

**BUILDINGS AND GROUNDS MANAGEMENT**

It shall be the policy of the Board to maintain school properties in good physical condition: safe, clean, sanitary, and as comfortable and convenient as the facilities will permit or the use requires.

The Superintendent shall establish a procedure whereby each building is scheduled for a regular repair and maintenance review on a rotating basis. However, this shall not preclude the emergency repair of a building out of sequence.

Within each individual school, the principal shall be responsible for the care and upkeep of the building and for the supervision of the school custodial services. The buildings and grounds management provided by the District shall be considered a supplementary and coordinating service; the school principal shall retain the basic responsibility for overseeing buildings and grounds maintenance and for supervising maintenance employees in his/her building.

It shall be the duty of each principal to be responsible for the identification of maintenance and repair needs and to notify the administration of such needs. The principal's routine inspection shall include minor maintenance items and safety hazards, and the correction of same.

**End of McClusky School District #19 Policy IA .....Adopted: June 19, 2018**

**ASBESTOS MANAGEMENT**

In compliance with the Asbestos Hazard Emergency Response Act, the Board appoints the Head Custodian as the asbestos program coordinator. This individual shall at least be responsible for selecting an accredited asbestos management planner, scheduling inspections and re-inspections, carrying out response actions when applicable, overseeing the operations and maintenance programs when applicable, disseminating annual notices required by law, recordkeeping, ensuring asbestos warning labels are posted in accordance with law, and ensuring appropriate school employees/contractors are adequately trained to perform duties that involve contact with or exposure to asbestos.

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Complementing Documents

- IA, Buildings & Grounds Management
- IAAA-E1, Asbestos Management Law
- IAAA-E2, Model Asbestos Yearly Notification Form

**End of McClusky School District #19 Policy IAAA .....Adopted: June 19, 2018**

**ASBESTOS MANAGEMENT LAW****General Responsibilities**

Each local education agency shall:

1. Ensure that the activities of any persons who perform inspections, re-inspections, and periodic surveillance, develop and update management plans, and develop and implement response actions, including operations and maintenance, are carried out in accordance with 40 CFR 763 subpart E.
2. Ensure that all custodial and maintenance employees are properly trained as required by 40 CFR 763 subpart E and other applicable Federal and/or State regulations (e.g., the Occupational Safety and Health Administration asbestos standard for construction, the EPA worker protection rule, or applicable State regulations).
3. Ensure that workers and building occupants, or their legal guardians, are informed at least once each school year about inspections, response actions, and post-response action activities, including periodic re-inspection and surveillance activities that are planned or in progress.
4. Ensure that short-term workers (e.g., telephone repair workers, utility workers, or exterminators) who may come in contact with asbestos in a school are provided information regarding the locations of Asbestos Containing Building Material (ACBM) and suspected ACBM assumed to be ACM.
5. Ensure that warning labels are posted in accordance with 40 CFR 763.95.
6. Ensure that management plans are available for inspection and notification of such availability has been provided as specified in the management plan under 40 CFR 763.93(g).
7. Designate a person to ensure that requirements under this section are properly implemented. Ensure that the designated person receives adequate training to perform duties assigned under this section. Such training shall provide, as necessary, basic knowledge of: health effects of asbestos; detection, identification, and assessment of ACM; options for controlling ACBM; asbestos management programs; relevant Federal and State regulations concerning asbestos, including those in this subpart E and those of the Occupational Safety and Health Administration, U.S. Department of Labor, the U.S. Department of Transportation and the U.S. Environmental Protection Agency.
8. Consider whether any conflict of interest may arise from the interrelationship among accredited personnel and whether that should influence the selection of accredited personnel to perform activities described in 40 CFR 763 subpart E.

**MODEL ASBESTOS YEARLY NOTIFICATION FORM****[Date]**

Dear Parents, Teachers, Building Occupants, and Employee Organizations:

In the past, asbestos was used extensively in building materials because of its insulating, sound absorbing, and fire retarding capabilities. Virtually any building constructed before the late 1970s contained some asbestos. Intact and undisturbed asbestos materials generally do not pose a health risk. Asbestos materials, however, can become hazardous when, due to damage or deterioration over time, they release fibers. If the fibers are inhaled, they can lead to health problems, such as cancer and asbestosis.

In 1986, Congress passed the Asbestos Hazard Emergency Response Act (AHERA), which requires schools to be inspected to identify any asbestos containing building materials. Suspected asbestos-containing building materials are located, sampled (or assumed) and rated according to condition and potential hazard. Every three years, McClusky Public School has conducted a re-inspection to determine whether the condition of the known or assumed asbestos containing building materials (ACBM) has changed and to make recommendations on managing or removing the ACBM. At the last re-inspection conducted on **[Date of Re-inspection]**, all materials listed in the Management Plan as asbestos containing (or assumed to be asbestos-containing) were inspected **[and found to be in good condition]**.

The law further requires an asbestos management plan to be in place by July 1989. McClusky Public School developed a plan, as required, which has been continually updated. The plan has several ongoing requirements: publish a notification on management plan availability and the status of asbestos activities; educate and train its employees about asbestos and how to deal with it; notify short-term or temporary workers on the locations of the asbestos containing building materials; post warning labels in routine maintenance areas where asbestos was previously identified or assumed; follow set plans and procedures designed to minimize the disturbance of asbestos containing building materials; and survey the condition of these materials every six months to assure that they remain in good condition.

The following buildings contain no asbestos-containing building materials; therefore, no operations and maintenance programs or future inspections are required: **[Name of Buildings]**. During the past year, asbestos containing building materials have been removed, encapsulated, or enclosed in the following buildings: **[Name the Buildings]**. During the next year, we plan to conduct the following asbestos related activities at the following school buildings **[describe the activities and name the buildings]**.

It is the intention of McClusky Public School to comply with all federal and state regulations controlling asbestos and to take whatever steps are necessary to ensure students and employees a healthy and safe environment in which to learn and work. You are welcome to review a copy of the asbestos management plan

in school district administrative office or administrative office of the school during regular business hours. **[Name of AHERA Designated Person]** is our designed asbestos program coordinator, and all inquiries regarding the asbestos plan and asbestos-related issues should be directed to **[him/her]** at **[telephone number]**.

**End of McClusky School District #19 Exhibit IAAA-E2**

**ENERGY CONSERVATION**

The Board directs the Superintendent to develop and implement both immediate and long-range plans to conserve energy resources by the District and to provide educational experiences within the K-12 curriculum for students that will instruct and assist in developing energy awareness habits of energy conservation.

Progress reports on the implementation of energy conservation measures will be made to the Board.

In the design of any remodeling prompted by energy conservation, adequate ventilation and indoor air quality shall be given prime consideration.

**End of McClusky School District #19 Policy IAAB .....Adopted: June 19, 2018**

**INDOOR AIR QUALITY**

To help protect the health and safety of students and staff, the District shall, to the extent feasible, implement the Environmental Protection Agency's Indoor Air Quality Action Kit for Schools. The Superintendent or designee shall determine how and to what extent this program shall be implemented based on the needs of and resources available to the District.

**End of McClusky School District #19 Policy IAAC .....Adopted: June 19, 2018**

**INTEGRATED PEST MANAGEMENT**

The District shall utilize the Integrated Pest Management (IPM) procedures to manage structural and landscape pests and the toxic chemicals for their control in order to alleviate pest problems with the least possible hazard to people, property, and the environment.

IPM procedures will determine when to control pests and whether to use mechanical, physical, chemical, cultural or biological means. Pest management strategies may include education, exclusion, sanitation, maintenance, biological and mechanical controls, and site appropriate pesticides. Chemical controls shall be used as a last resort. The Board establishes that the District shall use pesticides only after consideration of the full range of alternatives, including no action, based upon an analysis of environmental effects, safety, effectiveness, and costs.

The Superintendent shall be responsible to implement IPM procedures, including establishing and maintaining accurate records of all pest management activities. These records shall include pest surveillance, structural repairs and modifications, trapping, baiting, and pesticide applications. The Superintendent shall coordinate communications with members of the staff who are responsible for pest control, such as maintenance personnel and custodians, and hired contractors when utilized by the District to control a pest problem. All appropriate personnel involved in making pest management decisions shall take part in updated training.

Information regarding pest management activities, including pesticide use, shall be available to the public in the superintendent's office.

**End of McClusky School District #19 Policy IAAD .....Adopted: June 19, 2018**

**BUILDINGS AND GROUNDS SECURITY PLAN**

The District shall develop a buildings and grounds security plan. The plan shall be an exempt record in accordance with NDCC 44-04-24. The plan shall address the following:

1. Control of school keys;
2. After-hours access to school buildings;
3. Secured storage of district records and funds;
4. Installation of security and access control equipment to prevent illegal entry and vandalism;
5. Security procedures and protocols for school employees;
6. Areas of the building that will have restricted access. Unauthorized entry into a restricted area either by student or employee will be considered a serious violation and result in disciplinary action.
7. Procedures for recording serial numbers and assigning inventory numbers to items of high priority for theft (e.g., televisions, cameras, and computers).

Unauthorized persons, including employees, found in school buildings after school hours, will be subject to arrest.

**End of McClusky School District #19 Policy IAB.....Adopted: June 19, 2018**

## LEASE OF SCHOOL PROPERTY

The use of buildings or equipment by others shall be without cost to the District.

The Board may consider possible alternative uses for school facilities that are not immediately needed to maintain a quality educational program but should wisely be saved for future use.

The Board may lease any school building or part of building not needed for the instructional program or support services of the District, so long as such leasing does not interfere with the district's needs or with the instructional program.

### Criteria for Determining Space Available

The following criteria will be applied in the determination of space available for leasing and joint occupancy:

1. The space is projected to be surplus for at least one year; and
2. The space is located in a portion or a section of the building that can be isolated and will not interfere with the ongoing educational program (A separate building entrance is desirable); and
3. The space is not required for the conduct of a quality educational program (The Superintendent will develop specific standards as a basis for this determination).

### Priorities for Leasing Space

Given the constraints of the school setting, certain types of lessees will be more desirable than others. The following is a priority listing to aid in the selection of users of available space. This order will be applied to best meet the needs of the children and the educational program and to ensure prudent utilization of resources; the school program and/or personnel needs will always come first.

1. Other educational programs that will benefit children enrolled in the regular public school programs and that may enhance their learning experiences (e.g., day care centers, preschool programs, data-processing schools, foreign language programs, or college-based programs).
2. Community programs that will enhance learning experiences for children or provide needed community services (e.g., senior citizen center, counseling centers).
3. Housing or other city or county agency functions (e.g., park and recreation department, health services).
4. Private enterprise
  - a. Private offices (e.g., real estate, attorney, consultant).
  - b. Private medical practice/community services (e.g., physician, physical therapist, artist).
  - b. Other private groups or organizations.

In those instances where two or more candidates for the same space within the same priority category are equally desirable the space will be provided to the candidate making the most beneficial offer to the schools.

Each user of the available space will be expected to reimburse the District on a prorated basis for applicable costs related to this use that may include normal building upkeep, custodial services, utility expenditures, restroom supplies, insurance, administrative costs, and other such items on a square foot basis that may be identified and included in the lease negotiated with the user. The lease cost will be negotiated and be reflective of public schools costs and comparable market prices. The income from the leasing of space will be deposited in the general fund of the District.

The period of the lease will be related to the best estimate of how long the space may not be needed for public school programs but shall not be for longer than one year, subject to renewal.

The lease for each user will include appropriate language to hold the Board and the school system harmless against any and all claims, demands, suits or other forms of liability that may arise out of this use of school space. Each proposed tenant must comply with all appropriate legal and zoning requirements.

The lease may be made on sealed bids from qualified lessees. The Board at its discretion may require a bond from the lessee, conditioned upon the payment of charges made for such lease and indemnifying the District against damage or destruction of the building or any part of it.

**End of McClusky School District #19 Policy IAC.....Adopted: June 19, 2018**

**DISPOSAL OF SCHOOL REAL ESTATE**

When the Board determines that any real property is no longer needed for school purposes, the Board shall cause an appraisal to be made prior to the sale of the property. A professional appraiser shall do the appraisal.

The Board may advertise for bids or may sell the property outright at a public sale. If bids are requested and none are received, then the property may be sold at a private sale. Real property belonging to the McClusky Public School shall be sold for no less than the fair market value unless the sale would fall under the exception contained in NDCC 15.1-12-19. The Board may hire a broker and may pay the broker from the proceeds of the sale.

**End of McClusky School District #19 Policy IAD.....Adopted: June 19, 2018**

**LEASE OF MINERAL RIGHTS**

In accordance with state law, the Board may approve the leasing of any of its land for oil and gas development or the mineral rights to any of its lands. Land leased shall not interfere with the purpose of the District.

**End of McClusky School District #19 Policy IAE.....Adopted: June 19, 2018**

**FOOD SERVICE PROGRAM**

The District participates in the National School Lunch Program. As a participant in these programs, the District assures compliance with the following requirements:

1. The District shall only claim meal reimbursement for meals in which documentation is available.
2. The District shall determine eligibility for free and reduced lunches for students not categorically eligible in accordance with current Income Eligibility Guidelines.
3. The District shall disseminate applications for free and reduced-priced meals before the start of the school year when possible or within the first week of school. Students who enroll later in the school year shall receive an application at the time of enrollment. The District shall use the Department of Public Instruction (DPI) application form for free and reduced-priced meals.
4. In accordance with federal law and the U.S. Department of Agriculture Policy, the District shall not discriminate on the basis of race, color, national origin, sex, age, disability or other status protected by law. Individuals may file a complaint of discrimination with the USDA Director at the Office of Civil Rights in Washington, D.C.
5. The names of participants for which free or reduced-priced meals may be claimed shall not be published, posted, or announced in any manner and there shall be no overt identification of any such participants by any means. To this end, the District shall establish a system of school meal payment tracking that does not overtly identify any student as receiving a free or reduced price meal/milk.
6. The District shall comply with the eligibility appeals procedure contained in 7 CFR 245.7.
7. The District shall submit any substantive amendments of this policy to the DPI prior to implementation. Such changes shall only become effective upon DPI approval.

The Board designates Dr. Cheri Poitra, Superintendent as the individual responsible for determining eligibility for purposes of claiming free and reduced priced meals.

**Training**

The District shall comply with requirements in state law related to training food service personnel.

**Serving Meals to Adults**

The District shall comply with DPI guidance and requirements with regard to serving meals to adults.

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**Complementing Documents**

- AAC, Nondiscrimination & Anti-Harassment Policy

- IB-BR, Lunch Charging
- IB-E1, Free & Reduced Priced Meal Eligibility Appeals
- IB-E2, DPI Requirements & Guidance for Adult Meals

**End of McClusky School District #19 Policy IB ..... Adopted: May 9, 2017**

## **MEAL CHARGING PROCEDURE**

This board regulation outlines procedures for a student to charge meals. Adults are prohibited from charging meals.

### **Definition**

- *Alternate meal* means any meal that is different from the day's advertised reimbursable meal, e.g., a peanut butter or cheese sandwich, plus milk. The cost of this meal may not come from the food service account. The charge for an alternate meal shall be the same as the regular meal.

### **Dissemination**

The Superintendent must ensure that uniform meal account procedures are provided in writing, to all parents of students at the start of each school year and to the parents of students transferring to the school mid-year. The Superintendent shall also provide procedures to all school and district-level staff members responsible for the enforcement of this regulation.

The District may use additional methods to disseminate the procedure on an ongoing basis throughout the school year.

### **Payment Options**

Parents are responsible to ensure that students have sufficient funds to purchase school meals each day or pre-pay for meals, to avoid accruing meal charges. District payment options for student meal accounts are either by cash or check.

### **Charging Procedure**

In the event a student does not have sufficient funds, the District shall allow the student to charge up to 5 reimbursable meals, the cost of which must be deducted from the student's meal account. After the student has exceeded the number of allowable reimbursable meal charges, the District shall discreetly provide the student with an alternate meal, the cost of which shall also be deducted from the student's meal account.

### **Payment Reminders**

Whenever a student incurs a charge or the District serves the student an alternate meal, district personnel shall notify the parents of the student by letter, phone, text, etc. If a pattern of charging continues, administration shall attempt to contact the student's parent and encourage the parent to complete a free or reduced meal application. Nothing in this procedure prohibits school district personnel from reporting suspected abuse or neglect of a student as required by law.

### **Unpaid Meal Charges**

Parents are expected to pay all charges within 10 days. If they fail to do so, the District may rollover debt or refer the debt to collections. The District may use an alternative

funding source (e.g., nonfederal funding or charitable funding source) to offset costs incurred from unpaid meal charges and collection fees.

**Balance**

Funds in the student's meal account may be carried over to the next school year.

A written request must be submitted to the district office for a refund of monies remaining in a student's meal account. A student who is graduating shall be given the option to transfer meal funds to a sibling's account.

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End of McClusky School District #19 Board Reg. IB-BR ..... Approved: August 8, 2017

[04/17]

**FREE & REDUCED PRICED MEAL ELIGIBILITY APPEALS**

Each local educational agency of a school participating in the National School Lunch Program, School Breakfast Program or the Special Milk Program or of a commodity only school shall establish a hearing procedure under which:

1. A family can appeal from a decision made by the local educational agency with respect to an application the family has made for free or reduced price meals or for free milk, and
2. The local educational agency can challenge the continued eligibility of any child for a free or reduced price meal or for free milk. The hearing procedure shall provide for both the family and the local educational agency:
  - a. A simple, publicly announced method to make an oral or written request for a hearing.
  - b. An opportunity to be assisted or represented by an attorney or other person.
  - c. An opportunity to examine, prior to and during the hearing, any documents and records presented to support the decision under appeal.
  - d. That the hearing shall be held with reasonable promptness and convenience, and that adequate notice shall be given as to the time and place of the hearing.
  - e. An opportunity to present oral or documentary evidence and arguments supporting a position without undue interference.
  - f. An opportunity to question or refute any testimony or other evidence and to confront and cross-examine any adverse witnesses.
  - g. That the hearing shall be conducted and the decision made by a hearing official who did not participate in making the decision under appeal or in any previously held conference.
  - h. That the decision of the hearing official shall be based on the oral and documentary evidence presented at the hearing and made a part of the hearing record.
  - i. That the parties concerned and any designated representative shall be notified in writing of the decision of the hearing official.
  - j. That a written record shall be prepared with respect to each hearing, which shall include the challenge or the decision under appeal, any documentary evidence and a summary of any oral testimony presented at the hearing, the decision of the hearing official, including the reasons therefore, and a copy of the notification to the parties concerned of the decision of the hearing official.

- k. That the written record of each hearing shall be preserved for a period of three years and shall be available for examination by the parties concerned or their representatives at any reasonable time and place during that period.

### **Continuation of Benefits**

When a household disagrees with an adverse action that affects its benefits and requests a fair hearing, benefits shall be continued as follows while the household awaits the hearing and decision:

1. Households that have been approved for benefits and that are subject to a reduction or termination of benefits later in the same school year shall receive continued benefits if they appeal the adverse action within the 10-day advance notice period; and
2. Households that are denied benefits upon application shall not receive benefits.

**End of McClusky School District #19 Exhibit IB-E1**

**DPI REQUIREMENTS & GUIDANCE FOR ADULT MEALS**

There is no reimbursement or commodities provided for meals served to adults. Reimbursement funds and student payments may not be used to subsidize lunches for adults who do not have specific duties directly related to the operation and administration of the foodservice program.

Adults are to be served the same menu and portions as students.

**Pricing**

The following guidelines to pricing adult meals are provided:

1. Meals served to foodservice employees may be provided at no cost.
2. Meals served to adults whose primary job is to administer or manage the foodservice may be provided at no cost.
3. The cost of meals served at no charge to teachers or others who supervise students during meal service may be paid by the general fund. As an alternative, the cost of these meals may be considered "paid" by the in-kind contributions made by the sponsor to the foodservice program. The in-kind contributions are generally administrative expenses, the cost of facilities and maintenance, and utilities. The process for paying for adult meals with in-kind contributions must be documented by the sponsor.
4. The cost of all other adult meals is not attributable to the program, and the individuals must be charged the full cost of the meal or these meals must be supported by a payment from the general fund.
5. The minimum adult lunch charge, including lunches served to teachers and other adults without direct program responsibilities, is to be set above the highest student charge by the current amount of paid meal reimbursement rate, plus the current commodity value per meal.

**End of McClusky School District #19 Exhibit IB-E2**

**FOODS OF MINIMAL NUTRITIONAL VALUE**  
**7 CFR Ch. II, Appendix B**

Foods of minimal nutritional value— Foods of minimal nutritional value are:

1. **Soda Water:** A class of beverages made by absorbing carbon dioxide in potable water. The amount of carbon dioxide used is not less than that which will be absorbed by the beverage at a pressure of one atmosphere and at a temperature of 60° F. It either contains no alcohol or only such alcohol, not in excess of 0.5 percent by weight of the finished beverage, as is contributed by the flavoring ingredient used. No product shall be excluded from this definition because it contains artificial sweeteners or discrete nutrients added to the food such as vitamins, minerals and protein.
2. **Water Ices:** As defined by 21 CFR 135.160 Food and Drug Administration Regulations except that water ices which contain fruit or fruit juices are not included in this definition.
3. **Chewing Gum:** Flavored products from natural or synthetic gums and other ingredients that form an insoluble mass for chewing.
4. **Certain Candies:** Processed foods made predominantly from sweeteners or artificial sweeteners with a variety of minor ingredients that characterize the following types:
  - a. *Hard Candy:* A product made predominantly from sugar (sucrose) and corn syrup which may be flavored and colored, is characterized by a hard, brittle texture, and includes such items as sour balls, fruit balls, candy sticks, lollipops, starlight mints, after dinner mints, sugar wafers, rock candy, cinnamon candies, breath mints, jaw breakers and cough drops.
  - b. *Jellies and Gums:* A mixture of carbohydrates which are combined to form a stable gelatinous system of jelly-like character, and are generally flavored and colored, and include gum drops, jelly beans, jellied and fruit-flavored slices.
  - c. *Marshmallow Candies:* An aerated confection composed as sugar, corn syrup, invert sugar, 20 percent water and gelatin or egg white to which flavors and colors may be added.
  - d. *Fondant:* A product consisting of microscopic- sized sugar crystals that are separated by thin film of sugar and/or invert sugar in solution such as candy corn, soft mints.
  - e. *Licorice:* A product made predominantly from sugar and corn syrup that is flavored with an extract made from the licorice root.
  - f. *Spun Candy:* A product that is made from sugar that has been boiled at high temperature and spun at a high speed in a special machine.
  - g. *Candy Coated Popcorn:* Popcorn that is coated with a mixture made predominantly from sugar and corn syrup.

## OUTSTANDING BALANCE LETTER

[MM/DD/Year]

[Parent/Guardian name(s)]

[Address]

[City, State, Zip code]

Dear [Name(s)],

The goal of McClusky Public School District is to provide healthy meals to students during the school day. In order to serve healthy, high-quality meals to all students, we must make sure that the program remains financially sound. You play a key role in this effort. As a parent, you are responsible for purchases made by **[Student's name]** in our school cafeteria.

As of **[Date]**, **[Student's name]** has a negative balance of **[\$X.XX]**. We ask that you pay this amount as soon as possible.

To review McClusky Public School District's Meal Charging policy, and the penalties for failing to pay back **[Student's name]** negative balance, please see the attached policy or visit District website.

Please contact Dale Ekstrom, Superintendent if you have questions. If you think **[Student's name]** may qualify for free or reduced price school meals, please see the next page.

Thank you for your payment.

Sincerely,

**[Name]**

**[Title]**

Attachment: Free and Reduced Price School Meals Application

cc: Dale Ekstrom, Superintendent

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End of McClusky School District #19 Exhibit IB-E4 ..... Approved: August 8, 2017

[04/17]

**MAIL AND DELIVERY SERVICES**

A mail delivery system shall be maintained within the District. To ensure items related to school business are not missed or lost, materials and communications sent through the district's mailbox delivery system shall have an educational purpose or be related to job duties. The District shall enforce statutes prohibiting political activities while on duty and prohibiting use of district property for political purposes.

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Complementing Documents

- ABBDA, Political Activities

**End of McClusky School District #19 Policy ICA.....Adopted: June 19, 2018**

**PRINTING AND DUPLICATING SERVICES**

The District will provide printing and duplicating equipment to assist the staff in their educational assignments. This equipment include(s) machines for the reproduction of materials in either single or multiple copies. District copying facilities shall be used only for school purposes and in accordance with the district's copyright policy. The administration will establish regulations and procedures for the use and control of these various services. The staff will follow established procedures in requisitioning these services and in preparing materials for reproduction.

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Complementing Documents

- ABCA, Copyrighted Materials & Intellectual Property

**End of McClusky School District #19 Policy ICB.....Adopted: June 19, 2018**

**DISPOSAL OF SCHOOL EQUIPMENT AND SUPPLIES**

The Board will dispose of surplus or obsolete equipment, materials, and supplies no longer required to accomplish the mission of the school system.

1. The building principal or person in charge of the department where such school property is located will inform the Superintendent and Business Manager of the availability of the property.
2. The Business Manager shall post throughout the District a listing of all property available for disposal. Any department or building that can use such equipment or supplies may request the material. Reassignment of the property will be made by the Superintendent.

Those items not requested by other departments or buildings will be disposed of as follows:

1. Items having no resale value may be offered without cost to charitable and civic organizations or disposed of by the most efficient method by the Superintendent or a designee.
2. Items having resale value shall be sold to the highest bidder either through sealed bids, at auction, or through another form of public sale. The Superintendent and Business Manager shall establish procedures for the sale. All items for sale shall be advertised.
3. The Board shall be given a list of all items disposed of either through sale or donation.

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Complementing Documents

- HDB, Revenues from School-Owned Property

**End of McClusky School District #19 Policy ICCB ..... Adopted: May 8, 2018**

**RISK MANAGEMENT**

It shall be the policy of the McClusky Public School Board to take positive actions to reduce the potential liability of the District whenever possible. This will include adequate insurance coverage in compliance with applicable insurance requirements under law, a pro-active safety program, and close supervision of any unemployment compensation and workers' compensation claims.

The safety program will include adequate maintenance and repair of facilities, including playgrounds, and the installation and supervision of playground equipment that is recognized as safe. It will also include accident reports and first-aid and supervision policies that seek to reduce the potential for injury to students, staff, and public.

In order that the Board may monitor its success in risk management, the Superintendent shall make reports at least annually in each of the above categories.

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Complementing Documents

- DEAE, Occupational Safety
- FC, Student Safety & Supervision
- FCBA, Student Dismissal Precautions
- HDD-AR, Donated Playground Equipment
- IA, Buildings & Grounds Management
- IAB, Buildings & Grounds Security Plan
- IEAA, Bus Safety

**End of McClusky School District #19 Policy IDB.....Adopted: June 19, 2018**

**DATA PROTECTION & SECURITY BREACHES**

**Data Protection**

The McClusky Public School will take reasonable security measures to guard against the foreseeable loss of private information. Private information is defined as that information protected under federal laws such as, but not limited to, the Family Educational Rights and Privacy Act (FERPA), information defined as confidential or exempt in NDCC Ch. 44-04, and data defined as “personal information” in NDCC 51-30-01(2). Private information does not include publicly available information that is lawfully made available to the general public pursuant to state or federal law or regulation.

In determining the reasonableness of the district’s security measures, the Board will consider the value of private information in the district’s possession and the potential damages associated with the loss or compromise of this data.

All security measures will be delineated in a security system plan, which is exempt from North Dakota open records law. Creation of, discussion of, and revision to this plan will occur in executive session in accordance with North Dakota law.

**Security Breach**

State law defines “breach of security” in NDCC 51-30-01. Any security breach that meets this definition or any reasonable suspicion of such a breach shall be immediately reported to the Superintendent. The Superintendent shall put procedures in place to notify state residents affected by the breach as required by law.

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**Complementing Documents**

- ACDA, Acceptable Use
- BCAD, Executive Session
- IDC-E, Security Breach Procedure

**End of McClusky School District #19 Policy IDC..... Adopted: March 14, 2017**

**SECURITY BREACH PROCEDURES****Procedure for Identifying Security Breaches**

In determining whether or not private information has been acquired, or is reasonably believed to have been acquired by an unauthorized person or a person without valid authorization, the District shall consider:

1. Indications that the information is in the physical possession and control of an unauthorized person, such as a lost or stolen computer, or other device containing information.
2. Indications that the information has been downloaded or copied.
3. Indications that the information was used by an unauthorized person, such as fraudulent accounts opened or instances of identity theft reported.
4. Any other factors that the District shall deem appropriate and relevant to such a determination.

**Procedure for Security Breach Notification**

The Superintendent or designee shall ensure that the District provides notice of any system security breach, following discovery, to any state resident whose unencrypted personal information was or is reasonably believed to have been acquired by an unauthorized person. The disclosure will be made in the most expedient time possible and without unreasonable delay, except when a law enforcement agency determines and advises the District that notification will impede criminal investigation.

The District shall provide notice by at least one of the following methods:

1. Written notice to the last known home address of the resident.
2. Electronic notice, if the notice is consistent with the provisions regarding electronic records and signatures set forth in section 7001 of title 15 of the United States Code.
3. Substitute notice if the District can demonstrate that the cost of providing notice would exceed \$250,000 or that the affected class of subject persons to be notified exceeds \$500,000, or the District does not have sufficient contact information. Substitute notice shall consist of e-mail notice, conspicuous posting of the notice on the district's web site, and notification to major statewide media.

**End of McClusky School District #19 Exhibit IDC-E**

**BUS SAFETY**

The safety and welfare of student riders shall be the first consideration in all matters pertaining to transportation. All vehicles used to transport children shall be inspected periodically to see that they meet safety regulations.

The District shall comply with all state laws and regulations pertaining to the operation of school buses and shall make these requirements known to bus drivers. It shall also cooperate with local safety officials in formulating and accomplishing its school bus safety program.

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**Complementing Documents**

- FC, Student Safety & Supervision
- FCBB, Student Transportation Safety & Supervision
- FCBB-AR, Student Transportation Safety & Supervision
- FFC, Bus Conduct
- IEAA-AR, School Bus Accidents

**End of McClusky School District #19 Policy IEAA ..... Adopted: May 9, 2017**

## **SCHOOL BUS ACCIDENTS**

The Superintendent shall arrange with the highway patrol and police department that the Superintendent, school business office, or a principal will be contacted as soon as possible in the event of a school bus accident. The reporting officers or bus driver will advise the District as to the number of the bus involved, the location of the accident, and whether or not the accident involves obvious injury.

### **Minor Accidents Not Involving Injury**

If the accident is minor in nature and does not involve injury in the opinion of the officer, bus driver, or the ambulance attendant, the students will be transported (on the original bus or a substitute bus) to their destination. This destination may be the student's residence or school--whichever is applicable.

### **Accidents Involving Injury**

If the bus accident involves injuries, those students requiring medical attention, in the opinion of the officer, bus driver, or ambulance attendant, will be transported to the hospital emergency facility by ambulance. Those students that, in the opinion of the officer, bus driver, or ambulance attendant, are not injured or at least do not require immediate medical attention will be transported to their respective schools (on the original bus or a substitute bus). When a bus accident occurs involving injury no student will be transported to his or her residence.

The Superintendent, business office, or principal will immediately contact the school or schools with students involved and the parents of the students involved to advise them of the accident and their student's destination.

When the students arrive at school, the school personnel will immediately contact the parents of the students to advise the parents to come to the school to pick up their children and/or determine the need for medical attention.

When students have been transported to a medical facility, school personnel will proceed to the hospital emergency room facility with information from the student directory cards to assist hospital emergency personnel in contacting the parents.

### **Reporting**

An accident report shall be filled out by the driver as soon as possible and submitted to the business office. The bus driver shall be subject to post accident drug and alcohol testing.

**End of McClusky School District #19 Administrative Regulation IEAA-AR**

**PERSONNEL USE OF DISTRICT VEHICLES**

A school vehicle is to be used for school employees and board members and only for school business. No school vehicle shall be used for personal business, unless the personal business is incidental to a school-related trip. On a space-available basis for out-of-town trips, an employee may have his/her family ride with him/her upon approval of the Superintendent or principal. Only school board members, district employees, or individuals independently contracted for transportation purposes may drive the vehicle.

A school vehicle shall not be taken to an employee's home at night unless the employee is on duty or has permission from the Superintendent.

**Accident Reporting**

Any accident, no matter how minor, in a school vehicle or in any private vehicle while on school business is to be reported immediately to the business office, or to an administrator if the accident occurs after school hours. The business office shall immediately report the accident to the district's insurance company.

**End of McClusky School District #19 Policy IEAB .....Adopted: June 19, 2018**

**BUS SCHEDULING AND ROUTING**

The Superintendent shall have prepared descriptions and maps of district school bus routes and schedules as fixed by the Board for distribution to parents of students eligible for school bus transportation.

Bus routes shall be established through the District to best accommodate the majority of eligible students.

Arrangements must be made in advance by parents/guardians for children to be picked up or dropped off at destinations other than the established locations. Buses will not deviate from the regular bus route.

The Board may elect to pay family transportation to families who meet the bus at a scheduled bus stop in order to minimize the length of time all students are on the bus or to avoid running a bus on secondary roads.

**End of McClusky School District #19 Policy IEAC .....Adopted: June 19, 2018**

**USE OF BUSES BY COMMUNITY GROUPS**

The board's general philosophy is that transportation equipment purchased by the District is to be used primarily for school purposes and that taxpayers will not be expected to subsidize busing equipment or personnel not necessary for school district purposes.

However, the Board may make school transportation equipment available for use by appropriate, nonprofit community groups. Such use shall not impinge upon or impair use for school district purposes. The District shall check with its insurance carrier to determine if use of buses by community groups is covered by the district's policy prior to enacting this policy. If the district's coverage does not extend to community use of buses, the group requesting use shall be required to obtain and provide proof of insurance, naming the District as an additional insured, prior to use.

Groups will be responsible for providing qualified drivers who meet the requirements for school bus drivers.

Non-school use of school transportation equipment will not include or interfere with:

1. Transportation to, from, and between schools.
2. Transportation for school activities and functions.
3. Emergency transportation of students.
4. Time required for maintenance and service.
5. Time necessary to provide stand-by equipment for school purposes.

Regulations and procedures for nonprofit, community group use of school transportation equipment will be developed by the administration and approved by the Board, including the terms of the bus lease agreement, rental charge, approval of drivers, and insurance coverage. Any insurance coverage obtained by a group using a school bus shall list the District as an additional insured.

**End of McClusky School District #19 Policy IEAD .....Adopted: June 19, 2018**

**SCHOOL BUS IDLING**

This policy applies to the operation of every district-owned and/or contracted diesel-powered school bus.

**Purpose**

The purpose of this policy is, to the extent practical and possible, safeguard the health of students and staff by eliminating all unnecessary bus idling by McClusky Public Schools.

**Procedures**

1. When school bus drivers drop off or pick up passengers, they should turn off their buses as soon as possible to eliminate idling time and reduce harmful emissions (generally three to five minutes or as otherwise recommended by the bus manufacturer). The school bus should not be restarted until it is ready to depart and there is a clear path to exit the pickup area. This policy applies before, during, and after the school day, during field trips, extracurricular activities, or other events where students are transported off school grounds. Exceptions to this policy shall be made when conditions could compromise passenger safety, such as, but not limited to:
  - a. Cold or extreme weather conditions or when necessary to keep the windshield clear
  - b. Idling in traffic or when stopped at an official traffic control device or sign
  - c. When necessary to operate a wheelchair lift
  - d. When necessary during emergencies
2. Buses shall be warmed in areas that will minimize diesel exposure to students and staff. The “warmed” bus is to enter the loading zone as close to pick up time as possible and then follow the idling procedure listed in #1 above.
3. The District shall make a reasonable attempt to contact service delivery drivers that deliver goods to the school and request that drivers turn off their engines when making school deliveries unless idling is necessary in the event of cold or extreme weather.
4. The Transportation Director is directed to revise bus schedules so that school bus caravanning can be avoided and the cleanest buses assigned to the longest routes.
5. All drivers shall receive a copy of this policy at the beginning of every school year.

**End of McClusky School District #19 Policy IEAE .....Adopted: June 19, 2018**

**EXTRACURRICULAR TRANSPORTATION**

The District shall provide transportation to students participating in extracurricular activities to/from practice and to/from extracurricular events. Students are prohibited from transporting themselves or sharing a ride with other students when transportation is for the purpose of practicing for or participating in an extracurricular activity.

Parents may request administrative approval to transport his/her child to/from practice and/or to/from extracurricular events. The Athletic Director or designee shall only approve such requests if the following criteria are met:

1. The request is made in writing and signed by the parent;
2. The parent signs a waiver of district liability in the event of an injury and/or accident that occurs while the parent is providing extracurricular transportation;
3. The parent signs an agreement that s/he will only provide extracurricular transportation to his/her own child;
4. The Athletic Director or designee is able to verify the authenticity of parental signatures required under criterion one through three above.

**End of McClusky School District #19 Policy IEAF.....Adopted: June 19, 2018**

**TRANSPORTATION OF STUDENTS BY STAFF IN PRIVATE VEHICLES**

All school activity and field trips will be made by bus or other district vehicle except in the following circumstances:

1. The staff member must have written permission of the Superintendent or designee.
2. Persons authorized to use their cars for school business purposes shall carry and provide the District proof of a valid driver's license and motor vehicle insurance for the vehicle they intend to use. The Superintendent (or Board President when the requesting employee is the Superintendent) shall examine the employee's insurance policy and determine that it contains sufficient coverage prior to authorizing private vehicle use for student transportation purposes.
3. Only the staff member having written authorization shall drive.
4. Any vehicle used must be in proper working order, properly equipped with seat belts, and, if children younger than seven years of age are to be transported, approved child restraint systems will be used as required by law. The Superintendent or designee should inspect the vehicle before authorizing its use.
5. The employee shall sign a statement attesting that the vehicle will not contain prohibited substances under district policy or weapons, as defined by district policy, when used to transport students.
6. The District shall contact its insurance carrier to determine if additional coverage is necessary and shall obtain it, if so.

The Board will carry drivers-for-hire and/or non-owned vehicle liability insurance policy to protect administrators and others who are authorized, in accordance with the criteria above, to transport students in their personal automobiles in an emergency.

**Consequences for Policy Violations**

The Board specifically forbids any staff member from transporting students for curricular or extracurricular purposes without prior authorization as described above or in a manner inconsistent with the criteria listed above. Staff who violate any of these requirements shall be subject to disciplinary consequences.

**Scope of District Responsibility**

The District shall assume no responsibility for liability in case of an accident unless the staff member has the authorization described above. It is expressly understood that the employee's personal insurance will be considered the primary insurance, and that the district's liability rider, if applicable, will be effective after the limit of the individual's liability insurance coverage is reached.

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**Complementing Documents**

- FFA, Student Alcohol & Other Drug Use/Abuse
- FFD, Carrying Weapons

