

# New Castle Community School Corporation

## School Bus Driver's Handbook

2023-2024



**New Castle Community School Corporation**  
**322 Elliott Avenue**  
**New Castle, IN 47362**

Administration Office Phone: 765-521-7201  
Transportation Office Phone: 765-521-7235  
Fax: 765-521-7268

## Contents

Driver Qualifications – the Law	5
Certificate of Enrollment	5
Law-Policy-Procedures for Training Requirements	6
Responsibility of Driver	6
Accident Procedures	6
Student Accidents	7
Corporation Procedures and Requirements	7
Driving Records	7
Evaluations	7
Mandatory Training	8
Route Sheets & Student Rosters	8
<b>First Aid - Call 911 (as needed) for Assistance</b>	<b>8</b>
Anaphylaxis (Allergic Reactions)	8
Asthma	9
Bleeding – Use Universal Precautions	9
Blows, Contusions, Bruises	10
Burns	10
Choking	10
Diabetes	11
Dispense Medication	11
Eye Injury	11
Fainting	12
Fracture/Suspected Fracture	12
Frostbite	12
Head Injury	12
Heat Illness	13
Nose Bleed	13
Penetrating (Impaled) Injuries	13
Poison – Poison Control Phone #: 800-382-9097	14
Seizure Disorders	14
Shock Due to Trauma	14
Spill of Body Fluids – Universal Precautions	15
Sprain	15
Teeth	15
Loading and Unloading	16
Stop Arm Usage: IC 20-921-12-13	16
Running Lights Usage: IC 20-21-12-15	16
Operating Procedures	17
Bus Radio Use Expectations	17
Bus Cleanliness	18
Bus Fails to Start - Procedures	18
Cell Phone Use	18
Driving Safely	19

Earthquake	19
Field Trips	19
High Water	19
Hostage Survival Plan	19
Personal Safety	21
Pre-Trip Inspection	21
Post-Trip Inspection	22
Safety	22
School Bus Inspection	22
Threatening Weather Conditions	22
Policy and Law	23
Drug and Alcohol Testing of CDL Holders and Other Employees Who Perform Safety-Sensitive Functions – Board Policy #4162	23
Criminal Gangs & Criminal Gang Activity in Schools – Board Policy #5840	26
Dress Code – Board Policy #4216	29
Inspect Seats and Reporting Procedures	29
Use of Tobacco by Support Staff – Board Policy #4215	30
Route Responsibilities	30
Driver Responsibilities	30
<b>Special Education</b>	<b>30</b>
Student Management	32
Discipline	33
Report Crimes and/or Disruptive Behavior	33
Student Misconduct	33
Last Recourse	34
Violations and Consequences	34
Traffic Law	35
Passing	35
Rail/Grade Crossings	35
Safe Driving Practices	36
Speed	36
Speed Limit - Maintenance / Transportation Parking Lot	36
Turning	37
Video Camera	37
Procedure	37
Bus Driver Performance Standards and Measurements	38
Assessment of the Performance Standards	39
Guidelines for Administration of Performance Assessment Standards	40
Evaluation Form - School Bus Driver Performance Standards	41
Substance Abuse Policy	42
Pre-Employment Testing	45
Random Testing	45
Post-Accident Testing	45
Reasonable Suspicion Testing	46

Return to Duty Testing	46
Follow-Up Testing	47
Controlled Substance Testing Protocol	47
Urine collection procedures:	47
Medical Information Disclosure:	48
Split Specimen Testing Protocol	49
Alcohol Testing Protocol	49
Educational Materials	49
Disciplinary Procedures	50
Substance Abuse Evaluation, Return to Duty, & Follow-Up Testing	50
Voluntary Disclosure	50
Confidentiality and Release of Information	51
Responsibility	51
Abbreviations and Definitions (terms)	51
Definitions (terms)	52
<b>CLEARINGHOUSE REPORTING REQUIREMENTS</b>	<b>54</b>

## DRIVER QUALIFICATIONS - THE LAW

Indiana Code 20-27-8-1-School bus drivers; standards states: “An individual may not drive a school bus for the transportation of students or be employed as a school bus monitor unless the individual satisfies the following requirements:

1. Is of good moral character.
2. Does not use intoxicating liquor during school hours.
3. Do not use intoxicating liquor to excess at any time.
4. Is not addicted to any narcotic drug.
5. Is at least:
  - a. (A) twenty-one (21) years of age for driving a school bus;
  - b. (B) eighteen (18) years of age for employment as a school bus monitor.
6. In the case of a school bus driver, holds a valid public passenger chauffeur’s license or commercial driver’s license issued by the state or any other state.
7. Possess the following required characteristics:
  - a. Sufficient physical ability to be a school bus driver, as determined by the committee.
  - b. The full normal use of both hands, both arms, both feet, both legs, both eyes, and both ears.
  - c. Freedom from any communicable diseases that
    - i. may be transmitted through airborne or droplet means
    - ii. requires isolation of the infected person under 410 IAC 1-2.3.
  - d. Freedom from any mental, nervous, organic, or functional disease that might impair the person’s ability to properly operate a school bus.
  - e. This clause does not apply to a school bus monitor. Visual acuity, with or without glasses, of at least 20/40 in each eye and a field of vision with one hundred fifty (150) degree minimum and with depth perception of at least eighty percent (80%) or thirty-three (33) seconds of arc or less angle of stereopsis.
8. I.C. 20-27-9-5 has been amended to allow the use of a special purpose bus for home-to-school and school-to-home transportation for both preschool students that are attending a preschool offered by the school corporation or under contract entered into by the school corporation to and from the preschool facility site and preschool students that meet the definition of developmental disability – normally early childhood students. Section 14 of this law would require the driver of a special purpose bus whose capacity is less than 16 passengers, which is transporting preschool students under the circumstances covered above, to meet all the requirements of a school bus driver under I.C. 20-27-8, with the exception of holding a CDL license.

### Certificate of Enrollment

The Certificate of Enrollment serves as a temporary training card that authorizes the school bus driver to transport passengers while completing the certification process. Statute requires the certificate to be in the driver’s possession when transporting passengers. It is used in conjunction with a commercial driver’s license. A Certificate of Enrollment may be obtained in one of two ways: the certificate is issued at the pre-service class; or at the school corporation’s request, the certificate is issued prior to the pre-service class.

The request must be made in writing and must include the driver's name (as it appears in the record), Social Security number, date of birth, and the pre-service training location the driver will attend.

### Law-Policy-Procedures for Training Requirements

Indiana Code 20-27-8-9 to 16 establishes the requirements for:

1. Annual safety meetings – each driver is required to attend this meeting and may not exceed two (2) days in any calendar year.
2. Pre-service school bus driver safety education training course – all drivers with less than 30 days experience in driving a school bus during the three year period immediately preceding the effective date, must complete this training.
3. Plan to promote safe driving practices for drivers of special purpose buses
4. Annual safety meetings; time and place
5. Annual safety meetings; responsibility to conduct
6. Annual; safety meetings; registration
7. Annual safety meetings; nonattendance penalty
8. School bus drivers; training certification; revocation of certificate of completion, when; - see law for details
9. Penalty – except as provided in section 3(b) of this chapter, a person who knowingly, intentionally, or recklessly violates this chapter and commits a Class C misdemeanor.

### Responsibility of Driver

Each school bus driver requires good judgment and has the responsibility not only for the safekeeping of students on the bus, but also for safety on the road. **Exceptions to safe operations should never be considered.** The school bus driver operates defensively and is observant of other drivers, not only when the bus is moving, but primarily when it is stopped to load or unload students.

Each student should be treated as an individual, remembering no student's life can be replaced and the school bus driver, by example, is a driving instructor molding the way of tomorrow's drivers.

Cultivating good habits regarding appearance, language, cheerfulness, and a good attitude toward others will assist in creating an atmosphere of courtesy, understanding, and cooperation.

## ACCIDENT PROCEDURES

In spite of all precautions, the possibility of an accident cannot be entirely eliminated. If an accident should occur, the following procedures should be followed:

1. Stop and turn off ignition; turn on hazard lights.
2. After assessing injuries, damages, and need for emergency assistance - notify the Transportation Department office **immediately**.
3. Remain calm; do not argue or try to assign blame for the accident. **Do not make any statements as to fault.**
4. Unless it is absolutely necessary for safety, do not allow pupils to exit the bus.
5. Obtain the license number and other pertinent information about all vehicles involved.
6. Obtain names and addresses of all persons involved and all witnesses, including pupils on the bus. Also, obtain a police report number and officer's name.
7. In the event of an accident, the driver must notify the Transportation Office and make a full report within 24 hours. The driver must also complete an accident report and other

- necessary forms.
8. Discuss accident details only with police officers and immediate supervisor.
  9. If absolutely necessary, the driver may dispatch an older rider for assistance.

### Student Accidents

In the event a student is injured while riding a school bus, the driver should determine the seriousness of the injury and whether additional help is needed. Should the injury require immediate attention, pull the bus over to a safe location as soon as possible, call the dispatcher with current location, student's name, and nature of assistance needed. Apply first aid until help arrives, if necessary. **Do not use the bus as an ambulance. Assistance will be sent to you. All student injuries require a completed "Student Accident Report" to be submitted to the Transportation office within 24 hours.**

## CORPORATION PROCEDURES and REQUIREMENTS

The New Castle Community School Corporation has established some procedures and guidelines for the transportation department. Deadlines and procedures are detailed in each category listed below. If further information is needed, do not hesitate to contact the Transportation or Human Resources offices.

### Chain of Command

Transportation Specialist  
Director of Facilities and Transportation  
Human Resource Director  
Assistant to the Superintendent  
Superintendent of Schools

### Driving Records

The New Castle Community School Corporation will obtain a driving record of each employee who regularly drives a corporation vehicle. In addition to using Motor Vehicle Records (MVR's) as part of the driver qualification process, drivers will be required to provide updated MVRs on an annual basis for the purpose of qualifying them for continued operation of corporation owned vehicles. The Human Resource Compliance Officer will secure yearly MVRs for each driver for administration to review. Drivers who have received violations/disqualifications and/or have been involved in preventable accidents may be required to complete additional training, counseling, and may face disciplinary action, up to and including termination of employment. Each offense will be discussed on an individual basis and determined by administration if and when discipline should be administered.

Examples of Major and Unacceptable Violations are listed below. This is not an exhaustive list and final decisions will be made by the administration.

Major Violations: negligent homicide, criminal conviction, hit and run, manslaughter, suspended or revoked license, drag racing, driving under the influence, reckless driving, careless driving, assault involving a motor vehicle, and/or passing a stopped school bus.

Unacceptable Violations: several moving/speeding violations in a short period of time, two or more at-fault accidents in a short period of time, improper or excessive lane changes, following a vehicle too closely, running a red light or stop sign, and/or failure to yield.

## Evaluations

Board Policy #4220-Evaluation of Support Staff: The New Castle School Board recognizes the importance of implementing a program of support staff evaluations for the purpose of promoting individual job performance and improving services to students. The Board's goals of the evaluation plan for support staff are:

- A. To improve and reinforce the skills, attitudes which enable a support staff member to be effective in achieving assigned job goals;
- B. To identify and remediate weaknesses which prevent a support staff member from achieving the goals of assigned duties.

## Mandatory Training

Each year employees will be required to complete mandatory training. This training can be found on the corporation web-site and each employee has been given a login to access the professional development. The training can be found on the Human Resource Department Page.

A list of required training includes:

- Transportation Safety
- Bus Behavior and Discipline
- City Driving
- Restraint & Seclusion
- Bullying: Recognition & Response
- Child Abuse: Mandatory Reporting
- FERPA: Confidentiality of Records
- Bloodborne Pathogen Exposure Prevention
- Winter Driving
- Discrimination Awareness in the Workplace
- Internal Controls

## Route Sheets & Student Rosters

A current and complete route sheet and student roster must be completed and/or updated by each driver and submitted to the Transportation Office no less than 4 times each year. These should include: Student name (first and last), school attended, grade, address of the stop where student enters or exits the bus. The roster must be delivered to the transportation office by:

- Within 10 days of the first day of school
- October 15
- January 15
- April 15

## First Aid - Call 911 (as needed) for Assistance

First aid is defined as emergency treatment for injury, and administered until traditional medical aid is available. In each case when a student is administered first aid, the parent should be notified and a Student Accident Form should be completed and turned in to the Transportation Office within 24 hours of the accident. The following guidelines are to be followed if first aid is indicated:

### **Anaphylaxis (Allergic Reactions)**

#### **What to look for:**

- Wheezing, trouble breathing, coughing
- Hives, swelling of lips or eyes
- Hypotension



- Abdominal cramping and/or diarrhea

**What to do:**

- Mild - cool compresses or Benadryl
- Severe - EpiPen and call 911; place on back with legs elevated after administration.
  - Repeat 2nd dose in 5-10 minutes, if needed
  - May be nauseous - prepare to place on side, if needed.

**Asthma**

**What to look for:**

- Short of breath
- Cough, wheeze, chest tightness
- Lips and fingernails blue/gray
- Trouble walking or talking
- Loss of consciousness

**What to do:**

- Give rescue medications, if available
- Call guardian and/or Asthma Care Provider
- Call 911, if needed

**Bleeding – Use Universal Precautions**

**If bleeding is minimal:**

- Apply direct pressure with sterile gauze or clean pad.
- If laceration is extensive, use of pressure points may be required.
- If blood soaks through the gauze or pad, leave it in place. Apply the second gauze or pad on top of the first.
- Consider a pressure bandage if bleeding is controlled. Wrap a conforming bandage around the limb and over dressings to provide continuous direct pressure.
- Avoid wrapping so tight that skin beyond the bandage becomes cool to the touch or blue in color.
- Elevate injured limb/body part if possible.
- If bleeding continues or becomes severe, move into the severe phase below.

**If bleeding is severe: YOUR safety is YOUR first priority**

- If you are injured, you cannot help others
- Help others only when it's safe to do so
- If the situation changes or becomes unsafe:
  - Stop
  - Move to safety
  - If you can, take the victim with you.
- Use Stop the Bleed Kit provided.

**Alert 911**

- Call 911
  - Know your location
  - Follow instructions provided by 911 operator
- **Bleeding** - Find the source of bleeding. Look for:
  - Continuous bleeding
  - Large volume bleeding
  - Pooling of blood

- There may also hide life threatening bleeding
- Clothing may also hide life threatening bleeding
- **Compress - Pressure**
  - Apply direct pressure to the wound
    - Focus on the location of the bleeding
    - Use just enough gauze or cloth to cover injury
    - If pressure stops the bleeding, keep pressure on wound until help arrives
    - For large wounds, superficial pressure is not effective
    - If bleeding is from a deep wound, pack gauze tightly into the wound until it stops the bleeding; hold pressure until help arrives
- **Compress - Tourniquet**
  - Apply 2 to 3 inches above wound
  - Use on extremities ONLY (arms/legs)
  - Do not place over the elbow or knee
  - Tighten tourniquet until bleeding stops
  - Do NOT remove the tourniquet
  - Can apply to others or on yourself
  - Can be applied over clothes
  - Tourniquets HURT
  - A second tourniquet may be required to stop the bleeding
  - Wait for help to arrive

### **Blows, Contusions, Bruises**

- Check for blurred vision, pain or discomfort.
- Apply cold compress.
- Direct student to lay flat.
- Elevate extremity, if needed.
- Head contusion: be aware of any student who is sleeping. While in this state, students can fall from their seats and suffer head or other injury.
- Document and call parent/guardian.

### **Burns**

#### **NEVER APPLY OINTMENT OR OTHER REMEDY - flush with water ONLY**

- If water is not available, use a clean cool or cold compress.
- Leave blisters intact because this improves healing and reduces pain.
- Notify parents and seek/advise immediate medical assistance.
  - Burn is blistering or has broken skin
  - Student has difficulty breathing
  - Burn is face, neck, hands, or genitals
  - Burn has a larger surface area, such as trunk or extremities
  - Or you have a cause for concern.
- Create a report and call the parent/guardian.
- Notify the central office.

### **Choking**

- If the victim is unable to speak or coughs, ask, “Are you choking?”
- Shout for help, activate 911 and have someone get an AED.
- Perform abdominal thrusts until object is removed or student becomes unconscious:

- Stand behind the victim
- Put arm around to front and below diaphragm
- Make a fist and place your thumb against the midline slightly above the navel and below the ribs.
- Press with quick inward and upward motion into the abdomen.
- Continue until the person can breathe normally and the object is expelled.

If student becomes unconscious or unresponsive:

- Carefully lower student to the floor
- Begin CPR starting with compressions.
- Look to see if the object is visible, but **DO NOT** perform blind finger sweeps. Only pull out if you can see the object or can reach it.
- Continue CPR until help arrives.

### **Diabetes**

Following are indications, in order of appearance, of an insulin reaction (hypoglycemia - low blood sugar):

- Mild hunger
- Sweating
- Dizziness
- Irritability
- Weakness
- Mental confusion
- Trembling or shaking
- Rapid heartbeat
- Pale, cool, moist skin

If reaction is untreated, the following may occur:

- Shallow breathing trembling
- Blurred or double-vision
- Convulsions
- Loss of consciousness

Before loss of consciousness, symptoms can be alleviated promptly by eating a lump of sugar or a piece of candy or by drinking soda pop or orange juice. Anything containing sugar can move swiftly to relieve distress. Symptoms can take 10-15 minutes to improve. If there is a loss of consciousness, the child should be taken to the hospital immediately.

### **Dispense Medication**

Medicine is never to be dispensed by the driver. Medicine is never to be transported on the bus unless a parent/guardian or teacher is present or a physician order has been obtained for the student to self carry an emergency medication.

### **Eye Injury**

#### Foreign Body

- Caution students not to rub their eyes.
- Assess the eye and see if foreign body is present and can be removed with flushing.
- Immediately flush the eye with small amounts of water or contact solution or moistened gauze, carefully holding the eye open and flushing outward from the nose to protect the unaffected eye.
- If located, the object can be lifted gently with a corner of moist gauze square.
- Allow students to rest with cool compress over eyes until irritation subsides..

## Chemical

- Caution students not to rub their eyes.
- Immediately flood the eye with large amounts of water, carefully holding the eye open and flushing outward from the nose to protect the unaffected eye.
- Activate 911 as quickly as possible.
- Identify chemical and time of exposure.
- Flush for at least 15 minutes or until 911 personnel take over.
- Notify parent/guardian and file reports.

## **Fainting**

### **What to look for:**

- Pallor
- Sweating
- Lightheadedness
- Visual Changes
- Weakness

### **What to do:**

- If a student experiences dizziness or fainting, lay him/her down with feet elevated keeping the airway open.
- Maintain normal body temperature.
- Allow the victim to rest until fully recovered.
- Notify the parent and/or school the student attends.

## **Fracture/Suspected Fracture**

- Do not move the injured part.
- If possible, elevate and apply ice to prevent swelling.
- Provide firm support to the injured area and to adjacent joints.
- Do not attempt to straighten deformity.
- Cover open injury or wound with sterile dressing.
- If back, neck, or skull fracture is suspected, do not move the student from the place of injury.
- Seek immediate medical attention.
- Call 911 and parent/guardian

## **Frostbite**

- Quickly activate 911.
- Move the student to a warmer place and remove any wet clothing.
- Cover the affected area with a blanket or immerse in water. If immersed, water should be at body temperature.
- **Do not** use hot water.
- **Do not** rub or apply heat.
- Notify the parent and/or school the student attends.

## **Head Injury**

Notify parents and/or school of accident.

- If no secondary injury is found and the student is alert and active, notify the parent to come for the student.

- Advise parents to observe the student for 24 hours and inform him/her to be especially aware of above symptoms.

**Minor Injury** — No Loss of Consciousness or Apparent Trauma

Direct student to lie down and be alert for the following:

- nausea or vomiting
- unequal dilation of pupils
- confusion or loss of memory
- blood or fluid in ears
- headache
- dizziness or unsteadiness (difficulty with balance)

**Severe Injury** — Call 911 or take the student to an emergency department right away.

If any of these signs/symptoms develop:

- Any Loss of Consciousness, slurred speech, seizures, worsening headache, repeated vomiting, increased confusion. decreasing level of consciousness.
- Do not allow students to be moved until a complete physical assessment is made and level of consciousness is determined.
- Transport on stretcher with neck immobilized.
- Do not elevate feet.
- Do not administer fluids.
- Notify parents and/or school.

**Heat Illness**

**Heat Cramps** - muscle spasms affecting calves, arms, abdominal muscles and back.

- Rest
- Replace fluids
- Stretching, icing, and massaging the painful muscles may be helpful
- Exercise should not be resumed until all symptoms have resolved

**Heat Exhaustion** - nausea, dizziness, muscle cramps, faint, headache, fatigue, heavy sweating:

- rest in shade
- replace fluids
- vomiting indicates need for further therapy

**Heat Stroke** - core temp high, confusion, seizures, coma.

- cool body immediately with ice packs or cool water
- stop above procedure when shivering begins
- Call 911

**Nose Bleed**

- Direct student to blow nose and then to pinch nostrils together for 5-10 minutes.
- Place the student in a seated position with head slightly forward and chin down.
- Cold compresses may be applied to the bridge of the nose.
- Warn against active play for the remainder of the school day.
- Warn against blowing your nose for the remainder of the day.
- If bleeding is severe or prolonged, notify parents and advise medical assistance.

**Penetrating (Impaled) Injuries**

- **Call 911 IMMEDIATELY.**
- Make no attempt to remove objects or wash eyes.
- Control bleeding at the base of the object with clean pads; do not apply pressure.
- Immobilize affected body parts and objects; use bulky padding.
- Cover both eyes loosely with sterile dressing. Use a cone or paper cup to protect impaled

- or injured eyes.
- Direct student to remain quiet and lie down.
- Transport on stretcher.

### **Poison – Poison Control Phone #: 800-382-9097**

- 
- If the student exhibits any signs or symptoms of a life-threatening condition (eg. Sleepiness, difficulty breathing, vomiting) after exposure to a poison, activate 911 immediately. .
- Identify suspected poison, amount ingested, and time of ingestion.
- Call Poison Control immediately and follow instructions as given.

### **Seizure Disorders**

Generalized seizures are triggered by excessive electrical activity within the brain. The result is uncontrolled muscle convulsions throughout the body. Typically, seizures happen without warning.

#### **What to look for:**

- Sudden onset of jerking movements of the body.
- Unresponsiveness
- Loss of bowel or body control.
- Blank stares.

#### **What to do:**

- Protect from injury; especially the head.
- Clear the area.
- Do not hold or restrain the student.
- Place him/her on the floor or ground to prevent self-injury.
- Turn the student to side so saliva will drain once seizure stops.
- **Do not** force anything between the teeth.
- Provide privacy, if possible.
- Time from beginning to end.
- Allow students to rest quietly on a cot following convulsion.
- Call 911 if a student is injured, has no history of seizure, has multiple seizures or continues to seize for more than 5 minutes.
- Report to parents and maintain continuous observation.

If convulsion continues for more than five minutes, begin to make arrangements to have the student transported.

### **Shock Due to Trauma**

Some degree of apprehension occurs with most injuries. The onset of shock may be immediate or delayed. Signs a victim is suffering from shock are:

- pale, cool, and clammy skin
- Confusion
- Uneasiness, restlessness, or worry
- weak rapid pulse
- general body weakness

If faced with a student suffering from shock the proper measures to follow are:

- **Call 911 IMMEDIATELY**

- have victim lie down
- elevate feet unless there is head injury or elevation causes pain or respiratory distress
- Ensure airway; control any bleeding; confirm adequate breathing.
- cover only to maintain body heat; insulate on top and underneath; do not overheat
- do not administer fluids if nausea, unconsciousness, or abnormal wound is present or unless medical assistance is not available for more than one hour
- keep calm; comfort and reassure; assess regularly

### **Spill of Body Fluids – Universal Precautions**

The use of barrier precautions prevents skin or mucous membranes from direct contact with either blood or body fluids visibly contaminated with blood. Universal Precautions are utilized to protect against Human Immunodeficiency Virus (HIV), Hepatitis B, Hepatitis C, and other potentially infectious organisms.

In the event of a spill of blood, body fluids, or tissues the bus driver will:

- Require the use of PPE (disposable gloves, goggles, face shields, etc.
- Wear impermeable, disposable gloves.
- Remove visible material with absorbent towels.
- If the spill is on a hard surface, flood area with 10% bleach or comparable solution.
- Clean the area again thoroughly, using fresh towels.
- If the spill is on a rug or carpet, use a sanitary absorbent agent. Apply according to directions.
- Place all soiled towels and gloves into a leak-proof red biohazard bag and follow proper measures for disposal.
- Wash hands thoroughly with soap and water (minimum 20 seconds).
- Complete accident and other required reports.

### **Sprain**

- Elevate injured part.
- Apply ice pack; apply paper towel or thin towel between ice & body part.
- Direct students not to move the injured part and not to put weight on the injured part.
- Notify parents.
- If fracture is suspected, recommend medical evaluation.

### **Teeth**

- If a permanent tooth is knocked completely out, **save it**. With prompt first-aid, the tooth may be successfully re-implanted into the socket.
- **Do not** clean the tooth. Place it in a cup of milk. If milk is not available, please use the student's saliva. An avulsed permanent tooth should **not** be stored in tap water.
- Hold the tooth by the crown; do not touch the root.
- Control any bleeding; have the person gently bite down on a clean absorbent pad over the bleeding socket.
- Send the student to the dentist immediately.
- Reimplantation of the tooth within an hour after avulsion affords the greatest chance for tooth survival
- Braces can complicate the situation. Examine and, if necessary, do one of the following:
  - If wire or appliance is loose or broken, instruct student to visit orthodontist;
  - If wire is embedded in gum, tongues, or cheek, do **not** attempt to remove; refer student to orthodontist.

- In the event student has bitten lip or tongue, proceed as follows:
  - Apply direct pressure to wound with dry, sterile gauze;
  - Use cold compress if desired.

## LOADING and UNLOADING

### Stop Arm Usage: IC 20-921-12-13

When a school bus is stopped at an intersection or another place where traffic is controlled by a traffic control device or police officer; whenever a school bus is stopped on a roadway to load or unload a student, the driver shall use an arm signal device, which must be extended while the bus is stopped.

For the purpose of this section, roadway or private road means the portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the sidewalk, berm, or shoulder even though the sidewalk, berm, or shoulder is used by persons riding bicycles or other human powered vehicles.

The governing body of a public school may authorize a school bus driver to load or unload a student at a location off the roadway or private road that the governing body designates as a special school bus loading area. The driver is not required to extend the arm signal device when loading or unloading a student in the designated area. A school bus driver who knowingly or intentionally violates this subsection commits a Class C misdemeanor.

### Running Lights Usage: IC 20-21-12-15

Flashing lights as prescribed by the State School Bus Committee shall be used on every school bus in order to give adequate warning that the bus is stopped or about to stop on the roadway to load or unload passengers. The driver of a school bus shall use flashing lights as prescribed by the state school bus committee to give adequate warning that the school bus is stopped or about to stop on the roadway or private road to load or unload a student.

Additionally, daytime running lamps are required whenever a school bus is in operation and transporting passengers, the driver is to have daytime running lights illuminated at all times.

Loading and unloading can be very trying for even the most experienced school bus driver.

- Activate 8 light warning systems 100 feet before stop. Place the transmission in neutral and pull the parking brake. Then open the door.
- Do not cross students on roads that are 40 mph or on roads with multiple lanes (more than one lane in each direction).
- Do not let the bus hang out in the middle of intersections during a bus stop (including in neighborhoods).
- When Loading and unloading your students: Make sure all traffic has stopped both ways before you unload or pickup. Students must cross 10 feet in front of the bus so that you can see them even if they drop something. You must train your students to make eye contact with you before crossing as a group together. They shall not cross without you waving your hand so that they know it is safe to cross. If you load or unload more than one student at a time, have them cross together in a group. They may not cross behind your bus only in front. You must have eyes on each child as they cross. This provides more control of their safety and that they do not get in your blind sight as you drive off or that they are not struck by a car. Count how many unloads so that each are accounted for and you know they are safely out of the bus's way before you drive off.
- Check all crossover and side mirrors for students before driving again.



- Turn on warning lights at least one hundred (100) feet in advance of the stop, allowing the motoring public time to react.
- Be sure to load or unload only in the far right lane. Never block an intersection.
- Wait until the bus comes to a complete stop before extending the stop arm.
- Make every attempt to have a route arranged so that students do not have to cross the street. If this is impractical, be sure all traffic is stopped and the student observes your signal to cross in front of the bus.
- Load or unload students through the service door only. Remain attentive to conditions outside of the bus. **Do not move the bus until students are seated safely** and all warning lights are canceled.
- If road conditions permit and more than a few cars are lined up behind the bus, pull over and allow traffic to pass.
- When approaching another bus that is loading or unloading, don't use warning lights. Be sure the motoring public can see the other bus.

## OPERATING PROCEDURES

### Bus Radio Use Expectations

The bus radio is one of the most critical tools in a school bus operation. Used properly, the radio is the device that helps quickly locate missing children who have boarded the wrong buses. It helps send emergency medical technicians to accident scenes as fast as possible. It helps notify the mechanics of vehicle breakdowns that could imperil the students on board if situations go awry. Used informally, the radio becomes just another noise for drivers to ignore while transporting a bus full of boisterous kids, which might lead to disastrous circumstances. Bus drivers are expected to keep transmissions professional and used on an as-needed basis. Failure to do so may result in disciplinary action up to and including termination. Drivers are to follow these guidelines for radio use:

1. **Use radio only for necessary communication.** Anything that can be done off the airwaves should be done off the airwaves. For instance, if there is a need to replace a broken turn signal bulb when the bus is parked at the vehicle facility, it should be handled in person.
2. **Listen to hear whether airwaves are clear.** Occasionally, there will be necessary transmissions that occur at the same time, but a good way to reduce that chance is to listen for whether a situation is currently being addressed.
3. **Hold the microphone button down momentarily before speaking.** It takes a split second to key the radio for transmission, so waiting will increase the chance that the dispatcher clearly hears the request.
4. **Speak slowly and clearly.** A driver might understand what he/she is saying, but if no one else does, the communication means nothing.
5. **Speak directly into the microphone.** A radio is sometimes not positioned advantageously for a driver to use. Still, for effective communication, it is imperative to take the handset off the clip, hold it a few inches away and speak directly into the microphone.
6. **Keep transmission brief.** Drivers should be to the point.
7. **Sign off after transmission is completely addressed.** Say, "(Bus number) clear," which lets others know that they may now proceed with their requests.

8. **Let the dispatcher initially handle requests.** If the dispatcher needs help from other drivers, she will specifically ask. A third-party interruption often leads to confusion for the base and the initial driver about how that driver should proceed.
9. **Keep off airwaves until emergencies are finished.** Communication between the involved bus and the base might ultimately make the difference in survival. Drivers need to monitor the airwaves, be aware of emergencies and stay offline until the base says it is all right to continue standard transmissions.
10. **Keep transmissions between buses professional.** The radio should not be used to plan the post-morning-shift breakfast or to carry on inside jokes between drivers. Those types of communications make drivers take the radio less seriously, when it is really among the most invaluable tools they possess. The driver must always keep transmissions on a professional level.  
<https://kingradios.net/radio-etiquette-10-important-things-you-should-remember/>

### Bus Cleanliness

The school bus driver must keep the school bus clean, uncluttered, and the windows clear. Do not place anything in the dash window area. School buses shall be specially cleaned and disinfected each year before they are used for school purposes and shall be maintained in a clean and sanitary condition throughout the school year.

Papers should be picked up daily and all trash removed from the bus daily. The bus should be swept when necessary, and the driver's area should be cleared of clutter and dusted frequently. All windows should be washed at least once a month, or as needed. The exterior of the bus should be washed as often as needed to keep the bus visibly identifiable. It is also helpful to keep a trash container at the front of the bus. Students show more respect for a clean bus; a clean bus reflects the character of the driver.

### Bus Fails to Start - Procedures

In extremely cold or damp weather, buses will occasionally fail to start. When this occurs, the following procedure should be followed by all drivers:

- The driver should notify the mechanic immediately when help to start the bus is needed.
- If the bus cannot be started in time to make the route as scheduled, notify the Transportation Office and give an approximate time for length of delay.

Remember that on cold nights (below 40 degrees Fahrenheit) each driver shall plug in the electric auxiliary heater. This action will aid the driver when attempting to start the bus on cold mornings.

### Cell Phone Use

School Board Policy #8606 Bus Drivers and Cellular Telephone Use dictates the use of cellular devices. It is the policy of the Board to take every step necessary to maintain the safety of its students while riding in school buses that are used to transport School Corporation students. This policy shall be implemented in compliance with Federal and State law and regulations of the Indiana State Board of Education and the State School Bus Committee.

Telecommunication device means an electronic or digital telecommunications device. The term includes a: wireless telephone; personal digital assistant; pager; or text messaging device. The term does NOT include: amateur radio equipment that is being operated by a person licensed as an amateur radio operator by the Federal Communications Commission or a communications system installed in a commercial motor vehicle weighing more than 10,000 pounds. "Text

message” means a communication in the form of electronic text sent from a telecommunications device.

A Corporation employee who operates a motor vehicle is prohibited from using a cellular telephone, electronic device, mobile telephone or telecommunications device. Any employee who violates this policy shall be subject to disciplinary action, up to and including termination.

### Driving Safely

Driving a school bus safely demands a relaxed, well-rested and alert driver. Illness, personal tragedy, or other physical and mental distractions do not allow a driver to concentrate fully on safe driving. Please do not allow yourself to drive under these conditions.

Driving safely is of most importance to the students on your bus as well as to the motoring public.

- Be sure the bus is in safe working order.
- **Never** exceed a safe and reasonable speed.
- Follow other vehicles at a reasonable distance.
- Consistently glancing at all mirrors to be aware of the position of the bus.
- Always use turn signals, overhead warning lights, and hazard lights when required.
- Make every attempt to avoid traveling alongside another bus.
- Look ahead, anticipate, think, **and then** react.

Be familiar with the use of a fire extinguisher, first-aid kit, and other required emergency equipment. It is not how well you can drive, but how well you do drive that determines safe transportation of students.

### Earthquake

In the event that an earthquake occurs, drive to an open area away from power lines, trees, and buildings if possible. Stay off bridges, overpasses and away from underpasses. Unless it is absolutely necessary for the safety and security of the students, keep all students on the bus and wait for further instructions from the dispatcher. After the earthquake, check for injuries and seek medical attention if necessary. Return to normal operating procedures only after an “all clear” has been announced.

### Field Trips

No unauthorized passengers are to accompany contractors/drivers on any field trip. This would include, but not be limited to, children, grandchildren and children of chaperones. Trip sheets shall be turned in to the Transportation Department on the next work day after the trip. Any spare buses used on field trips must be cleaned and fueled immediately following the trip.

### High Water

If other drivers are passing through high water, you may be tempted to follow suit. If the water is less than a foot deep, you may attempt to pass through a street or underpass. When water is more than one foot in depth, it is best to reroute if at all possible. Call for assistance on the radio when in doubt.

### Hostage Survival Plan

Help keep the peace

- Prevent anyone from getting hurt.

- Because passengers are in the driver's care, the driver's action or inaction can affect others. Consequences of any action or inaction must be considered before causing additional risk to the driver or to the passengers.
- Be patient.
- This is absolutely necessary.
- Remember that passengers are looking at the driver for guidance.
- Patience demonstrated by the driver's demeanor will likely encourage students to follow the driver's lead.
- If a driver becomes excited or hysterical, panic will spread. Know that 99% of hostage situations are resolved through negotiations.
- While negotiations may proceed slowly, time is on the driver's side.
- Use force as a last resort.
- Remain calm.
- Drivers should try not to display any fear.
- Be assured that police are very concerned about driver and passenger safety. However, they purposely may not inquire directly as this may provoke captor. Do not be confrontational with the captor.
- Drivers should not put themselves or passengers at risk by initiating aggressive action.
- Do not try to be a "hero".
- This is not television. Unnecessary harm can result from the driver's actions.
- Communicate.
- Attempt to advise police and/or supervisor of bus location and hostage situation as soon as possible.
- If hostage-taker has not already made contact, attempt to use special emergency radio codes when transmitting.
- Try to keep the microphone "keyed open" and hidden. A dispatcher may be able to determine the situation as he/she hears conversation, statements, and background noises.
- Open door. Unlatch or open the service door, if possible. This will facilitate police entry.
- Be a good witness
- Memorize appearance of hostage-taker(s).
- Take note of any weapons or other information that might assist police immediately in the future.

#### Go along in order to get along

- Cooperate with captor; do as instructed.
- Comply with requests to place telephone or radio calls.
- Cooperate with reasonable demands.
- Do not offer to act as captor's accomplice; do not offer to take any action on captor's behalf against other hostages.
- Obey instructions; do not volunteer any assistance.
- If ordered to move the bus to a particular location, do so.
- If the bus is relocated, try to avoid parking in an open area upon arrival. Instead, try to park near objects large enough to block the captor's view, such as a building, woods, or large vehicles.

#### If police attempt to enter the bus:

- Avoid giving any indication to captors of police position or actions;
- Maintain a calm facial expression;
- Expect loud noises or shouting as police approach;
- Be alert for instructions from police and follow them promptly; and
- Do not try to escape or be heroic.
- Take precautions to avoid being placed in a hostage situation

- Report any suspicious persons to authorities immediately.
- Do not wait for something to happen or to get out of control.
- Recognize what is normal for the workplace and what is not.

### Personal Safety

When talking about personal safety, one tends to think of accidents involving injury; however, personal safety also includes situations in which real threat from another person is present. Below are tips and information to help deal with a variety of personal safety issues.

To maintain safety on the road, drivers should:

- Be alert and aware of any and all situations.
- Steer clear of threatening situations, drive to a well-lit, familiar area and call for help.
- Remember that in life-threatening situations, a vehicle can be repaired or replaced.
- Use good judgment in all circumstances.
- Call for assistance from the Director of Facilities and Transportation or authorities if it seems a vehicle is following the bus.
- Refuse to allow an irate individual entry to the bus. Shut the door and suggest they speak with you at the window.

### Pre-Trip Inspection

Performing a pre-trip inspection before leaving on all AM and PM bus trips is required for all school bus drivers. Below is a list of items that should be checked **daily**.

- Fill out the AM and PM Pre-Trip forms and turn them into the Mechanic every two (2) weeks. Be sure to do an airbrake test AM and PM with your regular Bus Pre-Trip. This is required by the DOT/DOE.
- Check your bus video camera system. It must light up Green when the bus is on. If it is not, tell the Mechanic. Do not drive a bus without a properly working camera. Drivers must drive a different bus if the camera is not working.
- When needing work done to your bus, you must submit a Bus Repair Order form and turn into the Director of Facilities and Transportation.
- Check the engine oil level. If oil cannot be found on the dipstick, contact the mechanic for further instructions. **Do not** start the engine.
- Start the bus and listen for any unusual noises. Check gauges to be sure they are within proper range. Turn on headlights, clearance, hazard, and overhead warning lights.

Look for defects outside the bus – for example:

- Windshield, mirrors, other windows; are head, tail, directional, stop, and overhead warning lights clean?
- Is the exhaust/tailpipe clear?
- Does the emergency door open and close easily?
- Are the tires in good condition? Lug nuts in place?
- Is the bus clean for proper school bus identification?

Look inside the bus for: Are there any defects on the seats, floor?

- Do emergency exits open and close easily?
- Can you locate emergency equipment? Is it in good working order?

View from the driver's area:

- Are mirrors clean and adjusted properly?
- Are there defects with defrosters, heaters, wipers, or washers?

- When the bus is in motion: Do the brakes feel right? Do they stop and hold? Do they make any noise?
- Does the steering feel right? Is there any unusual noise? Does the horn work?

Finally, check the fuel gauge to be sure there is enough fuel for an emergency extra-curricular trip. It is the driver's responsibility to maintain fuel level in the bus.

### Post-Trip Inspection

Drivers must check for students on the bus before exiting the bus.

If a student is left on the bus and unattended, the driver will be disciplined which may result in termination.

### Safety

Safety is the first and foremost guideline in student transportation. No exception to safety can be tolerated. Safety management is each person's responsibility in that prompt reporting of hazardous situations and avoiding or eliminating hazards becomes part of the effort to be the best. Safety management requires the use of good judgment. Your judgment dictates your dedication and commitment to safety.

### School Bus Inspection

School bus inspections are held annually by the Indiana State Police as mandated by Indiana Statutes. Drivers are to check their buses thoroughly prior to each inspection.

For State Police Inspection, drivers are to have the following:

1. Public Passenger License or Commercial Driver's License, if appropriate;
2. Bus registration.
3. Safety equipment (triangles, a fire extinguisher, etc.); and
4. First Aid Kit, open and complete.
5. Clean the bus inside and outside thoroughly.
6. Nothing is to be on the walls except for provided magnetic name tags.
7. No cup holders
8. Nothing is lost behind the driver seat or in the dash of the bus.
9. No cleaning products or aerosol cans are to be on the bus

### Threatening Weather Conditions

Although operating on a schedule is very important, it must take second place to safety. A driver is not expected to operate on schedule if road or weather conditions are hazardous. In the event portions or all of a route are not served, the driver must inform the dispatcher and the schools affected of these emergency changes. During periods of reduced visibility, such as fog, snow, or rain, the strobe light should be turned on.

### Tornado Watch or Tornado Warning

If severe weather disturbances are threatening near school dismissal, consideration might be given, in cooperation with school administrators, to retaining students in safe areas in the school or other nearby buildings until the threat has diminished. When the National Weather Service issues a **tornado watch**, it is an indication that weather conditions are favorable for the development of tornadoes in and close to the watch area. Continue with normal activities, but be on the lookout for threatening weather conditions. Should the National Weather Service issue a **tornado warning** for your area, a tornado or funnel cloud has been sighted and **immediate action is necessary**. **Never attempt to outrun a tornado.** Evacuate the bus and take cover in a ravine far enough away from the bus to prevent its

toppling on the children. Children are to be instructed to cover the back of the neck and head with their hands and to lay face down.

After the emergency is over, listen for the “all clear” over the two-way radio (tornadoes can travel in pairs or groups), check for injuries, and seek medical attention if necessary. Refer to the First Aid section of this booklet. Once the “all clear” has been announced, return to normal operating procedures; however, exercise extreme caution and be alert for weakened structures, downed trees and/or power lines, and other storm damage which could impede travel or constitute a hazard for students.

## POLICY and LAW

The school bus driver should know the policy of the School Corporation as well as state and local traffic laws. In this section, New Castle Community School Corporation Policy and Indiana Traffic Law are summarized. Please review these contained herein and be aware of any future changes not published.

Board Policy can be found on the Corporation Web-site located at: [School Board Policies](#).

**No unauthorized persons shall be permitted to ride a New Castle Community School Corporation bus at any time.** Parents are not allowed to accompany any student to or from school on a regular bus route. The only passengers allowed to ride the bus on an extracurricular trip are students and approved adult chaperones.

Infants are, under no circumstances, allowed to be transported at any time.

**The school bus shall not be used for any private or other purpose than the transportation of eligible school students to and from school.** The Director of Facilities and Transportation must make any exception.

In the event schools are closed or delayed, announcements will be made on the local radio and television stations as well as on the corporation web-site and through the one call system. These announcements will apply to all school buses.

It is not permissible to allow or authorize the use or operation of any New Castle Community School Corporation bus or its controls by students or other unauthorized persons. Any driver found to allow this will be disciplined up to and including termination of employment.

### **Drug and Alcohol Testing of CDL Holders and Other Employees Who Perform Safety-Sensitive Functions – Board Policy #4162**

The School Board entrusts the safety of students being transported to and from school and school activities on school buses to the drivers of those buses. To be worthy of the Board’s continuing trust, each school bus driver must be mentally and physically alert at all times while on duty. The Board, therefore, establishes this policy and directs the Superintendent to promulgate administrative guidelines as needed to fully implement the Department of Transportation requirements for drug and alcohol testing of these employees of the Board.

The Board requires all Commercial Driver’s License (“CDL”) holders, including school bus drivers, to comply with Board Policy 4122.01 on Drug-Free Workplace which prohibits the possession, use, sale, or distribution of alcohol and any controlled substance on school property at all times. To implement this requirement, it is the policy of the Board that all CDL holders and employees who perform safety-sensitive functions are to be free of any impairment from the use of alcohol or controlled substances while on duty.

The Board directs the Superintendent to establish a drug and alcohol testing program pursuant to Federal regulations and the School Corporation's administrative guideline that requires each employee who is employed as a regular or substitute bus driver or performs safety-sensitive functions on school buses such as bus mechanics, and contractors who drive school buses pursuant to a transportation contract, to be subject to testing for the presence of alcohol in his/her system as well as for the presence of the following:

1. Marijuana metabolites;
2. Cocaine metabolites;
3. Opioids (codeine, heroin, morphine, oxycodone, oxymorphone, hydrocodone, hydromorphone)
4. Amphetamines (amphetamine, methamphetamine, MDMA & MDA); and
5. Phencyclidine (PCP)

Tests are to be conducted pursuant to this policy and Federal regulations:

1. prior to employment (for controlled substances only);
2. based upon reasonable suspicion;
3. upon an employee's or contractor's return to duty after any alcohol or drug rehabilitation;
4. after an accident under circumstances described in the Superintendent's administrative guideline;
5. on a random basis; and
6. on a follow-up basis.

Employees who are subject to this policy shall comply with the testing procedures required by the Federal regulations and the Department of Transportation ("DOT"), especially with regard to adulterated tests, substituted tests, refusals to test, dilute tests, and other procedures as described in AG 4162A.

Any individual who tests positive on a test described above shall be prohibited from driving a school bus or performing a safety-sensitive function on a school bus. An employee who tests positive on a test described above also shall be subject to discipline, up to and including discharge. A contract driver shall be prohibited from driving on the same basis as a driver who is an employee of the Corporation.

In addition, the Superintendent shall require that individuals who test positive, but who are not discharged, be evaluated by a substance abuse professional and complete a counseling/educational program before they may return to driving or performing safety-sensitive functions for the School Corporation, consistent with AG 4162A.

Employees who are removed from driving or performing safety-sensitive functions as a result of this policy must take and pass a return-to-duty test before returning to driving or performing safety-sensitive functions. The return-to-duty test will not occur until after a Substance Abuse Professional (SAP) has determined that the employee has successfully complied with prescribed education and/or treatment. The employee must have a negative drug test result and/or an alcohol test with an alcohol concentration of less than 0.02 before resuming driving or performing safety-sensitive duties.

Background checks also are to be conducted on all potential employees who will serve as drivers or perform safety-sensitive functions, or all current employees who desire to transition to serve as drivers or perform safety-sensitive functions, regarding history of drug and alcohol usage and tests during prior employment for DOT-regulated employers consistent with AG 4162A.



The Board directs the Superintendent to comply with DOT/Federal regulations requiring that the Board provide educational materials that explain the requirements of drug and alcohol testing according to Federal regulations and the Board's policies and procedures for compliance with those regulations to school bus drivers and employees who perform safety-sensitive functions and any organization of these employees. After the initial distribution of materials to each driver and employee who performs safety-sensitive functions employed at the time of the distribution, the Superintendent or a designee shall see that each employee subsequently hired or transferred into one of these positions receives the materials required by this policy.

The materials to be provided to drivers and other employees who perform safety-sensitive functions pursuant to this policy shall include a detailed discussion of the following:

- the identity of the person designated by the Superintendent to answer employee questions about the materials
- the categories of drivers and employees who perform safety-sensitive functions who are subject to drug and alcohol testing
- sufficient information about the safety-sensitive functions performed by those employees to make clear what period of the employee's workday the employee is subject to this policy
- specific information concerning employee conduct that is prohibited by this policy
- the circumstances under which an employee will be tested for alcohol and/or controlled substances, including post-accident testing
- the procedures that will be used to test for the presence of alcohol and controlled substances, protect the employee and the integrity of the testing process, safeguard the validity of the test results, and ensure that test procedures are attributed to the correct person, including post-accident information and procedures and instructions required by Federal regulations
- the requirement that an employee submit to alcohol and controlled substances tests administered in accordance with Federal regulations
- an explanation of what constitutes a refusal to submit to an alcohol or controlled substances test and the consequences of refusal to submit a sample
- the consequences for an employee found to have violated this policy, including the requirement that the driver be removed immediately from driving or performing any safety-sensitive function, and the procedures for seeking the assistance of substance abuse professionals and the return-to-duty process found in 40 C.F.R. 40.281 to 313
- the consequences for drivers and employees who perform safety-sensitive functions found to have an alcohol concentration of 0.02 or greater but less than 0.04
- information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol or a controlled substances problem (the driver's or co-worker's); and available methods of intervening when an alcohol or a controlled substances problem is suspected, including confrontation, referral to any employee assistance program and/or referral to the Superintendent

The Superintendent shall require each driver and employee who performs safety-sensitive functions to sign a statement certifying that he or she has received a copy of these materials described in this policy. The original of the certificate signed by the employee shall be maintained in a file on the employee or contractor. An employee required to sign a certificate certifying that he or she has received a copy of the materials described in this policy who refuses to sign the certificate shall not be permitted to drive or perform any safety-sensitive function until the certificate required by this policy is signed.

The Superintendent shall arrange for the required amount of training for appropriate staff members in drug recognition, in the procedures for testing, and in the proper assistance of staff members who are subject to the effects of substance abuse. In addition, the Corporation shall provide a comprehensive drug-free awareness program as an ongoing educational effort to prevent and eliminate illegal drug use and controlled substance abuse.

The Superintendent shall submit, for Board approval, a contract with a certified laboratory to provide services for implementation of the Department of Transportation rules including the following services:

1. testing of all first and second test urine samples;
2. clear and consistent communication with the Corporation's Medical Review Officer;
3. methodology and procedures for conducting random tests for controlled substances and alcohol; and
4. preparation and submission of all required reports.

The Superintendent also shall propose that the Board select the agency or persons who will conduct the alcohol tests, provide the Corporation's MRO, and the drug collection site(s) in accordance with the requirements of the law.

### **Criminal Gangs & Criminal Gang Activity in Schools – Board Policy #5840**

The Board of School Trustees of the New Castle Community School Corporation prohibits gang activity and similar destructive or illegal group behavior on school property, on school buses, and/or at school-sponsored functions and prohibits reprisal or retaliation against individuals who report gang activity and similar destructive or illegal group behavior or who are victims, witnesses, bystanders, or other people with reliable information about an act of gang activity and similar destructive or illegal group behavior.

The following definitions apply to this policy:

- A. Criminal Gang means a group with at least three (3) members that specifically:
  1. either:
    - a. promotes, sponsors, or assists in; or
    - b. participates in; or
  2. requires as a condition of membership or continued membership; the commission of a felony or an act that would be a felony if committed by an adult or the offense of battery.
- B. Gang Activity means a student who knowingly or intentionally actively participates in a criminal gang, or a student who knowingly or intentionally solicits, recruits, entices, or intimidates another individual to join a criminal gang.

A school employee shall report any incidents of suspected criminal gang activity, criminal gang intimidation, or criminal gang recruitment to the principal and the school safety specialist. The principal and the school safety specialist may take appropriate action to maintain a safe and secure school environment, including providing appropriate intervention services. Appropriate consequences and remedial actions are those that take into consideration the severity of the offenses and consider both the developmental ages of the student offenders and the students' histories of inappropriate behaviors per the code of conduct.

Any corporation and school employee who promptly reports an incident of suspected gang activity and who makes this report in compliance with the school corporation procedures is immune from a cause of action for damages arising from any failure to remedy the reported incident.

The principal or designee shall conduct a thorough and complete investigation for each report of suspected gang activity. The investigation shall be initiated by the principal or the principal's designee within one (1) school day of the report of the incident. The principal may appoint additional personnel and request the assistance of law enforcement to assist in the investigation. The investigation shall be completed and the written findings submitted to the principal as soon as possible, but not later than five (5) school days from the date of the report of the alleged incident of criminal gang activity.

The principal shall take any appropriate disciplinary actions based upon the findings of the investigation, in accordance with the code of conduct. The Superintendent of the school corporation is authorized to define the range of ways in which school staff and the principal or the principal's designee shall respond once an incident of criminal gang activity is confirmed, according to the code of conduct. Consequences for a student who engages in gang activity may range from positive behavioral interventions up to and including suspension or expulsion.

The principal shall provide the parents of the students who were investigated with information about the investigation. The information to be provided to parents includes the nature of the investigation, whether the corporation found evidence of criminal gang activity, and whether consequences were imposed or services provided to address the activity. This information is to be provided in an expedited manner.

As appropriate to the investigation findings, the principal also shall provide intervention and/or relevant support services. The principal shall inform the parents of all students involved in alleged incidents and discuss the availability of counseling and other intervention services.

Support services may include one (1) or more of the following:

- A. Gang awareness education that shows promise of effectiveness based on research. The gang awareness education information should be revised and updated regularly to reflect current trends in gang and gang-like activity.
- B. Culturally and/or linguistically appropriate services/supports for parents and families.
- C. Counseling coupled with mentoring for students and their families.
- D. Community and faith-based organizations and civic groups.

- E. Viable, sustainable after-school programs developed in collaboration with other stakeholders.
- F. Job training and employment opportunities as both a deterrent to gang involvement and an incentive to leave gang involvement.
- G. School sanctioned/facilitated extra-curricular activities.

The principal shall submit the report to the Superintendent of the school corporation within ten (10) school days of the completion of the investigation. The Superintendent or his/her designee shall report the results of each investigation to the school board on a quarterly basis during regularly scheduled board meetings.

Each school within the school corporation shall record the number of investigations disposed of internally and the number of cases referred to local law enforcement, disaggregated by race, ethnicity, age, and gender. Each school shall report this information to the school corporation Superintendent who shall submit a written report to the Indiana Department of Education by June 2 of each year.

This policy shall be annually disseminated to all parents who have children enrolled in a school within the school corporation. Notice of this policy must be published in student handbooks and all other publications of the school corporation that set forth the rules and procedures for schools within the school corporation.

School officials are encouraged to collaborate with stakeholders to provide gang prevention and intervention services and programs, including but not limited to:

- A. Provide training for staff and teachers on gang prevention and intervention resources within a jurisdiction on a periodic basis. The gang awareness information should be revised and updated regularly to reflect current trends in gang activity.
- B. Create formalized collaboration plans between local school administration and community based prevention and intervention providers (possibly using the existing County Safe School Commissions as points of contact). The formalized collaborations should make effective, coordinated, and maximized use of federal funding a priority.
- C. Coordinate resources and funding opportunities to support gang prevention and Intervention activities.
- D. Consider integrating Gang Resistance Education and Training (G.R.E.A.T.) Program into curricula.

I.C. 20-26-18 - I.C. 20-33-9-10.5 - I.C. 35-45-9-1

### Dress Code – Board Policy #4216

The School Board believes that support staff members are an important and integral part of the Corporation. Also, since the support staff is a highly visible staff to the students, the professional staff and the public, the Board believes that support staff should at all times be well dressed and groomed. These following dress code standards are specific to school bus drivers and bus assistants, and shall be followed at all times:

- Drivers should dress and look the part of an adult and a person who is in authority on the bus. Some styles that are not appropriate for the adult in charge of our students include: hats turned sideways, baggy pants that hang

below the waist line, gothic style clothing \* accessories, and pajamas in the morning.

- Drivers must wear close-toed shoes for safety purposes.
- Slacks/jeans and fingertip shorts are acceptable. No spandex pants or shorts should be worn.
- Shirts and blouses that are moderate and acceptable (no midriff shirts, open backs, halter tops, or braless blouses). Sleeveless shirts for men are not acceptable. Sleeveless shirts/blouses for females are acceptable if the straps are a minimum of two inches wide. Additionally, there should be no writing or pictures on the shirts/blouses that are inappropriate for the educational environment. This would include any references to alcohol, drugs, tobacco, sex, or any other references that would be considered inappropriate for the educational environment. If you are not sure if something is inappropriate, please do not wear it.
- All attire shall not be torn, frayed or have holes. Bear in mind that you are representing the Transportation Department and School Corporation as a professional driver and should dress to reflect that representation by being neat, presentable, and appropriate for the educational environment.
- Personal hygiene is an important part of being a good driver and as such, drivers shall at all times set a good example for students.

### Inspect Seats and Reporting Procedures

Indiana Code 9-21-12-19: Special Purpose Busses; duty to visually inspect seats; when performed; passengers left on the bus; reporting – All drivers must visually inspect all seats before and after each route or trip. All drivers must walk the center aisle before and after each route. After you allow students to disembark your bus at school, you must not leave that property until you have walked the entire length of the aisle. You must also walk the center aisle before you exit the bus on the lot. There are no exceptions to this requirement; failure to perform this responsibility will not be tolerated.

A school bus or special purpose bus owner shall report all instances of a student or passenger being left on the school bus to the superintendent or the superintendent's designee immediately after the incident occurred. The superintendent or his/her designee shall report all instances of a student or passenger being left on the school bus or special purpose bus to the Department of Education not later than five (5) working days after the incident occurred.

### Use of Tobacco by Support Staff – Board Policy #4215

The Board recognizes that the use of tobacco presents a health hazard which can have serious consequences for both the user and nonuser and is, therefore, of concern to the Board.

For purposes of this policy, “use of tobacco” shall mean all uses of tobacco, including a cigar, cigarette, pipe, snuff, or any other matter or substance that contains tobacco, as well as electronic, “vapor”, or other substitute forms of cigarettes.

The School Board is dedicated to providing a healthy, comfortable, and productive environment for students, staff, and visitors.

The smoking of tobacco products in a school building denies students, staff, and visitors access to clean air, introduces a substantial health hazard to those persons, and interferes with learning and teaching.

Therefore, to enhance the health and safety of all students and staff, and to promote air cleanliness in the school buildings, all school buildings in the School Corporation shall be designated as “Smoke Free” buildings.

### Route Responsibilities

Written route directions must be followed and updated every day. Route changes, including switching students, can only be made with the approval of the Director of Facilities and Transportation.

If a student repeatedly fails to ride the bus without the parent’s prior notice of his/her intended absence, inform the Transportation Department. An occasional unexcused absence is acceptable; notification is made when the problem is ongoing.

### Driver Responsibilities

The driver’s first priority is the safety of passengers. Nothing should compromise this priority. The social and emotional well-being of your students should also be of high importance. **Never** exceed the speed limit in order to arrive at the school on time. It is better to arrive late than to have an incident to regret. The driver is a strong influence in the child’s development. Parents and teachers should be informed of conduct that is unusual or different from what is expected. When picking up students at the end of the day, make a practice of asking the teacher or aide what sort of day the student has had.

The following information offers guidelines to help understand and deal with special needs students in a positive manner. Bear in mind these guidelines are general in nature and may not always apply.

## Special Education

The following covers only minimal information one needs to know about special education transportation. It should prove helpful, but is not intended to supply all the information needed.

Special Education transportation is ever changing. Any change, no matter how insignificant, can have an enormous impact on special needs students. Their bus and driver change as the family moves or the child is assigned a different school. Remember the possible effect this can have on the students.

Transportation of special needs pupils is highly personalized. This service requires a thorough assessment of the child’s physical, social, emotional, and intellectual capabilities and adapts to the individual situation. Mutual respect, communication, and the cooperation of parents, teachers, and drivers are absolute necessities. The driver spends several hours daily with these students, and thereby assumes a significant role in their lives.

Many of the special needs conditions you may encounter are listed below. Students may exhibit any combination of conditions listed.

- learning disability
- speech impaired
- mildly mentally impaired
- moderately mentally impaired
- severely and profoundly impaired
- visually impaired

- blind
- hearing impaired
- physically impaired
- emotionally impaired
- attention deficit disorder

Some Suggestions for Transporting Special Education Students:

- Make directions brief and very clear. **Patiently** repeat directions whenever necessary
- Maintain an atmosphere on the bus that is as calm as possible. The driver's frame of mind and attitude **do** set the tone for the trip. It is suggested that the radio be tuned to an "easy listening" station.
- Be specific, consistent, and employ simple rules.
- Stay in your seat with your seat belt fastened.
- Do not touch or hit others.
- Do not yell.
- Talk quietly.
- Make it clear to the students what you expect from them; let them know what they can expect from you.
- Learn the disabilities of the students you transport. Knowing the students' capabilities and limitations will enable you to perform your duties better and more easily. The Director of Facilities and Transportation or the student's school can provide you additional information about special needs conditions.
- If you transport a student with difficulty communicating, make every effort to master a basic communication skill such as signing in order to relate with that child. The parent or teacher may be able to assist your effort. Hearing impaired students can be very loud and not aware of it. Many read lips, therefore, face those students when speaking to them. Carry paper and pencil to use in communication with some students.
- Students identified as having emotional impairment can be the most difficult to transport. Patience and common sense are of primary importance when dealing with these students.
- Transporting students in wheelchairs requires a thorough understanding of proper loading and tie-down procedures. The driver should become familiar with the varied equipment such as different types of wheelchairs, body braces, walkers, strollers, harnesses, vests, etc. Direct any questions or concerns to the Transportation Director.
- If transporting an orthopedic disabled or preschool student be sure you know how to do so properly. Work closely with the parent, teacher and school.
- If it becomes necessary to engage in dialogue with others regarding incidents or occurrences on the bus, do not refer to the student by his/her complete name. No matter the behavior exhibited, remember that students have a right to privacy.
- If seat belts are available, they must be worn correctly by the driver as well as students. This pertains to students in wheelchairs as well. Seat belts are worn as a safety measure; seat belts are never worn as a form of punishment.
- Most Special Education bus stops are arranged to load and unload to the right side of the road way. Use red lights and stop arm unless you are off the traveled portion of the road.
- It is necessary that many special education students have a responsible adult clearly visible before departing the bus on the trip home. Contact a Special Services

administrator for assistance or information regarding which of your students are included.

- In-services and pre-services are held regularly to inform drivers of the needs of special education students. Drivers will find such training sessions listed in the Corporation's annual green calendar and are encouraged to take advantage of these opportunities.

### Student Management

When school children are being transported on a school bus, they are under the supervision, direction, and control of the school bus driver and are subject to disciplinary measures by the bus driver and the governing body of the school corporation.

Student management is the most difficult part of the school bus driver's job description.

The driver must be able to drive the bus safely and at the same time maintain discipline and control.

Good relations between the driver and student are the first step in obtaining desirable behavior and cooperation from students.

- Understand that each student is an individual and is, therefore, different from every other student. Learn the name of each student riding your bus. Cooperation is won with respect; students will generally cooperate with the person who knows and cares for them and who demonstrates respect for them.
- Students should be made aware of expectations regarding conduct while riding the bus. Be specific, consistent, and direct with the rules.
- Bus drivers are educators and should always display mature and appropriate behavior for students to model.
- Do not become overly familiar with students. Do not confide in them about personal problems or speak in a critical manner with students about other students, parents, teachers, other school employees. Do not share confidential information.
- Each student must be assigned a name tag and listed on the driver's seating chart.

### Discipline

Firstly, establish a set of rules and the consequences when rules are broken; make students aware of both. Following are recommended rules for students to follow:

- Each pupil, upon entering bus, should be seated immediately in seat assigned by driver.
- No pupil should stand or move about while the bus is in motion.
- Loud, boisterous, or profane language or indecent conduct will not be tolerated.
- Smoking or other use of tobacco or fire is prohibited.
- No window or door should be opened or closed without express permission of the driver.
- No pupil should enter or exit the bus until it has come to a complete stop and driver has opened the door.
- Pupils should not be permitted to tease, scuffle, trip, hit, or use their hands, feet or body in any objectionable manner.
- Students should be waiting at the bus stop when the bus arrives.
- Large band instruments or other bulky items that cannot be held on the student's lap or placed beneath the seat will not be allowed on the bus.
- Vandalism to the bus or any other passenger's property will not be tolerated either on the bus or at the bus stop.
- Upon recommendation of the bus driver, school authorities may rescind riding



privileges to any pupil who refuses to conduct himself/herself in an appropriate manners.

### Report Crimes and/or Disruptive Behavior

Serious crimes and/or disruptions including, but not limited to, possession of weapons; theft; assault; possession, sale, or use of drugs or alcohol; sexual harassment; property damage; possession of explosive devices; robbery; fighting; and intimidation or threats to bus drivers will be reported to Director of Facilities and Transportation.

### Student Misconduct

When dealing with student misconduct, keep the safety of all students in mind. Becoming emotionally involved can lead to poor judgment and mistakes. Each misconduct situation can be different. Do not react to the misconduct itself but try to understand what is causing it. Treat students as you would like to be treated and exercise common sense.

Be observant. What prompted the misconduct? What, specifically, did the student do?

What ended the behavior?

Discipline should be **consistent**, appropriate and immediate if possible. Do not threaten, argue, or lecture. If you must reprimand a student, do so in a manner that assures him/her of your continued respect.

Student misconduct must be reported in writing on the Bus Conduct Report form and submitted to the appropriate school office. A representative from that office will assist you and others involved in dealing with the situation. Your supervisor can also be of assistance. When addressing student misconduct, talk with the student. Explain the desired conduct and the importance of appropriate conduct to the safety of all students on the bus. Emphasize loading and unloading safety.

Never try to discipline a student when the bus is moving. Stop the bus on the roadside and wait for students to become quiet. The very act of stopping the bus to reprimand a student lends emphasis to the situation. Speak to the offender(s) in a courteous manner, using a firm voice. **Do not display anger**. If necessary, move the offender to a seat close to the driver. Notify the Transportation Office anytime it is necessary to stop the bus to discipline students.

If a student is in need of discipline during the morning trip, wait until you arrive at school, then escort the student to the principal/designee. If the incident occurs during the afternoon trip, transport the student to his/her regular stop. Pick the student up as usual the following morning; go to principal/designee upon arrival at school. If you are required to return to school for disciplinary reasons, the Transportation Office must be informed.

### Last Recourse

Students who refuse to conduct themselves properly on the bus will be reported to the principal or school authorities and to the Transportation Office. Students may be denied transportation if proper notification has been given to parents by the building principal/designee. **A student should never be taken off the bus en route**. If necessary, contact the Transportation Office for further assistance. Removal from the bus must always be the decision of the school principal/designee.

Bus drivers have authority to remove students from the bus for a period not to exceed one (1) day, if the situation warrants. Notice of at least 24 hours is given for this penalty. The removal will be coordinated with the school principal.

## Violations and Consequences

In the state of Indiana, riding the bus is considered a privilege. Students who wish to enjoy the privilege must follow certain rules and regulations in order to help ensure safe and orderly bus transportation.

The bus is an extension of the school. Principals/designees, working in conjunction with bus drivers, parents, and other Transportation Department personnel, have the responsibility and authority to administer discipline for incidents which occur on the bus and at bus stops. The goal is to achieve proper student behavior on the bus.

The following section describes violations that interfere with safe transportation and outlines disciplinary actions that principals and/or their designees may take to correct a situation and ensure safety for students and staff. If, in the sole judgment of the principal based on the age of the student and/or the offense, an alternative consequence is satisfactory to resolve the violation at any level, the principal has the authority to develop the alternative under a written agreement with parent and student.

**General disruptive conduct such as standing and moving about, not being in assigned seat, using improper language/gestures; constantly bothering others; eating/drinking on bus without permission; lighting matches, throwing objects inside or outside of bus, putting head, hands, or feet outside of window; opening emergency door; using obscene language or profanity; making threats, racial remarks, inflammatory statements; or refusing to comply with reasonable request from transportation staff may result in the following consequences:**

- **First Violation** - Is a warning. Principal/designee counsels student and contacts parent to seek assistance in correcting behavior.
- **Second Violation** - Principal/designee and bus driver meet with parent and student to discuss the problem as soon as possible. A one-day suspension, requiring a minimum of 24 hours' notice, from the bus is assigned.
- **Third Violation** - Principal/designee and bus driver meet with parent and student to hear student's explanation of events and to discuss the situation. If the principal/designee determines the pupil is responsible for the stated offense, the **principal** removes the student from the bus for five (5) days. The student is placed on probation upon return to the bus.
- **Fourth Violation** - Principal/designee and bus driver meet with parent and student to hear student's explanation and to discuss the situation. If the principal/designee determines the student is responsible for the stated offense, the **principal** removes the student from the bus for twenty (20) school days. The student is placed on probation upon return to the bus.
- **Fifth Violation** - Principal/designee and bus driver meet with the parent and student to hear the student's explanation and to discuss the situation. If the principal/designee determines the student is responsible for the stated offense, the **principal** removes the student from the bus for the remainder of the semester or an amount of time equal to a semester, if the offense is near the end of a semester.

### **Note**

- **More serious offenses, such as but not limited to, possession, sale, use of drugs/alcohol; possession of obscene materials; possession of a weapon; fighting; gang-related intimidation; sexual molestation; and any action which clearly threatens the safe operation of a school bus and the safety of its occupants and/or which is violation of the law, the offending student may be assessed a penalty which exceeds that stated in the guidelines including, but not limited to, removal from the bus for the entire year and/or suspension or expulsion from school.**

## Note

- **Special needs students possess procedural safeguards with respect to transportation. Drivers should work closely with the Director of Facilities and Transportation and Special Services administrators to assure compliance by the student as well as driver compliance with student safeguards.**

## Traffic Law

### Passing

Bus drivers shall not engage in passing other vehicles unless absolutely necessary to overtake a slow-moving vehicle. It is a serious safety hazard to pass another vehicle with a school bus as follows:

- While on hills or curves;
- When approaching within 100 feet of or traversing any intersection or rail grade crossing;
- When view is obstructed;
- When approaching within 100 feet of any bridge or viaduct; or
- In areas designated and marked as “no passing” zones.

### Rail/Grade Crossings

IC 9-21-12-5 Railroad crossings; duty to stop states, School bus drivers shall, before crossing at grade a track of a railroad, stop the vehicle not more than fifty (50) feet and not less than fifteen (15) feet from the nearest rail of the railroad. While the bus is stopped, the driver shall listen through an open window or door; look in both directions along the track for approaching train or other on-track equipment and for signals indicating the approach of a train or other on-track equipment and not proceed until the person can proceed safely.

However, the driver is not required to stop when a police officer is directing the flow of traffic across the railroad tracks.

Please be sure to close your door before crossing the tracks.

### Safe Driving Practices

- Keep to the centerline of the highway.
- Do not follow another vehicle closer than is reasonable and prudent. Have due regard for the speed of vehicles, the amount of traffic, and condition of the roadway.
- Always keep both hands on the steering wheel and keep eyes on the road ahead while driving. A school bus driver's eyes are constantly moving to:
  - Check the road ahead
  - Check the side mirrors for traffic beside and behind the bus.
  - To check the inside mirror for pupil conduct.
- Use the two-way radio only when necessary and preferably when the bus is stopped. Radio usage can distract attention from the road.
- School bus drivers should practice courtesy and, in the public interest, interfere with traffic as little as possible.
- Always make complete stops at intersections protected by “STOP” signs and exercise the utmost care before proceeding. When crossing a multiple lane roadway, make sure the way is clear in both directions before proceeding.
- Do not exit the bus without first stopping the motor and removing the ignition key.

- **Never exit the bus if students are on board.**
- The service door shall be closed at all times when the bus is in motion.
- Do not back the bus on school grounds without proper signals from a responsible adult.
- Proper seat belt use is required at all times.
- Only play “appropriate” radio stations at a reasonable volume.
- Any notes sent to parents should be pre-approved by the Director of Facilities and Transportation, Director of Special Services and/or Building Administrator.

### Speed

According to Indiana Code 9-21-5-6 Speed limits greater or lesser than reasonable; alteration by local authority; engineering and traffic investigations; validity of speed limits; conditions. A person may not drive a vehicle at a speed greater than is reasonable and prudent under the conditions, having regard to the actual and potential hazards then existing.

Indiana Code 9-21-5-14 Maximum speed of school buses – Section 14: (a) A person may not operate a school bus or a special purpose bus at a speed greater than:

- (1) Sixty (60) miles per hour on a federal or state highway; or
- (2) Forty (40) miles per hour on a county or township highway.

If the posted speed limit is lower than the absolute limits set in this section or if the absolute limits do not apply, the maximum lawful speed of a bus is the posted speed limit. A person who knowingly or intentionally exceeds a speed limit set forth in these subsections, commits a Class C misdemeanor.

### Speed Limit - Maintenance / Transportation Parking Lot

While driving on the Maintenance /Transportation parking lot, your speed must not exceed 10 miles per hour.

### Turning

IC 20-9-21-12-14 School buses; use of directional signal to indicate change of direction - states, “Before a driver changes the direction of a school bus, the driver shall use a directional signal to indicate the change at least one hundred (100) feet before the driver turns. A school bus driver who knowingly or intentionally violates this section commits a Class C misdemeanor.” All drivers are recommended to use a directional signal two hundred (200) feet before turning.

### Video Camera

Student behavior on the school bus and the driver’s management of that behavior are the two key elements to a safe and enjoyable bus ride. The video camera on a school bus is only an aid to monitor bus discipline. It does not replace the discipline policy, the authority of the driver, or the responsibility of school officials. The basic safe riding rules must prevail and the consequences of misconduct must be implemented.

### Procedure

- Video cameras may be placed in any bus as authorized by the Director of Facilities

and Transportation or his/her designee. All students shall be notified that they are subject to be videotaped on the school bus at any time.

- The suggested method of videotaping shall be to schedule cameras on the buses on a rotating basis and not to select only certain buses. However, based on the number of incidents and misconduct reports or the gravity of the same, videotaping a particular bus route may be more regular. The Director of Facilities and Transportation or his/her designee may decide if more extensive monitoring is necessary. Such additional monitoring is designed to supplement the driver's written disciplinary reports, **not** to replace the reports.

- After videotaping, the tapes are to be stored at the Transportation Office for a period of five (5) working days. It will be the responsibility of the transportation or school administrator to review videotapes, when necessary. If no incidents are reported within five (5) working days, the tapes are to be recycled. If an incident is reported or if incidents are discovered during viewing, the videotape may be reviewed with the driver and will be kept until action to resolve is taken and time allocated for appeal is exhausted. Tapes are to be dated and are to have the bus number and driver's name marked on them. This will ensure accurate recording of who was involved on that date and whether a substitute driver was used.

- To mark an incident on the bus, the driver will press the button on the camera to mark when the incident occurred. The driver will fill out the Video Form and turn in to the Transportation Specialist.

- If actions are necessary, the routine discipline policy is to be followed. The videotape is to augment the driver's complaint procedure; therefore, written referrals will still be utilized. If a videotape is to be used, the driver's supervisor, the school administrator, students, and parents/guardians will be contacted as necessary. A meeting of parents, driver, transportation or school administrator, and pupils may be necessary to achieve resolution of the problem. Any of the affected parties, including the driver, may request a review of the videotape for that bus. The tape may be used as evidence at the meeting. Parents, students, school administrators, supervisors, and/or bus drivers may request the videotape be part of the meeting. Such a request is made through the Director of Facilities and Transportation or his/her designee.

## Bus Driver Performance Standards and Measurements

### Performance Standards

Rule 575 IAC 1-8 prescribes the performance standards and measurements for determining the physical ability necessary for a person to be a school bus driver and reads as follows:

575 IAC 1-8-1            Driver shall demonstrate the ability to exit the bus from a seat belted position in the driver's seat and exiting from the rearmost emergency door.

575 IAC 1-8-2            Driver shall demonstrate quick reaction time between accelerator and service brake. In a seat belted position driver shall with the right foot, alternately depress the accelerator and service brake ten (10) times in ten (10) seconds or less.

575 IAC 1-8-3            Driver shall demonstrate the ability to climb and descend the bus service door steps in a forward facing position two (2) times without stopping.

575 IAC 1-8-4            Driver shall demonstrate the ability to open and close the bus service door two (2) times without stopping from a seat belted position.

575 IAC 1-8-5            Driver shall demonstrate the ability to operate one (1) hand control on each side of the steering wheel while the bus is in a safe forward motion.

### Additional Information

- ☐ The effective date of the rule is January 1, 2002
- ☐ The rule applies to any school bus driver who is issued an initial Standard Certificate (yellow card) after the effective date
- ☐ A school bus driver holding a valid Standard Certificate issued prior to January 1, 2002, is exempt from meeting the requirements of 575 IAC 1-8 as long as the driver attends the annual safety meeting and keeps the Standard Certificate continuously renewed. If a Standard Certificate is allowed to expire, the holder becomes subject to 575 IAC 1-8 in addition to all other reinstatement requirements.
- ☐ The measurement is pass/fail for all standards except Section 2, which is timed
- ☐ New Castle Community School Corporation requires all employed bus drivers, even those exempt by statute, to be tested using the Bus Driver Performance Standards and Measurements

### Assessment of the Performance Standards

1. Any new driver hired for the New Castle Community Schools will be tested for the first time within 30 days of receipt of their Standard Certificate. If a driver has passed the performance standards from another school corporation, the driver must provide documentation within 30 days or be re-tested by New Castle Community Schools.
2. Drivers required to pass the performance standards will be re-tested in correspondence to the two year renewal cycle of the school bus driver's physical fitness certificate required at IC 20-9.1-3-2.

3. Drivers with the New Castle Community Schools transportation department will have two (2) opportunities to pass each performance standard. A retest will be provided for any failed performance standard within seven (7) days of the initial test.
4. Any driver with the New Castle Community Schools transportation department failing to meet all performance standards will be ineligible to drive for New Castle Community Schools.
5. The administration of the performance standard assessments and the determining of pass/fail will be completed by the Director of Facilities and Transportation or his/her designee.
6. Upon completion of the performance assessment standards, the Performance Standard Assessment Form will be completed by the administrator and kept on file at the Transportation Department.
7. Performance standards will be assessed using the largest bus that the driver is licensed to operate.

### Guidelines for Administration of Performance Assessment Standards

#### 575 IAC 1-8-1

The driver should exit in any controlled manner that is comfortable. This standard is not timed, so a driver should not exit the bus so quickly as to lose balance or coordination. It is permissible for a driver to sit on the floor in the emergency exit doorway and then slide to the ground. The administrator may be present to “spot” to help prevent injury but may not touch or otherwise assist the driver to exit the bus.

#### 575 IAC 1-8-4

If the school bus is equipped with an air or electric powered service door, the driver should demonstrate normal door operation, including operation of the manual override. However, if a driver may be required to operate a school bus with a manual service door, he/she will be evaluated with that type of bus.

#### 575 IAC 1-8-5

Drivers will be evaluated on a school bus that has both left and right hand controls unless such bus is not available.

#### 575 IAC 1-8-5

The safe, forward motion of the school bus is minimally established at 25 miles per hour. This task will be performed in an area free of traffic or residences, i.e. high school parking lot or bus lot.

New Castle Community Schools  
Evaluation Form - School Bus Driver Performance Standards

Driver Name \_\_\_\_\_

Standard Certificate Number \_\_\_\_\_

Check the appropriate pass/fail box for each standard.

Performance Standard	Pass	Fail	Comments	Evaluator's initials
Ability to exit bus 575 IAC 1-8-1				
Accelerator/brake reaction time 575 IAC 1-8-2				
Ascending/descending service door steps 575 IAC 1-8-3				
Open/close bus service door 575 IAC 1-8-4				
One hand control 575 IAC 1-8-5				

I certify that the above school bus driver has successfully passed all five (5) Performance Standards.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Any questions may be addressed to: Director of Facilities and Transportation

The New Castle Community School Corporation School Bus Driver's Handbook has been reviewed with me. I understand the contents of this handbook and will abide by its contents.

I specifically understand and have received copies of the New Castle Community School Corporation's "Drug and Alcohol Testing of CDL Holders and Other Employees Who Perform Safety-Sensitive Functions" and the "Alcohol and Controlled Substance Testing Administrative Guidelines for Commercial Driver's License Employees."

Signed \_\_\_\_\_

Printed Name \_\_\_\_\_

Date \_\_\_\_\_



# New Castle Community Schools

## Substance Abuse Policy

Compliance with 49 CFR Part 382.601 and 49 CFR Part 40

### Purpose

The Board of School Trustees for the New Castle Community School Corporation (NCCSC) recognizes the critical and growing problem alcohol and controlled substance abuse poses to the transportation of its students. It is the policy of the Corporation to provide and maintain a safe, healthy and productive work environment for our drivers. This policy applies to all drivers, applicants for driver positions, mechanics and transportation supervisors for the Corporation who must have Commercial Driver's License (CDL) to operate school vehicles.

All such drivers have the responsibility to report for work and perform their jobs in a fit mental and physical condition. The nature of school transportation is such that any unnecessary risk could affect our students and the public as a whole. This policy was developed to insure not only the students' and employees' safety, but the general public as well.

It is the policy of NCCSC that the use, sale, purchase, transfer, possession or presence in one's system of any controlled substance (except medically prescribed drugs) by any employee while on NCCSC premises, engaged in NCCSC business, while operating NCCSC equipment, or while under the authority of NCCSC is strictly prohibited. Federal Motor Carrier Safety Administration (FMCSA) states that mandatory testing must apply to every person who operates a commercial motor vehicle in interstate or intrastate commerce and is subject to the CDL licensing requirement.

Superintendent is authorized to implement this policy and a program, including a periodic review of the program to address any problems, changes and/or revisions of it. NCCSC will provide the maintenance of all records required by the federal regulations, and determination upon Board approval of how the program will be accomplished, whether in-house, contracted, or by consortium.

NCCSC will follow set procedures to search all employee applicants for alcohol and drug use, to screen body fluids (urinalysis), conduct breath testing, and to search for alcohol and drug use of those employees suspected of violating this policy who are involved in a U.S. Department of Transportation ("DOT") reportable accident or who are periodically or randomly selected pursuant to the procedures set forth in this policy. These procedures are designed not only to detect violations of this policy, but to ensure fairness to each employee. Every effort will be made to maintain the dignity of employees or applicants involved. Disciplinary action will, however, be taken as necessary.

Neither this policy nor any of its terms are intended to create a contract of employment or to contain any terms of a contract of employment. The abbreviations and definitions contained in Appendix A are incorporated in and made a part of this policy.

The Director of Facilities and Transportation is responsible for communicating this policy to all drivers and is accountable for its consistent enforcement. The Director of Facilities and

Transportation is designated to answer questions about this policy and all other matters involved in alcohol and controlled substance testing of CDL drivers.’

#### Provisions

Application – This policy applies to all NCCSC employees that utilize a CDL in the course of their employment. A valid CDL is required to operate the type of equipment listed below:

1. A vehicle having a Gross Vehicle Rating (GVWR) as assigned by the manufacturer of 26,001 pounds or more; or
2. A combination vehicle having a Gross Combination Weight Rating of 26,001 pounds or more.
3. A vehicle that is designed to transport 16 or more passengers, including the driver; or
4. A vehicle requiring a placard to transport hazardous materials.

#### Prohibited Conduct

The following shall be considered “prohibited conduct” for purposes of this policy:

1. No employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcoholic concentration of .04 or greater. An employee is considered to be performing a safety-sensitive function if he/she is actually performing, ready to perform, or immediately available to perform any of the following on-duty functions:
  - a. All time spent at a facility waiting to be dispatched;
  - b. All time inspecting, servicing, or conducting any commercial motor vehicle at any time;
  - c. All driving time or time spent at the driving controls of a commercial vehicle in operation;
  - d. All time spent loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, including completion of any related paperwork; and remaining in readiness to operate the vehicle;
  - e. All performing those duties required of an employee involved in a vehicle accident; or
  - f. All time spent repairing, assisting, or attending to a disabled motor vehicle;
2. No employee shall be on duty or operate a commercial vehicle while the employee possesses alcohol.
3. No employee shall use alcohol while performing safety-sensitive functions.
4. No employee shall perform safety-sensitive functions within four (4) hours after using alcohol.
5. No employee required to take a post-accident test shall use alcohol for eight (8) hours following the accident or until he or she undergoes a post-accident test, whichever occurs first.
6. No employee shall refuse to submit to a post-accident, random, reasonable suspicion, return-to-duty, or follow-up alcohol or drug test.

#### Prescription Medication and/or Other Medication Use

1. An employee is prohibited from reporting for duty for duty or remaining on duty when the employee uses any controlled substance, except when the use is pursuant to the written instruction of a physician who has advised the employee that the substance will not

adversely affect their ability to safely perform their duties. The employee must provide the NCCSC with proof of such medical advice. The NCCSC can decide if the employee can remain at work or on the NCCSC premises and what work restrictions, if any, are deemed necessary.

2. Any employee who is using a prescribed drug or other medication, which is known or advertised as possibly affecting or impairing judgment, coordination (including dizziness or drowsiness) or other senses, or which may adversely affect the employee's ability to perform work in a safe and productive manner, must notify the NCCSC prior to starting work or entering any NCCSC premises. The NCCSC will decide if the employee can remain at work or on the NCCSC premises and what work restrictions, if any, are deemed necessary.

3. Ingestion of products that contain hemp will not be an acceptable explanation for testing positive for marijuana.

#### Refusal to Test

Refusal to submit to the types of drug and alcohol tests employed by the NCCSC will be grounds for refusal to hire employee/applicant(s) and to discipline existing CDL employee(s). A refusal to test would include any of the following situations:

1. Failing to appear for any test within a reasonable time after being directed to do so.
2. Failing to remain at the testing site until the testing process is completed.
3. Failure to provide a breath sample, saliva sample or urine sample as directed.
4. Failure to permit, if the situation requires, the observation or monitoring of providing a urine specimen.
5. Failure to provide a urine, breath or saliva specimen within required time frames may be considered a refusal. If an employee cannot provide a sufficient quantity of urine or breath, he/she will be directed to be evaluated by a physician of the NCCSC's choice. If the physician cannot find a legitimate medical explanation for the inability to provide a specimen (either breath or urine), it will be considered a refusal to test. In that circumstance the employee has violated one of the prohibitions of the regulations.
6. Failure to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER as part of a "shy bladder" or "insufficient breath" situation.
7. Failing or declining to take a second test as required by DOT regulations.
8. Failure to cooperate with any part of the testing process and/or conduct that would obstruct the proper administration of a test. (e.g. refusing to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process).
9. Refusing to sign step two (2) of the alcohol testing form.
10. A report from the MRO that you have a verified adulterated or substituted test result.

#### Types of Tests

Pursuant to regulations promulgated by the DOT, the NCCSC has implemented six circumstances for drug and alcohol testing:

1. Pre-employment (drug testing only);
2. Post-accident testing;
3. Random testing;
4. Reasonable suspicion testing;
5. Return-to-duty testing; and
6. Follow-up testing

### Pre-Employment Testing

As a condition of employment, the employee/applicant shall provide the NCCSC with a written authorization for all previous employers within the past two (2) years to release drug and alcohol testing records as the regulations require. Within thirty (30) days of performing a safety-sensitive function, DOT regulations require that the NCCSC obtain, to the extent available, certain drug and alcohol testing records from the employee's previous employers for the previous two (2) years. All applicants who are required to have or obtain a CDL must submit to a urine drug test unless a qualifying pre-employment exemption can be documented.

### Random Testing

The NCCSC conducts random drug and alcohol testing. The NCCSC will submit all employees' names to a random selection system. The random selection system provides an equal chance for each employee to be selected each time random selection occurs. Random selections will be reasonably spread throughout the year. The NCCSC will drug test, at a minimum, fifty (50) percent of the average number of employee positions in each calendar year or at a rate established by the DOT for the given year. The NCCSC will select, at a minimum, ten (10) percent of the average number of employee positions in each calendar year for random alcohol testing, or at the rate established by the DOT for the given year. Random selection by its very nature may result in employees being selected in successive selections more than once a calendar year.

If an employee is selected at random, for either drug or alcohol testing, a NCCSC official will notify the employee. Once notified, the employee must proceed to the designated collection site immediately. If the employee does not go to the collection site as soon as possible after notification, such conduct may be considered a refusal to test.

### Post-Accident Testing

Following any accident, the employee must contact NCCSC as soon as possible. The employee must submit to a Federal DOT drug and alcohol test any time he or she is involved in an accident where 1) a fatality is involved; or 2) the employee receives a citation for a moving violation arising from the accident that involved:

- ☐ Injury requiring medical treatment away from the scene, or
- ☐ One or more vehicles having to be towed from the scene.

The employee shall follow the instructions from the NCCSC or its representative to complete required testing.

Any time a post-accident drug or alcohol test is required, it must be performed as soon as practical. If no alcohol test can be made within eight (8) hours, attempts to perform an alcohol test shall cease. If no urine collection can be obtained for the purpose of post-accident drug testing within thirty-two hours, attempts to make such collection shall cease. An employee is prohibited from consuming alcohol between the time of the accident and the test.

In the event that federal, state, or local officials conduct breath or blood test for the use of alcohol and/or urine tests for the use of controlled substances following an accident, employees must comply with law enforcement personnel requests. The NCCSC may request

testing documentation from such agencies, and may ask the employee to sign a release allowing the NCCSC to obtain such test results.

In the event an employee is so seriously injured that the employee cannot provide a sample of urine, breath or saliva at the time of the accident, the employee must provide necessary authorization for the NCCSC to obtain hospital records or other documents that would indicate the presence of controlled substances or alcohol in the employee's system at the time of the accident.

### Reasonable Suspicion Testing

Reasonable suspicion for requiring an employee to submit to drug and/or alcohol testing shall be deemed to exist when an employee manifests physical, behavioral, speech or performance symptoms or reactions commonly attributed to the use of controlled substances or alcohol during, just before, or just after the period of the work day of the employee. Such employee conduct must be witnessed by a supervisor who is trained in compliance with Part 382.603 of the Federal Motor Carrier Safety Regulations.

A supervisor observing such conditions will take the following actions immediately:

1. Confront the employee involved, and keep under direct observation until the situation is resolved.
2. Secure the DER's concurrence to observations. After discussing the circumstances with the DER, arrangements will be made to observe or talk with the employee. If the DER believes, after observing or talking to the employee, that the conduct or performance problem could be due to substance abuse or alcohol abuse, the employee will be immediately required to submit to a breath test or urinalysis. If the employee refuses to submit to testing for any reason, the employee will be informed that continued refusal would result in disqualification from performing any safety-sensitive function.
3. Employees will be asked to release any evidence relating to the observation for further testing. Failure to comply may subject the employee to subsequent discipline or suspension from driving duties. All confiscated evidence will be receipted for with signatures of both the receiving supervisor, as well as the provider.
4. The DER shall, within 24 hours or before the results of the alcohol or controlled substance test are released, document in writing the particular facts related to the behavior or performance problems that led to the reasonable suspicion test and maintain this documentation in appropriate DOT files.
5. The DER shall remove or cause the removal of the employee from the NCCSC-owned vehicle and ensure that the employee is transported to an appropriate collection site and thereafter to the employee's residence or, where appropriate, to a place of lodging. Under no circumstances will that employee be allowed to continue to drive a NCCSC vehicle or his/her own vehicle until a confirmed negative test result is received.

### Return to Duty Testing

A return to duty test will be required for all NCCSC employees who have violated this policy (test positive, have an adulterated or substituted specimen or refuse to test). The employee may not return to duty until he or she passes (tests negative) a drug test and/or tests below a .02 for breath alcohol and the MRO or SAP and the NCCSC have determined that the employee may return to duty.

## Follow-Up Testing

Any NCCSC employee who has returned to work following a violation of this drug and alcohol policy will be subject to follow-up testing. At a minimum six follow-up tests will be required within the first twelve months following an employee's return to work, and less frequently during the next four (4) years.

## Controlled Substance Testing Protocol

Urine collection procedures:

1. The testing procedure starts with the collection of a urine specimen.
2. Collection procedures will follow the specific guidelines set forth by the U.S. Department of Transportation as outlined in the published collection procedures guidelines.
3. Employees will be directed to empty their pockets and display the contents to the collector.
4. Employees will be allowed privacy during the collection process except as noted in number 5 below.
5. Observed collections are required by DOT if:
  - a. The specimen is determined invalid and there is no medical examination.
  - b. The collector observes evidence of an employee's attempt to tamper with the specimen.
  - c. The temperature of the specimen is out of range.
  - d. The specimen appears to have been tampered with.
6. Observed collections may be required on return-to-duty and follow-up tests.
7. As part of the collection process, the specimen provided will be split into two portions; a primary specimen and a secondary (split) specimen.
8. If the employee is unable to provide 45 ml of urine, the DOT "shy bladder" rule will apply. The employee will have up to 3 hours to provide the required 45 ml, and may consume up to 40 ounces of fluids during this time period. The employee will be required to be monitored during the waiting period.
9. After collection, the specimen will be submitted to a SAMHSA certified laboratory for testing.

Laboratory Procedures:

Drug testing will be performed through urinalysis. Urinalysis will test for the presence of drugs and/or metabolites of the following controlled substances:

1. Marijuana metabolites;
2. Cocaine metabolites;
3. Opioids (codeine, heroin, morphine, oxycodone, hydrocodone, and hydromorphone);
4. Amphetamines (amphetamine, methamphetamine, MDMA & MDA); and
5. Phencyclidine (PCP)

The SAMHSA certified laboratory will perform initial screenings on all primary specimens. In the event that the primary specimen tests positive, a confirmation test of that specimen will automatically be performed. If the confirmatory test is positive it will be reported to the Medical Review Officer (MRO) as a positive.

Validity Testing:

The laboratory must also perform validity testing on each specimen received. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted. The following will be measured: creatinine level, specific gravity, and pH. In addition, all specimens will be tested for known adulterants. An initial validity test is performed first, followed by a confirmation test if required.

All laboratory results will be reported by the laboratory to a MRO designated by the NCCSC or its agents.

#### MRO Procedures:

- All tests results will undergo a review process by the MRO.
- Negative test results will be reported directly to the NCCSC by the MRO.
- Positive, adulterated or substituted results will be handled in the following manner by the MRO:
  1. Before reporting a positive, adulterated or substituted test result to the NCCSC, the MRO will attempt to contact the employee to discuss the test result.
  2. The employee is required to discuss the result with the MRO. The employee will be allowed to explain and present medical documentation to explain any permissible use of a drug.
  3. For adulterated or substituted results, the employee must demonstrate that he or she did produce or could have produced urine, through physiological means, a specimen meeting the creatinine and specific gravity criteria of a substituted or adulterated specimen.
  4. If the MRO is unable to contact the employee directly, the MRO will contact the DER designated in advance by the NCCSC, who shall in turn, contact the employee and direct the employee to contact the MRO. Upon being so directed, the employee shall contact the MRO immediately or, if the MRO is unavailable, at the start of the MRO's next business day.
  5. If after failing to contact the MRO within 72 hours after being instructed to do so by the DER, or if the employee cannot be contacted at all within ten (10) days, or the employee expressly declines the opportunity to discuss the test, the MRO may verify the test as positive or a refusal.
  6. In the MRO's sole discretion, a determination will be made as to whether a result is verified as positive, negative or considered a refusal.
  7. After any verified positive or refusal to test determination, the employee may petition the MRO to reopen the case for reconsideration.
  8. Diluted Specimens: If a specimen is reported diluted by the laboratory, the MRO will report this information to the DER. The NCCSC policy will require an immediate recollect for another test. The result of this test will stand as the final result.

#### Medical Information Disclosure:

Pursuant to DOT regulations, if, in the MRO's opinion, any information provided may mean a medical disqualification or represent a safety hazard, such as the use of certain prescription drugs, the MRO must disclose this to the employer. Individual test results for employee applicants and employees will be released to the NCCSC and will be kept strictly confidential unless consent for the release of the test result has been obtained except NCCSC use in disciplinary hearings or in court and except as provided by law. Any

individual who has submitted to drug testing in compliance with this procedure is entitled to receive the results of such testing upon written request.

### Split Specimen Testing Protocol

An employee may request that the “split” portion of his/her specimen be tested at a different SAMHSA laboratory if he/she was notified by the MRO that his/her test result was positive, adulterated or substituted. The request must be made to the MRO within 72 hours of being notified of a verified positive, adulterated or substituted result. The MRO will arrange for all procedures to be done in accordance with split specimen testing procedures.

The cost of a split specimen test will be the responsibility of the employee. The NCCSC will withhold the amount of the cost of testing the split from the employee’s pay unless other arrangements are acceptable to both the employee and the NCCSC. If the employee makes a timely request (within 72 hours) to the MRO for the split portion to be tested, the MRO shall immediately make arrangements with the laboratory to initiate the process.

### Alcohol Testing Protocol

Alcohol tests will be conducted by a trained Breath Alcohol Technician (BAT) or Screening Test Technician (STT). Screening tests may be done using an evidential breath testing device (EBT) or non-evidential screening device approved by the National Highway Traffic Safety Administration. Confirmatory tests will be done by a trained BAT using an evidential breath testing device. The employee shall report to the alcohol testing site as notified by the NCCSC. The employee shall follow all instructions given by the alcohol technician.

If the result of a screening test is a breath alcohol concentration (BAC) of less than 0.02, no further testing is authorized. Any initial test indicating a BAC of .02 or greater will be confirmed on an EBT operated by a BAT. The confirmation test will be performed no sooner than fifteen (15) minutes and no later than thirty (30) minutes following the completion of the initial test. In the event the confirmation test indicates a BAC of .020 to .039, the employee shall be removed from duty for twenty-four (24) hours or until his/her next scheduled on-duty time, whichever is longer. Employees with tests indicating a BAC of .04 or greater are considered to have engaged in prohibited conduct, which may result in disciplinary action up to and including termination. All alcohol tests shall be performed just prior to, during, or just after performing a safety sensitive function.

### Educational Materials

The NCCSC shall provide educational materials that explain the requirements of Part 382.601 of the Federal Motor Carrier Safety Regulations, consequences of violating the regulations, and the NCCSC’s policies and procedures with respect to meeting these requirements. The materials supplied to the employees may include information on additional NCCSC policies with respect to the use or possession of alcohol or controlled substances, for example, the consequences for an employee found to have specified alcohol or controlled substances level based on the NCCSC's authority independent of Part 382.601 of the Federal Motor Carrier Regulations. Materials will also be provided concerning the effects of alcohol and controlled substances use on an individual’s health, work and personal life.



Employees are required to attend an educational meeting(s) to discuss the NCCSC's policies and procedures and to review all materials covered by this procedure. Each employee is required to sign a statement (Certificate of Receipt) certifying that he/she has received a copy of the materials described in Part 382.601 of the Federal Motor Carrier Regulations. The NCCSC shall provide these materials to each employee prior to the start of alcohol and controlled substance testing and to each employee subsequently hired or transferred into a position requiring driving a commercial vehicle.

### Disciplinary Procedures

Any employee testing positive for alcohol (.04 BAC or greater), or who has a positive controlled substance test, or has refused to test is considered in violation of this policy, and is not qualified to drive a commercial motor vehicle, and will be immediately removed from service.

### Substance Abuse Evaluation, Return to Duty, & Follow-Up Testing

Any employee who is removed from service is not qualified to perform safety-sensitive duties requiring a commercial employee's license. Such employees shall be provided with the names, addresses, and telephone numbers of qualified substance abuse professionals (SAPs) who are approved by the NCCSC. To be able to be returned to duty, the following steps must be completed:

- Complete an evaluation with a SAP.
- Complete any rehabilitation and/or education required by the SAP.
- Be re-evaluated by the SAP and obtain written confirmation of satisfactory completion of all recommendations.
- Complete a return to duty test that is issued with a negative result.
- As a condition of continued employment, the employee will be required to submit to a minimum of six (6) unannounced follow-up tests in the next 12 months after returning to work. Follow-up testing is separate from and in addition to the NCCSC's reasonable suspicion, post-accident, and random testing procedures. The schedule for follow-up testing shall be unannounced and in accordance with the instructions of the SAP. Follow-up testing may continue for a period of up to sixty (60) months following the employee's return to duty. No fewer than six (6) tests shall be performed in the first twelve (12) months of the follow-up testing. The cost of any SAP evaluation, prescribed treatment and follow-up testing shall be borne by the employee.

### Voluntary Disclosure

The NCCSC encourages employees to seek help if they feel they have a problem with drug or alcohol misuse before it becomes a matter of discipline with the NCCSC. The NCCSC will assist any employee who voluntarily discloses to the NCCSC that he/she believes that he/she has a drug or alcohol problem in seeking professional help to address their problem. This voluntary step of self-identification is the responsibility of the individual, and with the exception of certain conditions, will alleviate the requirement for disciplinary action if brought to the NCCSC's attention prior to any testing conducted by the NCCSC.

Upon disclosure of a problem to NCCSC Human Resource Department, the employee will be removed from all safety-sensitive duties without pay until completion of all steps outlined in the Evaluation steps listed above in this policy. The employee will be responsible for all costs associated with this process. If the employee makes no commitment

to overcoming the problem and achieving a satisfactory level of performance, attendance, or behavior, then termination of employment will result.

### Confidentiality and Release of Information

Under no circumstances, unless required or authorized by law, will alcohol or drug testing information or results for any employee or applicant be released without written request from the applicable employee.

The NCCSC may release information as follows:

- Copies of the results of alcohol or drug testing to an identified person provided the employee has provided written consent.
  - Copies of information requested by the Secretary of Transportation, any DOT agency, or any State or local official with regulatory control over the NCCSC or any of its employees.
  - The results of post-accident testing when requested by the National Transportation Safety Board as part of an accident investigation.
  - Legal proceedings to include:
    - Lawsuits (e.g. wrongful discharge action).
    - Grievances (e.g. an arbitration concerning disciplinary action taken by the employer).
    - Administrative proceedings (e.g. an unemployment compensation hearing) brought on by, or on behalf of, an employee and resulting from a positive DOT drug test or alcohol test or a refusal to test (including, but not limited to, adulterated or substituted test results).
    - Criminal or civil actions – to the decision maker in the proceeding (e.g. the court in the lawsuit).
- a. Employees are entitled, upon written request to obtain copies of any records pertaining to their use of alcohol or controlled substances, including any records pertaining to his/her alcohol or controlled substance tests.

### Responsibility

Employee – All NCCSC employees that hold a valid CDL are responsible for abiding by this procedure as a condition of their employment.

Management Officials and Supervisors – All supervisors and NCCSC officials are responsible for being alert to employee conduct that raises a reasonable suspicion that an employee is using or is under the influence of alcohol or controlled substances while on duty or otherwise performing NCCSC business.

THIS POLICY IS NOT INTENDED NOR SHOULD IT BE CONSTRUED AS A CONTRACT BETWEEN THE NCCSC AND THE EMPLOYEE. THIS POLICY MAY CHANGE AT ANY TIME AND AT THE SOLE DISCRETION OF THE NCCSC AND/OR TO COMPLY WITH CHANGES IN FEDERAL DOT REGULATIONS.

### **Abbreviations and Definitions (terms)**

- BAT – Breath and Alcohol Technician
- CDL – Commercial Employees' License
- CMV – Commercial Motor Vehicle
- DER – Designated Employer Representative

- DDHS – Department of Health and Human Services
- DOT – Department of Transportation
- EAP – Employee Assistance Program
- EBT – Evidential Breath Testing Device
- MRO – Medical Review Officer
- STT – Screen Testing Technician

### Definitions (terms)

**Adulterated Specimen** - A specimen that contains a substance that is not expected to be present in human urine, or contains a substance expected to be present but is at a concentration so high that it is not consistent with human urine.

**Alcohol** – Intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol including methyl and isopropyl alcohol.

**Alcohol Concentration** (or content) – Alcohol in a volume of breath (shown as grams of alcohol/210 liters of breath) as indicated by an evidential breath test.

**Alcohol Use** – Consumption of any beverage, mixture, or preparation, including medications, containing alcohol.

**Breath Alcohol Technician (BAT)** - An individual who instructs and assists individuals in the alcohol testing process and operates an evidential breath testing (EBT) device,

**Confirmation Test** - In alcohol testing: a second test, following a screening test with a result of 0.02 or greater, which provides quantitative data of alcohol concentration. In controlled substances testing: a second test to identify the presence of a specific drug or metabolite. In order to ensure reliability and accuracy, this test is separate from and uses a different technique and chemical principle from that of the screening test.

**Confirmation Validity Test** - A second test performed on a urine specimen to further support a validity test result.

**Controlled Substances** - In this regulation, the term ‘drugs’ and ‘controlled substances’ are interchangeable and have the same meaning. Unless otherwise provided, these terms refer to:

- Marijuana
- Cocaine
- Opiates
- Phencyclidine (PCP)
- Amphetamines, including Methamphetamines

**Designated Employer Representative (DER)** - An employee authorized by the employer to take immediate action(s) to remove employees from safety-sensitive duties and to make required decisions in the testing and evaluation processes. The DER also receives test results and other communications for the employer. Service agents cannot act as DERs.

**Dilute Specimen** - A specimen with creatinine and specific gravity values that are lower than expected for human urine.

**Evidential Breath Testing Device (EBT)** - An EBT approved by the National Highway Traffic Association (NHTSA) for the evidential testing of breath and placed on NHTSA's "Conforming Products List of Evidential Breath Measurement Devices" (CPL). This is a device used for alcohol breath testing that has been approved by the National Highway Safety Administration.

**Employee** - any person, who operates a commercial vehicle (CMV), includes:

- Full-time, regularly employed employees
- Casual, intermittent or occasional employees
- Leased employees
- Independent, owner-operated contractors who are either directly employed by or under lease to an employer or who operates a commercial motor vehicle at the direction of or with the consent of an employer

**Initial Validity Test** - The first test used to determine if a specimen is adulterated, diluted, or substituted.

**Initial Drug Test** - The test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

**Medical Review Officer (MRO)** - A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by an employer's drug testing program. The MRO must have knowledge of substance abuse disorders and appropriate medical training to interpret and evaluate an individual's confirmed positive test, medical history and other relevant biomedical information.

**Performing** (a safety sensitive function) - An employee is considered to be performing a safety-sensitive function when he or she is actually performing, ready to perform, or immediately available to perform any safety-sensitive function.

**Primary specimen** - The urine specimen bottle that is opened and tested first by the laboratory to determine whether the employee has a drug or drug metabolite in his or her system; and for the purpose of validity testing. The primary specimen is distinguished from the split specimen, defined in this section.

**Screening Test** (initial test) - In alcohol testing: a procedure to determine if an employee has a prohibited concentration of alcohol in his or her system. In controlled substance testing: a screen to eliminate 'negative' urine specimens from further consideration.

**Split Specimen** - Part of the urine specimen that is sent to a first laboratory and retained unopened, and which is transported to a second laboratory in the event that the employee requests that it be tested following a verified positive test of the primary specimen or a verified adulterated or substituted test result.

**Substituted Specimen** - A collected specimen which has creatinine and specific gravity values that are so diminished that they are not consistent with human urine.

**Substance Abuse Professional (SAP)** - A licensed physician (medical doctor or doctor of osteopathy), or a licensed or certified psychologist, social worker, employee assistance

professional or certified addiction counselor with knowledge of any and clinical experience in the diagnosis and treatment of alcohol and controlled substances related disorders.

## **CLEARINGHOUSE REPORTING REQUIREMENTS**

As part of the continuing efforts to promote safe roadways and to ensure only qualified CDL drivers are performing safety-sensitive duties, a database was created that will contain pertinent information containing CDL drivers' drug and alcohol testing violations. Employers will be required to query the database on an annual basis for current employees and as part of the pre-employment screening process for all covered prospective employees.

The following outlines the responsibilities for the reporting entity and when and what information is required to be reported to the clearinghouse. They are as follows:

### **Prospective/Current Employer of CDL Driver must report within 3 business days:**

An alcohol confirmation test with a concentration of 0.04 or higher.

Refusal to test (alcohol) as specified in 49 CFR 40.261.

Refusal to test (drug) not requiring a determination by the MRO as specified in 49 CFR 40.191.

Actual knowledge, as defined in 49 CFR 382.107, that a driver has used alcohol on duty, used alcohol within four hours of coming on duty, used alcohol prior to post-accident testing, or has used a controlled substance.

Negative return-to-duty test results (drug and alcohol testing, as applicable)

Completion of follow-up testing.

### **Medical Review Officer (MRO) must report within 2 business day:**

Verified positive, adulterated, or substituted drug test result.

Refusal to test (drug) requiring a determination by the MRO as specified in 49 CFR 40.191.

### **Substance Abuse Professional (SAP) must report within one business:**

Successful completion of treatment and/or education and the determination of eligibility for return-to-duty testing (identification of driver and date the initial assessment was initiated).

Note: If an employer uses a C/TPA to comply with the employer reporting responsibilities, the employer remains responsible for ensuring that the C/TPA is compliant for such reporting