

Policies for Review - 2nd Reading

January 3, 2022

JHCA - Senior Privilege

EEA - Student Transportation Services

EEAE - School Bus Safety Program

EEAED-R - Student Transportation Services

EEAE-R- Safety Guidelines for Parents/Guardians of Students Using School Buses

EEAEA - Mandatory Drug and Alcohol Testing - School Bus Drivers

EEAEC/JICC - Student Conduct on School Buses

EEAEC-P/JICC-R - School Bus Conduct Rules

*Current GSD policy for review
11-9-2021 Policy Committee
12-6-2021 School Board – first reading
12-10-2021 Sent to GEA
1-3-2022 School Board – second reading*

SENIOR PRIVILEGE

A privilege is accorded to seniors who meet all academic and behavioral standards found in the school handbook as well as the following criteria:

1. Attain a grade point average at or above 2.67 in the immediately preceding trimester or overall GPA. Student cannot have below a 2.67 for 2 trimesters in a row or this will result in loss of privilege.
2. Maintain a full load of regular school classes (4)
3. Attain parent permission.
4. Sign in/out at front desk leaving name, time and destination on each occurrence.
5. Participate in the Gilford High School Craft Fair (senior requirement).
6. Must have at least 12 hours of community service already attained by senior year.
7. Abide by policy JH, *Attendance, Absenteeism, and Truancy*.

Juniors who attain a grade point average at 3.25 or above will be eligible for third trimester.

The privilege will be revoked if the conditions above are not met or any academic warning, course failure, or major discipline referral to include class cut. First offense will result in loss of privilege for the remainder of the current trimester or 4 weeks, whichever is longer.

The school administration may find it necessary to revoke this privilege for behavior which is contrary to the purpose and expectations of Gilford High School.

Students may petition the principal for exceptions.

**(Adopted: 2/14/83, 9/08/86)
(Revised: 1/7/2013)**

(Ref. 5259, 5300)

STUDENT TRANSPORTATION SERVICES

The district shall provide transportation for pupils to schools in the district consistent with provisions of RSA 189:6, 189:9 provided they live one mile or more from the school. The following policies shall apply.

General Operating Policy

- A. Bus routes shall be established by the superintendent, subject to review by the board. Routes will be developed annually and posted.
- B. Private school transportation will be integrated where possible and when required by law.
- C. Bus stops shall be established under the direction of the superintendent. A bus stop so established will be designated as authorized when the school board has approved its designation as such. Drivers may not load or unload pupils at other than authorized bus stops.

Student Conduct on School Buses

The bus driver will have responsibility to maintain orderly behavior of students on school buses and will report misconduct to the student's principal in writing. Video cameras may be used on buses to support the bus driver's reports of unacceptable conduct. The school principal will have the authority delegated by the superintendent to suspend the riding privileges of students who are disciplinary problems on the bus by failing to conform to the rules and regulations promulgated by the board. Parents of children whose pattern of behavior and conduct on school buses endangers the health, safety and welfare of other riders will be notified that their children face the loss of school bus riding privileges in accordance with the student discipline code. Suspensions to continue beyond twenty (20) days must be approved by the board.

Resolution of Conflicts

A parent who wishes to request a change or exemption from any of the Student Transportation policies shall direct that request first to the SAU principal. If the parent is not satisfied by the ruling of the SAU principal, he or she may appeal the ruling within five days to the Assistant Superintendent for Business. If the parent is again not satisfied by the ruling, he or she may appeal to the superintendent within the next five-day period. As a last appeal, the parent may request to appear before the board's Transportation Committee.

Legal References:

- RSA 189:6, Transportation of Pupils*
- RSA 189:8, Limitations and Additions*
- RSA 189:9, Pupils in Private schools*
- RSA 189:9a, Pupils prohibited for Disciplinary Reasons*
- RSA 200:40, Emergency Care*

(Adopted: 9/21/81)

(Revised: 3/16/98, 12/5/05)

*NHSBA Sample Policy. Suggest replacing current GSD policy EEA with this sample policy.
11-9-2021 Policy Committee
12-6-2021 School Board – first reading
12-10-2021 Sent to GEA
1-3-2022 School Board – second reading*

STUDENT TRANSPORTATION SERVICES

EEA

A. General Policy, Transportation Coordinator and Determination of Residency.

The District will, make available transportation services to all regular education resident students grades K-12, who live at least 2 miles from their assigned school.

The Superintendent, or his/her designee, will fulfill the duties of Transportation Coordinator as described in this and other applicable Board policies.

Residency is determined under RSA 193:12. For children with parent/guardians residing in separate households, residency will be determined pursuant to RSA 193:12, I (a)(2) and, when applicable, parenting plans established under RSA 461-A. In such circumstances, the District is not required to provide transportation beyond the designated attendance area for the school to which the child is assigned, or beyond the geographical limits of the school district in which the child resides. Parents/guardians in such circumstances should contact the Superintendent's office with any questions or requests for special accommodations.

Pupils who attend chartered public or non-public schools shall be entitled to the same transportation privileges within the District as are provided for pupils in public school using the same routes and termination points as are established for students attending the District's schools. Drivers may not load or unload pupils at other than authorized bus stops.

The District shall also provide transportation to, and pay transportation costs for, all students who reside in the District and attend a regional career and technical education center, or who attend an alternative program at a regional career and technical education center or other comprehensive high school. The Superintendent is responsible for recovering such transportation costs per RSA 199-E:8.

B. Establishment and Appeal of Routes, Schedules and Stops

The Superintendent or designee will establish bus routes, schedules and stops pursuant to Board policy EEAB. Routes will be developed annually and posted.

Parents who wish to request a change or exemption from any of the Board transportation policies, including bus routes or bus stops, may engage in the request and appeal process detailed in Policy EEAB.

C. Authorized Transportation Providers

The District authorizes students to be transported to school or school activities via school bus drivers, and to school activities via contracted carriers. See Policy EEAE for details.

All other authorized transportation of students must be in accordance with Policy EEAG.

D. Student Conduct on School Buses

NHSBA Sample Policy. Suggest replacing current GSD policy EEA with this sample policy.
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STUDENT TRANSPORTATION SERVICES

EEA

Bus drivers have the responsibility to maintain orderly behavior of students on school buses and will report, in writing, misconduct to the student's Principal.

Student conduct while on District transportation is regulated in accordance with Board policy JICC, and any District or school rules implementing the same. See the District's School Bus Conduct Rules (administrative procedures JICC-R).

Students who violate regulations for student conduct within those policies may have bus riding privileges suspended. Such suspensions are in addition to other interventions or disciplinary consequences provided under the Student Code of Conduct and such other applicable Board policies and District or school rules and regulations. Parents/guardians may appeal transportation suspensions per Board policy JICC and accompanying administrative procedures.

Legal References:

RSA 188-E:8, Career and Technical Education; Transportation
RSA 189:6, Transportation of Pupils
RSA 189:8, Limitations and Additions
RSA 189:9, Pupils in Private Schools
RSA 189:9-a, Pupils Prohibited for Disciplinary Reasons
RSA 193:12, Legal Residency Required
RSA 194-B:2, V, Chartered Public Schools; Establishment
RSA 376:2, VII, Motor Carriage of Passengers
RSA 461-A, Parental Rights and Responsibilities

*NHSBA Sample Policy. We do not have this policy. It is referred to in sample policy EEA.
11-9-2021 Policy Committee
12-6-2021 School Board – first reading
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SCHOOL BUS SAFETY PROGRAM

EEAE

- A. School Bus Safety Program.** The safety and welfare of student riders will be the first consideration in all matters pertaining to transportation. Safety precautions will include the following:
1. The Superintendent or designee will assure that students using District transportation are provided annual instruction as to the proper procedure for boarding and exiting from a school bus, and in proper and safe conduct while aboard. See School Bus Conduct Rules at JICC-R. Additionally, the Superintendent or designee will assure that emergency evacuation drills from school buses will be conducted at least two times a year to acquaint student riders with procedures in emergency situations (See RSA 189:6-a, I & II). Additionally, the Superintendent or designee, is encouraged to establish guidelines for families relative to safe practices for students in between home and bus stops.
 2. All vehicles used to transport children will be inspected on a regular schedule to see that they meet applicable safety regulations.
 3. All drivers, whether employed by the District or a contracted vendor, and whether certified school bus drivers or contracted carriers under RSA 376:2, VII, will be screened before employment for physical condition, proper license, criminal records background check (per Board policy GBCD), and experience. The prior driving record of each driver will be checked for drug and alcohol or other convictions and a criminal records check must also be completed. All checks and screenings will be conducted in accordance with Board policy EEAEA.
 4. To help ensure the health, welfare, and safety of students, passengers and others relative to District provided transportation, the School Board has authorized use of video and/or audio surveillance on school buses. Conducting such surveillance, and the use of any subsequent recordings in student disciplinary proceedings, will be in accordance with Board policy ECAF.
 5. The School District or independent contractor will comply with all state and federal laws and regulations pertaining to the operation of school buses and will make these requirements known to bus drivers. It will also cooperate with local safety officials in formulating and accomplishing its school bus safety program.
- B. Student Conduct on School Buses.** Student conduct on District transportation shall be regulated in accordance with Board policy JICC and School Bus Conduct Rules JICC-R. See also Board policy EEA.

Legal References:

20 U.S.C. §1232g, Family Educational Rights and Privacy Act
RSA 189:6-a, School Bus Safety

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11-9-2021 Policy Committee
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SCHOOL BUS SAFETY PROGRAM

RSA 189:9-a Pupils Prohibited for Disciplinary Reasons
RSA 189:13-b, School Bus Driver & Transportation Monitor Criminal History Records Check
RSA 376:2, VII, Motor Carriage of Passengers
RSA 570-A:2, Interception and Disclosure of Telecommunication or Oral Communications
49 C.F.R. § 40.1-40.13 (2001), Transportation Workplace Drug Testing Program
49 C.F.R. Part 382 (2021) Controlled Substances and Alcohol Use and Testing
49 C.F.R. Part 391 (1995), Qualifications of Drivers

*Current GSD policy. Suggest replacing with NHSBA sample policy EEAE-R.
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**STUDENT TRANSPORTATION SERVICES
REGULATIONS FOR STUDENTS RIDING SCHOOL BUSES**

1. The driver is in full charge of the bus and the students. Students shall obey the driver promptly.
2. Students shall occupy the seat designated for them by the driver.
3. Students shall be on time at the point of pickup. The bus cannot wait for those who are not on time. If a student misses the bus, it is the parent's responsibility to transport the student to school.
4. Students living outside the walking limits to school are granted the privilege of riding the school buses to and from school.
5. In an effort to make the school day on the bus both enjoyable and safe, it will be necessary for bus students and parents to cooperate with the bus driver and the school in adhering to the rules and regulations given below.
 - a. While waiting for the bus to arrive at the bus stop, please stand 6 (six) feet from the road edge. All youngsters shall line up at the bus stop with the oldest children in the front of the line. As you load the bus, go to the appropriate seats.
 - b. Approach the bus only after it has come to a complete stop and the red lights are flashing.
 - c. Walk onto the bus with care and sit down. There shall be no more than 2 - 3 persons to a seat, depending on the size of the student.
 - d. Feet shall be on the floor and out of the aisle.
 - e. Hands and arms shall be kept out of the aisle and inside the windows.
 - f. Musical instrument cases must be placed in the area designated by the bus driver.
 - g. Standing in aisles or jumping on seat areas is prohibited at all times.
 - h. Students are to remain seated until the bus reaches school, your home or other designated area and the bus comes to a complete stop.
 - i. Physical abuse and/or use of abusive language to others or bus drivers will not be tolerated.

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- j. Talking should be limited to those in your seat. Please refrain from loud talking, whistling, shouting or singing. Remember - unnecessary noise is distracting to the driver, and his/her concern is your safety.
- k. Once the bus is stopped, please depart in an orderly and polite manner.

IN ADDITION, THE FOLLOWING REGULATIONS WILL BE ENFORCED...

1. Bus drivers will maintain posted schedules as closely as possible.
2. Students will be held responsible for any and all damage they do to the bus.
3. The bus driver is in charge of the bus. Students are expected to obey his/her requests or decisions pertaining to safe transportation.
4. The driver may make seat assignments for students on the bus.
5. The school bus is an extension of the school, and all rules and regulations of the school are to be observed on the bus.
6. Students who wish to ride a different bus or to get off at a different stop must have a note from their parents. They will then be given a bus change slip, one copy of which will remain in the school office and one which the student will present to the bus driver. NOTE: In some instances, permission cannot be granted for students to ride a different bus due to an increased capacity on that bus.
7. Gilford Middle High School students will be allowed to ride on the Elementary School buses only if they have a note signed by the principal or his designee.

THE ROLE OF STUDENTS AND PARENTS IN TRANSPORTATION

The following guidelines suggest the role for students and parents as they relate to pupil transportation:

1. Riding the school bus is a privilege. This privilege may be temporarily denied or permanently revoked if misconduct of your child jeopardizes the safe operations of the school bus or the safety of the children riding this bus.
2. Parents are responsible for the safety of their children from the time they leave home in the morning until the time they board the school bus; and at the end of the school day from the time the school

Gilford School District Policy

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bus departs the loading/unloading area and the children reach home. Once the child enters the school bus, the authority lies with the bus driver and the school Administrator.

3. Students should leave home early enough so that they arrive at the designated school bus stop point five (5) minutes before the scheduled arrival time of the school bus.
4. Parents should be aware of their responsibility not only for their child's behavior while on the school bus, but also their responsibility for damage caused by their child(ren) to the property of others, including the school bus. When a child walks to and from the bus stop, and while he/she waits at the school bus stop, and when he/she walks home from the school bus stop at the end of the school day, he must show consideration and respect for the property of those citizens whose homes and places of business are located along these routes.
5. Parents, together with the child, should develop a route to and from the school bus stop, or school, which minimizes the exposure of the child to vehicular traffic. Shortcuts through isolated fields and woods or across streams or railroad tracks can often be dangerous. Entering of abandoned houses or deserted buildings by children on their way to or from school should not be condoned. Injuries incurred as a result of deviation from the normal route of travel may not be covered by school insurance companies. The route should be direct and uninterrupted.
6. Parents should walk with younger children to and from the school bus stop, using this opportunity to teach the child(ren) proper pedestrian practice. If the parents cannot accompany their child(ren), arrangements should be made, if possible, for older children (brother, sister, or neighbor) to escort the younger children to and from the school bus stop or school.
7. Parents should develop in their child(ren) an awareness of the molestation (personal harassment) problem. Encourage children not to accept candy, soft drinks, money, toys or rides from strangers or to associate with anyone they do not know. If your child is confronted with these problems on his way to or from school, he should tell you or his teacher as soon as possible. This is a situation that should be referred to the police.
8. Parents should realize that weather determines how a child is to be dressed. Encourage your child to wear the type clothing that will not only keep him/her warm and enable him/her to see where he/she is going, but also permit him/her to be seen. If the child(ren) cannot be seen by the drivers of vehicles, they are in danger. For example, white clothing is difficult to see in snow, but makes one clearly visible at night. If the weather is inclement, the child should be dressed for the occasion and leave a few minutes earlier than his/her normal starting time in order to reach the school bus stop or school safely and on time.

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9. In inclement weather announcements regarding the closing of schools or delayed opening begin at approximately 6:00 a.m. During severe weather conditions, pertinent information concerning the transportation program will be announced on the radio.
10. The application of common sense is the best method of determining the role of the parents regarding the safety of children traveling to and from school, either as a passenger on a school bus or as a pedestrian.

OPERATION OF THE SCHOOL BUS SYSTEM

- A. Bus routes/stops shall be established by the Transportation Coordinator in conjunction with school and the SAU administration and be subject to approval by the school board. Routes will be over the most direct roads practicable for bus travel to serve those entitled to transportation service. Where an alternate route may be selected without sacrifice to efficiency or economy, preference will be given to that route serving the larger number of pupils more directly. Routes will be designed to employ as nearly as practicable the full carrying capacity of each bus trip. New routes will be established only when full capacity of the trips on existing routes has been reached or is imminent.
- B. Bus schedules shall be established by the Transportation Coordinator and school administration under the direction of the superintendent and be subject to board approval. The purpose of bus scheduling shall be to achieve maximum service with a minimum fleet of buses consistent with rendering reasonably equal service to all patrons. The measure of service rendered shall be the total time between leaving a bus stop in the morning and returning thereto in the afternoon on a regular bus trip. To the greatest extent possible, routes will minimize and balance the time students spend on buses.
- C. Bus stops shall be established by the Transportation Coordinator and school administration under the direction of the superintendent and subject to board approval. The operator may not permit drivers to load or unload pupils at other than authorized bus stops. Priority in distance to stops will be given to younger children to the greatest extent possible.
- D. Authorized bus stops shall be located at convenient intervals in places where pupils can be loaded or unloaded, cross highways and await arrival of buses with the utmost safety permitted based upon highway conditions, terrain, and visibility. The number of bus stops on each trip shall be limited, consistent with the policy, so as to enable buses to maintain a reasonable timetable and schedule.
- E. The process of establishing routes/stops is as follows:
 1. Bus coordinator obtains student enrollment list - early July.

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2. Coordinator and drivers meet, evaluate past year's routes and stops, find houses of new students, and draft a route/stop proposal.
 3. Proposal is reviewed with superintendent and/or principal.
 4. In August, final draft is reviewed at the school board meeting, recommended by coordinator, superintendent and principal. Action to approve a roster of Routes/Stops is taken by the school board.
 5. Routes and stops are published in local newspapers.
 6. Late regulations and other factors may necessitate alteration of newly established and publicized routes and stops.
 7. The coordinator reviews routes/stops and requests with the principal. Approval of any changes requested is reviewed at the September or October board meeting.
- F. Students entitled to transportation service will be assigned to a school bus and will be expected to adhere to the assignment. Parent requests for changes in a child's regular bus assignment should be sent to the bus coordinator. Bus assignment changes will be made based on the following criteria:
1. Request must be written by parent or guardian.
 2. Space must be available.
 3. Change in a student's regular bus assignment may be approved for the year, the half year or the quarter. Changes for shorter periods will not be honored by the coordinator.
 4. Emergency situations or one-day changes may be authorized on a case-by-case basis by the principal. Any such one-time change must be requested in writing and in advance by the parent/guardian. The principal will coordinate the change directly.
- G. Conflict Resolution Process
1. Conflict, requests, and questions are presented to the coordinator for review.
 2. If the coordinator perceives a safety concern or if there is agreement that a change or addition to the route/stop is justified, the coordinator will immediately make the change on temporary basis. Changes will be brought to the board for confirmation at its next scheduled meeting through communication with the superintendent.

Current GSD policy. Suggest replacing with NHSBA sample policy EEAE-R.

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3. If the Coordinator does not approve the request, and the petitioner wishes to appeal this decision:

a. The coordinator compiles all appropriate data from his/her investigation for board review.

1. The coordinator may request a meeting with the petitioner and the principal to seek resolution.

2. The coordinator may seek the advice/review of state officials.

b. The petitioner writes an appeal to the school board, submitted to the superintendent.

c. The board hears the appeal as part of its next available agenda.

d. The board makes a decision on the route/stop question after hearing all appropriate information.

(Adopted: 1/14/88)

(Revised: 3/16/98, 12/5/05)

SAFETY GUIDELINES FOR PARENTS/GUARDIANS OF STUDENTS USING SCHOOL BUSES

EEAE-R

The following guidelines outline parent/guardian responsibilities relative to families using District school buses and transportation services.

1. Riding the school bus is a privilege. This privilege may be temporarily suspended or permanently revoked if a student's misconduct violates School Bus Conduct Rules, jeopardizes the safe operations of the school bus or the safety of the children riding this bus. See Board policies EEA and JICC, and District regulations JICC-R.
2. Parents/guardians are responsible for the safety of their children from the time they leave home in the morning until the time they board the school bus; and at the end of the school day from the time the school bus departs the loading/unloading area and the children reach home. Once the child enters the school bus, the authority lies with the bus driver and the school.
3. Students should leave home early enough so that they arrive at the designated school bus stop point five (5) minutes before the scheduled arrival time of the school bus.
4. Parents/guardians should be aware of their responsibility not only for their child's behavior while on the school bus, but also their responsibility for damage caused by their child(ren) to the property of others, including the school bus. When a child walks to and from the bus stop, and while he/she waits at the school bus stop, and when he/she walks home from the school bus stop at the end of the school day, he/she must show consideration and respect for the property of those citizens whose homes and places of business are located along these routes.
5. Parents/guardians, together with the child, should develop a route to and from the school bus stop, or school, which minimizes the exposure of the child to vehicular traffic. Shortcuts through isolated fields and woods or across streams or railroad tracks can often be dangerous. Entering of abandoned houses or deserted buildings by children on their way to or from school should not be condoned. The route should be direct and uninterrupted.
6. Parents/guardians should walk with younger children to and from the school bus stop, using this opportunity to teach the child(ren) proper pedestrian practice. If the parents/guardians cannot accompany their child(ren), arrangements should be made, if possible, for older children (brother, sister, or neighbor) to escort the younger children to and from the school bus stop or school.
7. Parents/guardians should develop in their child(ren) an awareness of the molestation (personal harassment) problem. Encourage children not to accept candy, soft drinks, money, toys or rides from strangers or to associate with anyone they do not know. If your child is confronted with these problems on his/her way to or from school, he/she should tell you or his/her teacher as soon as possible. This is a situation that should be referred to the police.
8. Parents/guardians should realize that weather determines how a child is to be dressed. Encourage your child to wear the type clothing that will not only keep him/her warm and enable him/her to see where he/she is going, but also permit him/her to be seen. If the child(ren) cannot be seen by the drivers of vehicles, they are in danger. For example, white clothing is difficult to see in

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SAFETY GUIDELINES FOR PARENTS/GUARDIANS OF STUDENTS USING SCHOOL BUSES

EEAE-R

snow, but makes one clearly visible at night. If the weather is inclement, the child should be dressed for the occasion and leave a few minutes earlier than his/her normal starting time in order to reach the school bus stop or school safely and on time.

9. In inclement weather announcements regarding the closing of schools or delayed opening begin at approximately 6:00 a.m. During severe weather conditions, pertinent information concerning the transportation program will be announced on the parent alert system and WMUR.
10. The application of common sense is the best method of determining the role of the parents/guardians regarding the safety of children traveling to and from school, either as a passenger on a school bus or as a pedestrian.

Legal References:

- RSA 189:6a, School Bus Safety
- RSA 189:9-a, Pupils Prohibited for Disciplinary Reasons

Current GSD policy. Suggest replacing with NHSBA sample policy EEAEA.

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MANDATORY DRUG AND ALCOHOL TESTING – SCHOOL BUS DRIVERS

1. Statement of Policy

The School Board believes that the safety of students while being transported to and from school or school activities is of utmost importance and is the primary responsibility of the driver of the vehicle. To fulfill such a responsibility, each driver, as well as others who perform safety-sensitive functions with commercial vehicles that transport students, must be mentally and physically alert at all times while on duty. To that end, the Board has established this policy related to the fitness for duty of transportation personnel.

2. Medical Examination of School Bus Operators

In accordance with RSA 200:37, before employing any person as a school bus operator, directly or through a vendor, the School District shall require that such persons submit a certificate signed by a licensed physician setting forth the physician's findings as a result of the examination to determine the physical condition of drivers in accordance with the requirements of 49 C.F.R. Part 391.41-391.49. Such certificate shall be submitted to the School District prior to the commencement of such employment and the District shall retain a copy of such certification. Every 2 years thereafter, either prior to the commencement of the school year or prior to the reemployment of such persons as a school bus operator, the School District shall require submission of a like certificate, except that school bus operators attaining the age of 70 shall be required to undergo an annual examination and to submit a certificate annually.

3. School Bus Driver's Certificate

No person shall be employed as a school bus operator, directly or through a vendor, unless the person has received a School Bus Driver's Certificate from the NH Department of Motor Vehicles as required by RSA 263:29.

4. Criminal Background Investigation

Before employing any person as a school bus operator, directly or through a vendor, the School District shall require a criminal background investigation as set forth in RSA 189:13-a and School District policy. If the school bus operators are employed directly by the District, then the employee will pay for the investigation. If the District contracts with a vendor to provide student transportation services, either the vendor or the bus operator will pay for the investigation at the discretion of the vendor.

5. Mandatory Drug and Alcohol Testing

In compliance with the United States Department of Transportation's Title 49 Code of Federal Regulations, Part 391, all CDL holders and personnel performing safety-sensitive functions related to the transportation of the students of this School District will be

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required to submit to drug and alcohol testing. Testing procedures and facilities used for

the tests shall conform to the requirements of the 49 C.F.R. Part 40. The term “CDL holder” means someone who is required as part of their job duties to hold a Commercial Driver’s License. The term “safety-sensitive function” refers to all tasks associated with the operation and maintenance of commercial vehicles. A “commercial vehicle” is any vehicle capable of carrying 16 or more passengers including the driver.

If the School District employs the transportation personnel directly, the District will be responsible for ensuring compliance with the Mandatory Drug and Alcohol Testing requirements. If the School District contracts with a vendor to provide student transportations services, the vendor shall be the employer and provide assurance to the District on an annual basis that they are in compliance with the Mandatory Drug and Alcohol Testing requirements.

The Drug and Alcohol Testing will include pre-employment, random, reasonable suspicion and post-accident testing as defined by Department of Labor Regulations. The School District supports a zero tolerance policy related to substance abuse. Therefore any personnel who have a confirmed positive test for drugs or a confirmed alcohol concentration of 0.02 or greater will be terminated from employment.

Legal References:

RSA 200:37, Medical Examination of School Bus Operators

RSA 263:29, School Bus Driver’s Certificate

RSA 189:13-a, School Employee & Volunteer Background Investigations

49 C.F.R. § 40.1-40.13 (2001), Transportation Workplace Drug Testing Program

49 C.F.R. Part 391 (1995), Qualifications of Drivers

(Adopted: 5/3/2010)

NHSBA Sample Policy. Suggest replacing current GSD policy EEAEA with this sample policy.
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MANDATORY DRUG AND ALCOHOL TESTING – SCHOOL BUS DRIVERS AND CONTRACTED CARRIERS

EEAEA

1. Statement of Policy

The School Board believes that the safety of students while being transported to and from school or school activities is of utmost importance and is the primary responsibility of the driver of the vehicle.

This policy applies to two categories of drivers:

- a. school bus drivers (see RSA 189:13-b; 263:29 & 29-a);
- b. “contracted carriers”: drivers of vehicles designed to transport 16 or more passengers, including the driver, which are a contract carrier of passengers that has been contracted by the school (see RSA 376:2).

Each driver, as well as others who perform safety-sensitive functions with commercial vehicles that transport students, must be mentally and physically alert at all times while on duty. To that end, the Board has established this policy related to the fitness for duty of transportation personnel.

The Superintendent/designee shall adopt and enact any procedures necessary or appropriate to assure compliance with applicable state and federal laws and regulations.

2. Medical Examination of School Bus Operators

In accordance with RSA 200:37, before employing any person as a school bus driver, directly or through a vendor, the District shall require that such persons submit a certificate signed by a licensed physician setting forth the physician’s findings as a result of the examination to determine the physical condition of drivers in accordance with the requirements of 49 C.F.R. Part 391.41-391.49. Such certificate shall be submitted to the District prior to the commencement of such employment and the District shall retain a copy of such certification. Every 2 years thereafter, either prior to the commencement of the school year or prior to the reemployment of such persons as a school bus driver, the School District shall require submission of a like certificate, except that school bus operators attaining the age of 70 shall be required to undergo an annual examination and to submit a certificate annually. *This provision does not apply to contracted carriers.*

3. Certification

No person shall be employed as a school bus driver, directly or through a vendor, unless the person has received a School Bus Driver’s Certificate from the NH Department of Motor Vehicles as required by RSA 263:29.

Contracted carriers shall comply with all applicable provisions of RSA 376:2, as well as have a valid commercial driver’s license and operate a vehicle with a valid state inspection sticker.

4. Criminal Background Investigation

*NHSBA Sample Policy. Suggest replacing current GSD policy EEAEA with this sample policy.
11-9-2021 Policy Committee
12-6-2021 School Board – first reading
12-10-2021 Sent to GEA
1-3-2022 School Board – second reading*

MANDATORY DRUG AND ALCOHOL TESTING – SCHOOL BUS DRIVERS AND CONTRACTED CARRIERS

EEAEA

Before employing any person as a school bus driver, directly or through a vendor, or as a contracted carrier, the School District shall require a criminal background investigation as set forth in RSA 189:13-a and School District policy GBCD. For a school bus driver employed directly by or who volunteers for the District, then the employee will pay for the investigation. If the District contracts with a vendor to provide transportation services, either the vendor or the driver will pay for the investigation at the discretion of the vendor.

5. Mandatory Drug and Alcohol Testing

In compliance with the United States Department of Transportation’s Title 49 Code of Federal Regulations, Part 391, all commercial driver’s license holders and personnel performing safety-sensitive functions related to the transportation of the students of this School District will be required to submit to drug and alcohol testing. Testing procedures and facilities used for the tests shall conform to the requirements of the 49 C.F.R. Part 40. The District and any transportation contractor transporting students on behalf of the District shall utilize the Drug and Alcohol Clearinghouse to comply with all requirements for drug and alcohol testing and reporting, in accordance with 49 C.F.R. Parts 382 and 391.

The term “CDL holder” means someone who is required as part of their job duties to hold a Commercial Driver’s License. The term “safety-sensitive function” refers to all tasks associated with the operation and maintenance of commercial vehicles. A “commercial vehicle” is any vehicle capable of carrying 16 or more passengers including the driver.

If the School District employs the transportation personnel directly, the District will be responsible for ensuring compliance with the Mandatory Drug and Alcohol Testing requirements. If the School District contracts with a vendor to provide student transportations services, the vendor shall be the employer and provide assurance to the District on an annual basis that they are in compliance with the Mandatory Drug and Alcohol Testing requirements.

The Drug and Alcohol Testing will include pre-employment, random, reasonable suspicion and post-accident testing as defined by Department of Labor Regulations. The School District supports a zero tolerance policy related to substance abuse. Therefore any personnel who have a confirmed positive test for drugs or a confirmed alcohol concentration of 0.02 or greater will be terminated from employment.

Legal References:

Omnibus Transportation Employee Testing Act of 1991, 49 U.S.C. §5331
RSA 200:37, Medical Examination of School Bus Operators
RSA 263:29, School Bus Driver’s Certificate
RSA 189:13-a, School Employee & Volunteer Background Investigations
RSA 376:2, VII, Motor Carriage of Passengers
49 C.F.R. § 40.1-40.13 (2001), Transportation Workplace Drug Testing Program
49 C.F.R. Part 382, Controlled Substances and Alcohol Use and Testing

NHSBA Sample Policy. Suggest replacing current GSD policy EEAEA with this sample policy.
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**MANDATORY DRUG AND ALCOHOL TESTING – SCHOOL BUS DRIVERS
AND CONTRACTED CARRIERS**

EEAEA

49 C.F.R. Part 391, Qualifications of Drivers

Current GSD policy. Suggest replacing with NHSBA sample policy JICC.
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STUDENT CONDUCT ON SCHOOL BUSES

Students using district transportation must understand that they are under the jurisdiction of the school from the time they arrive at the bus stop, until they exit the bus stop.

Pupils transported in a school bus shall be under the authority of the district and under control of the bus driver. Continued disorderly conduct or persistent refusal to submit to the authority of the driver shall be sufficient reasons for a pupil to be denied the privilege of transportation in accordance with the regulations of the board.

The driver of the bus shall be held responsible for the orderly conduct of the pupils transported.

The superintendent or his/her designee will develop rules and regulations for conduct on buses and these shall be printed in the Parent-Student Handbook.

Resolution of Conflicts

A parent who wishes to request a change or exemption from any of the Student Transportation policies shall direct that request first to the SAU principal. If the parent is not satisfied by the ruling of the SAU principal, he or she may appeal the ruling within five days to the Assistant Superintendent for Business. If the parent is again not satisfied by the ruling, he or she may appeal to the superintendent within the next five-day period. As a last appeal, the parent may request to appear before the school board.

Legal References:

RSA 189:9a, Pupils prohibited for Disciplinary Reasons

(Adopted: 12/5/05)

NHSBA Sample Policy. Suggest replacing current GSD policy EEAEC with this sample policy.
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JICC

STUDENT CONDUCT ON SCHOOL BUSES

Students using school buses and other District transportation are under the jurisdiction of the School from the time they board the bus until they exit the bus. Additionally, Board policy JICDD applies to “out-of-school” student conduct, including, but not limited to, conduct at or near school bus stops.

The Superintendent or his/her designee will develop rules and regulations for conduct on buses. See District administrative School Bus Conduct Rules JICC-R and these shall be printed in the Parent-Student Handbook, made available on the District and/or school website, and provided in other languages as needed.

Failure to abide by the School Bus Conduct Rules Continued, disorderly conduct or persistent refusal to submit to the authority of the driver may result in a student to be denied or suspended from the privilege of transportation in accordance with the RSA 189:9-a, and applicable District rules and procedures. See JICC-R. Additionally, conduct on District transportation is subject to additional interventions, supports or consequences as provided in the Student Code of Conduct.

If a student is to lose the privilege of riding the bus (“transportation suspension”), advance warning will be given, except for misconduct that threatens or the health, safety or welfare of other students, staff or any other person. Parents/guardians of students who have had bus privileges suspended have a right to appeal the suspension within 10 calendar days to the person who issued the original suspension. Transportation suspensions exceeding 20 days must be approved by the Board. Transportation suspensions shall not begin until the next school day following the day written notification of suspension is sent to the pupil’s parent/guardian. The Superintendent shall include such appeal and review procedures in the School Bus Conduct Rules referenced in the preceding paragraph. Transportation suspensions may extend to all District transportation according to the Student Bus Conduct Rules.

Students transported in a school bus shall be under the authority of the District and under control of the bus driver. The driver of the bus, along with the bus monitor, if applicable, is responsible for the orderly conduct of the students transported. Each driver and monitor has the support of the Board in maintaining good conduct on the bus.

Legal References:

RSA 189:6-a, School Bus Safety

RSA 189:9-a, Pupils Prohibited for Disciplinary Reasons

NH Code of Administrative Rules, Section Ed. 306.04(d)(1), School Safety

NH Code of Administrative Rules, Section Ed. 306.04(f)(4), Student Discipline

*NHSBA Sample Policy. Suggest replacing current GSD policy EEAEC-P with this sample policy.
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JICC-R

SCHOOL BUS CONDUCT RULES

In order to ensure the safety of all students riding District provided school buses, appropriate behavior is required for all students. Transportation to and from school is an extension of the classroom and should be considered part of the school day. The issue of safety requires students to be on their best behavior while on school buses or vehicles.

The Student Code of Conduct applies to students at all times when being transported on school buses or other District provided transportation to and from school or school activities. Thus, while students may lose the privilege to ride the bus or other District transportation due to students' failure to maintain the behavioral expectations, students may also be subject to interventions and/or disciplinary consequences for the same behaviors according to the Student Code of Conduct.

A. Behavioral Expectations & Rules for School Buses and Other District Provided Transportation.

1. Students should arrive at the bus stop at least five (5) minutes before the bus is scheduled to arrive. The bus cannot wait for those who are not on time. If a student misses the bus, it is the parent/guardian's responsibility to transport the student to school.
2. Students shall wait in a safe place, clear of traffic until the bus stops, door is open, red flashing lights are on, and the driver has directed students to get on the bus.
3. Students shall wait in an orderly line and avoid horseplay.
4. Students may cross the road or street only in front of the bus only after the bus has come to a complete stop and upon direction of the driver (10-foot minimum crossing distance).
5. Students shall go directly to an available or assigned seat when entering the bus and move in toward the window.
6. Students shall remain seated until they have reached their designated stop and the bus has come to a complete stop. Aisles and exits must be kept clear at all times and emergency door will be used for emergencies only.
7. Students shall observe normal classroom conduct and obey the driver promptly and respectfully. The driver is in complete charge of the bus and his/her decisions and requests must be followed.
8. Students shall not engage in verbal abuse and/or use abusive language to others.
9. Students may carry only objects that can be held safely on his/her own lap. Musical instruments, athletic equipment bags and the like must be placed in the area designated by the driver.
10. Students shall refrain from throwing or passing objects on, from or into buses.

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JICC-R

SCHOOL BUS CONDUCT RULES

11. Students shall refrain from eating and drinking on the bus. Students shall respect the rights and safety of others.
12. Students may ride only the bus that they have been assigned, and students may only board or exit at their assigned stops . (Exceptions will only be made with a note from a Principal or Principal’s designee.)
13. Students are prohibited from extending head, arms or objects out of the bus windows, and are not allowed to open windows without permission of the driver.
14. Only authorized riders are permitted on the bus.
15. When necessary, students will be expected to sit three passengers to a seat.
16. Students are strictly prohibited from possessing or using tobacco, alcohol, drugs, or any controlled substance. In addition to any interventions or consequences pursuant to these rules or the Student Code of Conduct The police will be notified whenever a student is involved with the possession and/or use of alcohol, drugs, or any illegal substances.
17. Students shall not use profane language or obscene gestures, and shall make any excessive noises while on the bus.
18. Fighting, wrestling or acts of physical aggression are strictly prohibited.
19. Students shall not deface or otherwise damage the bus, the driver’s or any other students belongings while on the bus. Students/Parents will be held responsible for any and all damages to the bus caused by the student by way of vandalism or other intentional or reckless conduct.
20. Pupil shall not carry hazardous material, nuisance items or animals onto the bus.
21. Students are prohibited from hitching rides via bumper or other parts of the bus.

B. Response and Consequences for Misconduct on School Buses.

Students not adhering to the above expectations may receive consequences as described below. However, when a student engages in any conduct that threatens or impacts the health or safety of students, staff or others, the Principal or Superintendent may impose more significant and immediate consequences including lengthier transportation suspensions.

The following will generally apply to violations of expectations 2 through 16:

First Referral: will result in communication home with families and a copy kept on file in the School Administrator’s Office.

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SCHOOL BUS CONDUCT RULES

Second Referral: will result in a school determined consequence. Parents/guardians must be notified prior to the implementation of a detention. It becomes the parents/guardians' responsibility to transport or arrange other transportation for their children home after a detention.

Third Referral: could result in an immediate suspension from District transportation to and from school.

The following will generally apply to most egregious violations of expectations.

First Referral: will be an immediate five (5) day from all District transportation.

Second Referral: will be an immediate ten (10) day from all District transportation.

Third Referral: will result in the immediate suspension from all District transportation. "RSA 189:9 – Pupils prohibited for Disciplinary Reasons.

C. General Provisions Relating to Transportation/Bus Suspensions.

All transportation suspensions are measured by school days, not calendar days. Repeat transportation suspensions or suspensions over five (5) days will apply to all District transportation, including to and from school, as well as any school sponsored activity or program (e.g., field trips, athletic competitions, etc.).

Transportation suspensions shall not begin until the next school day following the day written notification of suspension is sent to the pupil's parent/guardian.

Any suspension to beyond twenty (20) school days must be approved by the school board.

If a pupils transportation privileges have been suspended for violations of the behavior rules or other disciplinary reasons, the parent or guardian of that pupil has right of appeal within ten (10) days of suspension to the authority who issued the suspension.

The Board should consult with counsel regarding the procedures to apply at any Board review or appeal regarding suspension of an individual's transportation privileges.

Until any appeal is heard, or if the suspension of pupil's privileges to ride the school bus is upheld, it shall be the parents' or guardians' responsibility to provide transportation to and from school for that pupil for the period of the suspension.

D. Audio and Video Surveillance on School Buses.

Video cameras may be used on school buses to monitor student behavior. Audio recordings in conjunction with video recordings may also be captured on school buses, in accordance with the

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JICC-R

SCHOOL BUS CONDUCT RULES

provisions of RSA 570-A:2. See Board policy ECAF – Audio & Video Surveillance on School Buses.

E. Students with Disabilities:

Students with disabilities will be discipline in accordance with federal state law including the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act, as set forth in the procedures developed by the administration.

Legal References:

RSA 189:6-a, School Bus Safety
RSA 189:9-a, Pupils Prohibited for Disciplinary Reasons
RSA 193:13, Suspension and Expulsion of Students