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Schools Corporation
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Handbook For Transportation Personnel

Board Approved

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This manual supersedes and replaces all previously issued handbooks.

Table of Contents

General Information.....	4
Employment	4
Scheduled School Breaks Notification	5
Employee Service Records	5
Working Day	5
Adjustment to Work Schedules	6
Inclement Weather	6
Special Days	7
Leaves and Absences.....	7
Sick Leave	7
Personal Leave	8
Bereavement Leave	8
Jury Duty	9
FMLA	9
Worker's Compensation	14
Public Employees Retirement Fund.....	14
Safe Driving Records.....	15
Evaluation	16
Accident Review Procedures	16
Disciplinary Procedure	18
Grievance Procedure	19
Physical Performance Standards	20
Bus Safety and Inspection	21
Pre/Post Trip Inspections	21
Railroad Procedures	22
Emergency Procedures for School Bus	23
Severe Weather Procedures	26
Bus Evacuation Drills for Regular Bus	27
Bus Evacuation Drills for Resource Bus	29

Job Descriptions	31
Bus Driver.....	31
Resource Bus Driver.....	32
Bus Aide	34
Extra-Curricular Assignments.....	36
Trip Sheet Front.....	38
Trip Sheet Back.....	39
Student Information Sheet	40
Appendix A: Accident Report.....	41
Appendix B: School Bus Passenger Regulations	43
Appendix C: Hand Held Communication Policy	44
Appendix D: Benefits Summary	45
Appendix E: DOT Physical Policy.....	46
Appendix F: Substance Abuse Policy	47

This handbook is not to be construed as a contract.

GENERAL INFORMATION

Transportation personnel are those employees of Eastbrook Community Schools Corporation who are not required to have a license issued by the Indiana Department of Education in order to be hired to perform a specific duty. All transportation personnel are at-will employees which means either the corporation or the employee may terminate employment at any time, for any reason or for no reason. Employment by the school corporation does not guarantee placement or continued placement on any route.

This manual outlines the policies for the transportation personnel of Eastbrook Community Schools Corporation. Classified hourly employees are covered under the *Handbook for Classified Personnel*.

EMPLOYMENT

1. Employment by the school corporation does not guarantee placement or continued placement in any one school or any particular job. The superintendent or director of transportation will assign all drivers each year to specific routes. Assignments or routes shall not be changed or altered without the approval of the superintendent or director of transportation.
2. The Superintendent, Director of Transportation or his/her designee will post position vacancies. The final selection will be based upon the ability to perform required duties. The final recommendation will be made to the school board members through the superintendent and director of transportation.
3. Each driver, as required by Indiana law, shall attend a School Bus Driver Safety Meeting scheduled by director of transportation annually to maintain certification as a school bus driver in Indiana.
4. A new bus driver shall be certified by the Division of School Traffic Safety prior to assignment or shall complete requirements for certification at the next scheduled training session following assignment.
5. All new bus drivers shall have pre-employment drug testing.
6. Employees may be subject to a physical examination prior to employment or may be required to have one prior to return after medical leave.

SCHEDULED SCHOOL BREAKS NOTIFICATION

New transportation personnel are notified upon hiring as to the length of their work year and route assignment. They are also provided with a schedule of established and customary vacation periods or holiday recesses, i.e., Fall Break, Christmas Break, Spring Break, and Summer Vacation.

The schedules of Special Education drivers are established with assistance from the Director of Special Education.

EMPLOYEE SERVICE RECORDS

All non-contract transportation personnel are required to record hours of work on time cards provided by the administration office. The time cards are to be forwarded to the administration office every two weeks for submission to the corporation's Transportation Office. The time cards must be accurately and entirely completed. Time cards are a legal document and extreme care should be taken to insure that the time worked is correct and reported only by the employee. Falsification of records may lead to immediate dismissal. All time recorded on time cards are to reflect actual hours worked.

Transportation personnel must notify the director of transportation at the earliest possible time in the event of an absence from work. All personnel must have permission from their immediate supervisor to leave from their job during the workday.

The following disciplinary action may be taken when tardiness or absences are not properly reported to the appropriate supervisor or when tardiness or absences are not for valid reasons.

1st time – conference and written warning

2nd time – job jeopardy

3rd time – dismissal from the job

WORKING DAY

Regular route drivers will be contracted for school days driven per the school calendar, in addition to, 6 paid holidays, 2 days for the annual safety meeting, opening day meeting, and routing.

If inclement weather or other emergency situations make it necessary for school authorities to dismiss school early, drivers shall be available to transport students to their homes. If an alternate phone number is available, it needs to be provided to the administration office for emergency use.

Drivers requiring a substitute shall make the necessary arrangements by finding a substitute. An approved leave form must be submitted to the administration office or Director of Transportation as soon as possible to verify the absence. It is the responsibility of the driver to find the appropriate substitute. Hourly employees are only paid for the hours they work.

ADJUSTMENT TO WORK SCHEDULES

Inclement Weather

When it is necessary to cancel or curtail school activities due to adverse weather conditions, these changes will be reported to the following media:

Radio Stations:

WBAT (Marion)

WCJC (Marion, includes WXXC)

WLBC (Muncie, includes WERK and WHBU)

WBCL (Ft. Wayne)

Television Stations:

WRTV – Channel 6 (Indianapolis)

WISH - Channel 8 (Indianapolis)

WTHR – Channel 13 (Indianapolis)

21 Alive – Channel 21 (Fort Wayne)

Fox59 - Channel 59 (Indianapolis)

An attempt will be made to contact you via the established automated call system. It is your responsibility to notify a sub that may be driving for you.

The following guidelines will be followed when work schedule changes are required due to inclement weather:

1. School Cancellation

When school is canceled due to weather related or emergency conditions, transportation personnel will not report to work. Drivers will need to check their school email for updates from the Transportation Director regarding cancellations.

2. School Delays

If school is delayed due to weather conditions or any other cause, transportation personnel shall be available to transport students at the designated times. In the instances where a driver is unable to complete a route, maintain schedules or experiences mechanical difficulties, (s)he should notify the Administration Office and/or Director of Transportation immediately for assistance. The Administration Office will assist in notifying schools if the bus is running late or helping arrange for a spare bus if needed.

3. Early Dismissal

From time to time weather conditions may deteriorate during a school day, or another situation may arise requiring early dismissal from school. Notification of early dismissal will be made through radio announcements and P.A. announcements in the schools.

Transportation personnel will need to provide the administration office with an alternate phone number in the event of an early dismissal if (s)he will not be available at the home phone number. Drivers and/or aides are expected to report to the schools for pick up by designated time.

4. Make-up Days

If the school year is extended to make up a day canceled during the regular school year, transportation personnel will report to work at the regular scheduled time. The Superintendent of Schools or his/her designee may make exceptions to the above policies.

Special Days

The following guidelines will be followed when work schedule changes are required:

1. Faculty/Staff In-Service Day

All employees report to the orientation meeting at the beginning of the year.

2. Early Dismissal

Transportation personnel will report for work in the morning as regularly scheduled. Early dismissal requires drivers to start their afternoon routes early. Drivers are to report to their designated buildings at the assigned times. It is the driver's responsibility to know what time (s)he must report.

LEAVES AND ABSENCES

Paid leave days will be accredited to the eligible employee's account on the employee's first working day. The number of paid leave days will be prorated for the time between the first working day and the first day of school. Each year after that, a full complement of sick and personal days, if applicable, will be credited on the first day of school.

Leave days charged to the employee's account will be either one-half (1/2) day or one (1) full day. After an employee has exhausted all earned leave (sick leave and personal leave), the employee must make prior written request to the Director of Transportation to be placed on unpaid leave. Any employee who fails to contact the school corporation to request unpaid leave will be subject to termination.

The official record of leave is maintained in the Administration Office.

Sick Leave

Each driver shall be granted a total of five (5) days each year, with pay, for absences because of personal illness. Unused days shall accumulate each year to a maximum of fifty-five (55) days.

Procedures to be followed in the use of accumulated sick leave days:

- a. Employees will notify Director of Transportation as early as possible if unable to report for duty.
- b. Employees may use sick leave days for the following purposes:
 - (1) Personal illness
 - (2) Doctor appointments
 - (3) Dental appointments
 - (4) Illness in the immediate family. Immediate family is interpreted to include husband or wife, son and daughter, and the following relatives of either husband or wife: mother, father, brother, sister, or a relative living in the home. The employee may be asked to verify the nature of the illness to their supervisor. Family illness leave may also be taken in the event the wife of a male employee gives birth.
- c. Employees must use sick leave days for leave taken for a serious health condition – either the employee’s own or that of the employee’s spouse, child, or parent. Family sick days are limited to (15) fifteen days per year.

The school corporation reserves the right to request a physician’s statement to verify the nature of the illness. The school corporation may also elect to obtain a second opinion, and in some circumstances, a third opinion of the medical necessity for this type of leave. Before an employee will be permitted to return to work, the employee must submit a physician’s statement indicating the employee’s medical release and ability to return to work. See Family and/or Medical Leave Policy in this handbook.

Personal Leave

Transportation personnel are entitled to two (2) personal days, with pay, (for dealing with personal business that cannot be conducted during non-work hours) per the following guidelines:

1. Personal leave days shall not be used immediately before or after a school vacation or holiday except in an emergency. The Superintendent will determine the existence of an emergency for all personnel.
2. Personal days shall not be utilized for outside employment or to apply for other employment.
3. Personal business days shall be filed, in writing, as soon as possible.

Unused days shall accumulate each year to a maximum of three (3) days. Unused personal days will be transferred to the cumulative sick leave at the beginning of each employment year.

Bereavement Leave

In the event of a death in the employee’s immediate family, the employee will be entitled to be absent from work for no more than five (5) school days, including school break days (i.e., Fall Break, Christmas Break, Spring Break, and Summer Vacation), beyond the date of death with no loss in pay. The immediate family is interpreted to include husband and wife, father, mother, brother, sister, and children or grandchildren of either husband or wife, or a person who is presently a member of the household of the employee.

In the event of a death of an employee's grandparent, brother in-law or sister in-law, the employee is entitled to be absent from work for no more than (3) school days, including aforementioned school breaks, beyond the date of death with no loss in pay.

In the event of a death of a near relative or close friend, the employee is entitled to be absent without loss of compensation, sufficient time to attend the funeral up to one full day, the same day as the funeral service, subject to the prior approval of the Superintendent or his/her designee.

Bereavement leave is only available at the time of the death. Bereavement days cannot be held over for use at a later time.

Jury Duty

Transportation personnel serving on a court-appointed jury during regular working hours shall be paid his/her normal daily rate for each day of jury service minus the amount of pay received for serving jury duty. Reimbursement for mileage and/or meal expenses will not be deducted from the employee's pay. The employee is required to submit to the corporation the court's letter that details the amount of pay received for serving jury duty.

Family and/or Medical Leave

Eastbrook Community Schools Corporation complies with all applicable federal and state labor and employment laws, including the Family and Medical Leave Act of 1993 (FMLA). Under the FMLA, eligible employees are entitled to certain rights, and have certain obligations, with respect to unpaid leave for certain family and medical reasons. Any employee who has a question concerning any family or medical leave should contact the superintendent.

A. FMLA Leave Eligibility

An eligible employee under the FMLA is an employee who has been employed by ECS for at least 12 months and who has worked at least 1,250 hours in the past 12 months.

B. Reasons for FMLA Leave

An eligible employee may take FMLA leave of up to 12 weeks per leave year, for any of the following reasons:

1. To care for a newborn child or a child newly placed in the employee's custody through adoption or foster care; for a period of up to one year after such birth or placement.
2. To care for the employee's spouse, child, or parent who has a serious health condition.

3. Because of the employee's own serious health condition, if that condition renders the employee unable to perform his or her job functions.
4. "Any qualifying exigency" (*as the Secretary, by regulation, determine*) arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call or order to active duty status in the Armed Forces, in support of a contingency operation.

An eligible employee may take FMLA leave up to 26 weeks per leave year for the following reason:

1. To permit a "spouse, son, daughter, parent, or next of kin" to care for a "member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness."

Any leave taken by an eligible employee for one or more of these reasons will be counted against that employee's annual FMLA leave entitlement.

C. Serious Health Condition

For the purpose of determining whether an eligible employee or his or her spouse, child, or parent has a serious health condition, such a condition includes any injury, illness, impairment, or physical or mental condition that requires either in-patient care in a medical facility (i.e., overnight hospitalization), or continuing treatment by a health-care provider. These terms are construed by ECSC in accordance with applicable federal laws and regulations.

D. Leave Year

For the purpose of this policy, the leave year within which an eligible employee may take his or her 12 weeks of FMLA-protected leave means the 12-month period beginning on the date the employee first takes leave for any of the reasons set for previously.

E. Compensation for FMLA Leave

Generally, FMLA leave is not paid. However, an eligible employee may take any accrued paid vacation leave, paid sick days, and paid personal business days in lieu of taking unpaid leave under FMLA.

F. Intermittent or Reduced Hours Leave

In the case of leave taken to care for a seriously ill spouse, child, or parent, the employee's own serious health condition, qualifying exigencies, or to care for an injured service member, an employee may take leave intermittently (i.e., periodically) or on a reduced hours schedule (i.e., reduced number of working hours per day or per week) only when such leave is medically necessary, as certified by the employee's or family member's health-care provider. Otherwise, such leave is not permitted except at the sole discretion of ECSC. An employee who takes leave intermittently or on a reduced leave schedule may be temporarily transferred to another position for which the employee is qualified to better accommodate that leave. The temporary position will have pay and benefits equivalent to the employee's regular job.

G. Job and Benefits Security

An eligible employee who takes leave under the FMLA and who returns to work before his or her annual FMLA entitlement has expired will be restored to the position he or she held when the leave commenced, or to an otherwise equivalent position with respect to pay, benefits and other terms and conditions of employment, unless the employee would no longer have been employed in such a position had the employee not taken such leave. Additionally, any employment benefits that had accrued to an eligible employee prior to the commencement of leave will be restored upon work from FMLA leave. Employees are prohibited from working for another employer while on any leave of absence. Using FMLA leave for any reason other than its intended purpose will be grounds for termination.

H. Continuation of Group Health Plan Coverage

Group health plan coverage will be maintained by ECSC during an eligible employee's period of FMLA leave to the extent and under the same circumstances as it ordinarily is furnished to that employee. Premium payments should be made to the payroll department on the 15th of each month. The payroll department will notify eligible employees concerning the amount of each premium payment. Failure to pay such premiums during leave may result in the loss of health coverage. If the employee fails to make timely premium payments within 30 days of the due date for such payments, the employee's coverage will be terminated and COBRA will begin.

I. Employee Notice Requirements

An eligible employee must give ECSC at least 30 days' notice of his or her intent to take leave under the FMLA. If the employee is unable to give such notice because the need for the leave is not foreseeable, then the employee must give as much notice as practicable. Typically, this will mean giving notice to ECSC within one or two working days of learning that FMLA leave must be taken. Any employee who fails to give the requisite notice may be delayed in receiving authorization for leave.

J. Health Care Provider Certification

In cases of leave to be taken to care for a seriously ill family member, due to the employee's own serious health condition or the need to care for a covered service member, an eligible employee must provide ECSC with a completed and signed health care provider certification indicated that the employee requires FMLA leave. This certification must be returned to ECSC within 15 days after the employee gives notice of his or her intent to take FMLA leave, and must contain the following information:

1. The date on which the serious health condition commenced;
2. The probable duration of the condition;
3. The treatment regimen prescribed;
4. Any appropriate medical facts within the health care provider's knowledge regarding the condition;
5. If applicable, a statement that the employee is needed to care for his or her spouse, child, or parent and an estimated duration of such need; and
6. If applicable, a statement regarding the medical necessity of intermittent or reduced hours schedule leave.

Failure to return this certification in a timely manner may result in delays in securing authorization for leave, and failure to return the certification at all will preclude the employee from taking leave.

ECSC may also require, at its own expense, a second and third health care provider opinion if there is a question as to the validity of the certification provided by the employee.

An eligible employee may also be asked to furnish ECSC with subsequent health care provider certifications on a reasonable basis during the employee's leave period. An eligible employee's failure to furnish subsequent certifications may result in termination of the employee's right to leave.

An eligible employee on FMLA leave must submit to ECSC a medical release (i.e., fitness for duty certification) indicating that the employee is able to return to work. Failure to submit such a release will preclude the employee from being restored to his or her employment with ECSC.

K. Non-Discrimination/Non-Retaliation Policy Statement

ECSC will not (1) interfere with, restrain, or deny the exercise of any right provided under the FMLA; (2) terminate or discriminate against any person or opposing any practice made lawful by the FMLA; (3) terminate or discriminate against any person for his or her involvement in any proceeding under or relating to the FMLA.

L. Jointly Employed Spouses

A total of twelve (12) weeks of FMLA will be granted to jointly employed spouses regarding the birth or adoption of a child or to care for a sick parent. A total of 26 work weeks will be granted to jointly employed spouses for a service member family leave during the applicable 12 month period.

If the FMLA request is for his or her own illness, each spouse would be entitled to twelve (12) weeks FMLA leave.

Legal Reference: 29 U.S.C. Section 2601 et seq.

Worker's Compensation Insurance

All employees of Eastbrook Community Schools Corporation are covered by the provision of the Worker's Compensation Insurance plan purchased by the corporation each year. Those employees who suffer a job-related injury/illness must report that injury in the following manner within the indicated time frame:

1. Immediately notify the Director of Transportation of injury. If required, report for immediate care to MGH Work Solutions. If an employee is injured on the job and seeks treatment and/or long-term care at a facility other than MGH Work Solutions, the employee may be responsible for the payment of medical claims and treatment.
2. After notification to the Director of Transportation and obtaining treatment for the injury/illness, the employee must notify the Administration Office either in person or by telephone to ensure the proper forms are completed and sent to the insurance carrier. This notification to the Administration Office must be completed within two (2) working days from the time of injury/illness. Failure to comply within this time frame may cause the claim to not be paid.
3. An employee who must be absent from duty due to a work-related injury-illness may choose to collect compensation from the Workman's Compensation Insurance or from the use of his/her accumulated sick leave days with the corporation. If compensation by use of sick leave is chosen, then any payment sent to the employee by the Workman's Compensation Insurance Plan must be deposited with the school corporation. Under no circumstances may the compensation for any given day of lost wages exceed the employee's normal daily rate.
4. Where necessary, employees are responsible for timely filing of extensions.

Public Employees Retirement Fund

All full time bus drivers are required to participate in the Indiana Public Employees Retirement Fund. Participation begins on the date of employment and continues until termination of that employment, the employee is no longer eligible because of a decrease in working hours, or retirement of the employee.

Employees who are eligible as stated above will have the 3% paid by the employer.

Employees who end their employment with the corporation either voluntarily or otherwise may petition the Fund for the return of their contributions. However, they are not entitled to any refund from the employer's matching share paid the by the corporation to the Fund.

SAFE DRIVING RECORDS

The Eastbrook Community Schools Corporation will submit to the Indiana State Bureau of Motor Vehicles for driving records semi-annually. This will include all drivers to insure proper licensing.

Driver Qualifications

No consideration will be given to bus drivers with the following type of record, if found guilty by a court of law and/or the action is approved by the administration and the Board of School Trustees:

1. Violation for failure to activate proper safety warning devices on a school bus.
2. Major violations – reckless driving, driving under the influence (DWI) while operating a bus or personal vehicle.
3. Minor violations – two (2) moving violations in a two-year period; one (1) at fault major accident in a two-year period while operating a bus or personal vehicle.

This information will be submitted to the school corporation's insurance carrier for review and approval.

Probation, Dismissal or Mid-term Termination of Bus Drivers' Contracts

To help insure safety and to help maintain the lowest possible operational cost, the following will be observed in the probation, dismissal or mid-term termination of contracts for bus drivers:

1. Accidents – Subject to review by the Director of Transportation, Superintendent and Board of School Trustees. All accidents (no matter how minor) will be entered into the driver's permanent record and may result in one or more of the following:
 - a. No additional action.
 - b. Driver may be suspended for an indefinite period of time, pending completion of an investigation of the accident. (Suspension may be with or without pay.)
 - c. Driver's contract shall be placed on probation for a minimum of one calendar year, if a new contract is entered into for the next year, or until the end of the contract, if not.
 - d. Driver's contract shall not be reviewed at the end of the current school year.
 - e. Driver shall be dismissed immediately.

While on probation during the school year, the driver:

- A. Will be closely supervised
- B. May be expected to complete a retraining program
- C. May be expected to complete the CDL – Skilled Driving course with test given by a State of Indiana Tester
- D. May be required to complete other improvements as established by the Director of Transportation, Superintendent or Board of School Trustees

Probation or dismissal shall not be limited to items listed above, but may occur as deemed necessary by the Director of Transportation whose decision may be reviewed by the Superintendent and the Board of School Trustees.

EVALUATION

The Director of Transportation will evaluate regular route transportation personnel for performance of assigned duties and responsibilities a minimum of one time during the school year. The Director of Transportation will evaluate Special Education transportation personnel with input from the Director of Special Education.

The results of these evaluations will be in written form and discussed with the employee by his/her supervisor and signed by both parties. The supervisor will retain one copy of the signed evaluation; one copy of the signed evaluation will be given to the employee; and one copy of the signed evaluation will be forwarded to the Administration Office to be placed in the employee's personnel file.

Recommendations for re-employment shall be made prior to August 1 each year.

The employee's signature on the evaluation does not indicate agreement with the evaluation but indicates his/her supervisor discussed the evaluation with him/her. The employee has the right to respond in writing to an unfavorable evaluation.

All transportation personnel are expected to perform their duties in accordance with the existing policies of the State of Indiana as well as the policies of Eastbrook Community Schools Corporation Board of Trustees. Failure to comply with these policies may result in the following:

- A. First Offense – Driver will conference with the Director of Transportation regarding the incident.
- B. Second Offense – Driver will receive a written warning regarding employment status.
- C. Third Offense – Driver will be placed on probation for equivalent of one semester of the current school year.
- D. The Director of Transportation will suspend the driver and recommend immediate dismissal to the Superintendent and Board of School Trustees at the next School Board Meeting.

The above guidelines will be waived in cases where a driver is convicted of a serious driving violation, is found to use drugs/alcohol on the job, or is found to be driving in such a manner that endangers the students. In these cases "D" above will be implemented immediately.

ACCIDENT REVIEW PROCEDURES

1. Director of Transportation's Responsibilities

- a. Director of Transportation will respond to an accident scene whenever possible.
- b. Director of Transportation will conduct an independent investigation of the accident.

- c. Director of Transportation will get police report if applicable.
- d. If the Director of Transportation determines the accident was avoidable, possible remedies may include:
 1. Verbal reprimand
 2. Written reprimand
 3. Short-term suspension
 4. Recommendation for immediate dismissal

Moving Violations

Moving violations resulting in citation(s) issued are a serious offense. The Director of Transportation will investigate each citation. Suspension or termination may result using the following penalty scale.

Whether driving a school bus or personal vehicle:

Reckless driving:	Termination
Speeding:	
1 -10 mph over	1-Day suspension
11-15 mph over	5-day suspension
16-20 mph over	Dismissal

What you should do if you are involved in an accident

- Stop your vehicle if it is clear, safe and legal.
- Move the vehicle out of the traveled roadway, if it is clear, safe and legal. (In some states, it is against the law to move the vehicle from the place where the crash occurred.)
- Turn off the ignitions of the cars involved.
- Make a first aid check of all persons involved in the crash. Keep a first aid kit in your vehicle.
- Call the police and, if necessary, emergency medical services.
- Mark the scene of the crash with retro reflective triangles or fuses.
- Gather the names of all persons in the motor vehicles and people who witnessed the crash.
- Make a quick diagram of where the vehicle occupants were seated and indicate the vehicles' direction of travel and lane. Also note the date, time and weather conditions. Using a cell phone, take pictures and send copies to the Transportation Director.
- Ask to see the other driver's license and write down the number.
- Exchange insurance company information. Do not discuss "fault" or make statements about the crash to anyone but the police.

- Get a copy of the police report of the crash from the law enforcement agency that investigated the crash.
- Contact the State Police to determine if the bus should be placed Out Of Service.
- Refer to your alcohol and drug testing policy to see if testing is required.
- Follow your corporation policies regarding notification of parents.
- If the crash results in fatality, personnel injury, or disabling damage contact the State Police immediately for follow up investigation.

DISCIPLINARY PROCEDURE

Transportation personnel may be discharged from the school corporation for the following infractions:

1. Immoral or indecent conduct
2. Direct disobedience to orders or instruction
3. Substance abuse
4. Falsification of employee records
5. Theft of school property
6. Incompetency
7. Breach of employment duties
8. Unfaithfulness in performance of duties
9. Failure to conform to the rules and regulations of the corporation or the schools
10. Physical inability to perform the duties*
11. Sexual harassment
12. The disclosure or communication of confidential or sensitive information regarding school business or personnel
13. Any other actions which might be detrimental to the interests of Eastbrook Community Schools Corporation
14. Habitual tardiness
15. Excessive absenteeism
16. Use of tobacco on the school bus
17. Failure to complete required reports on schedule
18. Failure to perform assigned responsibilities
19. Reporting for work or being on duty under the influence of alcohol or drugs
20. Carrying a weapon while on duty
21. Citation for violation of traffic laws
22. Other just cause

**Physical inability will be determined by a competent physician to be selected by Eastbrook Community Schools Corporation. Eastbrook Community Schools Corporation will fully comply with provisions of the Americans with Disabilities Act of 1991 as amended.*

If an employee is involuntarily terminated by the school corporation for unsatisfactory performance, gross misconduct, or violation of any rule, policy, or procedure, the employee will not be eligible for payment of any paid time off (PTO), i.e., sick, or personal days. The employee may not use PTO during

the period of time from notification of termination to the date of departure, nor may the employee accrue or use PTO.

Infractions that involve item # 1, #2, #3, #4, or #5 listed above will result in immediate discharge. Other infractions may be dealt with in one or more of the following procedures:

1. Conference and written warning
2. One day/days off of the job without pay
3. Dismissal from the job

Conferences will be held with the appropriate supervisor. A written statement concerning the items discussed at the conference will be given to the employee. A copy of these documents (signed by the employee or witness acknowledging that the items were discussed) will be placed in the employee's file.

It is the policy of Eastbrook Community Schools Corporation to maintain learning and working environment that is free from sexual harassment. It shall be a violation of this policy for any employee of Eastbrook Community Schools Corporation to harass another employee or students through conduct or communications of a sexual nature.

GRIEVANCE PROCEDURE

Definitions

A "Grievance" is a claim based upon an alleged event or condition that affects the condition of employment of transportation personnel. Conditions of employment are as defined in this handbook.

A "Grievant" is a member of the transportation personnel having a grievance.

Purpose

The purpose of a grievance procedure is to secure, at the lowest possible administrative level, an equitable solution to grievances, which may arise from time to time.

Procedure

1. A grievance should be orally presented to the employee's immediate supervisor within five (5) working days after the alleged incident. If the grievance is not presented to the immediate supervisor within five (5) working days after the alleged incident occurred, the grievance shall be considered waived.
2. A grievance may be withdrawn any time by a written statement from the grievant to the immediate supervisor and to the superintendent.

Levels of Grievance

A. Level One

1. Within five (5) days after the oral response is made by the immediate supervisor, if the grievance is not resolved, the grievant shall submit the grievance, in writing and signed, to the immediate supervisor.
2. Within five (5) days after receiving the grievance, the immediate supervisor shall submit his response in writing to the grievant.

B. Level Two

1. If the grievance is not settled at Level One, it may be appealed to the Superintendent. Such appeal must be filed with the Superintendent within ten (10) days of receiving the supervisor's written response. A meeting with the Superintendent shall be held within five (5) days following the receipt of such notice and the Superintendent shall promptly notify the grievant of the date, the time, and the place where such appeal shall be heard.
2. The Superintendent's written decision shall be transmitted to the grievant within five (5) days after the hearing.
3. If the decision of the Superintendent is not satisfactory to the employee, the employee may make a request for review by the Board of School Trustees in writing within five (5) days of receipt of the Superintendent's decision.
4. The decision of the Board shall be final.

PHYSICAL PERFORMANCE STANDARDS

Physical Performance Standards (575 IAC 1-8) were enacted January 1, 2002. Under this new rule, school bus drivers who received their Standard Certification (yellow card) prior to January 1, 2002 do not have to meet the new standards provided they continue to attend the annual safety meeting each year and keep the Standard Certification continuously renewed.

Bus drivers who received their Standard Certification after January 1, 2002, will need to pass the Physical Performance Standards listed below:

1. Driver shall demonstrate the ability to exit the bus from a seat belted position in the driver's seat and exit from the rearmost emergency door. (Measurement is pass/fail)
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.
(Measurement is ten (10) times in ten (10) seconds or less.)
3. Driver shall demonstrate the ability to climb and descent the bus service door steps in a forward facing position two (2) times without stopping. (Measurement is pass/fail)
4. Driver shall demonstrate the ability to open and close the bus service door two (2) times without stopping from a seat belted position.
(Measurement is pass/fail)
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. (Measurement is pass/fail)

Bus drivers who received their yellow card after January 1, 2002 will have to be tested by the Director of Transportation and must pass the required standards. Drivers who fail the standards will not be permitted to drive a bus for Eastbrook, but may retest at a later date established by the Director of Transportation.

A list of drivers who have taken and passed the test will be kept on file in the Administration Office.

BUS SAFETY AND INSPECTION

It is the responsibility of the school bus drivers to maintain their buses by performing the following regular checks:

- A. REGULAR CHECK ONCE DAILY:
 - 1. Check oil
 - 2. Check water
 - 3. Check tires
 - 4. Check body for glass breakage, lights, etc.
 - 5. Check battery
- B. REGULAR SERVICE CHECK:
Check window sticker and set maintenance appointment prior to date and or mileage noted on sticker.
- C. CLEAN BUS INTERIOR AT LEAST ONCE A WEEK
- D. Be sure that the vehicle registration is in the bus and safety sticker is properly displayed. Registration is stored in First Aid with the insurance card or in the mounted clear sleeve above the driver.
- E.
- F. The vehicle may be taken to Best One Tire in Upland to check for safety concerns.
- G. Any deficiency that becomes a hazard, such as tires, brakes, traffic signal, etc., must be taken care of immediately.

PRE/POST TRIP INSPECTIONS

Eastbrook Required Pre/Post Trip Inspection procedure:

- A. All drivers will walk bus at the end of all trips.
- B. Using the student reminder system at the end of each trip, walk the bus conducting a careful search of the bus for students remaining on the bus. Press the system button to reset the system.
- C. If a student is discovered during the walk through, contact the Transportation Director, Transportation Assistant, Superintendent and the school the student attends via the radio.
- D. Return the student to the proper drop off site where the student should have disembarked and make sure the student is supervised at that site.

SECTION 2. IC 9-21-12-19 INDIANA CODE Sec. 19. (a) A person who operates a school bus or a special purpose bus shall visually inspect each seat within the interior of the school bus or special purpose bus at the end of a trip during which students or passengers are transported to determine that no student or passenger has remained on the school bus or special purpose bus. (b) The visual inspection required under subsection (a) must be conducted:

(1) at the conclusion of each trip during which students or passengers are transported; and (2) before the operator exits the school bus or special purpose bus. (c) A student or passenger is considered to have been left on a school bus or special purpose bus if: (1) the operator has reached the end of a trip during which students or passengers are transported and exited the school bus or special purpose bus; and (2) the student or passenger remains inside the school bus or special purpose bus. (d) A school bus or special purpose bus owner shall report all instances of a student or passenger being left on the school bus or special purpose bus to the Superintendent or the superintendent's designee immediately after the incident occurred. (e) The superintendent or the superintendent's 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.

RAILROAD PROCEDURES

SECTION 4. IC 9-21-12-17, AS AMENDED BY P.L.107-2006, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 17. (a) Except as provided in subsection (b), before crossing any railroad track at grade, the driver of a school bus or special purpose bus carrying a passenger shall stop the bus within fifty (50) feet but not less than fifteen (15) feet from the nearest rail. While the bus is stopped, the driver shall:

- (1) listen through an open door;
- (2) look in both directions along the track for an approaching train; and
- (3) look for signals indicating the approach of a train.

The driver may not proceed until it is safe to proceed. When it is safe to proceed, the driver shall select a gear that will allow the driver to cross the tracks without changing gears. The driver may not shift gears while crossing the tracks.

(b) The driver is not required to stop when a police officer is directing the flow of traffic across railroad tracks.

(c) Upon conviction of a violation of this section, a driver shall have the driver's operator's license suspended for a period of not less than sixty (60) days in addition to the penalties provided by section 11 of this chapter.

EMERGENCY PROCEDURES FOR SCHOOL BUS

1. Each bus must meet Federal and State Regulations for School Bus Safety
 - a. Properly constructed
 - b. Properly equipped
 - c. Complete bus body and chassis information filed at the Administration Office
2. Each school bus driver should be properly licensed and trained
 - a. Commercial Driver's License (CDL)
 - b. Annual Safety School attendance
 - c. Air Brake endorsement is required for all hires after 6/1/2014.
3. Licenses, endorsements, and records for attending Safety School
 - a. Kept in files at the Administration Office.
4. Each bus should have an Emergency Information Card containing:
 - a. Bus Number
 - b. Eastbrook Community Schools Corporation
 - c. 560 S. 900 E., Marion, IN 46953
 - d. Telephone: (765) 664-0624
 - e. These are located in the clear document protector overhead at front of the bus.
5. Emergency Number: 911
6. Each bus should have a current Bus Route Map:
 - a. Location and approximate times for:
 - i. Morning Pick-up
 - ii. High School shuttle run
 - iii. Afternoon pick-up, drop-offs and transfers
 - b. Any special circumstances or exceptions to the schedule/map
7. Each bus should have a current Student Roster including:
 - a. Students' Names
 - b. Students' Addresses
 - c. Students' Phone Numbers
 - d. Copies of Students' Medical Release Forms
8. Each bus should have Rules of Conduct for safe riding practices: Page 43/ Appendix B
 - a. Bus riders should follow these rules:
 - b. Follow directions the first time they are given.
 - c. Keep hands, feet, and objects to yourself.
 - d. Stay in your seat.
 - e. Feet flat on the floor.
 - f. No cursing, swearing, or loud talking
 - g. No pushing, shoving, or fighting
 - h. On the bus

- i. Sit in assigned seat at the driver's request.
- ii. Do not lean out the window of the bus.
- iii. Do not throw objects out the window of the bus.
- iv. Do not litter, write on, or damage the bus in any way.

9. Consequences for not following these rules may result in:

- i. Assigned seat or change of assigned seat
- ii. Getting off or on the bus last
- iii. Student conference with the driver
- iv. Parent notification by the driver
- v. Suspension of bus privileges for 1 day
- vi. Referral to the office and suspension for 3-5 days
- vii. Removal from the bus for the remainder of the semester or of the school year

10. Each bus should have a Bus Evacuation Plan:

- a. For Front and Rear Door Evacuation which is practiced at least once each semester
- b. During an evacuation every rider should know the following:
 - i. Emergency Doors
 - 1. Location
 - 2. Operation
 - 3. Number of seats to the nearest exit
 - ii. Fire Extinguisher
 - 1. Location
 - 2. Operation
 - iii. First Aid Kit
 - 1. Location
 - 2. Type of Supplies
- c. Exiting the Bus
 - i. Front Door
 - 1. Use handrails provided
 - 2. No pushing
 - 3. Watch for traffic and/or pedestrians
 - ii. Back Door
 - 1. Stoop down as low as possible
 - 2. Place hands on top of helper's hands
 - 3. Drop to the ground

11. Evacuation helpers

- a. All passengers should know who are assigned as helpers.
- b. Have assigned seats in front and rear of the bus
- c. Know the following:
 - i. Seats assigned to each helper
 - ii. Order of evacuation
 - iii. How to assist others from the bus
 - iv. How to exit
 - v. Area to send evacuated riders to regroup

- vi. How to help control the group
 - 1. Last two students to exit bus should bring:
 - a. Fire extinguisher
 - b. First Aid Kit – which should be fully stocked

12. School bus should be evacuated when:

- a. Fire is present
- b. Potential for fire exists
- c. Bus is situated in a dangerous position on the road
- d. NEVER evacuate a bus when it is involved with downed power lines!!!

13. Each bus should have a plan to deal with the sudden disability of a driver, a mechanical breakdown of the bus, or unsafe impassable road conditions.

14. Contact the Administration Office immediately.

- a. Driver uses the bus radio to request assistance.
- b. In case of radio failure, pull off the road surface, and use a cell phone to make a call to contacts on emergency card.

15. Driver/helpers maintain order on the bus until help arrives.

IF A GUN OR WEAPON IS SEEN ON THE BUS:

- 1. Calmly radio specific location of the bus to Administration Office.
- 2. Administration Office will immediately call law enforcement and immediate assistance will be provided.
- 3. Driver and Administration Office should document what occurred and the action taken.

IF A GUN OR WEAPON IS SEEN AT OR NEAR A BUS STOP:

- 1. Calmly radio the details of the location of weapon sighting to the Administration Office.
- 2. Administration Office will immediately call law enforcement agency.
- 3. Drivers should distance themselves from the weapon sighting.
 - a. Plan to take a different route in the afternoon or next morning, if possible.
 - b. Law enforcement agency will provide cars to assist in the area.
- 4. Driver should turn in a written description of the sighting to the Administration Office, as soon as possible.
- 5. Administration Office will report the incident to the appropriate building principal.

IF FIGHTING SHOULD OCCUR ON THE BUS:

1. Tell the riders to STOP fighting immediately.
2. Make mental note of:
 - a. Names of persons involved
 - b. Specific descriptions of the fight
3. If riders do not stop fighting:
 - a. Stop the bus.
 - b. Separate the students who were fighting.
 - c. Calmly radio the details and location of bus to the Administration Office.
 - d. Administration Office will notify the building principal.
 - e. Building principal will meet the bus and deal with the incident according to policies detailed in the Student Handbook.
 - f. File a complete report of the incident with the Transportation Director.

SEVERE WEATHER PROCEDURES

When severe weather including damaging winds and hail are imminent, it's always better to keep students in school buildings in designated safe areas. If this is possible, bus drivers should leave their buses, enter the nearest school building and seek a place of safety.

However, sometimes buses have left the building and encountered severe weather while on the route. In that event:

1. HEAVY RAIN OR HAIL

- a. If visibility becomes too difficult, the driver should look for the first available driveway and pull off the road. This will help prevent rear-end collisions by other vehicles.
- b. Do not park under trees!
- c. When the storm subsides or visibility improves to permit safe driving, the driver should return to the route.

2. TORNADO

- a. In case of tornado, students and the driver must evacuate the bus.
- b. Seek a low-lying area or depression such as a ditch or ravine.
Students and driver should lay face down and cover their heads.
- c. Do not take a position downwind from the bus. This will prevent having the bus blown on top of the students and driver.

In most instances it's best to stay on the bus and ride out the storm, but in the case of a tornado, it's safer to seek refuge outside the bus.

3. SNOW

- a. In case of heavy snow, DO NOT EXIT the bus, unless there is another bus available to load. Leaving the bus and walking could result in frostbite.

- b. Radio the administration office for assistance.

Bus Evacuation Drills

The purpose of school bus evacuation drills is to have the bus driver; bus aide and each student riding the bus know exactly what to do in case of emergency. Emergencies may occur because of fire, civil disturbance, weather or crashes. Actual emergency evacuations will occur at the discretion of the bus driver when there is a fire, potential for fire, or the bus is in a dangerous position that endangers the safety of the children.

PROCEDURE FOR CONDUCTING SCHOOL BUS EVACUATION DRILLS FOR REGULAR EDUCATION STUDENTS

Step 1

- A. The school bus driver will discuss school bus evacuation with their student riders. Bus evacuation will be part of each school's bus safety student training.
- B. Emphasize the fact that such drills are to acquaint students with bus evacuation procedures and that drills are to be conducted in a safe and orderly manner.
- C. School bus evacuation drills will be held during the fall and spring of each school year.
- D. Drills will be supervised by school personnel.
- E. Times and dates of such drills will be coordinated between Transportation Services and school principals.
- F. Evacuation drills will be held on school grounds in the morning and afternoon when buses are at school. This is the safest area for a drill evacuation.

Step 2

- A. Upon arrival at the school, the bus driver should proceed to the designated evacuation area and remain in the bus.
- B. Stop the bus, turn off the ignition switch, set the parking brake, remove the bus key, and inform the riders an emergency evacuation drill will be held. The driver will also announce the type of evacuation drill (front door, rear/side door, both doors).
- C. Students riding the bus will immediately cease all talking so that the instructions of the driver can be heard.
- D. Students must leave all books and personal items on the bus during drills unless instructed otherwise by the driver.

E. Students who are selected to help in these drills will be trained by the bus driver regarding evacuation procedures.

F. The bus driver will identify all emergency exit doors, roof hatches and windows (caution students to use roof hatches only if the bus is on its side or submerged in water). Students will also be advised of the location of the fire extinguisher, emergency reflectors and first aid kit.

G. Selected assistants will open the rear/side emergency door and assume their position on each side of the door, **remaining inside the bus** for front door only evacuation drills. Two other student assistants will be the first students to exit the school bus using the front entrance door and will lead other students to the assembly position. The remaining students will exit the bus per the bus driver's instructions. Students evacuating through the rear or side emergency doors will sit down, grab the hands of the student assistants, and then drop to the ground. **No student should jump out of the bus from a standing position.**

H. Bus drivers will remain in the bus in order to direct and maintain an orderly evacuation.

I. Direct students to go directly to an assembly position approximately 100 feet away from the vehicle and well into what would normally be the **right side of the road** and away from all traffic as they leave the bus.

J. Caution tall students to avoid striking the door header when unloading out of the rear/side door.

K. Begin the evacuation from the seat closest to the exit door on the driver side of the bus, then from the passenger side, alternating seats until all students have exited the bus. The driver will then check the bus to ensure all students are safely off, take the first aid kit, and join the students at the assembly point.

Step 3

A. After the bus has been evacuated, the students, at the proper signal, will re-enter the bus for their books and personal belongings.

B. Students will remain seated inside the bus until released by the bus driver.

C. The Bus Evacuation Drill Report will be completed by the bus driver and forwarded to the Transportation Director. The Transportation Director or their designee will report the information to the DOE website. If the drill is timed, the driver will complete the Bus Timed Evacuation Report and forward it to the Director of Support Services.

The bus driver is responsible for the safety of the students; however, in an emergency, the driver might be incapacitated and not be able to direct students to evacuate. Several reliable students on every bus route should be instructed how to:

A. Open all emergency exit doors, roof hatches and windows (caution students to use roof hatches only if the bus is on its side or submerged in water).

B. Set the parking brake.

C. Turn off the ignition switch.

- D. Use of two-way radio system.
- E. Kick out windows as additional emergency exits.
- F. Help small students off the bus.
- G. Account for all students.
- H. Place reflectors at proper distances.
- I. Summon help when and where needed.
- J. Perform other assignments.

The names of these student assistants will be provided to Transportation Services prior to the first evacuation drill of the year and will be included in the substitute driver information.

The purpose of the special needs school bus evacuation drills is to have the bus driver; bus aide and each student riding the bus know exactly what to do in case of emergency. Emergencies may occur because of fire, civil disturbance, weather or crashes. Actual emergency evacuations will occur at the discretion of the bus driver when there is a fire, potential for fire, or the bus is in a dangerous position that endangers the safety of the children.

PROCEDURE FOR CONDUCTING SCHOOL BUS EVACUATION DRILLS FOR RESOURCE BUS

Step 1

- A. The school bus driver will discuss school bus evacuation with all students. Bus evacuation will be part of each school's bus safety student training. Staff members of the resource department will also discuss bus evacuations with the students.
- B. Emphasize the fact that such drills are to acquaint students with bus evacuation procedures and that drills are to be conducted in a safe and orderly manner.
- C. School bus evacuation drills will be held during the fall and spring of each school year.
- D. Drills will be supervised by school personnel.
- E. Times and dates of such drills will be coordinated between Transportation Services and school principals.
- F. Evacuation drills will be held on school grounds in the morning and afternoon when buses are at school. This is the safest area for a drill evacuation.

Step 2

- A. Upon arrival at the school, the bus driver should proceed to the designated evacuation area and remain in the bus.

B. Stop the bus, turn off the ignition switch, set the parking brake, remove the bus key, and inform the riders an emergency evacuation drill will be held. The driver will also announce the type of evacuation drill (front door, rear door, both doors). ***The safety of our children is what counts. Since this is a DRILL, you must evacuate using the same loading/unloading procedures as you normally would.***

C. Students riding the bus will immediately cease all talking so that the instructions of the driver can be heard.

D. The bus aide will be trained by the Special Education Transportation Coordinator and/or bus driver regarding evacuation procedures.

E. The bus driver will identify all emergency exit doors, roof hatches and windows (caution students to use roof hatches only if the bus is on its side or submerged in water). Students will also be advised of the location of the fire extinguisher, emergency reflectors and first aid kit.

F. The bus aide will assist the driver to evacuate the bus as normal, using the front door and the lift. ***Remember, DO NOT remove students from their wheelchair, this is only a drill. Do not cut the securement straps, release as normal.***

G. The aide will take the students to a position approximately 100 feet away from the vehicle and well into what would normally be the **right side of the road** and away from all traffic as they leave the bus.

I. The driver will then check the bus to ensure all students are safely off, take the first aid kit, and join the students at the assembly point.

Step 3

The Bus Evacuation Drill Report will be completed by the bus driver and aide and forwarded to the Transportation Director Services. If the drill is timed, the driver will complete the Bus Timed Evacuation Report and forward it to the Director of Support Services.

The bus driver is responsible for the safety of the students; however, in an emergency, the driver might be incapacitated and not be able to direct students to evacuate. The bus aide will be instructed how to:

A. Open all emergency exit doors, roof hatches and windows (caution students to use roof hatches only if the bus is on its side or submerged in water).

B. Set the parking brake.

C. Turn off the ignition switch.

D. Use of two-way radio system.

E. Kick out windows as additional emergency exits.

F. Help small students off the bus.

G. Account for all students.

H. Place flags and reflectors at proper distances.

I. Summon help when and where needed.

J. Perform other assignments.

BUS DRIVER

Job Description

Qualifications:

1. Must be at least 21 years of age.
2. Must hold a current CDL Public Passenger License.
3. Must have certification as a school bus driver from the Department of Public Instruction, or be prepared to enroll in a course in school bus safety education.
4. Must have an excellent, safe driving record.
5. Previous work record should demonstrate reliability.
6. Should possess strength of personal character and provide necessary leadership.
7. Should be emotionally stable exhibiting such factors as patience, calmness and understanding.
8. Physically qualified as determined by a physical examination and random drug testing
9. Good moral character as evidenced by the absence of any criminal or unethical convictions, or rehabilitation to the satisfaction of the Board of Education.
10. Ability to function harmoniously with co-workers, supervisors, administration, staff, students and parents.
11. Ability to adjust to changes in daily routines and cope with emergency situations

Reports to: Director of Transportation

General Responsibilities:

To work cooperatively with the administration, Director of Transportation, Bus Drivers and parents to provide efficient and safe transportation so students will gain the fullest possible advantage from the district's curricular and extra-curricular programs.

Specific Responsibilities:

1. Operate the bus in compliance with all traffic laws and established safe driving practices.
2. Maintain an established route and time schedule for all trips.
3. Establish reasonable behavior control on the bus.
4. Make all necessary discipline reports through established channels and procedures.
5. Perform periodic, routine checks to ensure that all safety and warning equipment is operable.
6. Make sure all pre-school students are in appropriate seating.
7. Submit all required reports on time.
8. Ensure that the bus is prepared for the annual and periodic State Police inspections.
9. Clean the interior of the bus and windows.
10. Take the bus to assigned place for regular maintenance service.
11. Make recommendations to Transportation Director for major maintenance service needs.
12. Report emergency conditions through established procedures.
13. Recommend route changes through the Director of Transportation.
14. Any other duties that may be assigned from time to time by the Superintendent or his designee.

Evaluation:

Shall be performed annually by the Transportation Director as established by school policy and will be provided to the employee in writing.

BUS DRIVER (RESOURCE)

Job Description

Qualifications: See Bus Driver Description Above

Reports to: Directors of Transportation and Special Education

General Responsibilities:

To work cooperatively with the administration, Directors of Transportation and Special Education, other bus drivers, aides and parents to provide efficient and safe transportation so that students may access educational programs most appropriate to meet their individual educational goals.

Specific Responsibilities of all bus drivers: See Bus Driver Description Above

Specific Responsibilities of Resource Bus Drivers:

1. Notify the parent/guardian of the driver and aide's names, the appropriate bus information, pick-up and drop off times and locations.
2. Be consistent on pick up and drop off times. Wait a maximum of 2 minutes for any student at the appropriate pick-up location. If that student is not exiting the home at the end of the 2-minute wait, then the bus will continue on its route.
3. Ensure that the bus has been pre-tripped and checked for all the appropriate safety devices, and the transport securing devices for all students.
4. Be prepared to provide appropriate first aid by checking and restocking the first aid equipment provided on the school bus.
5. Display appropriate patience, care and concern with each individual student and parent or guardian.
6. Establish and maintain emergency evacuation plan, listing each passenger and their assigned seat and be prepared to effectively and efficiently evacuate the bus in the event of an emergency.
7. Keep a notebook for substitute drivers and emergency personnel that will easily identify each student and will have the accompanying emergency information on each student. Maintain an up to date emergency information sheet on each student. These should be updated every 3 months with the date of the update noted at the top of the sheet. A copy should be submitted to the Director of Special Education who will maintain a duplicate file.
8. Understand and support the privacy and confidentiality of those students for which you are responsible on a daily basis.
9. Bus discipline reports are to be submitted to the designated school administrator and/or the office of Special Education when a behavior problem occurs on the bus.
10. Check with the bus aide to insure that students are properly secured before leaving a pick-up site.
11. Monitor that students are properly secured.
12. Make sure that all students are in appropriate seating.

Evaluation:

Shall be performed annually by the Transportation Director as established by school policy and will be provided to the employee in writing.

BUS AIDE

Job Description

Qualifications:

1. Must be at least 18 years of age.
2. Previous work record should demonstrate reliability.
3. Should be emotionally stable exhibiting such factors as patience, calmness and understanding.
4. High school diploma or equivalent
5. Valid Indiana driver's license
6. Clean driving record
7. Good moral character as evidenced by the absence of any criminal or unethical convictions, or rehabilitation to the satisfaction of the Board of Education
8. Ability to function harmoniously with co-workers, supervisors, administration, staff, students, and parents.
9. Ability to adjust to changes in daily routines and cope with emergency situations.
10. Physically capable of lifting for purposes of putting students in car seats, positioning in wheelchairs, etc.

Reports to: Bus Driver, Directors of Transportation and Special Education

General Responsibilities:

To work cooperatively with the administration, Directors of Transportation and Special Education, bus drivers and parents to provide efficient and safe transportation so that students may access educational programs most appropriate to meet their individual educational goals.

Specific Responsibilities:

1. Display appropriate patience, care and concern with each individual student and parent or guardian.
2. Be prepared to provide appropriate first aid as needed.
3. Be positioned inside the bus to best assist with all students and their disabilities. The aide will be expected to work with each child, on an as needed basis, and will assist the driver by securing each student in his or her appropriate seat or location on the bus. It is not solely the responsibility of the driver to make this a practice that insures the safety of each student for which both the driver and aide are responsible.
 - a. The aide will sit near the students. When students are present on the bus, the aide will sit in the middle to the rear of the bus.
4. Be prepared to effectively and efficiently evacuate the bus in the event of an emergency.
5. Understand and support the privacy and confidentiality of those students for whom you are responsible on a daily basis.

6. Assist the bus driver in maintaining good student conduct on the bus and inform the driver of student violations of bus rules and regulations.
7. Assist young or disabled students in getting on and off the bus in an orderly fashion.
 - a. Buckle in preschool students correctly and securely fasten wheel chairs for transport.
8. Complete all required reports as directed by the Director of Transportation.
 - a. Maintain a record of hours worked and assist the driver in maintaining route records.
9. Conduct other duties as assigned by the Superintendent or Director of Special Education.
 - a. Assist the driver in performing a walk through at the end of each route.
10. Operate the lift to load and unload students in wheel chairs and casts, and attach wheelchairs to the appropriate brackets to secure student riders properly.
 - a. Bus aide will work the chair lift from inside of the bus while the driver is responsible for outside the bus operation.
11. Attend safety workshops, in-service training, and pre-school operational meetings as required and scheduled by the Director of Transportation and/or the Director of Special Education.

Evaluation:

Shall be performed annually by the Transportation Director with input from the Director of Special Education as established by school policy and will be provided to the employee in writing.

ECA Assignments

EASTBROOK COMMUNITY SCHOOLS CORPORATION

ECA TRIP ASSIGNMENT PROCEDURES

1. Elementary schools will contact and arrange bus drivers for their field trips.
2. Transportation Assistant will assign all JH/HS ECA trips. Athletic Secretary will be in charge of athletic trips. Athletic trips will be assigned using a lottery system until all trips have been assigned. Once the order of choice is chosen via the lottery system drivers will pick in order trip dates until all dates are filled. These trips will be filled before each season (Fall, Winter, and Spring). Drivers will be notified of the lottery date via bus radio and a global connect phone call.
3. After the trip sheets have been distributed to the drivers, drivers with conflicts will contact other drivers to make arrangements to drive the trip. Please notify Athletic Secretary (664-1214 ext. 6001) of any changes within 1-3 days. Master trip sheets will be prepared following notification of changes and distributed to bus drivers, the Athletic Department, and the Administration Office for the junior high school and high school trips only once per sport season after the initial changes.
4. Drivers should arrive on time at the pick-up location. Beginning mileage should be filled out on the trip sheet. Verify with the coach/sponsor the destination and estimated time of arrival. Also, discuss any special arrangements. Provide seating chart for coach/sponsor to complete.
5. After arriving at the destination, verify with the coach/sponsor the estimated time to pick up the students after the event and the pick-up location. After the coach/sponsor and students have exited the bus, park in a pre-determined location. Inspect the bus interior and exterior. Attend the event if desired.
6. Fifteen to twenty minutes prior to the pre-arranged time or before students will board the bus, perform a pre-trip inspection and move to the pre-determined pick-up location.

7. Pick up students and coach/sponsor. Verify with the coach/sponsor that all students are accounted for and have boarded the bus. The Coach will complete the student seating chart as the trip begins. Confirm the return location and/or other special arrangements.
8. Students and the coach/sponsor should pick up any trash and leave the bus clean. Passengers should exit the bus in an orderly manner. Check bus interior, refuel, and perform the post-trip inspection. Complete the trip sheet mileage.
9. Return the trip sheets to the secretary of the school or to the Transportation Assistant at the Administration Office.

HAVE A GREAT TRIP AND THANK YOU FOR YOUR SERVICES!

EASTBROOK COMMUNITY SCHOOLS
TRANSPORTATION SEATING CHART

Driver _____ Bus No. _____ Route Trip Name _____

DRIVER			DOOR	
		A I S L E		
		A I S L E		

STUDENT INFORMATION SHEET FOR ALL SCHOOL BUS PASSENGERS

RETURN FORM AT REGISTRATION. IT WILL BE FORWARDED TO YOUR DRIVER.

STUDENT NAME _____ GRADE _____

STUDENT ADDRESS _____

HOME PHONE _____ CELL PHONE OR ALTERNATE PHONE NUMBER _____

PRINTED NAME OF PARENT OR GUARDIAN _____

BUILDING (CIRCLE ONE): EASTBROOK SOUTH EASTBROOK NORTH JH HS

_____ WALKER _____ BUS RIDER _____ CAR RIDER _____ DRIVER _____ TOWN BUS RIDER

All high school drivers must register their vehicle with the high school office.

******DO NOT FILL OUT THE INFORMATION BELOW UNLESS YOUR CHILD IS A BUS RIDER.******

LAST YEAR'S BUS DRIVER _____ BUS NUMBER _____

We are requesting information regarding where to leave your child/children in the event that no one is home after school. Please discuss with your child/children what they are to do if this situation should arise.

In addition, please inform your emergency contact person of the arrangements that you have made with your child/children. Every effort will be made to safely deliver your child/children to the emergency contact person's residence as per pre-arranged instructions from the parents.

Thank you for your prompt attention to this request.

CHILD CAN BE LEFT HOME ALONE (circle one) YES NO
(If no is indicated, emergency location information must be filled out)

EMERGENCY LOCATION ON BUS ROUTE _____

EMERGENCY NAME AND RELATIONSHIP (Relative) _____

(Friend) _____

EMERGENCY PHONE NUMBER _____

HEALTH CONCERNS OF WHICH DRIVER NEEDS TO BE AWARE IN THE EVENT OF AN EMERGENCY

SIGNATURE OF PARENT OR GUARDIAN _____ DATE _____

THE PARENTAL SIGNATURE INDICATES THAT YOU HAVE READ THE ATTACHED TRANSPORTATION REGULATIONS AND YOU ARE IN UNDERSTANDING OF THE CONSEQUENCES OF YOUR CHILD'S BEHAVIOR.

APPENDIX A

EASTBROOK COMMUNITY SCHOOLS CORPORATION
560 S 900 EMARION, IN 46953
(765) 664-0624 (765) 664-0626 (FAX)

ACCIDENT REPORT

Driver's Name _____ Bus # _____

Driver's License Number _____

Driver's Social Security Number _____

Address _____ Telephone # _____

Accident Date _____ Time _____ AM/PM (please circle
one)

Other Driver's Name _____ Telephone # _____

Address _____ City _____ State _____

Driver's License Number _____

Other Driver's Insurance Company _____

Address _____ Telephone # _____

Location of the Accident

Were any injuries reported? _____ Yes _____ No

Name(s) of the Injured Parties 1. _____ 2. _____

3. _____ 4. _____ 5. _____

Please describe the nature of the injury and how it happened

Did the injury require medical attention? _____ Yes _____ No

Was the person admitted to the hospital? _____ Yes _____ No

Was there personal property damage? _____ Yes _____ No

Please describe the extent of the damage

Estimate the dollar amount of damage \$ _____

Please list the names and addresses of any witnesses:

Name _____ Address _____

Name _____ Address _____

Name _____ Address _____

Name _____ Address _____

Was the accident investigated by a police agency? _____ Yes _____ No

Name of Police Agency

Officer's Name _____ Badge # _____

PLEASE SIGN AND RETURN THIS FORM TO THE ADMINISTRATION OFFICE OF THE EASTBROOK
COMMUNITY SCHOOLS CORPORATION, 560 S 900 E, MARION, IN 46953.

Signature _____ Date _____

cc: Insurance Company/File

Appendix B

EASTBROOK COMMUNITY SCHOOLS CORPORATION SCHOOL BUS PASSENGER REGULATIONS

School bus drivers are responsible for the control of all students transported between the home and the school and on extra-curricular trips. The driver shall keep order, maintain discipline among the students while in the bus, treat all students in a civil manner, see that no student is imposed upon or mistreated while in his/her charge, and use every precaution for the safety and welfare of the students under his/her charge. School bus drivers have the authority to assure that the following regulations are observed. Thank you for reviewing these regulations with your child/children to assure their safety.

Habitual or gross disregard for bus discipline could result in loss of transportation privileges for a period of time.

1st offense - Bus driver warns student and contacts parents; referral to administration.

2nd offense - Bus driver notifies parents and suspends student off the bus for one (1) day; referral to administration.

3rd offense - Referral to administration; administration contacts parents and suspends student off the bus for three (3) to five (5) days.

4th offense - Referral to administration; administration contacts parents and removes student from the bus for the remainder of the school year.

In addition to the regular code of school conduct, the drivers also have jurisdiction over the following:

1. Students are not to ride buses to which they are not assigned.
2. Unauthorized persons are not permitted to ride the school bus at any time. Eastbrook students, drivers, aides, and approved chaperones are the only ones allowed to ride an Eastbrook school bus.
3. Students should be seated, and remain seated, immediately upon entering the bus in the area or seat the driver assigns.
4. Consumption of food on the bus is not permitted.
5. Students may use their own individual water bottles to drink water as long as their use does not create a disturbance on the bus.
6. Students should be ready to board and be present at the pickup location when the bus arrives. Buses will not wait for students still in their homes or not at the approved bus stop. In the case of the bus arriving later than the regular pick-up time, the driver will not wait if the student is not physically at the stop.
7. Students are required to ride the bus for the entire route going and coming from school. Drivers are responsible for the students and will not allow departure from their charge without permission from the Transportation Director or designee. Parents or guardians need to make contact prior to the event, except in the case of an emergency.
8. Students may use cell phones on the school buses as long as their use does not cause a disturbance on the bus. The driver has the right to take the cell phone from the student if a disturbance occurs and turn it into the school office. The driver is not responsible for the condition of the phone.
9. All school rules and regulations as adopted in the student handbook apply while the student is on the bus or at the bus stop.
10. Riding a school bus is a PRIVILEGE-NOT A RIGHT. Don't jeopardize this privilege with inappropriate behavior on the school bus!

Appendix C

Cell Phone / Hand-held Communication Policy

Eastbrook Community Schools follow and support federal regulations that prohibit the use of a cell phone while operating our buses. Failure to adhere to this regulation can result in a civil penalty according to both federal and state regulations.

CFR 49 392.82 prohibits the use of a cell phone by making illegal the use of a cell phone unless you are in an emergency situation or you have your CMV pulled over and in a parked position.

Use of a hand held mobile telephone by law means; (49 CFR Part 390.5)

2. Using at least one hand to hold a mobile telephone to conduct a voice communication;
3. Dialing or answering a mobile telephone by pressing more than a single button or
4. Reaching for a mobile telephone in a manner which requires a driver to maneuver so that he or she is no longer in a seated position.

Guidance to our bus drivers:

- Driving would mean operation a commercial vehicle while on a public road, and when stopped in traffic on such a road. This is defined as anytime we are on route with or without students. Driving does not include occurrences when the driver is safely parked. However, unless an emergency situation exists we should avoid using the phone when students are on the bus. This will help prevent misunderstandings with our families concerning incorrect phone usage.
- Emergency use of a hand held device is permitted. In an emergency situation pull over safely out of traffic and then make the call concerning health and safety issues.
- The term mobile telephone does not include two-way radio installed in our fleet. The two-way radio is always an option to communicate with other drivers or with our buildings.
- Do not use your phone as a clock; this can be easily mistaken as operating the phone for communication purposes. Either mount a battery operated clock in the bus in plain view or wear a watch for telling time.
- Eastbrook Community Schools does not allow the use of Bluetooth headsets, ear pieces, or other technology that enables use of a cell phone while driving on a public road. We prohibit devices that could distract a driver from their task of safely performing their duties.

Federal Penalty:

Drivers who violate the restriction will face federal civil penalties of up to \$2750 for each offense and disqualification from operating a commercial motor vehicle (CMV) for 60 days with the second offense in 3 years. (120 days for each subsequent offense within 3 years) This only applies if violation occurred while driving a CMV. Our school, if deemed as allowing our drivers to use hand-held cell phones while driving, can be subject to a maximum penalty of \$11,000.

APPENDIX D

**EASTBROOK COMMUNITY SCHOOLS CORPORATION
BENEFITS SUMMARY FOR
BUS DRIVERS
2022-2023 SCHOOL YEAR**

WAGES Updated at the beginning of the school year
Base Daily Rate \$105.00 + .05 per year of experience
Substitute \$105.00 Full Day
\$52.50 Half Day, AM or PM

Contract calculation: School days driven per school calendar + 2
(additional paid days) + 6 (paid holidays) = Total days

LEAVE Updated at the beginning of the school year

	<u>Per Year</u>	<u>Accum. To</u>
Sick	5	55
Personal	2	3
Bereavement	See Handbook	
Paid Holidays	6	
Labor Day	1	
Thanksgiving	2	
Christmas Eve & Day	2	
New Year's Day	1	

RETIREMENT Required for drivers who work at least 600 hours per year
Public Employees' Retirement Fund (P.E.R.F.)
Cost: 3% of gross wages paid by employer

SEVERANCE PAY

To Qualify:

Minimum 10 consecutive years at Eastbrook
Regular bus driver contract
Age minimum 55 years at retirement

Paid at Retirement:

1. Accumulated sick leave at retirement at 50% of daily rate at Time of retirement; **OR,**
2. \$50 per years of service at Eastbrook

Notice of retirement should be given to the corporation prior to July 1 in the year preceding retirement. Severance pay will be made in one payment within 30 days of the retiree's last working day.

ADDITIONAL PAID DAYS (as included on the contract)

Safety School/Opening Day-----1

Bus Routing Review-----1

Appendix E

DOT Physicals Policy

This policy covers the initial required DOT physical only and cannot be used to cover subsidiary follow-ups or more than one physical per eleven (11) month period on a one (1) year, or every twenty three (23) months on a two year, required DOT physical. All drivers with a CDL license are required to undergo a physical examination from a licensed physician and submit the completed DOT/CDL physical form to Eastbrook Community Schools Transportation Department. The driver must take the proper forms to the Indiana Bureau of Motor Vehicles.

**** Note that some drivers may have to renew physicals every two (2) years or yearly dependent upon medical conditions**.**

- A. Regular Route Drivers – The Corporation will pay for CDL physicals up to \$100 annually or biennially based upon the required one (1) or two (2) year physical DOT requirement.
1. The reimbursement will only pay for the cost of the physical up to \$100. Provide a receipt from the exam and the CDL paper work to receive reimbursement.
- B. Substitute Drivers – The Corporation will pay CDL physicals at the same rate as a regular full time route driver once annual requirements are met.
1. Annual requirements - The substitute driver must work a minimum of 20 accumulated days during the school year to receive the DOT Physical benefit from Eastbrook Community Schools.
 - a. Full day regular routes (morning and afternoon route combined) will count as one full day.
 - b. A morning or afternoon route individually will count as half a day.
 - c. All extracurricular trips will count as one day.
 - d. If a substitute driver receives a CDL physical during the academic year, they may submit a receipt for their physical to receive reimbursement once the twenty day threshold has been reached.

Note: For the convenience of both the driver and Eastbrook Community Schools, it is recommended that drivers begin the process of renewing DOT physicals a month prior to the expiration date.

Eastbrook Community School Corporation

SUBSTANCE ABUSE POLICY

FOR

Employees with Commercial Driver's License

for Compliance with

49 CFR Part 382.601 and 49 CFR Part 40

Table of Contents

Section	Pg.
Statement of Purpose and Policy	52
I. Purpose	53
II. Provisions	53
A. Applicability	53
B. Prohibited Conduct	53
C. Prescription Medication and Other Medication	54
D. Refusal to Test	54
E. Types of Tests	54
1. Pre-Employment Testing	55
2. Random Testing	55
3. Post-Accident Testing	55
4. Reasonable Suspicion	56
5. Return-to-Duty Testing	57
6. Follow-up Testing	57
F. Controlled Substance Testing	57
1. Urine Collection Procedures	57
2. Laboratory Procedures	57
3. Validity Testing	57
4. MRO Procedures	58
5. Diluted Specimens	58
6. Medical Information Disclosure	58
7. Safeguards to Protect Integrity	58
G. Split Specimen Testing Protocol	59
H. Alcohol Testing Protocol	59
I. Educational Materials	60
III. Disciplinary Procedures	60
IV. Substance Abuse Evaluation, Return To Duty, and Follow Up Testing	60

V.	Voluntary Disclosure	61
VI.	Confidentiality and Release of Information	61
VII.	Responsibility	62
VII.	General Policy Declaration	62
	Appendix	
	Abbreviations and Terms	63
	Definitions	63

STATEMENT OF PURPOSE AND POLICY

Employees are an extremely valuable resource for Eastbrook Community School Corporation's business. Their health and safety is a serious concern of Eastbrook Community School Corporation. Drug or alcohol use may pose a serious threat to employee health and safety. It is therefore, the policy of the Eastbrook Community School Corporation (hereafter referred to as School) to prevent substance use or abuse from having an adverse effect on our employees. The School maintains that the work environment is safer and more productive without the presence of alcohol, illegal or inappropriate drugs in the body or on School property. Furthermore, employees have a right to work in an alcohol and drug-free environment and to work with employees free from the effects of alcohol and drugs. Employees who abuse alcohol or use drugs are a danger to themselves, their coworkers and the School's assets.

The adverse impact of substance abuse by employees has been recognized by the federal government. The Federal Motor Carrier Safety Administration ("FMCSA") has issued regulations which require the School to implement a controlled substance testing program. The School will comply and require that a driver submit to alcohol and controlled substance tests administered in accordance with these regulations and are committed to maintaining a drug-free workplace. All employees are advised that remaining drug-free and medically qualified to drive are conditions of continued employment with the School.

Specifically, it is the policy of the School 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 School premises, engaged in School business, while operating School equipment, or while under the authority of the School is strictly prohibited. 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.

The execution and enforcement of this policy will follow set procedures to screen body fluids (urinalysis), conduct breath testing, and or search all covered employees including applicants for alcohol and drug use. 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 the terms of any contract of employment. The School retains the sole right to change, amend or modify any term or provision of this policy without notice. This policy is effective 04/09/2012, and will supersede all prior policies and statements relating to alcohol or drugs.

Administrative Guide to Eastbrook Community School Corporation's

Substance Abuse Testing Procedures

I. Purpose

The purpose of this administrative guide is to set forth the procedures for the implementation of controlled substance and alcohol use and testing of employee applicants and current employees pursuant to the School's Substance Abuse Policy. These procedures are intended as a guide only, and are in no way intended to alter any existing relationship between the School and any employee.

The School Corporation's drug and alcohol program administrator designated to monitor, facilitate, and answer questions pertaining to these procedures is the **Director of Transportation**.

II. Provisions

A. Applicability

This policy applies to all School employees that utilize a Commercial Driver's License (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 Weight 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.

B. 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 conditioning 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 time 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 six (6) 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.

C. Prescription Medication and/or Other Medication and/or Controlled Substance Use

1. An employee is prohibited from reporting for duty or remaining on duty when the employee uses any controlled substance, except when the use of prescription medication 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 School with proof of such medical advice. The School can decide if the employee can remain at work or on the School 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 or other senses, (including dizziness or drowsiness), or which may adversely affect the employee's ability to perform work in a safe and productive manner, must notify the School prior to starting work or entering any School premises. The School will decide if the employee can remain at work or on the School 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.

D. Refusal to Test

Refusal to submit to the types of drug and alcohol tests employed by the School 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 employer'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 or decline to take an additional drug test the employer or collector has directed you to take.
7. 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.
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. For an observed collection, fail to follow the observer's instruction to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.
10. Possess or wear a prosthetic or other device that could be used to interfere with the collection process.
11. Admission to the collector or MRO by the employee that they adulterated or substituted their specimen.
12. A report from the MRO of a verified adulterated or substituted test result.
13. Refusing to sign step two (2) of the alcohol testing form.

E. Types of Tests

Pursuant to regulations promulgated by the Department of Transportation (DOT), the School has implemented the following circumstances for drug and alcohol testing: pre-employment (drug testing only), post-accident, random, reasonable suspicion, return-to-duty, and follow-up testing.

1. Pre-employment Testing

As a condition of employment, the employee applicant shall provide the School with a written authorization for all previous employers within the past three (3) years to release drug and alcohol testing records as the DOT and FMCSA regulations require. Within thirty (30) days of performing a safety-sensitive function, DOT regulations require that the School obtain, to the extent available, certain drug and alcohol testing records from the employee's previous employers for the previous three (3) 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.

2. Random Testing

The School conducts random drug and alcohol testing. The School 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 School will drug test at a rate established by the DOT for the given year. The School will alcohol test 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 School 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.

3. Post-Accident Testing

Following any accident, the employee must contact the School 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 School or its representative to complete required testing.

For other accidents not covered by the DOT definition above, the School may require a non-regulated drug and alcohol test when:

- The employee's actions may have contributed or cannot be completely discounted as a contributing factor to an accident.
- In this case, an accident shall mean an incident which results in damage over \$1000.00 or personal injury.
- An incident results in a lost time injury.

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 School may request testing documentation from such agencies, and may ask the employee to sign a release allowing the School 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 School 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.

4. 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. 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 he/she believes, after observing or talking to the employee, that the conduct or performance problem could be due to substance 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 a refusal to test violation and 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 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 School-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 School vehicle until a confirmed negative test result is received.

5. Return to Duty Testing

A return to duty test will be required for all 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 School have determined that the employee may return to duty.

6. Follow-up Testing

Any 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 4 years. Employees covered by a DOT agency will be tested in accordance with DOT regulations and the recommendations of the substance abuse professional.

F. Controlled Substance Testing Protocol

1. 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 explanation.
 - b. The specimen is determined to be negative-dilute with a creatinine value >2 mg/dl but <5 mg/dl.
 - c. The collector observes evidence of an employee's attempt to tamper with the specimen.
 - d. The temperature of the specimen is out of range.
 - e. The specimen appears to have been tampered with.
 - f. The test is a return-to-duty or follow-up test.
6. As part of the collection process, the specimen provided will be split into two portions; a primary specimen and a secondary (split) specimen.
7. 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.
8. After collection, the specimen will be submitted to a SAMHSA certified laboratory for testing.

2. Laboratory Procedures

Drug testing will be performed through urinalysis. Urinalysis will test, at a minimum, for the presence of drugs and/or metabolites of the following controlled substances: marijuana, cocaine, opiates, amphetamines and 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.

3. 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 School or its agents.

4. MRO Procedures

1. All test results will undergo a review process by the MRO.
2. Negative test results will be reported directly to the School by the MRO.
3. Positive, adulterated or substituted results will be handled in the following manner by the MRO:
 - a. Before reporting a positive, adulterated or substituted test result to the School, the MRO will attempt to contact the employee to discuss the test result.
 - b. 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.
 - c. For adulterated or substituted results, the employee must demonstrate that he or she did produce or could have produced urine, through physiological means, meeting the creatinine and specific gravity criteria of a substituted or adulterated specimen.
 - d. If the MRO is unable to contact the employee directly, the MRO will contact the DER designated in advance by the School, 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.
 - e. 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 if the employee expressly declines the opportunity to discuss the test, the MRO may verify the test as positive or a refusal.
 - f. 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.
 - g. After any verified positive or refusal to test determination, the employee may petition the MRO to reopen the case for reconsideration.

5. Diluted Specimens

If a test is reported as negative and diluted another test will not be required. Eastbrook Community Schools will accept the diluted test as a valid negative test.

6. 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 School and will be kept strictly confidential unless consent for the release of the test result has been obtained. 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.

7. Safeguards for the integrity of the drug testing process

1. The collector must obtain photo identification from the employee or identification by supervisor prior to administering the test.
2. The employee will be asked to wash their hands.
3. The employee signs the chain of custody form signifying the correctness of data for test reporting.
4. Electronic communication of test results from the laboratory into the MRO reporting system with no external human intervention.
5. The specimen container and specimen bottles are individually wrapped and unwrapped in employee's presence.
6. After the specimen is provided in a reasonable time, the collector inspects it for sufficient volume, temperature and signs of tampering. If a specimen is not provided, the employee will be referred to a MRO to determine whether there is a valid medical reason. If there is, the

employee must still attempt to provide a specimen each time the employee is required to test under this program.

7. After the specimen is given to the collector, the remaining collection procedures are conducted in employee's view.
8. The specimen bottles and shipping container are sealed with tamper evident seals.
9. The employee will be asked to sign the seals covering the specimen bottles identifying they were sealed in their presence.
10. The specimen number on the bottle seals match the specimen number on the chain of custody form.
11. The laboratory will check the specimen bottles upon receipt to insure the seal has not been broken. If the seal has been broken the laboratory will report the test as cancelled.
12. Blind sample submission through the laboratory for quality control.
13. A collector who has completed the qualification training as mandated in CFR Part 40 as amended will perform the collection.

G. 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 School 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 School. 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 arrangement with the laboratory to initiate the process.

H. 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 School. 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.

Alcohol Testing Safeguards For Employee's Protection

1. The BAT must obtain employee's photo identification prior to administering the test.
2. An individually wrapped mouthpiece will be opened and inserted into the EBT for the employee's test.

3. The National Highway Traffic Safety Administration approves the EBT that is used.
4. Calibration checks are frequently performed to insure the EBT is working efficiently.
5. If the screening test indicates a 0.02 or greater, a confirmation test will be administered.
6. An air blank will be administered prior to the confirmation test with a 0.000 reading.
7. An individually wrapped mouthpiece will be inserted for the confirmation test.
8. The BAT has completed the required training course in the correct operation of the EBT.

I. Educational Materials

The School 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 School's policies and procedures with respect to meeting these requirements. The materials supplied to the employees may include information on additional School policies with respect to the use or possession of alcohol or controlled substances. 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 School'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 or she has received a copy of these materials described in Part 382.601 of the Federal Motor Carrier Regulations. The School 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.

III. Disciplinary Procedures

Any employee who has a positive test for alcohol (.04 BAC or greater) or controlled substances or has refused to test is considered in violation of this policy. This employee is not qualified to drive a commercial motor vehicle and will be immediately removed from safety-sensitive duty. The consequences of testing positive or refusing to test are outlined below.

1. *Discipline for testing positive*
2. *Discipline for adulterated or substituted results*
3. *Discipline for refusing to test*

Any employee with a testing violation, including the above stated circumstances, will immediately be discharged from their driving duties and subject to termination. The DOT regulations further requires the employer to immediately remove the employee from performing safety-sensitive functions after receipt of a verified positive drug test, verified adulterated or substituted drug test result, refusal to test, or alcohol test result of 0.04 or higher, and not to wait until the employer receives the written report or result of split specimen test.

IV. Substance Abuse Evaluation, Return To Duty, and Follow Up Testing

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

1. Complete an initial evaluation with a SAP.
2. Complete any rehabilitation and/or education required by the SAP.
3. Complete a second evaluation with the SAP and obtain written confirmation of satisfactory progress and/or completion of all recommendations.
4. Complete a return-to-duty test that is issued with a negative result.
5. As a condition of continued employment, the employee will be required to submit to a minimum of 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 School'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.

V. Voluntary Disclosure

The School encourages personnel to seek help if they feel they have a problem with drug or alcohol misuse before it becomes a matter of discipline with the School. If an employee who voluntarily discloses to the School that he/she believes that he/she has a drug or alcohol problem, the School will assist them 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 School's attention prior to any testing conducted by the School. Upon disclosure of a problem to School personnel, the employee will be removed from all safety-sensitive duties without pay until completion of all steps outlined in Section IV of 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.

VI. 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 School may release information as follows:

1. Copies of the results of alcohol or drug testing to an identified person provided the employee has provided written consent.
2. Copies of information requested by the Secretary of Transportation, any DOT agency, or any State or local official with regulatory control over the School or any of its employees.
3. The results of post-accident testing when requested by the National Transportation Safety Board as part of an accident investigation.
4. 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)

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 or her alcohol or controlled substance tests.

VII. Responsibility

- A. Employee - All School Corporation employees that hold a valid CDL are responsible for abiding by this procedure as a condition of their employment.

B. Management Officials and Supervisors

All supervisors and School Corporation 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 School Corporation business.

VIII. General Policy Declaration

- a. This policy is not intended nor should it be construed as a contract between the School Corporation and the employee. This policy may change at any time at the sole discretion of the School and/or to comply with changes in Federal DOT regulations.
- b. In the event that any provision of this policy is found to be invalid, either through changes in the law or for any other reason, this shall not affect the validity of the remainder of this policy.”

APPENDIX A

Abbreviations and Terms

Abbreviations:

BAT	Breath Alcohol Technician	CDL	Commercial Drivers' License
CMV	Commercial Motor Vehicle	DER	Designated Employer Representative
DHHS	Dept. of Health and Human Services	DOT	Department of Transportation
EAP	Employee Assistance Program	EBT	Evidential Breath Testing Device
MRO	Medical Review Officer	STT	Screening Test Technician
SAMHSA	Substance Abuse and Mental Health Services Administration		
SAP	Substance Abuse Professional		

Definitions:

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 measurement (EBT) device.

Confirmation Test

In alcohol testing: a second test, following a screening test with a result of 0.02 or greater, that 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.

Dilute Specimen

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

EBT (or evidential breath testing device)

An EBT approved by the National Highway Traffic Safety Association (NHTSA) for the evidential testing of breath and placed on NHTSA’s “Conforming Products List of Evidential Breath Measurement Devices” (CPL).

Employee

Any person who operates a commercial vehicle (CMV), including: 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.

Evidential Breath Testing (EBT) Device

A device used for alcohol breath testing that has been approved by the National Highway Traffic Safety Administration.

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 means a 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 specimen with 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, marriage and family therapist, or an addiction counselor certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission (NAADAC) or by the International Certification Reciprocity Consortium/Alcohol & Other Drug Abuse (ICRC) or by the National Board of Certified Counselors (NBCC), with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.

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Certificate of Receipt

(Acknowledgement of receiving materials required by 49 CFR Part 382.601)

Employee Name: _____ SSN or ID#: _____

School Corporation: **Eastbrook Community School Corporation**

This is to certify that I have been provided educational materials that explain the requirements of 382.601 and my employer's policies and procedures with respect to meeting the requirements. This includes all items checked.

- ✓ The designated person to answer questions about the material.
- ✓ The categories of drivers subject to Part 382.
- ✓ Sufficient information about the safety-sensitive functions and periods of the workday that compliance is required.
- ✓ Specific information concerning prohibited driver conduct.
- ✓ Circumstances under which a driver will be tested.
- ✓ Test procedures, driver protection and integrity of the testing processes, and safeguarding the validity of the test.
- ✓ The requirements that tests are administered in accordance with Part 382.
- ✓ An explanation of what will be considered a refusal to submit to a test and the consequences.

- ✓ The consequences for Part 382 Subpart B violations including removal from safety-sensitive functions and 382.605 procedures.
- ✓ The consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04.
- ✓ Information on the effects of alcohol and controlled substances use on an individual's health/work/personal life, signs and symptoms of a problem, and available methods of intervening when a problem is suspected.
- ✓ A copy of my employer's substance abuse policy.

Employee Signature: _____ Date: _____

Authorized Employer Representative: _____