

# **Oldham-Ramona School District #39-5**

## **Policies and Regulations Code: E – Support Services**

### **EBCB SAFETY DRILLS**

Students and employees of Oldham-Ramona School District 39-5 may be required to evacuate the facilities or to take cover in designated areas if conditions exist that put them at risk of bodily harm. The Board has provided a comprehensive plan to deal with emergency situations and has charged the administration with making each employee aware of the plan and his/her responsibilities in implementing the plan.

It is the responsibility of the administration to conduct fire, tornado, and lockdown drills in the district's buildings. There shall be at least two fire drills and one tornado drill per semester. In addition, one lockdown drill must be conducted annually. The administration shall maintain a record of evacuation drill dates and times. The evacuation drill record shall be available for inspection by a representative of the State Fire Marshall upon request.

#### **Tornado Drills**

Tornado drills will be carried out in the fall and spring with special emphasis on teachers and students learning safe areas of the school building. The administration will designate interior areas on the lowest floor away from doors, windows, and outside walls. Large rooms and auditoriums should be avoided. Special protective body positions should be learned.

#### **Fire Drills**

Fire drill procedures shall be explained to students. All District employees shall be thoroughly instructed with respect to their duties during these evacuation drills, including closing doors to enhance fire control. In all cases teachers shall be responsible for guiding to safety all students under their supervision.

There shall be at least two fire exit drills each semester of the school year. The majority of these drills may be held during the months of September, October, April, and May, in order to take advantage of the weather. It is recommended that the first fire drill of the school year should be held during the first two weeks of school. During such drills all staff members and all students shall leave the building and move to a safe distance away. Fire drills will be held without warning and order rather than speed will be stressed in the fire drills.

The administration will keep a record of all fire drills held the school building, stating the date the drill was held and the time required for evacuation of the building.

#### **Lockdown Drill**

In some emergency situations, an evacuation of a building and/or classroom is not advisable. These include a hostile intruder, hazardous release outside, terrorist attack or criminal activity near the school. Shelter-in-place and lockdown drills will be held periodically.

#### **LEGAL REFS.:**

ARSD: 61:15  
SDCL: 13-25-10

ADOPTED: 03/2014  
AMENDED: 04/2020  
REVIEWED:

# ***Oldham-Ramona School District #39-5***

## **Policies and Regulations Code: E – Support Services**

### **EBCD EMERGENCY CLOSINGS AND CANCELLATIONS**

The superintendent may close the District schools or dismiss them early when hazardous weather or other emergencies threaten the health or safety of students and personnel. The superintendent may delegate this authority to another staff member in the event of his/her absence.

Schools will not be closed merely to avoid inconvenience. However, the superintendent may excuse all students from attending school, delay the opening hour, or dismiss students early. The superintendent also has the responsibility to see that administrative, supervisory, and operational activity is continued to the extent possible. Therefore, if conditions affect only a single school, only that school will be closed.

In making the decision to close schools, the superintendent will consider many factors, including the following principle ones that relate to the safety and health of children:

1. Weather conditions, both existing and predicted.
2. Driving, traffic and parking conditions affecting public and private transportation facilities.
3. Actual occurrence or imminent possibility of any emergency condition that would make the operation of schools difficult or dangerous.
4. Inability of teaching personnel to report for duty, which might result in inadequate supervision of students.

The superintendent will weigh these factors and take action to close the schools only after consultation with traffic and weather authorities.

Students, parents and staff will be informed early in each school year of the procedures that will be used to notify them in case of emergency closing. When schools are closed for emergency reasons, staff members will comply with Board policy in reporting for work.

If school is in operation and the buses do not operate in the rural area, teachers and administrators should realize that rural students are absent, not because of their choosing, and school work and related activities should be governed by this knowledge. If there are any concerns about this, teachers should consult with their building administrator.

#### Postponements

Should inclement weather prohibit the operation of the public schools for any portion of a school day, all co-curricular activities will be cancelled with the exception of district or state contests (activities). In such situations, the officials responsible for such contests (activities) will decide if the contest (activity) is to take place and participation by students will be based on their decision. In such cases, the building administrator will announce whether or not the contest (activity) will take place.

When the school has been closed due to the expectation of inclement weather, and the situation does not result in potentially dangerous travel conditions, the superintendent or his designee will have the authority to waive the cancellation of co-curricular activities as described in the above paragraph.

LEGAL REFS.:

SDCL: 13-8-39  
SDCL: 13-10-2  
SDCL: 13-26-2

ADOPTED: 01-2014  
AMENDED:  
REVIEWED:

# ***Oldham-Ramona School District #39-5***

## **Policies and Regulations Code: E – Support Services**

### **ECA VIDEO SURVEILLANCE**

The Oldham-Ramona School Board authorizes the use of video surveillance equipment on District property and in school buses as part of a multifaceted approach to ensure the health, welfare, and safety of all students, staff, and visitors while at work or participating in school functions and to help protect school property. The District recognizes it must balance the rights of personal privacy with its duty to provide a safe site for learning and its responsibility to safeguard district facilities and equipment. The superintendent will approve appropriate locations for video surveillance.

The implemented surveillance system should be designed and operated so that the privacy intrusion it creates is no greater than necessary to achieve the system's goals. The District shall comply with all applicable state and federal laws related to video recordings when such recordings are considered for retention as part of a student's record or of a staff member's personnel record, as determined by the District and in accordance with the law.

Installation of camera systems is based on need and funding. Video cameras will be utilized only as approved by the Superintendent or designee.

#### **LEGAL REFS.:**

Family Educational Rights and Privacy Act 20 U.S.C. §1232g; 34 C.F.R. Part 99

**ADOPTED:** 03/2014

**AMENDED:**

**REVIEWED:**

# ***Oldham-Ramona School District #39-5***

## **Policies and Regulations Code: E – Support Services**

### **ECA-R VIDEO SURVEILLANCE GUIDELINES**

The Oldham-Ramona School Board authorizes the use of video surveillance equipment on District property to enhance the safety of students and others on school premises and to deter inappropriate behavior.

In dealing with surveillance of students and employees, the Board recognizes both its obligation to provide appropriate levels of supervision in the interests of safety and the fact that students and employees have privacy rights that are reduced but not eliminated while under the supervision of the school. Thus video surveillance, like other forms of supervision, must be carried out in a way that respects privacy rights.

A video recording is subject to the provisions of the Family Education Rights and Privacy Act (FERPA).

#### **Use**

Video surveillance cameras may be used to monitor and/or record in locations authorized by the Superintendent or designee. Public notification signs must be prominently displayed, indicating the use of video surveillance.

Video surveillance is not to be ordinarily used in locations where appropriate confidential or private activities/functions are routinely carried out (e.g., bathrooms, private conference/meeting rooms). The Superintendent or designee must authorize an exception to this on the grounds that no other supervision option is feasible and that the pressing need outweighs the privacy interest of the student or other person likely to be observed. Surveillance of such locations may not be authorized on an ongoing basis.

#### **Access and Security**

Only a designated employee or agent of the District will install surveillance cameras. Only designated school officials shall have access to the camera equipment and operations system. For the purposes of this policy, school officials include school administrators and school employees designated by school administrators. Only these school officials shall handle the camera or copies of video segments. Video copies shall be stored in a secure area. Video copies may never be sold, publicly viewed or distributed in any other fashion except as approved for by this policy and/or relevant legislation.

#### **Viewing of Video Recordings**

Video monitors used to view video recordings should not be located in a position that enables public viewing. Video recordings may only be viewed by school officials or agents responsible for the technical operations of the system (for technical purposes only).

#### **Use of Video Recordings for Disciplinary Action**

Video recordings may be used as a basis for student or employee disciplinary action. Video surveillance recordings involving students are considered to be educational records under FERPA. Consent must be given in order to disclose information contained on video recordings obtained through video surveillance, except to the extent that FERPA authorizes disclosure without consent. Viewing may be refused or limited where viewing would be an

unreasonable invasion of a third party's personal privacy, give rise to a concern for the safety of a third party or where protected from disclosure by law. All viewing requests must be submitted in writing.

**Retention of Video Recordings**

A copy of a video recording shall be made when an incident results in a long-term suspension, a student injury, or there is a prospect of a legal claim against the District. The copy of the video recording shall be sent to the Superintendent or designee to be kept in a secure location. If a recording is used in the making of a decision about a student or employee, the recording must be kept for a minimum of one year, unless earlier erasure is authorized by or on behalf of the individual.

For all other purposes video recordings shall be maintained for at least two weeks and then erased unless they are being retained as indicated in the preceding paragraph or at the request of the school administration.

**Review**

The administration is responsible for the proper implementation and control of the video surveillance system. The Superintendent or designee shall conduct an annual review to ensure that this policy and procedures are being followed.

LEGAL REFS.:

Family Educational Rights and Privacy Act 20 U.S.C. §1232g; 34 C.F.R. Part 99

ADOPTED: 03/2014

AMENDED:

REVIEWED:

# ***Oldham-Ramona School District #39-5***

## **Policies and Regulations Code: E – Support Services**

### **EEA STUDENT TRANSPORTATION SERVICES**

The major purpose of school transportation is to get students who reside within an unreasonable walking distance from school to school and back in an efficient, safe, and economical manner. Secondary purposes of school transportation are for academic field trips in direct support of curriculum, and transportation for support of co-curricular programs (athletics, music, drama, and the like).

The School District shall provide transportation for eligible students residing within the District boundaries under provisions of state laws.

The District may transport at public expense all eligible students of the District. The Board will set the standards of service. The primary mode of service shall be busing. Parents/Guardians retain the option of providing transportation at their expense. Under this policy any parents/guardians' rights are protected by due process procedures.

Students birth to twenty-one, certified as needing special education or special education and related services shall be provided transportation as determined by an IEP team and addressed on a student's Individualized Education Plan (IEP). However, as it may be impractical to transport certain special education students by regular bus, they may be transported by other conveyances.

The superintendent will be responsible for the day-to-day operation of the school transportation system, and the scheduling and routing of all buses, bus stops and all regulations of the program.

Vehicles owned by the District will be operated by authorized school employees or officials who are properly licensed. These employees and officials must meet all state requirements for licensing.

The management of the school transportation program will meet the following criteria:

1. **Adequacy:** The program provides both necessary and sufficient transportation to and from school and for all other school programs.
2. **Safety:** The scheduling and operating of the program takes into consideration hazards, potential dangers to students, and all appropriate safeguards.
3. **Economy:** The program shall be operated in the most efficient manner possible after considering the constraints imposed by the criteria of adequacy and safety.

The Board authorizes the superintendent, and submitted to the Board for approval, to develop, modify and implement any and all rules, regulations, and/or guidelines necessary to carry out this policy and any related policies.

No established or official transportation route will be extended or changed without board approval. Before recommendation to the Board, the proposed extension or change will be reported to the superintendent, which

will verify that the extension or change has been checked to determine whether it meets all regulations pertaining to safety, efficiency, and economy. Buses will not go off of their designated route to pick up or drop off students.

#### Student Transportation for Open Enrolled Students

Parents who open enroll their children into the Oldham-Ramona School District from another school district can either transport their own children to the Oldham-Ramona Schools or utilize the Oldham-Ramona School District transportation service. The Board will review on a case-by-case basis requests for extending a bus route or routes outside of the District boundaries for the purpose of providing bus service to students who are open enrolled into the Oldham-Ramona School District. The criteria that will be used in deciding whether the route or routes should be extended out of the District include but is not limited to: safety, number of students regularly riding the bus, additional miles, additional time, and efficiency.

#### LEGAL REFS.:

SDCL: 13-29  
SDCL: 13-30  
ARSD: 24:05:27:07  
ARSD: 24:06  
ARSD: 24:05:27:03

ADOPTED: 01-2014  
AMENDED:  
REVIEWED:

# **Oldham-Ramona School District #39-5**

## **Policies and Regulations Code: E – Support Services**

### **EEACA DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS**

School bus drivers shall be subject to a drug and alcohol-testing program that fulfills the requirements of the Federal Code of Federal Regulations. Other persons who drive vehicles designed to transport 16 or more passengers, including the driver, are likewise subject to the drug and alcohol-testing program.

In an effort to comply with federal law by the required compliance date, any testing done under the district's permissive authority before that date shall be conducted in accordance with the procedures set forth in federal regulations.

All District employees required to have a commercial driver's license shall be subject to drug and alcohol testing. All drug and alcohol testing will be conducted in accordance with U.S. Department of Transportation guidelines and regulations. Drug and alcohol testing may occur for employees subject to the DOT regulations under the following circumstances:

#### **1. Pre-Enrollment/Pre-Employment Testing**

Tests shall be conducted before the first time a driver performs any safety-sensitive function for the district. Any driver who refuses to submit to a pre-employment, post offer test shall not perform safety sensitive functions.

Safety-sensitive functions include on-duty functions performed from the time a driver begins work or is required to be ready to work until he or she is relieved from work and all responsibility for performing work. It includes driving; waiting to be dispatched; inspecting and servicing equipment; supervising; performing or assisting in loading and unloading; repairing or obtaining and waiting for help with a disabled vehicle; performing driving requirements related to accidents; and performing any other work for the district or paid work for any other entity.

The tests shall be required of an applicant only after he or she has been offered the position.

Exceptions may be made for drivers who have had the alcohol test required by law within the previous six months and participated in the drug testing program required by law within the previous 30 days, provided that the district has been able to make all verifications required by law.

#### **2. Post-Accident Testing**

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

- Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved loss of human life; or
- Who receives a citation under state or local law for a moving traffic violation arising from the accident.

No such driver shall use alcohol for eight hours after the accident, or until after he or she undergoes a post-accident alcohol test, whichever occurs first.

If an alcohol test is not administered within two hours or if a drug test is not administered within 32 hours, the district shall prepare and maintain records explaining why the tests were not conducted. Tests need not be given if not administered within eight hours after the accident for alcohol or within 32 hours for drugs.

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

### **3. Random Testing**

Tests shall be conducted on a random basis at unannounced times throughout the year. Tests for alcohol shall be conducted just before; during or just after the performance of safety-sensitive function. Drivers shall be selected by a scientifically valid random process, and each driver shall have equal chance of being tested each time selections are made.

### **4. Reasonable Suspicion Testing**

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

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

A supervisor or district official who makes a finding of reasonable suspicion shall also make a written record of his or her observations leading to a reasonable suspicion drug test within 24 hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

### **5. Return-to-Duty and follow up**

A drug or alcohol test shall be conducted when a driver who has violated the districts' drug or alcohol prohibition returns to work to perform safety-sensitive duties.

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

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

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

## Records

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

## Notifications

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

1. The person designated by the district to answer driver questions about the material;
2. The categories of drivers who are subject to the Code of Federal Regulations;
3. Sufficient information about the safety-sensitive functions performed by drivers to make clear what period of the work day the driver is required to comply with Part 382;
4. Specific information concerning driver's conduct that is prohibited by Part 382;
5. The circumstances under which a driver will be tested for drugs and/or alcohol;
6. The procedures that will be used to test for the presence of drugs and alcohol, protect the driver and the integrity of the testing process, safeguard the validity of test results and ensure that test results are attributed to the correct driver;
7. The requirement that a driver submit to drug and alcohol tests;
8. An explanation of what constitutes a refusal to submit to a drug or alcohol test and the attendant consequences;
9. The consequences for drivers found to have violated the drug and alcohol prohibitions of Part 382, including the requirement that the driver be removed immediately from safety-sensitive functions and the procedures for referral, evaluation and treatment;
10. The consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04;
11. Information concerning the effects of drugs and alcohol on an individual's health, work and personal file; signs and symptoms of a drug or alcohol problems (the driver's or a co-worker's); and available methods of intervening when a drug or alcohol problem and/or referral to management.

Each driver shall sign a statement certifying that he or she has received a copy of the above materials.

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

When tests are given pursuant to the Code of Federal Regulations, Title 49, Part 382, the district shall so inform drivers before drug and alcohol tests are performed.

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

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

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

## Enforcement

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

A driver who is tested and found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall not perform or continue to perform safety-sensitive functions including driving a commercial motor-vehicle until the start of the driver's next regularly scheduled duty period, but not less than 24 hours after the test was administered.

A driver who in any other way violates district prohibitions related to drugs and alcohol shall receive from the district the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs available to evaluate and resolve drug and alcohol-related problems. The employee shall be evaluated by a substance abuse professional who shall determine what help, if any, the driver needs in resolving such a problem. Any substance abuse professional who determines that a driver needs assistance shall not refer the driver to a private practice, person or organization in which he or she has a financial interest, except under circumstances allowed by law.

An employee identified as needing help in resolving a drug or alcohol problem shall be evaluated by a substance abuse professional to determine that he or she has properly followed the prescribe rehabilitation program and shall be subject to unannounced follow-up tests after returning to duty.

### LEGAL REFS.:

SDCL: 32-12A-22  
SDCL: 32-12A-24  
SDCL: 32-12A-25  
SDCL: 32-12A-26  
49 CFR Part 40  
Federal Motor Carrier Safety Administration Regulation Part 382

ADOPTED: 01-2007  
AMENDED: 12-2012  
REVIEWED: 09-2016

# ***Oldham-Ramona School District #39-5***

## **Policies and Regulations** **Code: E – Support Services**

### **EFEA SUPPLEMENTAL FOOD SALES**

Given the growing epidemic of obesity in the United States and the link between nutrition and academic performance, it is the policy of the Oldham-Ramona School District to ensure that healthy foods are available throughout the school environment.

All school sales through public vending machines, school stores or a la carte school meal programs from midnight the night before until 30 minutes after the last school bell shall adhere to the criteria set forth in Regulation EFEA-R.

#### **LEGAL REFS.:**

2010: Healthy Hunger Free Kids Act  
USDA: Smart Snack Standards, July 1, 2014

**ADOPTED:** 10-2014  
**AMENDED:**  
**REVIEWED:**

# **Oldham-Ramona School District #39-5**

## **Policies and Regulations Code: E – Support Services**

### **EFEA-R SUPPLEMENTAL FOOD SALES REGULATIONS**

All school sales through public vending machines, school stores or a la carte school meal programs from midnight the night before until 30 minutes after the last school bell shall adhere to the following criteria that focus on decreasing fat and sugar content:

#### **Requirements:**

1. Approved Beverages:
  - a. Lowfat (1%), unflavored milk or skim/nonfat fluid flavored or unflavored milk in specific sizes for designated grade groups;
  - b. 100% full strength fruit and vegetable juices in specific sizes for designated grades;
  - c. Plain water, carbonated or not, no size limit for any grade;
  - d. 100% fruit/vegetable juice diluted with water (with or without carbonation), and no added sweeteners in specific sizes for designated grades;
  - e. Other flavored and/or carbonated beverages (less than 20 fl oz) that are labeled to contain less than 5 calories per 8 fl oz, or less than 10 calories per 20 fl oz (high school only).
  - f. Other flavored and/or carbonated beverages (less than 12 fl oz) that are labeled to contain less than 40 calories per 8 fl oz, or less than 60 calories per 12 fl oz (high school only).
2. Approved Food Guidelines:
  - a. If combination food, must contain greater than ½ cup fruit or vegetables or;
  - b. Must be whole grain or;
  - c. Fruit, vegetable, dairy or protein food;
  - d. Must contain greater than 10% daily value of calcium, potassium, vitamin D or dietary fiber;
  - e. Must be less than 200 calories per serving;
  - f. Less than 35% calories from fat;
  - g. Less than 10% calories from saturated fat;
  - h. 0 g as served (less than .5 g per portion) or trans fat;
  - i. Less than 230 mg of sodium;
  - j. Less than 35% total sugars by weight.

#### **Education:**

Healthy food education shall be provided through course curriculum, parent and student newsletters, posters in the building and possibly special speakers on nutrition or wellness topics.

#### **LEGAL REFS.:**

- 2010: Healthy Hunger Free Kids Act  
USDA: Smart Snack Standards, July 1, 2014

ADOPTED: 10-2014  
AMENDED:  
REVIEWED:

# ***Oldham-Ramona School District #39-5***

## **Policies and Regulations Code: E – Support Services**

### **EGAA PRINTING AND DUPLICATION SERVICES REPRODUCTION OF COPYRIGHT MATERIALS**

#### **WORKS PROTECTED BY COPYRIGHT**

Copyright protection extends to literary works, musical works, dramatic works, pantomimes and choreographic works, pictorial, graphic, and sculptural works, motion pictures and other audiovisual works including television, and sound recording.

Unpublished works by U.S. and foreign authors are protected by the new copyright statute, as are published work by U.S. authors. The published works of foreign authors are subject to copyright under certain conditions, including coverage under national treaties such as the Universal Copyright Convention.

U.S. government works are excluded. Works produced for the U.S. government by its officers and employees are not subject to copyright.

#### **DISTRICT PROCEDURE**

Copyright materials, be they print or non-print and including computer software, will not be duplicated unless such reproduction meets “fair use” standards or unless written permission from the copyright holder has been received.

The Board does not sanction illegal duplication in any form. Employees who willfully disregard the Districts’ copyright position are in violation of Board policy and the law and assume all liability and responsibility related thereto.

Guidelines shall be developed and made available to all employees of the district to insure the fair use of copyright work.

#### **LEGAL REFS.:**

Public Law 94-553 (Copyright Law)

ADOPTED: 10-1998  
AMENDED: 01-2007  
REVIEWED: 01-2015

