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HAY SPRINGS BOARD POLICY MANUAL

Section 800 Support Services

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STUDENT TRANSPORTATION

Students living more than four miles from their designated school attendance centers shall be entitled to transportation to and from their attendance center at the expense of the school district.

Parents of students who live where transportation by bus is impracticable or unavailable may be required to furnish transportation to and from the designated attendance center at the expense of the school district. Those parents who transport their children at the expense of the school district shall be reimbursed in accordance with state statute.

A student may be required, at the board's discretion, to meet a school vehicle without reimbursement up to three-fourths of a mile. The board may require the parent to transport their children up to two miles to connect with school bus vehicles at the expense of the school district when conditions deem it advisable. It shall be within the discretion of the board to determine such conditions.

Legal Reference: Neb. Statute 79-611

Approved _____ Reviewed _____ Revised _____

BUS SAFETY PROGRAM

The superintendent shall direct the preparation of a Safe Pupil Transportation Plan that, at a minimum, shall address weapons, pupil behavior, terroristic threats, severe weather, hazardous materials, medical emergencies, and driver/passenger procedures in the event of mechanical breakdowns of the vehicle.

The superintendent shall plan and implement a safety-training program for pupil transportation vehicle operators and vehicle passengers. The superintendent shall monitor the scheduling of inservice and educational opportunities for transportation personnel to improve their awareness and skills regarding pupil transportation vehicle safety. Pupil transportation vehicle operators shall attend local workshops and all inservice meetings.

Administrative rules and regulations shall be adopted to govern the safe operation of pupil transportation vehicle. Students violating these regulations may have their riding privileges revoked or suspended. Parents will be responsible for damage done to transportation vehicles or equipment by their children.

The school district shall conduct pupil transportation vehicle safe riding practices instruction and emergency safety drills at least twice a year for students who utilize school district transportation. The emergency evacuation drill procedures should be conducted according to guidelines established by the Nebraska Department of Education (NDE).

Each pupil transportation vehicle shall have, in addition to the regular emergency safety drill, a plan for helping those students who require special assistance to safety during an emergency. This shall include, but not be limited to, students with disabilities.

Pupil transportation vehicle drivers are required to attend each safety drill.

Pupil transportation operator procedures will include a prohibition against use of a handheld wireless communication device to read a written communication, manually type a written communication, or send a written communication while operating a pupil transportation vehicle which is in motion. Handheld wireless communication device means any device that provides for written communication between two or more parties and is capable of receiving, displaying, or transmitting written communication. Written communication includes, but is not limited to, a text message, an instant message, electronic mail, and Internet web sites.

All transportation vehicles shall be acquired and maintained to meet or exceed NDE Minimum Equipment Standards for pupil transportation vehicles. The superintendent shall develop a systematic preventive maintenance program including daily, weekly,

Approved _____ Reviewed _____ Revised _____

SAFE PUPIL TRANSPORTATION PLAN

This Safe Pupil Transportation Plan sets forth the District's plan for providing safe transportation to students being transported in pupil transportation vehicles.

1. Weapons – Upon becoming aware of a weapon aboard a pupil transportation vehicle, the driver will make every attempt to:
 - A. Radio transportation dispatch and notify them of the situation if possible. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location. Examples of a safe haven include, but are not limited to, any school building site, emergency service station (law enforcement or fire department), community service agency, etc.
 - B. Pull vehicle over to safe and secure area.
 - C. Confiscate weapon (if it doesn't jeopardize student or driver safety).
 - D. Give description of weapon and participating parties to dispatch.
 - E. Dispatch will immediately notify appropriate law enforcement agencies and school administration.

2. Pupil behavior – Students are expected to follow student conduct rules while in a pupil transportation vehicle. The pupil transportation driver is responsible for controlling behavior which affects safety and for reporting rule violations to school administration. In the event a student's behavior jeopardizes safety, the driver will make every attempt to:
 - A. Contact transportation dispatch electronically and notify them of situation if possible. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.
 - B. First seek to resolve incident through discussion with the student(s) involved.
 - C. Activate emergency flashers.
 - D. Bring vehicle to a safe stop. Seek to resolve the incident, using physical force only as necessary to protect students or yourself.
 - E. Report and document discipline problems to the school administrator on a Bus Conduct Report/Incident Form.

3. Terrorist Threats – A person commits a terroristic threat if the person threatens to commit a crime of violence with the intent to terrorize another or with the intent of causing evacuation of a building, place of assembly or facility of public transportation or in reckless disregard of the risk of causing such terror or evacuation. Upon becoming aware of a terroristic threat relating to a pupil transportation vehicle, the driver will make every attempt to:
 - A. Contact transportation dispatch electronically and notify them of situation if possible. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.

- B. Make every attempt to keep passengers calm (this may mean complying with the terrorist).
 - C. Dispatch will immediately notify appropriate law enforcement agencies and school administration.
 - D. Driver should wait for instructions from dispatch if possible.
4. Severe weather – Upon becoming aware of severe weather while aboard a pupil transportation vehicle, the driver will make every attempt to:
- A. Contact transportation dispatch electronically and notify them of situation if possible. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.
 - B. Return to the school if less than five minutes away and follow the directions of the school administrator.
 - C. If more than five minutes away from school, go to the nearest school and follow the directions of the school administrator.
 - D. If more than five minutes away from the nearest school or there is immediate danger, get to the nearest basement or underground shelter with all students.
 - E. If there is no shelter and there is immediate danger the driver and passengers are to follow evacuation procedures and get everyone off the vehicle into the nearest ditch or culvert at least 100 feet away from the vehicle.
5. Hazardous materials – Upon becoming aware of a hazardous material aboard a pupil transportation vehicle, the driver will make every attempt to:
- A. Contact transportation dispatch electronically and notify them of situation if possible. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.
 - B. Pull vehicle over to safe and secure area.
 - C. Give description of hazardous materials in question to dispatch.
 - D. Dispatch will immediately notify appropriate law enforcement and school administration.
6. Medical emergencies – Upon becoming aware of a medical emergency aboard a pupil transportation vehicle, the driver will make every attempt to:
- A. Contact transportation dispatch electronically and notify them of situation if possible. If not possible, the driver will make every attempt to telephone dispatch from a cellular telephone or from the nearest safe haven location.
 - B. Dispatch will immediately notify appropriate medical agencies and school administration.
 - C. Driver should follow instructions from dispatch, school officials, and parents when such information can be obtained quickly enough. If not available, follow emergency first aid procedures.
 - D. Only if necessary, the driver should move passengers only enough to get them out of danger or traffic or fire. If moved, the driver and aide are to keep them where

- placed until a medical agency arrives, unless a parent has taken charge of their child.
- E. Driver should try to keep student passengers as calm as possible.
7. Procedures in the event of mechanical breakdowns of the vehicle – Upon becoming aware of a mechanical breakdown aboard a pupil transportation vehicle, the driver will make every attempt to:
- A. Pull vehicle over to safe and secure area if possible.
 - B. Contact transportation dispatch electronically and notify them of situation if possible. If not possible, the driver will make every attempt to telephone dispatch from a cellular phone or from the nearest safe haven location.
 - C. Activate emergency flashers and place warning flares/reflectors in accordance with safety guidelines, if not in secure area.
 - D. Driver should try to keep student passengers as calm as possible.
 - E. Dispatch will arrange assistance and a relief vehicle if needed.
8. Documentation under Safe Pupil Transportation Plan – Each pupil transportation driver is required to complete and submit to the school administration a bus conduct report or incident report involving the pupil transportation vehicle operated by the driver or any pupils transported in it. Documentation is to include the occurrence of any of the following events: weapons, student behavior which affects safety, terroristic threats, severe weather, hazardous materials, or medical emergencies. Documentation of such events shall be completed and submitted as soon as practicable after the incident.
9. Transportation of Unsafe Items – Drivers shall not permit pupil transportation vehicles to transport any items, animals, materials, weapons or look-a-like weapons or equipment which in any way would endanger the lives, health or safety of the children or other passengers and the driver. Look-a-like weapons associated with a school sponsored or approved activity may be transported only with written permission of a school administrator. Any items that would break or could produce injury if tossed about inside the pupil transportation vehicle when involved in an accident or sudden stop shall be secured.
10. Supplemental Information – A copy of this plan shall be placed in each pupil transportation vehicle, kept at each school building, and made available upon request. Supplemental information with respect to operational and procedural guidelines used to administer this plan can be found in the District’s safety and security plan adopted pursuant to 92 Nebraska Administrative Code 10 and in the Nebraska Department of Education Pupil Transportation Guide.

EMERGENCY EVACUATION PROCEDURES

(For Students Being Transported in Small Vehicles – (Cars and Vans)

In a vehicle accident or emergency situation, the driver must use his/her best judgment to decide what action shall be taken. As a driver, your primary responsibility is student safety. In an emergency, it may be necessary that the vehicle be evacuated.

A Vehicle Must Be Evacuated In These Situations:

- The vehicle is on fire. It must be stopped and evacuated immediately. Passengers will move to a point 100 feet or more from the vehicle and remain there until the vehicle driver has determined that no danger remains. If a vehicle is unable to move and is close to existing fire or highly combustible materials, the danger of fire shall be assumed and all passengers must be evacuated.
- The vehicle is stopped in an unsafe location and is unable to proceed (e.g. – due to an accident or weather conditions). The driver must determine immediately if it is safer for passengers to remain on the vehicle or to evacuate. For example, if the vehicle is in the path of any train, or on or closely adjacent to any railroad tracks.
- The vehicle could change position and increase the danger. For example, if a vehicle were to come to rest near a body of water or precipice where it could slide into the water or over a cliff, it must be evacuated:
- If there is danger of collision. Under normal traffic conditions, the vehicle should be visible for a distance of 300 feet or more. A position over a hill or around a curve where such visibility does not exist should be considered reason for evacuation.

Important Factors In School Vehicle Evacuation: The safety of the pupils is of utmost importance and must be given first consideration. Prior to evacuation, the emergency brakes shall be set, ignition turned off, the transmission placed in an appropriate gear; and hazard flashers turned on to warn traffic. The driver should stay in the vehicle during evacuation to facilitate the evacuation procedures. The driver should be familiar with any extra equipment on the vehicle that would aid in an evacuation of a student with a disability and assure that the student is safely evacuated.

Students should be instructed to evacuate on side of the vehicle away from the roadway – typically the passenger side. Evacuations shall be conducted with deliberate speed. A time interval of 1 ½ to 2 seconds per passenger has proven to be the safest and most efficient. A vehicle should be completely evacuated in 2 ½ minutes. To insure a safe exit, passengers must have their hands free. They must leave personal belongings in the vehicle except those needed for their safety (coats, etc.). During an evacuation, passengers must be directed to a safe point at least 100 feet from the vehicle and remain there until given further directions.

Upon evacuation, the driver should attend to any injured students and immediately contact emergency service (call 911 and the school). Discuss the accident only with police and school district officials. Do not leave the scene of an accident until the safe transportation of all students has been arranged by the student's parent, the school, or emergency personnel.

To assist the driver in evacuations (or to respond to situations where the driver is incapacitated), mature, responsible students should be selected and trained to lead passengers to safety from each door utilized for evacuation. The selected student should be trained to:

- turn off ignition switches;
- set emergency brakes;
- summon help when and where needed (instructions and telephone numbers shall be available);
- use windows for evacuation in emergencies;
- set flags and reflectors or reflective triangles;
- open and close service and emergency exit doors;
- direct school vehicle evacuations;
- perform other duties as directed by the driver.

Emergency Equipment: The driver should be familiar with and appropriately use emergency equipment during an evacuation. Emergency equipment for a small vehicle may include the following:

- reflector kit;
- vehicle-mounted hazard flashers;
- body fluid clean-up kit;
- first aid kits;
- fire extinguishers;
- triangle shaped reflectors.

BUS DRIVER SUPERVISION

School bus drivers must pass physical examinations and meet other criteria as established by state and federal law and by the Nebraska Department of Education (NDE). Bus drivers must have a valid pupil transportation vehicle operator's permit and shall have it in their possession when transporting students. This does not apply to the operator of a small vehicle being used only for extracurricular activities.

The school district shall obtain a record of satisfactory driving for each pupil transportation vehicle operator. It is required that a copy of the individual's driving record be on file with the district before employment as a pupil transportation vehicle operator as defined in NDE rules. The school district shall obtain and keep on file a criminal history record of driver applicants who are not certificated Nebraska teachers or administrators through the Nebraska State Patrol and local law enforcement agency before employment as a pupil transportation vehicle operator.

School bus driver selection procedures will be developed by the superintendent to ensure acceptance of drivers whose capabilities are commensurate with job responsibilities, including minimum requirements for a satisfactory driving record.

Substitute pupil transportation vehicle operators shall meet the same driver requirements and qualifications as a regular pupil transportation vehicle operator. A pupil transportation vehicle operator shall not have the authority to assign a substitute without the prior approval of any school administrator or person designated by the governing school board.

All school bus drivers are required to inform the district immediately of any change in their driving or criminal records that could affect their eligibility to maintain the student transportation vehicle operator's permit.

Pupil transportation vehicle operators shall document and report to the transportation supervisor the occurrence of any events covered by the Safe Pupil Transportation Plan that involved the pupil transportation vehicle operated by the driver, or any pupils transported in it. The superintendent shall develop such reporting procedures.

Legal Reference: NDE Rule 91

Approved _____ Reviewed _____ Revised _____

DRIVER CERTIFICATION

This certification is required for all persons who (1) drive District-owned or leased vehicles or (2) drive students as part of their employment or (3) provide a pupil transportation service which is sponsored or approved by the District.

Name: _____ Operator's License No: _____ License Class: _____

I certify that the following information is true and accurate:

I have a current and valid Nebraska motor vehicle license, current proof of insurance, and the physical and mental ability to properly operate a motor vehicle.

My driver's license is subject to the following restrictions (check the applicable restrictions) and I will comply with all such restrictions:

<input type="checkbox"/> Corrective Lenses	<input type="checkbox"/> Restricted Area
<input type="checkbox"/> Outside Mirrors	<input type="checkbox"/> 2 Lane, 2 Way Only
<input type="checkbox"/> Automatic Signals	<input type="checkbox"/> Automatic Trans.
<input type="checkbox"/> Maximum Speed Rest.	<input type="checkbox"/> No Interstate Driving
<input type="checkbox"/> Mechanical Aids	<input type="checkbox"/> No One Way Streets
<input type="checkbox"/> Daylight Only	<input type="checkbox"/> Other

I will abide by all rules of the road and any applicable rules of the Nebraska Department of Education and the District relating to driving a motor vehicle. Seat belts and child restraint systems will be utilized by all occupants. Cell phones will not be used while the vehicle is in motion.

I have been given instruction on emergency evacuation procedures, first aid and other instruction applicable to the group of pupils being transported.

I certify that I am of good moral character and I will not engage in conduct or use language inappropriate for children.

I certify that I meet the "Safe Driving Record Standards for Drivers." I agree to immediately notify my supervisor or the Superintendent upon the occurrence of any of the following events:

- Suspension, revocation, withdrawal or expiration of my driver's license;
- Any ticket or accident while in a District-owned vehicle or while engaged in business;
- Any ticket or accident which could result in the suspension, revocation, or withdrawal of my driver's license while in any vehicle at any time;
- Any circumstance which may result in any of the responses on this Driver certification not continuing to be completely accurate or which may indicate that I should not be driving a school vehicle or transporting students.

Dated this _____ day of _____, 20__

Name of Driver: _____

SAFE DRIVING STANDARDS

Standard for Pupil Transportation Vehicle Drivers: Each person who is required to have a permit to operate a pupil transportation vehicle for this School District shall meet all requirements to hold and continue to hold a pupil transportation operator's permit and be employable by a Nebraska School System. In addition, they must have a record of satisfactory driving as determined by the Board. If a driver has accumulated or accumulates points under the motor vehicle operator's license point system within the immediate prior 4 years, the determination of whether the person has a satisfactory driving record shall be made by the Superintendent or the Superintendent's designee based on the nature and proximity of the offense as it relates to safe transportation. The school will pay for the required physical upon the bus license being received.

Standard for Drivers of Small Vehicles for Activity Trips: Each person who drives a small vehicle (car or van) other than a pupil transportation vehicle for school activities will not be required to have a permit to operate a pupil transportation vehicle. The driver is required to hold a valid Nebraska driver's license and be employable by a Nebraska School System. In addition, they must have a record of satisfactory driving as determined by the Board. If a driver has accumulated or accumulates points under the motor vehicle operator's license point system within the immediate prior 4 years, the determination of whether the person has a satisfactory driving record shall be made by the Superintendent or the Superintendent's designee based on the nature and proximity of the offense as it relates to safe transportation. The driver will need to satisfactorily complete the computerized test.

Drivers of Other School Vehicles: Each person who drives a school vehicle other than a pupil transportation vehicle and does not transport students in the vehicle will not be required to have a permit to operate a pupil transportation vehicle. The driver is required to hold a valid NE driver's license and be employable by a Nebraska School System. In addition, they must have a record of satisfactory driving as determined by the Board. If a driver has accumulated or accumulates points under the motor vehicle operator's license point system within the immediate prior 4 years, the determination of whether the person has a satisfactory driving record shall be made by the Superintendent or the Superintendent's designee based on the nature and proximity of the offense as it relates to safe transportation. In the event the person's employment position requires driving vehicles as a function of the person's employment, the employment may be terminated in the absence of a record of satisfactory driving. The driver will need to satisfactorily complete the computerized test.

The record of satisfactory driving standards shall apply to all new employees from and after adoption of this policy. Existing employees shall be subject to the same standards, provided that the Superintendent or Superintendent's designee may determine to permit an exception based on the existing employee's record of satisfactory driving while employed with the District and the nature and proximity of prior driving offenses as such offenses relate to safe transportation.

STUDENT TRANSPORTATION FOR EXTRACURRICULAR ACTIVITIES

The board in its discretion may provide school district transportation for extracurricular activities including, but not limited to, transporting student participants and other students to and from extracurricular events.

Students participating in extracurricular events, other than those held at the school district facilities, may be transported to the extracurricular event by school district transportation vehicles or by another means approved by the superintendent. Students attending extracurricular events, other than those held at the school district facilities may be transported to the extracurricular event by school district transportation vehicles.

Students, who are provided transportation in school district transportation vehicles for extracurricular events, shall ride both to and from the event in the school vehicle unless arrangements have been made with the building principal or sponsor prior to the event. A student's parent may personally appear and request in writing to transport the student home from a school-sponsored event in which the student traveled to the event on a school district transportation vehicle.

It shall be the responsibility of the superintendent to make a recommendation to the board annually as to whether the school district shall provide the transportation authorized in this policy. In making the recommendation to the board, the superintendent shall consider the financial condition of the school district, the number of students who would qualify for such transportation, and other factors the board or superintendent deem relevant.

Legal Reference: Neb. Statute 79-610 et seq.

Cross Reference: 504.19 Student Fees

Approved _____ Reviewed _____ Revised _____

TRANSPORTATION IN INCLEMENT WEATHER

School district buses will not operate when weather conditions due to fog, rain, snow or other natural elements make it unsafe to do so. Because weather conditions may vary around the school district and may change quickly, the best judgment possible will be used with the information available.

The final judgment as to when conditions are unsafe to operate will be made by the superintendent. The superintendent will be assisted by the actual "on location" decisions and reports of the drivers.

When weather conditions deteriorate during the day after school has begun, cancellation notices will be announced by TV, commercial radio, REMIND 101 and the district website. Students will be returned to their regular drop-off sites unless weather conditions prevent it. In that case, students will be kept at or returned to school until they are picked up by the parents.

Cross Reference: 602.02 School Day

Approved _____ Reviewed _____ Revised _____

SCHOOL-OWNED VEHICLES

The board may approve the purchase of vehicles to be used by staff for district business, including transportation services. The superintendent will develop and maintain regulations that define the appropriate use and care of district vehicles and the responsibilities of district staff using those vehicles.

Personal use of district vehicles is prohibited except where authorized by contract.

All drivers operating district-owned vehicles shall use seat belts. Failure to do so is grounds for dismissal.

The driver of any district-owned vehicle, except school buses, is responsible for determining that the proper number of seat belts is available for the passengers. The vehicle shall not be driven until the driver and all passengers are buckled up.

Approved _____ Reviewed _____ Revised _____

STUDENT TRANSPORTATION IN PRIVATE VEHICLES

Standing authorization for student transportation in private vehicles shall be granted by the board to school administrators, school nurses and other student services personnel designated by the superintendent.

No employee shall transport students in private vehicles without insurance coverage in compliance with state law.

Special permission for providing student transportation may be granted in exceptional cases by the principal to other professional staff members such as coaches, music teachers and activity sponsors. Exceptional cases shall be determined by review of the number of students traveling, relative costs, safety factors and distance providing as follows:

1. The school administrator has approved the activity;
2. A permission slip signed by the student's parent(s) has been received by the principal or his/her designee, granting permission for the student to participate in the field trip/activity and to ride in a privately-owned vehicle;
3. The employee, parent or other adult driving the vehicle is properly licensed to drive; and
4. The vehicle contains an adequate number of seat restraints and the adult driver requires their use.

The district will develop procedures to implement this policy.

Approved _____ Reviewed _____ Revised _____

SCHOOL BUS WAGES

WAGES: Hay Springs Public Schools starting wages will be set according to the district classified salary schedule. Time cards will be provided which are due on the 1st day of the month and need to include date, destination, start time, finish time & signature of activity sponsor.

DRIVING TIME: Time starts one-half hour before scheduled departure time and ends one-half hour after the return. The first half hour of driver's time will be used to prepare and certify that the bus is fueled, interior is clean, windshield is clean, tires properly inflated, adequate oil in engine and coolant in radiator, etc. The last half hour will be used for cleaning the interior of the bus, reporting maintenance requirements, parking and locking of the bus. This time may be adjusted by advance agreement with administrative staff. In the event of an overnight trip, the district will pay for lodging.

WAIT TIME: Upon arrival, drivers need to be available as requested by the sponsor. The bus will remain at the site of the activity except for maintenance procedures. For overnight stays, the district will pay the hourly wage not to exceed 16 hours in any 24 hour period.

Approved _____ Reviewed _____ Revised _____

SCHOOL FOOD PROGRAM

The school district will operate a school lunch and breakfast program in each attendance center. The school food program services will include hot lunches through participation in the National School Lunch Program and supplementary foods for students during the school day. Students may bring their lunches from home and purchase milk or juice and other incidental items.

School food service facilities are provided to serve students and employees when school is in session and during school-related activities. They may also be used under the supervision of the director of food services for food service to employee groups, parent-teacher meetings, civic organizations meeting for the purpose of better understanding the schools, and senior citizens in accordance with board policy.

The school food program is operated on a nonprofit basis. The revenues of the school food program will be used only for paying the regular operating costs of the school food program. Supplies of the school food program shall only be used for the school food program.

The board will set, and periodically review, the prices for school lunches, breakfast and special milk programs. It shall be the responsibility of the superintendent to make a recommendation regarding the prices of school lunch, breakfast and milk.

It shall be the responsibility of the director of food services to administer the program and to cooperate with the superintendent and head cook for the proper functioning of the school food program.

Legal Reference: 42 U.S.C. §§ 1751 et seq. (1994).

Cross Reference: 1006.01 Use of School District Facilities and Equipment

Approved _____ Reviewed _____ Revised _____

FOOD SERVICE RECORDS AND REPORTS

An independent certified public accountant or registered accountant will audit the food services fund annually. The audit will comply with federal requirements.

The food services program will be operated on a non-profit basis. Any income derived from the operation of the program will be used to support the food services program and will not be used for any other purpose.

The board shall review on an annual basis a summary of the food services financial records and be advised of recommendations for changes to the program.

Approved _____ Reviewed _____ Revised _____

FREE OR REDUCED COST MEALS ELIGIBILITY

Students enrolled and attending school in the school district, who are unable to afford the special milk program, the cost or a portion of the cost of the school lunch, breakfast and supplemental foods, will be provided the school food program services at no cost or at a reduced cost.

It shall be the responsibility of the building principal to determine if a student qualifies for free or reduced cost school food services. Students, whom the principal believes are improperly nourished, will not be denied the school food program services simply because the paperwork has not been completed.

Employees, students and others will be required to pay for meals consumed.

It shall be the responsibility of the superintendent to implement this policy.

Legal Reference: 42 U.S.C. §§ 1751 et seq. (1994).

Cross Reference: 504.19 Student Fees

Approved _____ Reviewed _____ Revised _____

COMPUTER AND DATA SECURITY

The district will implement and maintain practices regarding physical, technical and administrative safeguards for both paper and electronic records. Access to records including computer data stored within all computer systems will be strictly controlled for security.

The *Technology Coordinator* is responsible for maintaining security through procedures developed by the superintendent. These procedures will determine who may have various degrees of access to the system and will state requirements for monitoring the continued proper educational use of the system.

These procedures will also describe:

1. Proper methods of disposal of reports containing confidential or financial information at the end of their use.
2. Methods to ensure system security after change of job status of employees having access to system passwords.
3. Methods to provide backup access in the event of the extended absence of the system administrator.

The Superintendent will direct and monitor a process to identify the following elements of computer and data security:

1. What information is considered restricted.
2. Where it currently resides.
3. How it is protected.
4. Who is responsible for providing each level of security for each type of restricted information.
5. Measures to control or reduce district liability in the event of a breach of security including insurable coverage for costs associated with such a breach.

Employees will promptly report to the Superintendent any breach of the district's computerized data that compromises the security, confidentiality or integrity of personal information maintained by the district. The Superintendent will immediately inform the Board of such a breach of information.

Breaches of Security

The Superintendent shall ensure that the district attempts to provide notice of any system security breach, following discovery, to any person whose unencrypted and unredacted personal information was or is reasonably believed to have been accessed and acquired by an unauthorized person. Such attempts to provide notice shall be made with reasonable promptness, except when a law enforcement agency determines and advises the district in writing that the notification would impede a criminal or civil investigation, or the district must take necessary measures to determine the scope of the breach and

Approved _____ Reviewed _____ Revised _____

to restore the reasonable integrity of the data system. The district will also provide notice of the breach if the encrypted information is accessed and acquired in an unencrypted form, if the security breach is linked to a breach of security of the encryption, or if the security breach involves a person with access to the encryption key.

Definitions

Breach of system security - unauthorized access and acquisition of computerized data that materially compromises the security or confidentiality of personal information maintained by the district as part of the database of personal information regarding multiple individuals and that the district reasonably believes has caused or will cause loss or injury to any state resident. Good faith acquisition of personal information by an employee or agent of the school district for the purpose of the district is not a breach of the security of the system if the personal information is not used for a purpose other than the lawful purpose of the district and is not subject to further unauthorized disclosure.

Person - means any natural person, not an entity or company.

Personal information - includes an individual's first initial and last name in combination with and linked to any one or more of the following, when not encrypted or redacted:

1. Social security number.
2. Driver's license number or state identification card number issued instead of a driver's license.
3. Financial account number, credit or debit card number, in combination with any required security code, access code or password that would permit access to an individual's financial account.

Personal information does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.

Records - means any material, regardless of its physical form, on which information is recorded or preserved by any means, including written or spoken words, graphically depicted, printed or electromagnetically transmitted. This term does not include publicly available directories containing information that an individual has voluntarily consented to have publicly disseminated or listed, such as name, address or telephone number.

PROCEDURE FOR BREACH OF COMPUTERIZED PERSONAL INFORMATION

Notice of a breach of information security will be provided to the individual whose restricted personal information has been acquired by an unauthorized person.

Once it has been determined that a security breach has occurred, the following steps will be taken by the designated employee:

1. If the breach involved computerized data owned or licensed by the district, the district will directly notify those residents whose private information was or is reasonably believed to have been acquired by a person without valid authorization.
2. If the breach involved computer data maintained by the district, the district directly will notify the owner or licensee of the information of the breach immediately following discovery, if the private information was or is reasonably believed to have been acquired by a person without valid authorization.
3. The disclosure to affected individuals will be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement or any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the system. Notification should be provided within three (3) working days of discovery of the breach, when possible, but not later than thirty (30) working days.
4. The required notification will include:
 - a. District contact information.
 - b. Description of the categories of information that were or are reasonably believed to have been acquired without authorization.
 - c. Which specific elements of personal or private information were or are reasonably believed to have been acquired.
5. The notification requirement may be delayed if a law enforcement agency determines that such notification will impede a criminal investigation. The required notification will then be made after the law enforcement agency determines that such notification does not compromise the investigation.

The district will provide notice by at least one (1) of the following methods:

1. Written notice to last known home address for the individual.
2. Telephone notice if the individual can be reasonably expected to receive the notice

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and the notice is given in a clear and conspicuous manner; describes the incident in general terms; verifies the personal information but does not require the individual to provide personal information; and provides a telephone number to call or Internet website to visit for further information or assistance.

3. Email notice, if a prior business relationship exists and the school district has a valid email address for the individual.
4. Substitute notice if the district determines that the cost of individual notice will be excessive (the district should set a maximum level in writing, such as the level provided for notification through risk coverage), or the district does not have sufficient contact information. Substitute notice shall consist of an email notice, conspicuous posting of the notice on the district's website, and notification to major statewide media.

DATA OR RECORDS RETENTION

School district records shall be housed in the central administration office of the school district. It shall be the responsibility of the superintendent to oversee the maintenance and accuracy of the records. The following records shall be kept and preserved at a minimum according to the schedule below:

- | | |
|---|-------------------------------|
| • Secretary's financial records | Permanently |
| • Treasurer's financial records | Permanently |
| • Minutes of the Board of Education | Permanently |
| • Annual audit reports | Permanently |
| • Annual budget | Permanently |
| • Permanent record of individual pupil | Permanently |
| • Records of payment of judgments against the school district | 20 years |
| • Bonds and bond coupons | 10 years |
| • Written contracts | 10 years |
| • Cancelled warrants, check stubs, bank statements, bills,
invoices, inventories and related records | 5 years |
| • Program grants | As determined by the
grant |
| • Nonpayroll personnel records | 7 years |
| • Payroll records | 3 years |

Employees' records shall be housed in the central administration office of the school district. The employees' records shall be maintained by the superintendent, the building administrator and the employee's immediate supervisor.

The permanent and cumulative records of students currently enrolled in the school district shall be housed where they can be maintained securely and efficiently for the district's needs.

Records of students who have graduated or are no longer enrolled in the school district shall be housed in a permanent location.

The superintendent may store school district records electronically or on microfilm or microfiche and may destroy paper copies of the records if they are more than three years old. A properly authenticated reproduction of a microfilmed or electronic record meets the same legal requirements as the original record.

Cross Reference: 203.04 Secretary
 204.11 Meeting Minutes
 402.06 Employee Records
 507 Student Records
 1003 Public Examination of District Records

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E-MAIL RETENTION

This policy will refer to e-mail using the term electronic messaging, but the policy is also intended to be inclusive of electronic fax and any other electronic methods of transmitting messages, documents and other information. The superintendent is responsible for implementing this policy and serving as the records officer of the district.

Electronic messages transmitted using district resources are records and as such are subject to management under the Records Management Act.

The end-user manages electronic messages. Electronic messages should be managed at the end-user's desktop rather than from a central point. Each end-user who creates or receives electronic messages is responsible for managing his or her own records. Individuals with questions regarding the retention of particular electronic messages should obtain an opinion from their supervisor.

A single copy of a record retained by the originator of that record may serve as the official record retained in accordance with the district's retention schedule. All other copies are duplicate copies, and may be destroyed.

There is no single retention period for all electronic messages. Retention and disposition of electronic messages depends on the function and content of the individual message. The various types of electronic messages require various retention periods and fall within three broad categories:

Transitory messages – There is no retention requirement for these messages. Public officials and employees receiving such communications may delete them immediately without obtaining approval of the State Records Administrator. Examples are:

- Messages that address routine administrative, curricular and co-curricular matters, announcements of meetings, schedules of events, etc.
- Messages that take the place of informal discussion and which if they were printed would not be retained in school records.
- Messages that transmit generic information and are not specific to a student's educational program.
- Messages that address personal matters unrelated to the district.
- Messages comprised of unrequested, unneeded or unwanted junk mail.
- Sectarian, religious, persuasive, political or commercial messages or advertising.

Less than permanent retention – These records are governed by the retention period for equivalent hard copy records as specified in the district's records retention schedule. The records should be in hard copy or electronic format which can be retrieved and interpreted for the legal retention period. Individuals creating or receiving such

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communications may delete or destroy the records only according to an approved retention schedule. Examples are:

- Messages that address significant aspects of a specific student's educational program including, but not limited to, health, discipline, special education program, interaction with child protection agencies and communication with parents relating to specific aspects of the student's interaction with the school district.
- Messages that address and/or provide information used in making policy decisions, concerning curricular or co-curricular activities, personnel actions or that relate to the business transactions of the district.
- Messages that address activities of significant interest in the community relating to the district.
- E-mails that are the subject of investigations or litigation when the district has reasonable notice of the proceeding.

Permanent/archival retention: Permanent records are often records relating to district governance, finances, budgets, and student educational progress, such as board secretary or district treasurer financial records, minutes of the Board of Education, educational records of individual students, annual audit reports and annual budgets.

These permanent records are further classified as transferred or non-transferred records: Non-transfers – If the decision is made to maintain the records in the district, it is responsible for making the records accessible to the public in a manner consistent with the way the Nebraska State Historical Society (NSHS) would perform this function. The district is responsible for upgrading the system to current technology standards so that data remain usable over time and for testing at regular intervals any storage medium used for accuracy or loss of data.

Transfers – The NSHS is responsible for the care, maintenance and reference use of state records with enduring value, regardless of media. The district may work with NSHS and the State Records Administrator to preserve and access electronic records maintained in the district or to make decisions about the method, frequency and format of the transfer of records to NSHS.

It is important not to rely upon back up servers and media exclusively for retention of electronic messages. Due to storage limitations, electronic messages are routinely deleted from storage media after 60 to 90 days. If non-transitory electronic messages are to be filed electronically, the information systems manager should be consulted and appropriate storage locations should be designated and users should be educated on classification and filing procedures so that the information will not be lost.

Electronic messages should be systematically filed for convenient retrieval following standardized filing rules within the district. Electronic messages needing to be retained should be indexed in an organized and consistent pattern, and reflect the way the files will be used and referenced.

In keeping with state electronic messaging guidelines, the district will create procedures to identify system hardware and software, formalize file naming conventions, back up and security procedures, identify the sources and use of the information, as well as their confidential and non-confidential status, and outline quality control procedures and storage requirements. This documentation should also cover employee training procedures and the verification of employee attendance at training sessions.

Litigation Holds

As soon as the District is made aware of pending or threatened litigation, the superintendent will issue a litigation hold directive. The directive will be given to all individuals who may have records relating to the litigation issue. At that time the District will take all reasonable action to preserve all relevant documents and records including any that may be subject to federal rules of discovery.

This directive cancels any records retention schedule that would normally lead to the deletion or destruction of the records until the litigation hold is removed. The superintendent, working with the network systems administrator, will preserve the e-mail and computer accounts of separated employees until the end of the litigation hold.

Employees who receive notice of a litigation hold will preserve all records as indicated in the directive. Records that would normally be deleted or destroyed automatically by the network should be converted to hard copy or copied electronically to a safe location to ensure their preservation

It shall be a violation of this policy for any employee to delete, destroy or alter records protected by the litigation hold directive. Violation of the litigation hold may subject the employee to disciplinary actions, up to and including dismissal.

Legal Reference: Electronic Messaging and E-Mail Guidelines (Nebr. Secretary of State)
Nebraska Statutes 84-1201 to 1228 (Public Records)

Cross Reference: 402.10 Employee Political Activity
403.07 Employee Use of Social Networks
606.06 Acceptable Use of Computers

INSURANCE

The board will maintain a comprehensive insurance program to provide adequate coverage against major types of risk, loss, or damage, as well as legal liability. The board will purchase insurance at replacement values, when possible, after reviewing the costs and availability of such insurance. The comprehensive insurance program shall be reviewed once every three years.

The school district will assume the risk of property damage, legal liability, and dishonesty in cases in which the exposure is so small or dispersed that a loss does not significantly affect the operation of the education program or financial condition of the school district.

Insurance of buildings, structures, or property in the open will not generally be purchased to cover loss exposures below \$500 unless such insurance is required by statute or contract. The school district will make every effort to obtain property, vehicle, and liability insurance at the most economical cost, consistent with required service, by obtaining quotes or by negotiation, using whichever method is advantageous to the district.

Administration of the insurance program, making recommendations for additional insurance coverage, placing the insurance coverage and loss prevention activities shall be the responsibility of the superintendent.

Blanket building and equipment insurance will cover replacement costs with an agreed amount endorsement and with a deductible determined by the superintendent to provide the lowest possible premium costs consistent with adequate protection from unanticipated expenditures.

General and personal liability insurance will cover district Board members and employees only while acting in their official capacity.

The district will provide liability coverage for all district-owned or leased vehicles.

The district will establish and provide the opportunity for students to purchase student accident insurance. The district will not carry student accident insurance other than liability insurance.

The district will not be liable for theft and damage of personal property of students. Additionally, the district will not be liable for theft and damage of personal property of staff.

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