities. Any non-school-related user group must also provide, in advance of use of the facility, a certificate of liability insurance which names the district as an additional insured. Representatives of all groups must also sign a form which indicates acceptance of responsibility for the care and supervision of the facilities, a hold-harmless agreement, and for payment of the rental charges, as established by the Board of Education.

4. A representative of the school will open up, be present, and close up at the community activities involving the use of school facilities.
5. The community organization sponsoring the activity being conducted in school facilities shall be held responsible at all times for keeping school premises free of alcoholic beverages, drugs, smoking, and disorderly conduct. The organization may be requested to and responsible for providing contracted security.
6. School buildings are closed to conventions and commercial dances unless written permission is obtained from the school Board. Exceptions will be made for the school student body.
7. All agreements for use of school facilities terminate as of June 30 each school year.

4.4.1. BUILDINGS AND GROUNDS MAINTENANCE

The Board is a ward of the tremendous investment in school facilities. It, therefore, desires that a continuing program for critical and preventive maintenance of all District-owned buildings be established.

The Superintendent of Schools will be responsible for the program and will be assisted by district personnel, custodians, and maintenance staff.

All personnel assigned to buildings have a definite responsibility in reporting matters of maintenance which need attention.

4.4.2. BUILDINGS AND GROUNDS INSPECTIONS

The Superintendent of Schools will be responsible for the identification and correction of safety hazards and with the assistance of district maintenance personnel will inspect buildings on a monthly basis. In addition to these inspections are state inspections of boilers, annual fire inspections including the checking of fire extinguishers by a fire systems contractor, and periodic checks by insurance companies.

4.5. SECURITY

The Board delegates to the administration the development and implementation of procedures designed to ensure the safety and security of school property, and the safety and security of students, school personnel and citizens. Work site personnel will be responsible for maintaining general safety and security.

4.6. TRAFFIC AND PARKING CONTROLS

Although school grounds are public property, the Board has the responsibility for protecting school property and for assuring safety on school grounds. Thus, it has the authority to set up controls related to driving and parking on school property, as well as the use of school grounds and facilities by the public.

4.7. ENERGY CONSERVATION

The public schools are committed to cost effective energy practices within the District's buildings. It is recognized that to achieve maximum benefit from this commitment, all district personnel have a responsibility for effective energy practice. The curriculum for the Public Schools will include information to help create an awareness of both the importance of energy conservation and the responsibility for conserving energy resources.

4.8. LEASING AND RENTING EQUIPMENT

Where necessary and/or the need exists, with prior Board of Education approval, the Superintendent or Business Manager is authorized to enter into leasing and renting arrangements for equipment.

4.8.1. MATERIALS AND EQUIPMENT

All supplies, equipment, and services purchased by the School District will be processed through the District Business Office.

4.8.2. MATERIALS AND EQUIPMENT RECORDS AND REPORTS

The Board of Education recognizes the need to maintain accurate and comprehensive equipment and supplies records. The Board delegates to the Superintendent the responsibility of maintaining inventory records of equipment and supplies; receiving and distributing records of equipment and supplies; equipment maintenance records; and other records necessary for an effective equipment and supplies management program.

4.9. AUTHORIZED USE OF SCHOOL-OWNED MATERIALS AND EQUIPMENT

The use of any District equipment for personal purposes is prohibited. In addition, the District does not encourage employees to take District equipment home for professional use. However, there may be rare situations necessitated by District needs when it seems appropriate to allow employees to do so. Exceptions will require that employees receive prior written approval from Superintendent or Business Manager. A signed copy of the written approval must be on file prior to removing any equipment from District property. A copy of this consent will be retained by the employee and a copy must be on file with the District Business Office.

Occasionally, employees will be required to use District equipment in presentations, etc., away from the District. It is the employee's responsibility to safeguard District equipment. The Superintendent or Business Manager will prepare guidelines for employee adherence in this regard.

Students may be allowed to use school equipment away from the school for instructional purposes only. This must be approved by the Superintendent or Business Manager, and the procedural requirements for written approval as outlined above must be followed.

4.10. SCHOOL-OWNED VEHICLES

1. Vehicles owned by the School District will be used in accordance with the provisions of the State Statutes and administrative directives of the Superintendent of Schools. Drivers of such vehicles will be properly licensed and will receive training as determined by the administration to be appropriate.
2. Vehicles owned by the School District are not to be used for private purposes.
3. Vehicles are not to be taken home during off-duty assignments except by administrative directive from the Superintendent of Schools or designee.
4. All District-owned vehicles including maintenance vehicles are to be so marked.
5. Vehicles are assigned to personnel for the benefit of the School District and may be reassigned, used in car pools, or such other arrangements made as deemed cost beneficial.
6. The replacement schedule for vehicles will be designed toward keeping a dependable fleet. They will be retained for the maximum usage and replaced prior to the time of requiring major repair or expense.
7. Drivers of school-owned vehicles must have an annual check of their driving record through the New Mexico Department of Motor Vehicles. They must not have a DWI within the last twenty four (24) months.

The School District may revoke or suspend the driving privileges on school-owned vehicles for any employee convicted of a DWI. An employee, whose position requires the driving of a school-owned vehicle or school bus and is convicted of a DWI, may be terminated or discharged in accordance with School District procedures and state statutes.

It will be the responsibility of the employee to report all accidents and/or citations issued by law enforcement officials to their immediate supervisor.

8. Only District and Public Education Department employees, members of the Board of Education, and appropriately trained and approved activity drivers may drive school-owned vehicles. Exceptions must be approved by the Board.

4.11. PRIVATE VEHICLES USED ON SCHOOL BUSINESS

The Board recognizes the need for the occasional use of privately-owned vehicles for school purposes. To use a private-owned vehicle for school purposes, the employee must have the written permission of the Superintendent or designee if mileage reimbursement is authorized.

In the event of any collision, damage, casualty, or other loss of liability of any kind involving the employee's use of their personally owned vehicle while on school business, the School District's insurance coverage, both for defense and indemnification of claims, shall be secondary to that of the employee's insurer.

District guidelines developed for use of privately-owned vehicles must be followed.

4.12. CREDIT CARDS

The Board of Education authorizes the use of gasoline credit cards for use by authorized personnel. Credit cards will be issued only in the name of the School District. Credit card use is limited to school-related activities. Gasoline credit cards will be under the supervision of the Business Manager.

4.13. TELEPHONE SERVICES

District telephone services are coordinated through the District Business Office. Telephones will be used by staff members for school-related business. Personal calls should be limited to emergency situations. Use of telephone by students during school hours is subject to the approval of authorized school personnel.

Cellular telephones, due to their expense, will only be issued to those employees requiring *immediate, two-way voice communications* as determined by the Superintendent. The cost of any excessive personal calls made to or from a cellular telephone will be reimbursed to the District by the employee. Employees are reminded not to discuss sensitive information over cellular telephones, as eavesdroppers may be monitoring their conversations.

4.14. INVENTORIES

The District Business Manager will maintain a complete and accurate inventory of all School District owned property.

4.14.1 YEAR-END INVENTORY

The District Business Manager will reconcile an inventory of all school property under district jurisdiction at the close of each school year.

4.14.2. ANNUAL INVENTORY

The District Business Manager will prepare an annual inventory of all school property on a fiscal year basis prior to the audit of school financial reports.

4.14.3. SCHOOL PROPERTY DISPOSAL PROCEDURE

- A. The Board of Education of the House Municipal Schools acknowledges that state law requires proper procedures for the handling of obsolete and salvageable materials and equipment and hereby adopts this policy in order to implement such procedures.

- B. For purposes of this policy, the term "obsolete or salvageable materials" shall mean materials, equipment, or items of tangible personal property owned by the School which have a current resale value of any amount and which are worn-out, unusable or obsolete to the extent that the item is no longer economical or safe for continued use by the School. The term shall also include materials or equipment from school or building construction or renovation projects which have resale or salvage value, which have not been contracted for salvage or disposition to private entities.
- C. The District Business Manager is responsible for assuring that all obsolete or salvageable materials within the school district are disposed of in accordance with state law and with this policy. The Superintendent, Board Members (if appropriate) and maintenance personnel will assist in making determinations of the salvageability or resale value of such materials. No obsolete or salvageable materials shall be disposed of or sold unless such disposition has first been approved by the Board of Education to assure that appropriate reporting of such disposition is made in accordance with NMSA 1978 § 13-6-1.
- D. The Board of Education shall, as a prerequisite to the disposition of any items of tangible personal property:
- (1) designate a committee of at least three school officials of the District to approve and oversee the disposition; and
 - (2) give notification at least thirty (30) days prior to its action making the deletion by sending a copy of its official finding and the proposed disposition of the property to the State Auditor and the State Department of Education, duly sworn and subscribed under oath by each member of the Board approving the action.
- E. All obsolete or salvageable materials shall be included in the district inventory until disposed of in accordance with this policy, at which point it may be deleted. Obsolete or salvageable materials having a resale value of less than ten dollars (\$10.00) shall be delivered to the maintenance department for accumulation into lots of sufficient size to assure efficient disposition.
- F. Any plan or proposal to dispose of obsolete or salvageable materials shall be presented to the three-member committee of school officials for approval and shall include:
- (1) a description of the items of obsolete or salvageable material;
 - (2) the quantities of such materials;
 - (3) the estimated current resale value; and
 - (4) the proposed plan or method, and the proposed date of disposition.

- G. The proposed plan must specifically include:
- (1) offering such materials for negotiated sale or donation to any governmental unit of an Indian nation, tribe or pueblo in New Mexico; or
 - (2) offering such materials for negotiated sale or donation to other public entities, such as other state agencies, local public bodies, other school districts, state educational institutions or municipalities; or
 - (3) through the District's Business Office by means of competitive sealed bid or public auction; or
 - (4) offering such materials to the federal property assistance bureau of the general services department, which will have the right of first refusal.
- H. The three (3)-member committee shall review such plan and recommend approval to the Board of Education which shall consider and act upon such recommendation at a duly-convened Board meeting. If approved, the Board shall adopt a resolution and affidavit approving the disposition using the form attached hereto if the materials have a current resale value of five thousand dollars (\$5,000.00) or less. Such resolution shall be transmitted to the State Auditor and the State Department of Education at least thirty (30) days prior to the proposed date of disposition.
- I. If the obsolete or salvageable materials have a current resale value of more than five thousand dollars (\$5,000.00), the materials shall not be disposed of until approved by the State Department of Education, as required by NMSA 1978, § 13-6-2, using such forms as may be required by the State Department of Education.
- J. Any receipts of cash or other consideration for disposition of obsolete or salvageable materials shall be forwarded to the Business Office and accounted for as required by board policy and state regulation.
- K. If the Board is unable to dispose of the tangible personal property pursuant to paragraph G, above, it may sell or, if the property has no value, donate the property to any organization described in Section 501(c)(3) of the Internal Revenue Code of 1986.
- L. If the Board is unable to dispose of the tangible property pursuant to paragraphs G or K, it may order the property destroyed or otherwise permanently disposed of in accordance with applicable laws.
- M. If the Board determines that the tangible personal property is hazardous or contains hazardous materials and may not be used safely under any

circumstances, the property shall be destroyed and disposed of pursuant to paragraph L, above.

- N. No tangible personal property shall be donated to an employee or relative of an employee of the District, provided that nothing in this policy precludes an employee from participating and bidding for public property at a public auction.

4.15. FACILITIES RENOVATIONS/IMPROVEMENTS

The Superintendent is responsible for projects needed for the following purposes:

1. maintenance of the school physical plant in a condition that is safe and healthful;
2. protection against the need for major emergency repairs or sudden requirements for extensive maintenance work;
3. reduction of operational costs to reasonable levels; and
4. provisions for uniform maintenance and capital expenses.

School District administrators will offer recommendations when facilities renovations are advantageous to the educational program. All recommendations for these and other capital maintenance and improvement projects will be reviewed by the facilities committee.

The Superintendent will include the total cost of capital maintenance and improvements into the ensuing year's initial budget. The Superintendent or the Board may modify the capital improvement program before final budget submission to the public.

4.15.1. FEDERAL COMPLIANCE

The House Municipal School District complies with the Americans with Disabilities Act (ADA), the Asbestos Hazard Emergency Response Act (AHERA), Occupational Safety Health Act (OSHA), the Environmental Protection Agency (EPA), and the Clean Air Policy.

4.16. NAMING FACILITIES

A new building will be named as soon as its construction has become a financial reality, the site has been selected, and the architect appointed. All schools will be named for community or historic locations or have geographic significance.

When a school is to be named, the Superintendent will appoint a committee from the geographic area of that school. The committee will include the Superintendent as chairman, at least five citizens in the community, and students. Citizens, Board members, and school personnel may submit names for consideration by the committee.

When the use of a school changes and it no longer houses a regular school program, the Board, upon the recommendation of the Superintendent, may consider changing the name of the facility.

The Board will consider requests from school and community groups to rename a school library, school facility other than a school, and athletic or activity event for a person who is deceased and has made a significant contribution to the School District. The group making the request must agree to provide appropriate recognition such as a plaque, portrait, or marker.

4.17. STAFF ORIENTATION OF NEW FACILITIES

It will be the policy of the District that staff training prior to the occupancy of a particular building will be a part of the in-service training program.

4.18. PUBLIC DEDICATION OF NEW FACILITIES

The Board of Education recognizes the benefits in public relations from giving the public the opportunity to tour a new building soon after its occupancy. Such a tour opportunity is enhanced by a ceremony of dedication including brief remarks by the President of the Board of Education, the Superintendent, the architect and others as named by the Board that are appropriate.

4.19. FACILITIES PLANNING

4.19.1. FORECASTING FUTURE FACILITY NEEDS

The District will maintain a 5-year master plan that meets PSFA requirements.

4.19.2. SITE ACQUISITION

The Board will exercise its legal authority in acquiring the necessary sites for appropriate facilities in the District. Facility sites will be located if at all possible, to best service particular areas on the basis that schools will serve the optimum number of walk-in students, thus economizing on fuel, equipment, and personnel costs.

4.20. CLOSING SCHOOLS

When the School Board determines a school building will be closed, the Superintendent will coordinate the closing in accordance with the following procedures:

1. A school will be considered for closure only if the Board is satisfied that mandated programs can no longer be offered effectively at an acceptable cost per pupil. A request for change shall be in writing and outline the expected educational benefits. This request will be submitted by July 1 of the year prior to the proposed change if the district's equalization/transportation formula allocation will be affected.

2. The intent is to provide the community with adequate opportunity to make their views known to the Board. Therefore, interested persons will be accorded sufficient time and opportunity to fairly present their side of the case before a final decision is made.

3. The decision to close a school building will be a decision of the local Board of Education and the Public Education Department Cabinet Secretary of Education.

4.21. CRIMINAL BACKGROUND CHECKS

Criminal background checks, pursuant to Section 22-10-3.3 NMSA 1978(A), shall be conducted upon each contractor and contractor's employee, at the expense of the contractor or contractor's employee, if the contractor or contractor's employee has unsupervised access to students.

4.22. SAFETY PROCEDURES

School District property will meet safety standards specified by regulatory agencies which have legitimate authority and jurisdiction over public schools. School personnel will be constantly alert for possible safety hazards and see that such hazards are corrected promptly.

4.22.1. FIRE PREVENTION

The Superintendent is delegated the responsibility for implementation of fire prevention procedures in the school system, such procedures to be in compliance with rules and regulations of the State Fire Marshall.

Regular fire drills and emergency drills shall be held at each school building pursuant to fire drill regulations of the Public Education Department.

4.22.3. HMSD EMERGENCY CRISIS ACTION PLAN

An Emergency Safe School Response Plan will be developed and published for implementation of procedures and other emergencies. Copies of the Plan will be distributed to employees. Work site supervisors will maintain the Guide to Managing School Emergencies which includes information pertaining to other emergencies and safety issues. Each work site supervisor will ensure the plan is kept updated and ensure all their respective employees have reviewed the emergency response plan which includes information for handling numerous emergency situations and safety issues.

4.23. REPORTING OF HAZARDS/WARNING SYSTEMS

Work site supervisors in conjunction with the Site Safety Committee will be responsible for making monthly safety inspections of the building. Reports will be submitted to the Director of Operations and Transportation as required.

The report will identify unsafe conditions and suggest corrections.

4.24. HAZARDOUS MATERIALS

The Board of Education recognizes its responsibility for providing an environment which is reasonably secure from known hazards. There are many areas of school operations, from science laboratories and art departments to custodial services and vehicle maintenance, which use a variety of materials that are hazardous.

Hazardous materials include any substance or mixture of substances that poses a fire, explosive, reactive, or health hazard as more fully defined by law.

The School District will comply with all local, State, and Federal laws and regulations which pertain to the safe and proper storage, transportation, and disposal of hazardous materials.

Appropriate school personnel will be trained to take precautions to prevent accidents and the proper procedures to follow in the event of an accident.

4.25. EMERGENCIES

Special drill activities related to fire safety and other emergencies will be planned and implemented by the Superintendent, in association with the business office and emergency services personnel (law enforcement, fire, etc. if appropriate and available), to ensure orderly movement of students to the safest available space.

In the event of an actual emergency, the school will retain students and faculty at the school building or elsewhere should the need arise. In conjunction with the schools emergency response plan, all students may be released to a parent/guardian following proper protocol.

4.25.1. EMERGENCY DRILLS

The Superintendent will be responsible for implementation of emergency drill procedures in the school system, such procedures to be in compliance with rules and regulations of the State Fire Marshal and the Public Education Department.

4.26. STUDENT SAFETY

The school administration will require all personnel to take interest in carrying out a school-wide safety education program. Safety instruction will be integrated within all curriculum areas and co-curricular activities.

4.26.1. REGULATIONS AND PROCEDURES

The school system will have definite procedures to be followed in case of accidents, and the plan will be explained to classroom teachers, staff members, and students.

Reasonable regulations governing traffic will be established and supervision provided in halls, on stairways where pupils congregate before school, at noon, on the playground, in school buses, and during exit drills.

The school will keep on file the business telephone numbers of students' parents and the telephone numbers of the students' family physicians.

A school nurse, or at least one person who is qualified in first aid, will be available regularly during school hours and at other times when school activities are in progress.

4.26.2. FIRE DRILLS – REQUIREMENTS, DISMISSAL

1. Required fire drills are the responsibility of the person(s) in charge of each school. In every public and private school in New Mexico, there shall be at least four fire exit drills held once each week during the first four weeks of a school term and at least one each month during the remainder of the school term.

2. It shall be the responsibility of the Superintendent of Schools to see that the provisions of the requirements are carried out. The Superintendent shall request the attendance and make a concerted effort to gain the on-site participation of a member of the Fire Department or Fire Marshal's Office at such fire exit drills for the purpose of instruction, assessment and constructive criticism.

3. Failure of any person in charge of a school to have fire drills as provided by this section shall constitute sufficient grounds for discharging the person from further employment with the School District.

4.26.3. FIRE DRILLS – ADMINISTRATION

The fire alarm signal (bells or horns) will be clearly audible in all parts of the building. The pitch of sound must be unlike any other routine bell or signal so that when sounded, its meaning is unmistakably clear. Under no circumstances should the fire alarm signal be used for any other purpose than to empty the building of its people. It is a dangerous practice to use the fire alarm system for such purposes as changing classes and dismissing the school.

The responsibility for sounding the fire alarm signal for the fire exit drill lies solely with the Superintendent or designee, although all teachers and custodial personnel should be instructed in the proper use of the fire alarm system and its location. Therefore, when a fire exit drill is desired by a local fire chief, they should first contact such responsible school officials before the fire alarm signal is sounded. It is suggested that the closest cooperation in this respect be maintained between the school and the fire services.

The primary purpose of drills is the training of students.

Drills will be more frequent for primary and younger students than for older students.

The safety of students will be the first consideration of the Superintendent and staff who are serving in place of the parent.

More drills will be held at the beginning of the term than at the end.

The type of drill is determined by:

1. type of building;
2. number of location of exits;
3. number of students;
4. age of students; and
5. number of staff.

Accurate records of all drills should be kept on file. Among other things, the records should include:

1. date;
2. time;
3. enrollment by room;
4. time required for emptying building; and
5. type of drill: obstructed or unobstructed. (Section 22-13-14, NMSA, 1978).

4.26.4. SUPERVISION OF STUDENTS

Students will be supervised by a school employee at all times the school has jurisdiction over such student.

4.26.5. DISMISSAL PRECAUTIONS

School personnel will assume responsibility for the student at the beginning of the school day. Dismissal of the student during the school day, at other than regular dismissal times will be regulated by specific administrative guidelines.

4.26.6. STUDENT SAFETY PATROLS

Students may be used for safety patrols with parent permission. Student Safety Patrols must be trained by law enforcement officials and be under the supervision of the House Municipal Schools.

4.26.7 VEHICLES, STUDENT USE (BICYCLE, MOTORCYCLE, CAR)

In order to develop and inculcate sound safety practices for the individual student to follow, the administration shall develop rules and regulations on the control and use of vehicles used by the student for transportation to and from school.

The vehicles that may be used by students at the following levels are:

1. Elementary School – bicycle (only);
2. Middle School – bicycle or motorcycle; and
3. High School – bicycle, motorcycle, or car.

STUDENT PARKING

All student who drive a vehicle to school and park on school property are required to have district issued parking permit. In order to receive a parking permit, a copy of the student' valid driver license and current insurance information must be on file in the school office. When all information is filed, a student parking permit will be issued. **STUDENT PARKING IN ONLY PERMITTED IN THE PARKING LOT EAST OF THE GYM.** Do not park in the school bus entry and exit routes. Students are to park their vehicles immediately on arrival at school and leave the parking area. Students are not allowed in the parking lot during the instructional day.

I you do not have a drivers license or you do not carry insurance on the vehicle you use to drive to school, you cannot park on school property. You should park some other place in town and walk the remaining distance to school. The school district cannot accept responsibility for this liability. Pleas help by seeing that you provide this information for our files or park off campus when driving to school.

Vehicles driven to school and parked in the vicinity of the school are under school control and all policies/procedures governing those student vehicles will be enforced. Parking requirements are extended to times when students are on school-sponsored activities. The school is not responsible for any damages or theft that might occur while a vehicle is parked on school property.

VEHICLES WILL NOT BE MOVED UNTIL THE BUSES HAVE DEPARTED IN THE AFTENOON DUE TO THE POTENTIAL DANGERS TO STUDENTS LEAVING THE SCHOOL ON FOOT.

4.26.8. ACCIDENTS

If a student has an accident while at school that requires the services of a doctor, the following steps shall be followed:

1. Notify the school nurse, if present.
2. Contact the parent.
3. If the parent is reached, he/she shall take the child to his/her doctor.
4. However, if the parent cannot be reached, the nurse or Superintendent shall take the child to the family doctor, provided one is listed on the child's permanent record.
5. If a family doctor cannot be contacted, the nurse or Superintendent shall use their own judgment in securing medical aid.
6. If the nurse or Superintendent decides the accident is of such serious nature as to require ambulance services for transportation, such services shall be obtained and the student shall be taken to the hospital.

7. In the event the school was unable to reach the parent before taking the child to the doctor or the hospital, the school shall continue its attempt to reach the parent.
8. The disposition of the case shall be decided by the attending physician.
9. A complete cumulative written record of each accident shall be maintained in the Superintendent's office and a copy forwarded to the District Business Office.

4.26.9. FIRST AID

School employees will exercise caution in administering first aid to students. Normally, it is expected that the school nurse will be available for this purpose, or the student will be taken to medical facilities if the situation warrants it. School employees are not to administer medication.

4.26.10. MEDICATION

As stated by the American Academy of Pediatrics' Committee on School Health: "Ideally, all medication should be given at home. It is recognized that at the present time many children are able to attend regular schools because of the effectiveness of medication in the treatment of chronic disabilities and illnesses." (Pediatrics 61:115-116, 1978)

Rarely should it be necessary for any medicine to be given to a student by a school employee during the school day. However, should the physician deem it necessary in order to maintain the student's health status and prevent prolonged absences, the following procedure is mandatory by State law.

All medications brought to the attention of school personnel must be channeled through the district business office and school nurse.

4.27. STUDENT TRANSPORTATION MANAGEMENT

District student transportation provides services for:

1. Regular to and from school bus routes;
2. Vocation Education routes;
3. Special Education routes; and
4. Instructional and/or activity travel.

The management of the student transportation system will be the responsibility of the Superintendent or designee. All parties involved with the transportation management are bound by state and federal laws and Public Education Department regulations. The Board may impose additional requirements on the contractor, which are over and above the statutory, or Public Education Department requirements.

All student transportation will be in state approved school buses except as provided for in State Transportation regulations.

The Superintendent or designee will meet with the District's transportation service contractor(s) to identify all costs associated with the Public Education Department service contract. (See NMAC 6.40.1 *et seq.* and 6.41.1 *et seq.*) Appendix B. Prior to submitting any transportation service contract(s), providers will be required to validate all costs related to the transportation service contract payment schedule. The Superintendent will provide information to all schools/departments encompassing student conduct on school buses, procedures for temporary bus transportation permission forms, emergency transportation requests, school/bus route information and student/parent safety standards for transportation on District contracted bus services. Student transportation is a privilege to students who are eligible for transportation pursuant to State Statutes 22-16-2 and 22-16-4, NMSA, 1978.

4.27.1. RESPONSIBILITIES

Persons who are not enrolled in the House Municipal Schools or House Municipal Schools sponsored programs shall not be transported.

The Superintendent and Director of Athletics have the responsibility for the District's athletic transportation management.

The Superintendent has the overall responsibility for the District's regular to and from transportation management, non-athletic trips, and for activity trip billing.

The conduct of students while being transported under school jurisdiction will be the same standard as required in the classroom. The Superintendent or designee will be responsible for the development of the rules and regulations for the safe conduct of student passengers. Each coach, sponsor, or driver will be required to enforce the discipline policy.

4.27.2. VIDEO SURVEILLANCE EQUIPMENT USE

The District reserves the right to install video surveillance equipment on any bus. A videotape of an alleged offense is not required for the Superintendent to take action. Any surveillance videotape is the sole property of the District and may only be shown to District staff, the student being disciplined and their parent or guardian, the bus driver, and bus contractor management.

4.27.3. SPECIAL TRANSPORTATION REQUIREMENTS

4.27.3.1. Special Personnel

Personnel required to accompany students on the bus, such as nurses, bus aides, educational assistants or activity sponsors, are authorized transportation when it is related to specific student needs.

4.27.3.2. Animals

Animals which accompany students with special needs, if authorized by the IEP, may be transported with the student provided the animal is properly certified, trained and has the required immunizations.

4.27.3.3. Medications

Elementary students may not carry medication onto the bus. Parents are responsible for delivering medication to the school nurse's office.

The following procedures will be adhered to for students requiring medication while on school field trips:

Elementary/Middle School – Students who take medications during school hours will need to continue to take them, even if they are attending a school-sponsored function away from their home school. The school's registered nurse, or the Superintendent in the absence of a school nurse, will designate a staff member to administer the medication(s) and to safeguard them. The parent/guardian will be responsible to provide a properly labeled bottle(s) with the correct amount of medication(s) prior to the student's departure for the field trip. Students who require medications not normally administered during school hours will require a written doctor's order(s) and written parental consent in addition to the properly labeled bottle(s). The school nurse will instruct the staff member how to administer them. A copy of the Medication Administration Procedures as well as instructions for the treatment procedures will be given to the staff member. The staff member will administer the medications and document their administration. The staff member will be responsible for reporting any non-administered medication(s) as well as returning any medication(s) or equipment.

High School – High school students attending school-sponsored functions may carry their medications. The containers must be the original container and they must have a professional, legible label.

EXCEPTION: Medications for students who require supervision or take medications that are a controlled substance will be administered and safe-guarded by a designated staff member. The school's registered nurse, or the Superintendent in the absence of a school nurse, will designate the staff member. The parent/guardian will be responsible to provide a properly labeled bottle(s) with the correct amount of medication(s) prior to the student's departure for the field trip. Students who required medications not normally administered during school hours will require a written doctor's order(s) and written parental consent in addition to the properly labeled bottle(s).

4.27.4. DO NOT RESUSCITATE ORDERS

All students, regardless of physical, mental or medical conditions will be treated the same in emergency situations during transportation. The authorities of the bus will determine the needs and react according to the Good Samaritan Act. The district realizes however, that the

drivers are not trained to make life or death decisions. Therefore, in the event of a medical emergency the driver will immediately contact their dispatch by radio or call 911 on a cellular telephone, if available, to obtain emergency medical assistance. In the event a radio or cellular telephone is not available, the bus driver will use his or her best judgment in proceeding to a location where emergency medical assistance can be summoned.

4.27.5. SCHOOL BUS CONTRACTOR RELATIONSHIPS

1. The Board may contract school bus service from a private operator(s). The New Mexico Statutes will govern services for regular to and from school transportation, and the District will negotiate payment for such services. The Superintendent or designee will represent the Board in all contract negotiations.

2. The District's transportation service contractor(s) will provide to the transportation department detailed analysis of (a) operation and maintenance, (b) fuel, and (c) employee salaries and benefits by May 1.

3. The Board and contractors shall adhere to all provisions of the NMSA 1978 and the Public Education Department Standards for Providing Transportation Services for Eligible Students. The Board delegates to the Superintendent the authority to modify transportation routes once initially approved by the Board. All route changes shall be submitted to the board for final approval.

4. The Board on an annual will review the transportation service contract. The Board may make a maximum of a five-year agreement with the transportation service contractor. If so negotiated, adjustments to monthly contract installments will not be made until load capacity (additional bus required), additional routing(s) (required for growth areas), or if modifications of the route mileage is a factor. It is the responsibility of the contractor to communicate with the District regarding these limits.

5. The Board reserves the right to perform and/or request an operational (route) or financial audit of the transportation service contractor(s). Compensation paid to transportation service contractor may be adjusted based upon the route modification.

6. Transportation service contractors shall submit to the transportation office names of bus drivers, assistants and substitutes. Annual financial statements will be provided by each contractor prepared by a third party. All State required reports of the transportation service contractor(s) will be provided to the District transportation office within five (5) working days of the State due date.

7. All equipment utilized in the student transportation system will be safe as is possible and will be operated in a safe manner. School buses will meet all standards stipulated by the Public Education Department regulations.

8. School bus drivers must meet Public Education Department regulation standards and the liability insurance carrier. The school bus contractor is responsible for the selection and

supervision of their school bus drivers. These drivers are not employees of the School District. All drivers are to be reviewed by the House Board of Education annually.

9. Transportation service contractor(s) and management staff are subject to the employee training requirements set forth by Federal and State law, Public Education Department and local Board policy. The contractor(s) will maintain and provide the District with a current record of training and other safety reporting requirements.

4.27.6. PER-CAPITA FEEDER PROGRAM

Private vehicles will be utilized on per-capita feeder routes to connect with existing school bus routes or to provide service where regular school bus transportation is impractical because of distance, road conditions, or sparseness of population, or in cases where the Board has authorized a parent to receive reimbursement for travel cost incurred by having a child attend a school outside the child's attendance zone.

The Board delegates to the Superintendent or designee authority to establish a per-capita feeder procedure which sets forth the terms and conditions under which per-capita feeder agreements shall operate and be held accountable; that services are rendered according to the terms of the agreement. Payments will not be made until services have been rendered. All per-capita feeder agreements must have final approval of the Board.

The mileage rate of reimbursement to a parent or guardian for a per-capita feeder route is set by the Board on an annual basis prior to the start of the school year. This rate will be the current "mileage rate" authorized by the District. Each additional student family member transported to school or to a transportation service bus stop shall be reimbursed at a rate of 50 cents a day.

4.27.7. SCHEDULING AND ROUTING

State Statute establishes the following walking/riding distances.

Students are eligible for school bus transportation to his/her assigned school if the walking distance from their registered address is at least:

Elementary (grades K-5)	1.0 mile
Middle School (grades 6-8)	1.5 miles
High School (grades 9-12)	2.0 miles

A student will not be afforded transportation if attending a school outside his/her residence school zone unless specified by an Individualized Education Program (IEP).

Transportation for attendance at another school will be the responsibility of the parents/guardians unless specified by an IEP.

The distance outlined in the above paragraph also apply as the maximum distance a student may walk from his or her residence to an approved bus stop.

The maximum riding time for any student on the bus is one and a half hours one-way.

Exceptions may be made if hazardous walking conditions exist or if a student is determined to require transportation as a related service with regard to their special needs by the House Municipal Schools Department of Integrated Instructional Services.

Students will not be permitted to leave the bus on the way to or from school except at their regularly assigned stop or school unless prior written approval has been obtained from the Transportation Department for temporary and/or emergency situations.

4.27.8. TRANSPORTATION RECORDS

4.27.8.1. School Transportation Records

It will be the responsibility of the Business Manager to maintain effective transportation records:

- ❖ Accident reports;
- ❖ Contracts and agreement;
- ❖ Inspections;
- ❖ Institute records;
- ❖ Insurance;
- ❖ Schedules/routes;
- ❖ Physical examinations (driver, substitutes, and assistants); and
- ❖ Alcohol/drug testing records.

4.27.8.2. Contractors' Records

It will be the responsibility of the individual contractor(s) to maintain the following transportation records:

- ❖ Personnel records;
- ❖ Maintenance records;
- ❖ Salary schedule records;
- ❖ Pre-service training records;
- ❖ In-service training records;
- ❖ Inspections;
- ❖ Schedules/routes;
- ❖ Physical examinations (driver, substitutes, and assistants);
- ❖ Alcohol/drug testing records; and
- ❖ Criminal background checks.

4.27.9. ADDITIONAL BUS DRIVER REQUIREMENTS

4.27.9.1. Bus Driver Alcohol and Drug Testing

This policy is adopted by the Board of Education in the interest of protecting the safety of the district's school children by detection and deterrence of the use of alcohol or controlled substances by school bus drivers – all of whom occupy safety sensitive positions – in conformity with the requirements of federal law, including U.S. Department of Transportation (DOT) regulations, 49 C.F.R. Part 40.

School bus drivers, whether serving as House Municipal Schools employees, independent contractors, employees of school bus transportation service providers and other employees whose job duties include transportation of students for the district (e.g., substitute drivers, activity bus drivers and/or any other employee who maintains a commercial drivers license (CDL) and who operates school buses), shall be subject to alcohol or drug testing as follows:

DEFINITIONS

1. Alcohol means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.
2. Alcohol concentration (or content) means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.
3. Alcohol use means the consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.
4. Applicant means any individual tentatively selected: (1) For employment with the House Municipal Schools for a "Safety Sensitive Position," and who has not, immediately prior to the selection, been subject to testing.
5. Collection Site means a place where individuals present themselves for the purpose of providing body fluid to be analyzed for specified controlled substances. The site must possess all necessary personnel, materials, equipment, facilities and supervision to provide for the collection, security, temporary storage and transportation or shipment of the samples to a qualified laboratory.
6. Commercial motor vehicle means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle: (1) Has a gross combination weight of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of 10,000 pounds; or (2) Has a gross vehicle weight rating of 26,001 or more pounds; or (3) Is designated to transport 16 or more passengers, including the driver; or (4) Is any size and is used to transport hazardous material(s) requiring the motor vehicle to be

placarded. In the House Municipal Schools system all activity buses are commercial motor vehicles.

7. Confirmation test means: (1) For alcohol, a second test, following a screening test with a result of 0.02 or greater, that provides quantitative data of alcohol concentration; or (2) For controlled substances, testing a second analytical procedure to identify the presence of specific drug or metabolite which is independent of the screen test and which uses a different technique and chemical principal from that of the screen test in order to ensure reliability and accuracy. For Department of Transportation purposes, this is a gas chromatography/mass spectrometry (GC/MS).
8. Consortium means an entity, including a group or association of employers or contractors, that provides alcohol or controlled substances testing as required by 49 Code of Federal Regulations Part 382, or other Department of Transportation alcohol or controlled substances testing rules, and that acts on behalf of the employers.
9. D.O.T. means an agency (or “operating administration”) of the United States Department of Transportation administering regulations requiring alcohol/drug testing.
10. Driver means any person who operates a commercial motor vehicle. This includes, but is not limited to: (1) Full time, regularly employed drivers; (2) Casual, intermittent or occasional drivers; or (3) Leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to an employer or who operates a commercial motor vehicle at the direction of or with the consent of House Municipal Schools’ sedans, station wagons, suburbans, or pick-up trucks.
11. Employers mean the House Municipal Schools which owns or leases a commercial motor vehicle or assigns persons to operate such a vehicle. The term employer includes an employer’s agents, officers, and representatives.
12. Illegal Drugs means a controlled substance included in Schedule I or II, as defined by Section 802(6) of Title 21 of the United States Code, the possession of which is unlawful under Chapter 13 of the Title. The term “illegal drugs” does not mean the use of controlled substance pursuant to a valid prescription or other uses authorized by law.
13. Medical Review Officer (MRO) means the individual responsible for receiving laboratory results generated from the House Municipal Schools’ substance abuse program who is a licensed physician with knowledge of substance abuse disorders and the appropriate medical training to interpret and evaluate all positive test results together with an individual’s biomedical information.

14. Performing (a safety-sensitive function) means a driver is considered to be performing a safety-sensitive function during any period in which he or she is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions.
15. Premises means all areas where House Municipal Schools are either located or operated for the conveyance of passengers.
16. Random Selection Process means a system of drug and/or alcohol testing imposed without individualized suspicion that a particular individual is using illegal drugs or alcohol, and can either be: (1) Uniform-unannounced testing of designated employees occupying a specified area, element or position; or (2) A statistically random sampling of such employees based on a number neutral criterion, such as social security numbers.
17. Reasonable Cause means the actions or appearance or conduct of any employee on duty that are indicative of the use of controlled substance or alcohol.
18. Safety-sensitive function means:
 - A. All time at a carrier or shipping plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the motor carrier.
 - B. All time inspecting equipment as required or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time.
 - C. All driving time which means all time spent at the driving controls of a commercial motor vehicle in operation.
 - D. All time, other than driving time, in or upon any commercial motor vehicle except time spent resting or in a sleeper berth.
 - E. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded.
 - F. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.
19. Screening test (or initial test)
 - A. In alcohol testing, this means any analytical procedure to determine whether a driver may have a prohibited concentration of alcohol in his or her system.

- B. In controlled substance testing, this means an immunoassay screen to eliminate negative urine specimens from further consideration.
20. Substance Abuse Professional (S.A.P.) means a licensed physician (Medical Doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.
21. Verified Positive Test Result means a test result that was positive on an initial FDA-approved immunoassay test, confirmed by a Gas Chromatography/Mass Spectrometry assay, (or other confirmatory tests approved by the Department of Human Services), and reviewed and verified by the MRO in accordance with this policy.
22. Workplace means any location where the employee must be to carry on the duties of employment.

REFERENCES

Title 49 Code of Federal Regulations Part 40;

Title 49 Code of Federal Regulations Part 282.

PURPOSE

Department of Transportation guidelines effective January 1, 1996, state that all employers shall have alcohol and controlled substances programs in place. The following guidelines make it a condition of employment for all House Municipal Schools “safety sensitive” employees to abide by Title 49 Code of Federal Regulations (CFR) Parts 382 and 40.

Title 49 Code of Federal Regulations Part 382:

- 382.601 (b) (1) Please contact the Director of Operations and Transportation, to answer questions relating to the House Municipal Schools’ drug and alcohol program. The phone number is (505) 485-2242.
- 382.601 (b) (2) The operation of the following categories of Commercial Motor Vehicles (CMV) by a Commercial Driver’s Licensed driver subjects the Commercial Driver’s Licensed driver to the provisions of Title 49 Code of Federal Regulations Part 382:
- 1) A motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle; or

- 2) Has a gross combination weight of twenty-six thousand one (26,001) or more pounds inclusive of a towed unit with a gross vehicle weight rating of ten thousand (10,000) pounds; or
- 3) Has a gross vehicle weight rating of twenty-six thousand one (26,001) or more pounds; or
- 4) Is designed to transport sixteen (16) or more passengers, including the driver; or
- 5) Is any size and is used to transport hazardous material(s) requiring the motor vehicle to be placarded.

382.601 (b) (3) The following are the *Safety Sensitive Functions* that place drivers into the provisions of the Department of Transportation's Drug and Alcohol testing requirements of Title 49 Code of Federal Regulations (CFR) Part 382:

All time at a carrier or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the motor carrier.

All time inspecting equipment as required or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time.

All driving time means all time spent at the driving controls of a commercial motor vehicle in operation.

All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth.

All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded.

All time repairing, obtaining assistance, or remaining in attendance upon a disable vehicle.

382.601 (b) (4) The following is specific information concerning driver conduct that is prohibited by Part 382:

Consuming alcohol prior to 4 hours of reporting to work in a safety sensitive function;

Reporting, or being on duty, with an alcohol concentration of or greater than 0.02%;

Being on duty while possessing beverage alcohol;

Being on duty while using alcohol;

Reporting for duty while using any controlled substance;

Being on duty while possessing any controlled substance;

Being on duty while using any controlled substance;

Refusal to submit to any required testing under Title 49 Code of Federal Regulations Part 382 or Part 40.

The following constitutes a verified positive controlled substance test result:

Substance	Confirmatory Test Cut Off Levels (ng/ml)
Marijuana	15
Cocaine	150
Opiates:	
Morphine	300
Codeine	300
Phencyclidine	25
Amphetamines:	
Amphetamine	500
Methamphetamine	500

382.601 (b) (5) The following are circumstances that will cause a driver to be tested for drugs:

- 1) Pre-employment testing (382.301):

Procedures:

The employer shall direct the applicant to an appropriate collection facility. The drug test must be undertaken as soon after notification as possible.

No employee applicant shall be considered for a safety sensitive position without a verified negative drug test.

The House Municipal Schools will decline to extend an offer of a safety sensitive position with a verified positive test result. Such applicant shall

never re-apply to the House Municipal Schools until the applicant has presented the results of a successful program completion by an approved Substance Abuse Professional.

382.413

Release of Alcohol and Controlled Substance Test Information by Previous Employers:

The employer shall obtain, pursuant to a driver's written authorization, information on the driver's alcohol tests with a result of 0.04 or greater, positive controlled substance test results, and refusals to be tested with the preceding two years of employment application, which are maintained by the driver's previous employers.

This information must be obtained and reviewed by the employer prior to the first time a driver performs a safety sensitive function. If it is not feasible to obtain the information prior to the driver performing a safety sensitive function, the employer has fourteen (14) calendar days to obtain and review the information. The employer may not permit a driver to perform safety sensitive functions after fourteen (14) calendar days without having made a good faith effort to obtain the information as soon as possible.

If the driver stops performing safety sensitive functions for the employer before the fourteen (14) calendar days expire, or before the information is obtained, the employer must still make a good faith effort to obtain the information.

2) Random testing (382.305):

All safety sensitive positions are designated for random alcohol and drug testing.

Under the selection process all drivers will have an equal chance of being selected each time a selection is made.

The rate of selection is fifty percent (50%) per annum for drugs and twenty-five (25%) per annum for alcohol. These rates may be adjusted by the Department of Transportation guidelines from time to time.

The selections are done by a scientifically valid process and the tests are unannounced.

The employer will notify the Transportation Secretary who shall set up an appointment for testing of the selected driver.

The driver will not be notified until the test is to be conducted.

The driver shall immediately present himself for testing at the designated collection location.

3) Reasonable suspicion testing (382.307):

Reasonable suspicion testing may be based upon, among other things:

Observable phenomena, such as direct observation of drug/alcohol use or possession and/or the physical symptoms of being under the influence of a drug/alcohol, or a pattern or abnormal conduct or erratic behavior.

Abnormal conduct or erratic behavior may include the following, which are not all inclusive:

- ❖ Abnormally dilated or constricted pupils;
- ❖ Glazed stare – redness of eyes;
- ❖ Flushed face;
- ❖ Change of speech (i.e. faster or slower);
- ❖ Constant sniffing;
- ❖ Redness under nose;
- ❖ Needle marks;
- ❖ Change in personality;
- ❖ Forgetfulness;
- ❖ Constant fatigue or hyperactivity;
- ❖ Smell of alcohol;
- ❖ Slurred speech;
- ❖ Difficulty walking;
- ❖ Slowed reaction rate; or
- ❖ Dulled mental processes.

Information provided either by reliable and credible sources or independently corroborated; or newly discovered evidence that the member has tampered with a previous drug alcohol test.

Although reasonable suspicion testing does not require certainty, mere “hunches” are not sufficient to meet this standard.

Procedures:

If a driver is suspected of using illegal drugs, the appropriate supervisor will gather all information, facts, and circumstances leading to and supporting this suspicion. The appropriate supervisor will promptly prepare a written report detailing the circumstances which formed the basis to warrant the testing. This report should include the appropriate

dates and times of reported drug/alcohol related incidents, reliable/credible sources of information, rationale leading to the test, and the action taken.

The driver shall be taken to an approved collection site and a required reasonable suspicion drug and/or alcohol test shall be administered. Refusal by the employee to take the required test(s) shall be grounds for the full range of consequences including termination.

4) Post accident drug/alcohol testing (382.303):

Drivers involved in on-the-job accidents are subject to testing. Testing for both alcohol and drugs shall be conducted for each surviving driver:

Who was performing a safety sensitive function with respect to the vehicle, if the accident involved the loss of human life; or

Who receives a citation under State or local law for a moving traffic violation arising from the accident.

Examples for post accident testing 382.303 (a) (3)

Type of Accident Involved	Citation Issued to the CMV Driver	Test Must be Performed By Employer
Human fatality	Yes	Yes
	No	Yes
Bodily injury with immediate medical treatment away from the scene	Yes	Yes
	No	No
Disabling damage to any motor vehicle requiring tow away	Yes	Yes
	No	No

5) Return to duty testing (382.309):

The employer shall ensure that a driver returning to duty in a safety sensitive position after testing positive for alcohol has undergone a return to duty test. The results must be less than an alcohol concentration of 0.02.

For drugs the driver returning to duty in a safety sensitive position shall have undergone a controlled substance test with a verified negative result.

6) All drivers referred through administrative channels who undergo a counseling or rehabilitation program for drug/alcohol use through a Substance Abuse Professional will be subject to unannounced testing

following completion of such a program, at the discretion of the Substance Abuse Professional, for a period not to exceed five years. Such testing is unannounced as directed by a Substance Abuse Professional.

Follow-up testing for alcohol shall only be conducted when the driver is performing safety sensitive functions just before the driver is to perform safety sensitive functions, or just after performing safety sensitive functions.

382.601 (b) (6)

The following are procedures that will be used to test for the presence of alcohol and/or controlled substances:

Drug Testing:

House Municipal Schools shall adhere to the guidelines for drug testing. Split urine specimens collected under this policy shall not be used to test for any other drugs than have been listed.

A drug testing component utilized by the House Municipal Schools shall have professionally trained collection personnel, quality assurance requirements for urinalysis procedures, and strict confidentiality requirements.

Privacy Assured:

Any individual subject to testing under this policy, shall provide urine specimens in privacy unless there is reason to believe that a particular individual may alter or substitute the sample.

A collection site staff member of the same gender as the individual tested, may observe the individual provide the urine specimen when such staff member has a reasonable suspicion to believe that the individual may attempt to alter or substitute. The following are grounds of reasonable suspicion:

The employee has presented a urine specimen that falls outside the normal temperature range of 32° – 38°C or 90° – 100°F; and

The employee declines to provide an oral body temperature; or

The oral body temperature varies by more than 1°C/1.8°F from the specimen temperature;

The last urine specimen provided by the employee (on a previous occasion) was determined by the testing lab to have a specific gravity of less than 1.003 and a creatinine concentration below .2g/L;

The collection site personnel observes conduct clearly and unequivocally indicating an attempt to substitute or adulterate the sample (e.g. substitute urine in plan view, blue dye in specimen presented, etc.); or

The employee has previously been determined to have used a controlled substance without medical authorization.

Opportunity to Justify a Positive Drug Test Result:

When a drug test result has been returned by the laboratory to the Medical Review Officer, he or she shall perform their duties. For example, the Medical Review Officer may choose to conduct employee medical interviews, review employee medical history, or review any other relevant biomedical factors. The Medical Review Officer must review all negative and positive results. Evidence to justify a positive result may include, but is not limited to:

A valid prescription; or

A verification from the individual's physician verifying a valid prescription.

Individuals are not entitled, however, to present evidence in a trial-type administrative proceeding, although the Medical Review Officer has the discretion to accept evidence in any manner they deem most efficient or necessary. If the Medical Review Officer determines there is justification for the positive result, such result will be considered a verified positive test result. The Medical Review Officer shall immediately contact the appropriate management official upon obtaining a verified positive test result.

Breathe Alcohol Test:

House Municipal Schools will adhere to breath alcohol procedures of Title 49 Code of Federal Regulations Part 40.

Breath alcohol shall be collected by a certified Breath Alcohol Technician utilizing a Department of Transportation approved Evidentiary Breath Testing machine.

The driver giving the sample shall complete step 2 of the certification on the Alcohol Testing Form. Refusal by the member to sign the certification shall be regarded as a refusal to take the test.

A result of the screening test of less than 0.02 concludes the test. If the screening test is 0.02 or greater the driver shall take a confirmation test.

The confirmation test shall be conducted not less than fifteen (15) minutes and no more than thirty (30) minutes of a positive screen test.

Post-Accident Procedures:

Drivers involved in on-the-job accidents are subject to testing. Testing for both alcohol and drugs shall be conducted for each surviving driver;

Who was performing safety sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or

Who receives a citation under State or local law for a moving traffic violation arising from the accident. A written warning is treated as a citation.

For Alcohol:

The driver involved in the accident who is subject to testing shall make himself/herself available for testing for up to eight hours and no alcohol shall be consumed by the driver for eight hours or until an approved breath alcohol test is performed. No breath alcohol test shall be performed after eight hours from the time of the accident.

For Drugs:

A urine collection for drug testing shall be conducted no later than thirty-two (32) hours from the time of the initial accident; and

The driver shall make himself/herself available for testing during this time.

Tests by Law Enforcement Agencies:

The results of breath or blood tests for the use of alcohol by Federal, State or local official having independent authority for the test, shall be considered to meet the requirements of post-accident testing, provided the tests conform to the applicable Federal, State or local alcohol testing requirements, and that the results are obtained by the employer; and

The results of a urine test for the use of controlled substances by Federal, State or local officials having independent authority for the test, shall be considered to meet the requirements of post-accident testing, provided the

tests conform to requirements, and that the results are obtained by the employer.

382.601 (b) (7) The following lists the requirements of drivers to submit to testing for alcohol and controlled substances under Part 382:

Title 49 Code of Federal Regulations Part 382 applies to every person and to all employers of such persons who operate a commercial motor vehicle in any State and is subject to the commercial driver's licensing requirements.

This includes an employer who employs him/herself as an employee.

382.601 (b) (8) The following is an explanation of what constitutes a refusal to test for alcohol or controlled substances and the consequences:

Any employee who refuses to be tested when so required will be subject to removal from any safety sensitive function.

Alcohol:

Refusal to test and uncompleted tests are:

Fails to present himself/herself for testing after he/she has received notice that testing is occurring;

Refusal of the driver to complete and sign the breath alcohol testing form;

To provide breath;

To provide an adequate amount of breath; or

To otherwise cooperate with the testing process.

Inability to provide adequate amount of breath.

The driver shall be directed by the employer, if required to obtain and as soon as practical, an evaluation from a licensed physician why the member could not deliver an adequate sample.

If the licensed physical is unable to conclude that a high degree of probability existed that a medical problem resulted in the inadequate sample the test is considered a refusal.

If the driver refuses to take a confirmation test he/she shall not operate a motor vehicle or perform any safety sensitive function.

Controlled Substance Urine Sample:

Fails to provide an adequate urine sample without a genuine inability to provide a specimen after he/she has received notice of the requirement for urine testing.

Fails to present himself/herself for testing after he/she has received notice that testing is occurring.

Engages in conduct that clearly obstructs the testing process.

The employee has presented a urine specimen that falls outside the normal temperature range of 32°-38°C or 90°-100°F, and the employee declines to provide an oral body temperature.

Consequences:

Removing the employee from the safety sensitive position or function (all offenses).

Referral to a Substance Abuse Professional. Refusals to test as if they were a positive test result for either alcohol or controlled substances. The driver may not return to any safety sensitive function until an appropriate release from a Substance Abuse Professional has been obtained and provided to the employer (all offenses).

382.601 (b) (9) The following are consequences of a driver found to have violated 49 CFR Part 382, Sub-Part B:

Prohibitions:

382.201 No driver shall report for duty or remain on duty requiring the performance of safety sensitive functions while having an alcohol concentration of 0.04 or greater. No employer having actual knowledge that a driver has an alcohol concentration of 0.04 or greater shall permit the driver to perform or continue to perform safety sensitive functions.

382.205 No driver shall use alcohol while performing safety sensitive functions. Nor shall an employer allow the driver nor permit the driver to continue safety sensitive functions when the employer has actual knowledge of alcohol use by the driver.

382.207 No driver shall perform safety sensitive functions within four (4) hours after using alcohol. No employer having actual knowledge that a driver

has used alcohol within four (4) hours shall permit a driver to perform or continue to perform safety sensitive functions.

382.209 No driver required to take a post-accident alcohol test shall use alcohol for eight (8) hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first.

382.211 No driver shall refuse to submit to a:

Post-accident alcohol or controlled substance test;
Random alcohol or controlled substance test;
Reasonable suspicion alcohol or controlled substance test; and
Follow-up alcohol or controlled substance test.

No employer shall permit a driver who refuses to submit to such tests to perform or continue to perform safety sensitive functions.

382.213 No driver shall report for duty or remain on duty requiring the performance of safety sensitive functions when the driver uses any controlled substances, except when use is pursuant to the instructions of a licensed medical practitioner who has advised the driver that the substance will not adversely affect the driver's ability to safely operate a commercial motor vehicle.

No employer having actual knowledge that a driver has used a controlled substance shall permit the driver to perform or continue to perform a safety sensitive function.

382.215 No driver shall report for duty, remain on duty or perform a safety sensitive function, if the driver tests positive for controlled substances. No employer having actual knowledge that a driver has tested positive for controlled substances shall permit the driver to continue to perform safety sensitive functions.

Therefore, any driver violating any of the above prohibitions shall immediately be removed from any safety sensitive function by the employer. The driver shall be referred to a Substance Abuse Professional by the employer and may not return to duty until successful completion of an approved substance abuse program is completed. In cases where the driver has tested positive for controlled substances, the employer shall immediately notify the employee to cease any safety sensitive functions.

382.601 (b) (10) The following are consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04:

Levels of alcohol concentration over 0.02% but less than 0.04% require an employee to be relieved of safety sensitive functions for a period of 24 hours. A negative breath test of less than 0.02% shall be acquired prior to the employee returning to duty.

482.601 (b) (11) The following is information concerning the effects of alcohol and controlled substances:

1. ALCOHOL

Although used routinely as beverage for enjoyment, alcohol can also have negative physical and mood-altering effects when abused. These physical or mental alterations in a driver may have serious personal and public safety risks.

Health Effects

An average of three or more servings per day of beer (12 oz.), whiskey (1 oz.) or wine (6 oz.) over time may result in the following health hazards:

- ❖ Dependency;
- ❖ Fatal Liver Disease;
- ❖ Kidney Disease;
- ❖ Pancreatitis;
- ❖ Ulcers;
- ❖ Decreased sexual functions;
- ❖ Increased cancers of the mouth, tongue, pharynx, esophagus, rectum, breast and malignant melanoma;
- ❖ Spontaneous abortion and neonatal mortality; or
- ❖ Birth defects such as Fetal Alcohol Syndrome.

Social Issues

- ❖ Two-thirds of all homicides are committed by people who drink prior to the crime.
- ❖ Two to three percent of the driving population is legally drunk at any one time. This rate doubles at night and on weekends.
- ❖ Two-thirds of all Americans will be involved in an alcohol-related accident during their lifetime.
- ❖ The separation and divorce rate in families with alcohol dependency problems is seven times the average.
- ❖ 40% of family court cases are alcohol-related.
- ❖ Alcoholics are 15 times more likely to commit suicide.
- ❖ More than 60% of burns, 40% of falls, 69% of boating accidents, and 76% of private aircraft accidents are alcohol related.

- ❖ Over 17,000 fatalities occurred in 1993 in highway accidents, which were alcohol-related.
- ❖ This was 43% of all highway fatalities.
- ❖ 30,000 people will die each year due to alcohol cause liver disease.
- ❖ 10,000 people will die each year due to alcohol-related brain disease or suicide.
- ❖ Up to 125,000 people die each year due to alcohol-related conditions or accidents.

Workplace Issues

- ❖ It takes one hour for the average person (150 pounds) to process one serving of alcohol from the body.
- ❖ Impairment can be measured with as little as two drinks in the body.
- ❖ A person who is legally intoxicated is six times more likely to have an accident than a sober person.

Alcohol's Trip Through the Body DO WE NEED THIS IN POLICY???

Mouth and Esophagus: Alcohol is an irritant to the delicate linings of the throat and food pipe. It burns as it goes down.

Stomachs and Intestines: Alcohol has an irritating effect on the stomach's protective lining, resulting in gastric or duodenal ulcers. This condition, if it becomes acute, can cause peritonitis, or perforation of the stomach wall. In the small intestine, alcohol blocks absorption of such substances as thiamin, folic acid, fat, vitamin B1, vitamin B12 and amino acids.

Bloodstream: 95% of the alcohol taken into the body is absorbed into the bloodstream through the lining of the stomach and duodenum. Once in the bloodstream, alcohol quickly goes to every cell and tissue in the body. Alcohol causes red blood cells to clump together in sticky wads, slowing circulation and depriving tissues of oxygen. It also causes anemia by reduction of red blood cell production. Alcohol slows the ability of white cells to engulf and destroy bacteria and degenerates the clotting ability of blood platelets.

Pancreas: Alcohol irritates the cells of the pancreas causing them to swell, thus blocking the flow of digestive enzymes. The chemicals, unable to enter the small intestine, begin to digest the pancreas, leading to acute hemorrhagic pancreatitis. One out of five patients who develop this disease dies during the first attack. Pancreatitis can destroy the pancreas and cause a lack of insulin thus resulting in diabetes.

Liver: Alcohol inflames the cells of the liver causing them to swell and block the tiny canal to the small intestines. This prevents bile from being filtered properly through the liver. Jaundice develops turning the whites of the eyes and skin yellow. Each drink of alcohol increases the number of live cells destroyed, eventually causing cirrhosis of the liver. This disease is eight times more frequent among alcoholics than among non-alcoholics.

Heart: Alcohol causes inflammation of the heart muscle. It has a toxic effect on the heart and causes increased amounts of fat to collect, thus disrupting its normal metabolism.

Urinary Bladder and Kidneys: Alcohol inflames the lining of the urinary bladder making it unable to stretch properly. In the kidneys, alcohol causes increased loss of fluids through its irritating effect.

Sex Glands: Swelling of the prostate gland caused by alcohol interferes with the ability of the male to perform sexually. It also interferes with the ability to climax during intercourse.

Brain: The most dramatic and noticed effect of alcohol is on the brain. It depresses brain centers, producing progressive incoordination: confusion, distortion, stupor, anesthesia, coma and death. Alcohol kills brain cells and brain damage is permanent. Drinking over a period of time causes loss of memory, judgment and learning ability.

2. DRUGS

MARIJUANA

Health Effects

- ❖ Emphysema-like conditions.
- ❖ One joint of marijuana contains cancer-causing substances equal to one-half pack of cigarettes.
- ❖ One joint causes the heart to race and be overworked. People with heart conditions are at risk.
- ❖ Marijuana is commonly contaminated with the fungus *Aspergillus*, which can cause serious respiratory tract and sinus infections.
- ❖ Marijuana lowers the body's immune system response, making users more susceptible to infections.
- ❖ Chronic smoking causes changes in brain cells and brain waves. The brain does not work as efficiently or effectively. Long-term brain damage may occur.
- ❖ Tetrahydrocannabinol (THC) and 60 other chemicals in marijuana concentrate in the ovaries and testes.

- ❖ Chronic smoking of marijuana in males causes a decrease in testosterone and an increase in estrogen, the female hormone. As a result, the sperm count is reduced, leading to temporary sterility.
- ❖ Chronic smoking of marijuana in females causes a decrease in fertility.
- ❖ A higher than normal incidence of stillborn births, early termination of pregnancy, and high infant mortality rate during the first few days of life are common in pregnant marijuana smokers.
- ❖ THC causes birth defects including brain damage, spinal cord, forelimbs, liver and water on the brain and spine in test animals.
- ❖ Prenatal exposure may cause underweight newborn babies.
- ❖ Fetal exposure may decrease visual functioning.
- ❖ User's mental function can display the following effects:

Delayed decision making;
 Diminished concentration;
 Impaired short-term memory;
 Impaired signal detection;
 Impaired tracking;
 Erratic cognitive function; and/or
 Distortion of time estimation.

Workplace Issues

- ❖ THC is stored in body fat and slowly released.
- ❖ Marijuana smoking has long-term effects on performance.
- ❖ Increased THC potency in modern marijuana dramatically compounds the side effects.
- ❖ Combining alcohol or other depressant drugs with marijuana increase the impairing effects.

COCAINE

Used medically as a local anesthetic. When abused it becomes a powerful physical and mental stimulant. The entire nervous system is energized. Muscles tense, heart beats faster and stronger, and the body burns more energy. The brain experiences an exhilaration caused by a large release of neurohormones associated with mood evaluation.

Health Effects

- ❖ Regular use may upset the chemical balance of the brain. As a result, it may speed up the aging process by causing damage to critical nerve cells. Parkinson's Disease could also occur.
- ❖ Cocaine causes the heart to beat faster, harder, and rapidly increases blood pressure. It also causes spasms of blood vessels in

the brain and heart. Both lead to ruptured vessels causing strokes and heart attacks.

- ❖ Strong dependency can occur with one “hit” of cocaine. Usually mental dependency occurs within days for “crack” or within several months of snorting coke. Cocaine causes the strongest mental dependency of all the drugs.
- ❖ Treatment success rates are lower than other chemical dependencies.
- ❖ Extremely dangerous when taken with other depressant drugs. Death due to overdose is rapid. Fatal effects are usually reversible by medical intervention.

Workplace Issues

- ❖ Extreme mood and energy swings create instability. Sudden noise causes a violent reaction.
- ❖ Lapses in attention and ignoring warning signals increase probability of accidents.
- ❖ High cost frequently leads to theft and/or dealing.
- ❖ Paranoia and withdrawal may create unpredictable or violent behavior.
- ❖ Performance is characterized by forgetfulness, absenteeism, tardiness and missing assignments.

OPIATES

Narcotic drugs which alleviate pain and depress body functions and reactions.

Health Effects

- ❖ IV needle users have a high risk of contracting hepatitis or AIDS when sharing needles. Increase pain tolerance. As a result, a person may more severely injure themselves and fail to seek medical attention as needed.
- ❖ Narcotic effects are multiplied when combined with other depressants causing an increased risk of overdose.
- ❖ With increased tolerance and dependency combined, there is serious financial burden for users.

Workplace Issues

- ❖ Side effects such as nausea, vomiting, dizziness, mental clouding, and drowsiness place the user at high risk for an accident.
- ❖ Causes impairment of physical and mental functions.

AMPHETAMINES

Central nervous system stimulant that speeds up the mind and body.

Health Effects

- ❖ Regular use causes strong psychological dependency and increased tolerance.
- ❖ High doses may cause toxic psychosis resembling schizophrenia.
- ❖ Intoxication may induce a heart attack or stroke due to increased blood pressure.
- ❖ Chronic use may cause heart or brain damage due to severed constriction of capillary blood vessels.
- ❖ Euphoric stimulation increases impulsive and risk taking behavior, including bizarre and violent acts.
- ❖ Withdrawal may result in several physical and mental depression.

Workplace Issues

- ❖ Since the drug alleviates the sensation of fatigue, it may be abused to increase alertness during periods of overtime or failure to get rest.
- ❖ With heavy use or increasing fatigue, the short-term mental or physical enhancement reverses and becomes an impairment.

PHENCYCLIDINE (PCP)

Often used as a large animal tranquilizer. Abused primarily for its mood altering effects. Low doses produce sedation and euphoric mood changes. Mood can rapidly change from sedation to excitation and agitation. Larger doses may produce a coma-like condition with muscle rigidity and blank stare. Sudden noise or physical shocks may cause a “freak-out” in which the person has abnormal strength, violent behavior and an inability to speak or comprehend.

Health Effects

- ❖ The potential for accidents and overdose emergencies is high due to the extreme mental effects combined with the anesthetic effect on the body.
- ❖ PCP, when combined with other depressants, including alcohol, increases the possibility of an overdose.
- ❖ If misdiagnosed as LSD, and treating with Thorazine, can be fatal.
- ❖ Irreversible memory loss, personality changes and thought disorders may result.

Workplace Issues

Not common in workplace primarily because of the severe disorientation that occurs. There are four phases to PCP abuse:

- ❖ Acute toxicity causing combativeness, catatonia, convulsions, and coma. Distortions of size, shape, and distorted perception are common.
- ❖ Toxic psychosis with visual and auditory delusions, paranoia and agitation.
- ❖ Drug induced schizophrenia.
- ❖ Induced depress which may create suicidal tendencies and mental dysfunction.

3. 382.605 REFERRAL, EVALUATION AND TREATMENT

Each driver who has engaged in conduct prohibited by Title 49 Code of Federal Regulations part 382, sub-part B shall be advised by the employer of the resources available to the driver in evaluating and resolving problems associated with the misuse of alcohol and the use of controlled substances.

A non-inclusive assistance resource listing:

Socorro Mental Health, Inc.
1200 Hwy 60 W
Socorro, NM 878010-3914
(505) 835-2444
(Addictions, Alcoholism & Drug Abuse)

The National Institute on Alcohol
Abuse and Alcoholism
Prevention Branch Rm 16C-14
5600 Fishers Lane
Rockville, MD 20857

Cocaine Helpline
(505) 434-6873
1-800-COCAINE
1-800-262-2463

Drug Abuse Information and
Treatment Referral Hotline
1-800-662-HELP
1-800-662-4357

Behavioral Health Services Division
Substance Abuse Bureau
725 St. Michaels Drive
Santa Fe, NM 87504
(505) 827-0117

The National Institute on Drug Abuse
Prevention Branch Rm. 11A-33
5600 Fishers Lane
Rockville, MD 20857

Al-Anon
1-800-356-9996

National Institute for Drug Abuse
1-800-843-4971

American Council on Alcoholism
1-800-527-5344

(505) 437-7404

Referrals into a Substance Abuse Professional play an important role in preventing and resolving employee drug use or alcohol abuse by providing employees an opportunity to discontinue their use.

All Substance Abuse Professional operations shall be confidential in accordance with this policy relating to records and confidentiality.

382.601 (b) 11 (c) Employer Provisions

1. Employer policy regarding voluntary referrals to a Substance Abuse Professional:

The employer will initiate action to discipline any employee found to use illegal drugs, or alcohol, in every circumstance. Members are encouraged to voluntarily refer themselves to Substance Abuse Professional before any testing occurs. Such discipline is not required for an employee who completes counseling and thereafter refrains from drug and alcohol use.

The decision whether to discipline a voluntary referral will be made by the employer on a case-by-case basis depending upon the facts and circumstances.

2. Employer policy regarding legal drug use:

An employee in a safety sensitive position who is taking either prescription, non-prescription, or medication containing alcohol for illness or injury must report the use of these medications to his supervisor. Failure to do so may result in disciplinary actions. It is the responsibility of the employer to determine the effects of these drugs on job performance and safety. Generally the effects would be considered substantial enough to warrant removal if the medication container states that driving should not be done after taking the medication. In the event that these medications adversely affect performance or safety to the extent that the member must be relieved from duty, no disciplinary action will be taken against the member. He/she may be required to take sick leave, vacation, leave without pay, or be placed in a less sensitive position.

No prescription drugs shall be brought onto school buses by any person other than the person for who the drug is prescribed by a licensed medical practitioner and shall be used only in the manner, combination and quantity prescribed.

3. Contracts:

All contracts with school bus transportation service providers are subject to such operators providing the Director of Operations and Transportation with test results for their employees and applicants for employment.

a) Interstate commerce:

To the extent application of Federal Regulations hinge on the school bus operating in interstate commerce, or requires that it be subject to regulations by the Department of Transportation, or otherwise incorporates intentional phrases which are based on interstate activity or obligations to Federal agencies, it is the intent of this policy that such testing requirements and procedures shall also apply to drivers not operating in interstate commerce or being subject to such Federal Regulation. To the extent any other portion of the Federal Regulations referred to above require reasonable modification to make them applicable to the operation of public school buses or public school districts, it is the intent of this policy to effectuate such reasonable modifications on a case-by-case basis, and it is not the intention to make such regulations inapplicable.

b) Reporting:

The reporting requirements which arise under Title 49 Code of Federal Regulations Parts 40 and 382 are an element of this policy. To the extent such reporting requirements hinge on operations in interstate or intrastate commerce or application of United State Department of Transportation regulations or require reporting to Federal agencies, such reporting requirements will be implemented to the degree to which they apply.

c) Authority:

The Board of Education hereby delegates to the Superintendent or Director of Operations and Transportation the Authority to adopt implementation guidelines and regulations governing testing and testing procedures as called for by this policy; to issue requests for proposals for contracting a certified laboratory to analyze test results, subject to approval of a contract by the Board; and to take such other actions as may be required by the Department of Transportation regulations to carry out the intent of this policy.

- d) Use, sale, manufacture, purchase, or possession of illegal drugs:

The use, sale, attempted sale, manufacture, purchase, attempted purchase, possession or transfer of an illegal drug while on School District property, which may include other locations if the bus driver is at such location while in the course and scope of employment, or in a school bus, is a violation of School District rules and will result in disciplinary action up to and including termination.

- e) Bus driver or transportation aide:

Any bus driver or transportation aide who is under the influence of alcohol or an illegal drug while on School District property or in a school bus is in violation of School District rules and will be subject to disciplinary action up to and including termination. Being “under the influence” shall not excuse or be a defense to any other misconduct which is a violation of School District rules.

- f) Notification of illegal drug convictions:

Any bus driver who is convicted under any criminal statutes for the use, sale, attempted sale, manufacture, purchase, attempted purchase, possession or transfer of an illegal drug shall be required to notify his/her immediate supervisor in writing within five (5) days of same conviction. Failure to so notify the School District will result in termination.

Absence from work due to such conviction shall be considered unauthorized and shall be subject to disciplinary action up to and including termination.

- g) Contractor funding:

Funds will be provided through the school transportation service contract at the beginning of each school year. These funds are to support the State and Federal mandated testing programs. Costs incurred as a result of driver re-employment shall be borne by the contractor.

- h) Severance:

In the event that any portion of this policy or any portion of the regulations it incorporates are declared unenforceable, the remainder of this policy and such regulations shall remain in full effect.

382.601 (b) 11 (d)

Certificate of receipt:

Drug/Alcohol educational material packets shall be distributed to covered employees. Employees are required to sign for the materials. A copy showing receipt shall be maintained by the Transportation Secretary as part of the employees drug and alcohol file.

4.27.9.2. Criminal Background Checks

Criminal background checks, pursuant to Section 22-10A-5 NMSA 1978 shall be conducted upon each contractor and contractor's employee, at the expense of the contractor or contractor's employee, if the contractor or contractor's employee has unsupervised access to students. This includes all bus drivers, aides, and their substitutes. After July 1, 1998, Board of Education approval of new drivers, aides, and substitutes shall be subject to the satisfactory completion of such background checks.

4.27.10. VOCATIONAL EDUCATION TRANSPORTATION

Vocational Education school bus routes for the purpose of transporting students to and from school sites and the place where Vocational Education programs are being offered are to be approved by the Superintendent or designee.

The cost of such routes shall be paid from the "to and from" transportation distribution.

4.27.11. SPECIAL EDUCATION TRANSPORTATION

**4.27.11.1. Individualized Education Program Committee
(As required by State Standards of Education)**

Program determination will include consultation with the Superintendent and Director of Special Education or designee to avoid transportation problems.

The committee must be familiar with State Statutes, State and local regulations, and policies to promote understanding and support of the transportation program. The committee is responsible for a comprehensive inventory of the pupils' needs as they relate to the transportation and other related services. The House Municipal Schools Board of Education supports the Unified Transportation System Inclusion policy and all District transportation routes will be brought into compliance in a timely manner.

1. The type of vehicle required must be determined in advance. Some students may need to be transported in wheelchairs, or may require a specially designed car seat or vest to provide torso and/or head support. Special Education student(s) will be transported on established routes whenever possible. An IEP meeting will be conducted to determine if this is not in the best interest of the student(s).

2. Significant medical problems should be documented, with appropriate information provided to the transportation service provider and/or educational assistant especially the possibility of seizures.

3. Alternate emergency drop-off points and telephone numbers of specified contract persons shall be obtained.

4. Late registration or placement of a student into a different program after school begins usually affects routing and time schedules for one or all students on the bus. A minimum of three (3) days planning time is usually required. Changes should not be made late in the school year unless absolutely necessary.

4.27.11.2. Loading and Unloading

A.M. Unloading

The administrator or designee shall be on site at the A.M. unloading area. The bus driver or aide will not be allowed to leave Special Education students unattended unless determined by an IEP that supervision is not required.

P.M. Dismissal

The administrator or designee shall have the students ready at dismissal time. The bus driver will not be required to wait more than five (5) minutes. The driver and/or bus aide will not be allowed to leave the bus unattended to search for unaccounted students. Once the bus has departed, the bus driver will not be required to return to school. The principal or designee will be required to make other arrangements for the student to be transported home.

The Integrated Instructional Services Department shall designate a person(s) to be available until all Special Needs buses have completed their trips and all students have been properly delivered. All drivers are to be informed of the person(s) who have been designated to take custody of unattended students.

4.27.13. INSTRUCTION AND/OR ACTIVITY TRAVEL

4.27.13.1. General Information

The Board encourages the use of field trips to complement the instructional program and to acquaint students with their environment and the “world of work.” Such trips will be closely coordinated with other school system activities and will be supervised by school personnel.

4.27.13.2. Activities Within the School Day

Licensed secondary students may transport themselves to and from school activities within the school day in private vehicles with the approval of the Superintendent, written permission of the parent or legal guardian and proof of insurance on file in the Principal's Office. The District does not allow students with private vehicles to transport other students to and from school activities within the school day.

The District will provide transportation to and from curricular activities within the school day. Parents are responsible for picking up the student from activities, which extend beyond the school day.

Students violating this policy will be subject to disciplinary sanctions as set forth in the School Handbook.

4.27.13.3. Activities Outside the District and/or Overnight

Students who participate in school sponsored activities outside the district and/or overnight trips are authorized to travel to and from the activity with the coach/sponsor in transportation provided by the District. Upon prior approval, a student may be transported by their respective parent/legal guardian. A student may be released to the parent/legal guardian of the student at the conclusion of the activity. The coach/sponsor will not release a student to any other person unless prior to the trip the parent/guardian has presented proper documentation authorizing the release of the student to another parent.

4.27.13.4. School Activity Vehicles

Although allowable under certain conditions, transportation of students using private vehicles or school-owned vehicles for school sponsored activities can result in unnecessary risks and cost to School Districts.

Districts, however, shall use an activity school bus any time the school sponsored activity involves more than 18 passengers and would require more than two school-owned vehicles to transport students to the same destination.

In order to promote the safe transportation of school students and to reduce the district's liability in case of accident, the use of school-owned or private vehicles should be on a limited basis.

School employees are authorized to operate school-owned vehicles to transport up to eighteen (18) passengers in two (2) passenger vehicles on planned school sponsored activities.

In an extreme emergency, school employees may transport students in any school-owned vehicle. A written explanation of the emergency, students and staff involved, and actions taken by the employee will be forwarded to the Superintendent within one (1) business day after the emergency.

Acceptable vehicles include sedans with a seating capacity for four (4) to six (6) passengers and six (6) to nine (9) passenger vehicles. Unacceptable vehicles are vans or mini-vans.

The Superintendent or Business Manager may authorize the lease of a vehicle from another School District or commercial common carrier when the number of students to be transported and/or time and distance is a factor provided the vehicles meet all applicable requirements of Federal Motor Vehicle Safety Standards for its category.

Vehicles used for the purpose of transporting students on school-sponsored activity trips shall carry the approved Transportation Request Form and will provide a list of students and sponsors to the Business Office prior to the activity. A Route of Travel form will also be required when the trip is farther than fifty (50) miles from the school or when more than one stop is required. A copy of the purchase order is required.

Out-of-state trips must comply with Motor Carrier Safety Regulations of the United States Department of Transportation.

Any vehicle owned or under contract to the House School District transporting students will not exceed the posted speed limit or sixty (60) miles per hour, whichever is less. This does not include commercial coaches.

Private vehicles will be used only for emergency situations. Employees' insurance is primary.

All school-owned vehicles and contracted school buses will have insurance coverage as required by the State. (Adopted 5/15/01)

4.27.13.5. Drivers and/or Sponsors Responsibilities

1. Activity drivers must meet the following minimum qualifications:
 - A. Must be a school employee or a Board approved activity driver.
 - B. Must complete application form that meets or exceeds State and Federal guidelines.
 - C. Must have an annual check of their driving record through the New Mexico Department of Motor Vehicles. Must not have a moving violation or DWI within the last twenty-four (24) months.
 - D. Must have a physical examination conducted by a licensed physician under criteria developed by and certified on a form specified by the State Transportation Director and renewed every twenty-four (24) months from

the date of the last examination or before as specified by a licensed physician.

- E. Must have a criminal background check.
 - F. Must be enrolled in a substance and alcohol testing program in accordance with 49 CFR Part 382 through the District's third party alcohol and drug testing provider.
 - G. Must have successfully completed a minimum of twelve (12) hours of training to include:
 - 1) Pre-service training:
 - a) Four (4) hours of classroom training, conducted by a School Bus Driver Instructor certified by the State Transportation Director, including a review of the Standards for Providing Transportation Services to Eligible Students, district and/or emergency safety policy and regulations, general motor vehicle operating procedures, and passenger management.
 - b) At least one (1) of the four (4) hours shall be a familiarization with the vehicle and equipment.
 - c) As of July, 2004, 2 hour School Bus Security Training Program.
 - H. Completion of the remaining eight (8) hours of minimum training within the first calendar year of driving a school-owned vehicle, unless documentation is provided for previous completion:
 - a) Nationally recognized or state approved First Aid Course including CPR.
 - b) Nationally recognized or state approved Defensive Driving Course.
2. Any person initially applying or currently operates a school bus or school owned activity vehicle used to transport students shall not be eligible to operate such a vehicle if he/she has:
- A. been convicted for driving a vehicle while under the influence of intoxicating liquor or drugs ("DWI") within three (3) years of the date of the application.

- B. been convicted for DWI beyond three (3) years from the date of the application unless he provides a written verification from a licensed counselor or physician that he/she has successfully completed an alcohol or drug abuse program.
- C. been convicted two (2) or more times for DWI.
- D. had driver's license suspended or revoked within the previous five (5) years for any serious traffic offense.
- E. been convicted of more than three serious traffic offenses within three (3) years since the date of the application.
- F. been convicted of any felony within ten (10) years since the date of his application.
- G. a conviction for any violation of the Controlled Substances Act [30-31-1 to 30-31-25, 30-31-26 to 30-31-28, 30-31-30 to 30-31-40, NMSA 1978]
- H. been convicted of child abuse pursuant to section 30-6-1, NMSA 1978
- I. been convicted of any other criminal offense in which a child was a victim as required by the offense.

Any person initially employed or applying for full or part-time employment with a private entity to operate a school bus to transport public school students, or a school owned activity vehicle used to transport public school students, shall not be eligible to operate such a vehicle for the same reasons listed above.

Because they are deemed to have unsupervised access to students at a public school, effective January 14, 2005, any person initially employed or applying for full or part time employment with a private entity to operate a school bus to transport public school students, or a school owned activity vehicle used to transport public school students, shall at his own expense submit to a fingerprint-based background check in accordance with section 22-10A-5, NMSA 1987, provided that:

- 1) such background check shall be conducted at the time of that individual's initial employment whether for full or part time to operate a school bus to transport public school students or a school owned activity vehicle used to transport public school students,
- 2) after an initial background check, another background check shall be conducted at the sooner of his driver's license renewal or at four (4) year intervals, whichever comes first.

- 3) A school district, charter school or transportation provider shall maintain an agreement, Authorization, Waiver and Release form, in addition to a criminal history affidavit on file for any employee employed for full or part time to operate a school bus or a school owned activity vehicle.

3. Continuing Standards for Drivers of School Buses or School-Activity Vehicles

Any individual who currently operates a school bus or a school owned activity vehicle used to transport students, shall no longer be eligible to operate a school bus or a school owned activity vehicle if after January 14, 2005, he/she receives any of the following:

- A. a conviction for driving a vehicle while under the influence of intoxicating liquor or drugs,
 - B. a suspension or revocation of his driver's license for any serious traffic offense,
 - C. convictions for more than three serious traffic offense as defined in this rule,
 - D. a conviction for any felony,
 - E. a conviction for any violation of the Controlled Substances Act [30-31-1 to 30-31-25, 30-31-26 to 30-31-28, 30-31-30 to 30-31-40, NMSA 1978].
 - F. A conviction for child abuse pursuant to Section 30-6-1 NMSA 1978,
 - G. A conviction for any other criminal offense in which a child was a victim as required by the offense.
 - I. The background check requirements shall not be imposed on anyone who on January 14, 2005, is already engaged in full or part time employment to operate a school bus to transport public school students, or a school owned activity vehicle used to transport public school students.
4. All activity drivers will complete a daily, thorough pre- and post-trip inspection of the vehicle documented on forms provided by the District. As part of this inspection, drivers will insure that no student remains in the vehicle at the conclusion of the trip.
 5. Provisions will be made for rest and relaxation for sponsors and students during activity trips.

6. Provisions will be made for the activity driver's workday so as not to exceed provisions set forth in 6.41.41 NMAC.
7. All occupants in an activity vehicle other than an activity bus must have seat belts available and are required to wear them while the vehicle is in motion.
8. School vehicles used to transport students will be evaluated regularly, but at least annually, to determine placement on the district replacement schedule. As a maximum, school vehicles used to transport students may not be more than twenty (20) years old and may not have in excess of two hundred thousand (200,000) actual road miles.

Provisions will be made governing personal liability release, medical information, and notification of parents and school officials should an emergency arise.

Provisions will be made for timely notification of school officials, insurance carrier, and parents should an accident occur. (Adopted 5/15/01)

4.27.13.6. Funding

Services for instructional and/or activity transportation will be governed by New Mexico Statutes. Payment for such services will be computed on a trip basis or on actual mileage. Yearly agreements may be negotiated with the school bus contractor(s) in establishing trip costs.

School funds may not be used to provide transportation for athletic coaches, players or other school personnel to summer athletic camps or summer recreational programs.

4.27.14. CELL PHONE USE FOR BUS CONTRACTORS, BUS DRIVERS AND ACTIVITY DRIVERS

House Municipal School Board of Education recognizes that cellular telephones and other communication devices can play a critical role in emergency situations. However, we believe the driver of a school bus, school activity bus or other school vehicle transporting students, should not use cellular telephones or any other communication devices, including but not limited to any type of hands-free devices used to access cellular telephones, including "Bluetooth" type devices, unless the vehicle is completely stopped in a secure, safe location. The driver of any school bus, school activity bus or other school vehicle transporting students will not use a cellular telephone or any other communication including but not limited to any type of hands-free devices used to access cellular telephones, including "Bluetooth" type devices, while the bus or vehicle is moving or while loading or unloading students.

4.28. STUDENT NUTRITION SERVICES

The experience of school officials has shown the benefit of the school breakfast and lunch program as it relates to the health and education of students. This has resulted in the

establishment of a breakfast and lunch program as an integral part of the total school curriculum. This program will be administered by the Superintendent of Schools.

4.28.1. NUTRITION PROGRAMS

The House Municipal Schools will operate a breakfast and lunch program in its schools:

1. to maintain and improve the health and physical fitness of the student by providing a balanced and nutritious school breakfast and lunch;
2. to provide a satisfactory learning experience in the breakfast and lunch program which will contribute to the overall development of the student.

Student Nutrition includes hot breakfast and lunch through participation in the National School Lunch program guidelines and provides an “Offer vs. Serve” program to all students in grades K-12.

4.28.2. FOOD PURCHASING/SELECTION/BID PROCESS

The Superintendent will designate a person to be authorized to purchase food and supplies for all food services under the Superintendent’s direction. The vendor/bid policy of the School District will be followed.

4.28.3. USE OF COMMODITIES

Commodity foods donated by the United States Department of Agriculture (USDA) will be used and accounted for in accordance with federal regulations. The foods will be used only for the purpose of the National School Lunch Program (NSLP). Limited bonus donated commodity foods may be made available for use by home economics classes.

The Superintendent will consider government commodities and also quantity purchasing where these considerations are advantageous to the School District.

4.28.4. FREE AND REDUCED PRICE MEALS

The District will participate in the NSLP and other food programs which may become available to assure that all children in the District receive proper nourishment.

In accordance with the guidelines for participating in these programs, and in accordance with the wishes of the Board, no child who meets the criteria for eligibility for free and reduced meal benefits will be denied a free meal simply because proper application has not been received from his/her parents or guardian. The administrator of the building may complete an application for a student known to be needy if the household fails to apply.

The administration will establish rules, regulations, and procedures which conform with State and federal (or other) requirements regarding participation in the program for free and reduced meal benefits. Such regulations will be reported to the Board as needed for its approval.

4.28.5. CATERING AND OTHER CONTRACTED EVENTS

The Student Nutrition Department may prepare a catered event beyond the regularly established meal program at a charge covering all costs of the event.

The Student Nutrition Department may enter into a contract/agreement with other outside agencies such as the Summer Lunch Program (Village of House) and private schools. This option is at the sole discretion of the Board of Education or the Superintendent of Schools with Board approval.

4.28.6. USE OF KITCHENS

School kitchens and kitchen equipment will not be used unless a district employee is on duty in the kitchen. Arrangements for the kitchen service and use of catering equipment are made through the Business Office.

Arrangements for service involving the use of Student Nutrition Department small equipment outside the kitchen is made with the Business Office.

4.28.7. STORAGE OF FOOD

The storage of food/ingredients will be done in a manner which follows the guidelines of the New Mexico Department of Health and Environmental Services.

4.28.8. SANITATION/SAFETY

Sanitation practices will follow the guidelines prescribed by the New Mexico Department of Health and Environmental Services. Student Nutrition employees will practice good hygiene at all times and make every effort possible to meet more than the standard when it comes to sanitation practices.

Safety regulations and practices will be adhered to at all times. All employees are required to report to their immediate supervisor any unsafe conditions or practices.

4.29.1. COPY MACHINES

School District copy machines will be purchased and maintained through the central office Support Services Department. Copy machines at School District sites are for use by the staff for copying materials needed for the operation of the schools.

4.30. MAIL AND DELIVERY SERVICES

The Board of Education will exercise control over all aspects of the intra-District mail and delivery service, including individual mail boxes assigned to school employees at school buildings in the District. The use of District mail facilities and personnel will be for the distribution of materials and communications that further the educational purposes of the School District. Communications from non-school sources may, by regulation, be authorized by the Superintendent of Schools.

4.31. CUSTODIAL SERVICES

The Superintendent will establish and maintain cleaning standards for the custodial and grounds services of the District.

Each building and/or grounds site in the District will receive periodic reviews and evaluations based on established standards. The administration will maintain procedures for such reviews.

Substitute custodians may be available to district schools on instructional days dependent upon the availability of a substitute and the duration of the employee's absence.

4.32. WASTE MANAGEMENT AND RECYCLING

The District will act to make resource conservation an integral part of the physical operation of the School District and of the school curriculum. The practice of discarding recyclable materials used in school facilities is wasteful of natural resources, energy, and money. It is also the function of the schools to set an example of stewardship of our natural resources and to develop responsible citizenship in our students.

4.33. PESTICIDE USE AND APPLICATION

It is policy of the House Municipal Schools to follow in intent of 6.29.1.9.o.6 and place it in the preventative maintenance plan.

The district will follow appropriate MSDS sheets with all pesticide applications.
6.29.1.9.o.6(NMAC)

Use of pesticides by districts will be governed by the following standards:

a) Definitions as used in this section:

i) "Pesticide" means any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any pest.

ii) "Pest" means any living organism injurious to other living organism, except humans, viruses, bacteria or other microorganisms in or on other living organisms other than plants, which is declared to be a pest pursuant to the Pesticide Control Act, Sections 76-4-1 through 76-4-39 NMSA 1978.

b) Districts schools will develop procedures for the implementation of pest management with consideration for reducing the possible impact of pesticide use on human health and the environment, including people with special sensitivities to pesticides. Procedures will include, but are not limited to the following:

i) No pesticide may be applied to public school property and no pest control device, as defined in the new Mexico Pesticide Control Act, may be used on public school property except those pesticides and devices currently registered for legal use in the state by the New Mexico department of agriculture.

ii) No pesticide may be applied to public school property except by those persons certified in the applicable category and currently licensed by the New Mexico department of agriculture or by employees under their direct supervision.

iii) Pesticides will only be applied in or on the outside of school buildings when a pest is present, and will not be applied on a regular or calendar basis unless it is to treat an infestation and is a part of a pest management system being implemented to address a particular target pest. A pest is considered to be present when it is observed directly or can reasonably be expected to be present based on finding evidence, such as droppings, body parts, or damage that is typically done by the pest. This section of the regulation does not apply to pre-construction termite treatments or the use of outdoor herbicides.

iv) Pesticides that are applied in a liquid, aerosolized or gaseous form through spraying, aerosol cans, bombs, fumigation or injections into the ground, foundations or plants will not be applied on public school property when students, staff or visitors are present, or may reasonably be occupants of public school property, and which requires the immediate application of a pesticide to remediate, students, staff and other school crevices or baits used to treat pest infestation are exempt from this section.

v) At the beginning of each year, and when new students register, schools will develop a list of parents and guardians who wish to be notified prior to pesticide application during the school year. These parents/guardians will be notified in writing prior to pesticide application. General notification of anticipated pesticide applications will occur by posting or dissemination of notices, by oral communication or other means of notification is required. Immediately following the application of a pesticide in emergency cases, signs will be posted indicating an application was made.

vi) Written records of pesticide applications will be kept for three years at each school site and be available upon request to parents, guardians, students, teachers and staff.

vii) If any part of Paragraph 6) of Subsection O of 6.29.1.9 NMAC is found to be in conflict with the provisions of the Pesticide Control Act, the remainder of the regulation will remain in full force and effect.

First Reading 21 April 2008

Second Reading

Adopted 21 April 2008

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