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## SUPPORT SERVICES GOALS

Support services are essential to the educational program. The Board serves as trustee of ESC facilities and overseer of school operations for the purpose of providing the facilities and services which support a thorough and efficient educational program.

In order to provide services that are supportive of the educational program, the Board develops goals which will support the overall educational program.

[Adoption date: January 7, 2003]

## SAFETY PROGRAM

The Board makes efforts to provide for the safety of all students, employees and members of the school community present on ESC property and at all ESC-sponsored events at other sites. The Board directs the administration to develop a safety program which is reviewed on an annual basis.

The Superintendent has responsibility for the safety program of the ESC and develops written procedures to comply with the Public Employment Risk Reduction Act (PERRA) regulations and policies.

The practice of safety is a part of the instructional plan of the ESC through educational programs. The educational program includes instruction in traffic and pedestrian safety, driver and vehicle safety programs, fire prevention, accident recordkeeping, in-service training and emergency procedures appropriately geared to students at different grade levels.

All staff are encouraged to participate in the proceedings of the Health and Safety Committee by providing recommendations that ensure a safe environment for all.

[Adoption date: January 7, 2003]

LEGAL REFS.: Public Employment Reduction Act, ORC 4167.01 et seq.  
ORC 2744  
3313.60; 3313.643  
3737.73  
4107.31  
OAC 3301-35-03

CROSS REF.: GBE, Staff Health and Safety

## ACCIDENT PREVENTION AND SAFETY PROCEDURES

The Superintendent or his/her designee shall be the risk manager for the ESC. He/She will make one inspection per month of all offices and identify accident and loss-producing conditions. Employees are instructed to report dangerous conditions and defective equipment. Efforts will be taken to correct those conditions and defective equipment before an accident or injury occurs.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 3313.60; 3313.643  
3737.73  
4107.31  
OAC 3301-35-03

## ACCIDENT REPORTS

The assistant superintendent shall file accident reports with the Superintendent at any time that a staff member is seriously injured or has a medical emergency. A copy of this report should be provided to the Fairfield County Commissioners' Office if the incident occurs on the county property.

A serious injury or medical emergency shall be considered to be one when the individual requires medical attention or the occurrence renders the individual unable to complete the business day.

When an accident occurs, the appropriate county medical personnel should be notified. If the extent of an injury cannot be determined, the emergency rescue squad should be called.

A copy of the accident report shall be retained in the individual's permanent file.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 2305.23  
3313.712  
OAC 3301-27-01; 3301-27-02  
3301-35-03

## BLOODBORNE PATHOGENS

Staff/students incur some risk of infection and illness each time they are exposed to bodily fluids or other potentially infectious materials. While the risk to staff/students of exposure to body fluids due to casual contact with individuals in the school environment is very low, the Board regards any such risk as serious.

Consequently, the Board directs adherence to universally recognized precautions. Universally recognized precautions require that staff and students approach infection control as if all direct contact with human blood and body fluids is known to be infectious for HIV, HBV and/or other bloodborne pathogens.\*

To reduce the risk to staff/students by minimizing or eliminating staff exposure incidents to bloodborne pathogens, the Board directs the Superintendent to develop and implement an exposure control plan.

The plan shall include annual in-service training for staff and students; first-aid kits in each school room and each school vehicle; correct procedures for cleaning up body fluid spills and for personal cleanup.

Training is followed by an offer of immunization with hepatitis B vaccine for all staff who are required to provide first aid to students and/or staff. The vaccine is also offered to all staff who have occupational exposure as determined by the administrator.

[Adoption date: January 7, 2003]

LEGAL REFS.: Public Employment Reduction Act, ORC 4167.01 et seq.  
20 USC 8901  
29 CFR (Code of Federal Regulations) 1910.1030

CROSS REFS.: PERRA  
GBEA, HIV/AIDS (Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome) (Also JHCCA)

\* Bloodborne pathogens are pathogenic microorganisms that are present in human blood and can cause disease in humans. These include, but are not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

## BLOODBORNE PATHOGENS (Handling and Disposing of Contaminated Fluids)

Health department information about the transmission of diseases including AIDS and hepatitis B focuses on “body fluids” as a possible carrier of organisms that can infect others. The term includes drainage from cuts and scrapes, vomit, feces, respiratory secretions (nasal discharge), saliva, semen and blood. While any contact with the body fluids of another person represents a risk, the level of risk is very low. The risk is increased if the fluid comes in contact with a break in the skin of another individual. Generally, simple consistent standards and procedures of cleanliness minimize risk.

The following procedures are precautionary measures against the transmission of diseases. Prudent actions are to be employed by all staff. These actions should focus primarily on steps that staff members can take to ensure their own well-being.

Those who administer first aid, provide physical care or may otherwise incur occupational exposure to blood or other potentially infectious materials as determined by the ESC will be specifically protected through the ESC’s Exposure Control Plan.

The procedures, however, are a review for all staff of appropriate hygienic and sanitation practices.

1. Universally recognized precautions are to be followed at all times. Universally recognized precautions require the assumption that staff and students approach infection control as if all direct contact with human blood and body fluids is known to be infectious for HIV, HBV and/or other bloodborne pathogens.
2. Whenever possible, a student should be directed to care for his/her own minor bleeding injury. This includes encouraging students to apply their own Band-Aids. If assistance is required, Band-Aids may be applied after removal of gloves if the caregiver will not come into contact with blood or wound drainage.
3. Gloves are required for all tasks in which an individual may come into contact with blood or other potentially infectious materials. Such tasks include cleaning body fluid spills, emptying trash cans, handling sharps/containers, handling contaminated broken glass, cleaning contaminated equipment and handling contaminated laundry/clothing. This also includes assisting with any minor wound care, treating bloody noses, noses, handling clothes soiled by incontinence, diaper changing and cleaning up vomit.
4. Complete and effective hand washing of at least 10 seconds’ duration should follow any first aid or health care given a student or contact with potentially infectious materials.

5. If exposure to blood or other potentially infectious materials occurs through coughing, any first-aid procedure, or through an open sore or break in the skin, thorough washing, preferably with germicidal soap, is necessary.

6. In the event hand-washing facilities are not readily available, thorough cleaning using an antiseptic cleanser and clean cloth/paper towels or antiseptic towelettes provided by the ESC as an alternative is necessary. In the event alternatives are used, hands must be washed with soap and running water as soon as possible.
  7. Any surface contaminated with blood or other potentially infectious materials must be cleaned after each use and at the end of the day with soap and water and then rinsed with an EPA- approved disinfectant\*. These surfaces include equipment, counters, mats (including those used in physical education and athletic events) or changing tables.
  8. An EPA-approved disinfectant must be used when cleaning fluids such as blood or vomit from the floor or other such contaminated surfaces.
  9. Contaminated laundry such as clothing and towels must be placed and transported in bags and containers in accordance with the ESC's universally recognized precautions. All such items must be laundered in hot or cold water and soap and placed in a dryer.
  10. Needles, syringes, broken glassware and other sharp objects found on ESC property must not be picked up by students at any time, nor by staff without appropriate puncture-proof gloves or a mechanical device such as a broom, brush and dustpan. Any such items found must be disposed of in closable, puncture-resistant, leakproof containers that are appropriately labeled or color-coded.
  11. All wastebaskets used to dispose of potentially infectious materials must be lined with a plastic bag liner that is changed daily.
  12. Gloves and repellent gowns, aprons or jackets are required for tasks in which exposure to blood or other potentially infectious materials can be reasonably anticipated to contaminate street clothing. Type and characteristics of such protective clothing will depend on the task. Such tasks may include diapering/toileting with gross contamination, assisting with wound care, sorting or bagging contaminated laundry/clothing and disposing of regulated waste with gross contamination.
  13. Maximum protection with gloves, face and/or eye protection and gowns are required whenever splashes, spray, spatter or droplets of blood or other potentially infectious materials may be generated and eye, nose or mouth contamination can be reasonably anticipated. Such tasks may include feeding a child with a history of spitting or forceful vomiting and assisting with severe injury and wound with spurting blood.
- \* Disinfectants which can be used include Lysol, Purex, Clorox, Tough Act bathroom cleaner, Dow bathroom cleaner, Real Pine liquid cleaner, Pine Sol, Spic and Span, Tackle liquid, Comet and other products with EPA numbers.

(Approval date: January 7, 2003)



## EMERGENCY PLANS

The safety and well-being of the staff of the ESC are priorities. Emergencies and disasters can never be predicted; however, plans will be prepared, in the event of a disaster, to minimize their impact.

The Superintendent or his/her designee is the coordinator for the emergency plans.

Emergency plans have been prepared under the direction of the ESC and shall be used by all tenant organizations in case of fire, tornadoes and other natural disasters. Periodic drills will provide personnel with practice in responding to emergency situations should they occur.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 3737.73; 3737.99  
OAC 1301-7-7-07  
3301-35-03(D)(4-7)

CROSS REFS.: EBD, Crisis Management  
ECA, Buildings and Grounds Security  
Emergency Plans Handbook

## EMERGENCY CLOSINGS

It is the belief of the Board that the ESC should be open for business, as usual, whenever possible. This includes times when local schools may need to close because of inclement weather.

The Board further believes that the health and safety of its employees is of utmost importance, and that health and safety must be considered in decisions relative to closing or not closing the Fairfield County ESC in the event of inclement weather. In addition, the Fairfield County ESC Governing Board recognizes that its employees live in various areas which may not be equally affected by inclement weather conditions and that a number of options need to be available to these employees.

Therefore, in the event that the local schools of Fairfield County are closed due to inclement weather or other reasons, the following policy is to be followed:

1. If all seven school districts in the county system are closed and if the Fairfield County Sheriff has declared a "Travel Emergency", the Superintendent will close the ESC by placing the initial calls using the "phoning tree" to notify the employees of the closing. If the Fairfield County ESC is closed under these conditions, no employees are to report for work and no compensatory time will be permitted for that day.
2. If all or part of the county schools are closed, but the sheriff has not declared a "Travel Emergency," the ESC will be open. If the ESC is open, all employees are to report to work as usual whenever they can do so without unduly endangering their health and well-being.

Note: In the case of a situation where the Superintendent is going to close the office or delay the opening of the office, he/she will place the initial phone calls to activate the phoning tree as early as possible. If employees have not received a call by 6:45 a.m., the office is open and on the usual schedule.

When the office is open and an employee finds that he/she is unable to report for work due to the inclement weather, he/she shall inform the Superintendent of that fact. The employee has the option of requesting to work at home for that day, providing that he/she has work that can be done at home.

If the employee chooses not to report to work because of inclement weather and will not be working at home or does not have work with him/her, the employee has the option of using a personal day or a vacation day rather than reporting to work. The employee may also request that he/she be permitted to make the day of work up on a day that is not a scheduled workday for the Fairfield County ESC. If any of these options are selected by the employee and verbally approved by the Fairfield County ESC

Superintendent, the employee will complete the appropriate form when he/she returns to work and submit it to the Fairfield county ESC Superintendent for his/her

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signature. The Fairfield County ESC Superintendent will give the approved forms to the Fairfield County EXC Treasurer for the required accounting purposes. If the employee chooses not to exercise any of these options, their salary will be reduced by one day of pay for each day of work so missed. If this last option becomes necessary, the Fairfield County ESC Superintendent will notify the Fairfield County ESC Treasurer and the employee in writing of the reason for the reduction in pay in accordance with Ohio Revised Code.

Note: If any employee chooses the option of “working at home,” he/she will be required to complete an absence form for each day so worked.

3. In the event that the Fairfield County ESC Superintendent determines that it is necessary to close the Fairfield County ESC because of inclement weather conditions or other calamities, employees will not have their salaries reduced for the day(s) that the office is closed except that hourly, as-needed employees will not receive pay for time not worked.

#### Disasters and Extended Closings

4. If the local schools would be closed for an extended period of time due to inclement weather or some other form of disaster, the Fairfield County ESC Superintendent will inform staff members on nine, ten and eleven-month contracts as to the number of days which they will be required to work during the extended closing. Under these conditions, the number of days that these employees are off will be made up after schools reopen. This will ensure that schools receive services of the Fairfield County ESC classified staff during a possible extended school year. Twelve-month employees will be required to work during any extended period of school closing unless otherwise informed by the Fairfield county ESC Superintendent. In no case will employees be required to work more days than are in their contract.

#### Classroom Units

5. Employees of the Fairfield County ESC who are assigned as teachers, speech pathologists, aides, etc. at the classroom units operated by this Board need not report to work on days that the buildings in which they are assigned are closed due to inclement weather or other calamity reasons; however, they will be required to make up any days that are deemed needed to be made up by the building in which they are housed or by the Fairfield County ESC.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 3313.48; 3313.482; 3313.483  
3317.01

3737.73  
OAC 3301-35-03

CONTRACT REF.: Teachers' Negotiated Agreement

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## CRISIS MANAGEMENT

A crisis can occur at any time and has the ability to make a significant impact on members of the community. A crisis is defined as any event which threatens the actual safety and security of students, employees or visitors of the ESC or whose impact threatens the feeling of safety and security, both of which are detrimental to a positive learning environment.

There are unlimited possibilities for crises that could impact the ESC. These include, but are not limited to, suicide, death of a student or employee, acts of violence, trauma and accidents.

In recognizing the need to be proactive in preparing for possible crises, the Board directs the Superintendent to prepare a Crisis Management Plan which addresses:

1. the primary goal of preventing a crisis from occurring;
2. appropriate means of dealing with a crisis in the ESC, including who shall serve as the primary spokesperson for the ESC and the steps in which the plan shall be carried out and
3. assessment of the way the crisis was handled with suggestions for improvement in the future, if necessary.

The administration annually reviews the Crisis Management Plan, considering the most current information dealing with the subject, as well as making relevant information about the plan known to the community.

[Adoption date: January 7, 2003]

LEGAL REF.: ORC 3313.20

CROSS REFS.: EBC, Emergency Plans  
GBE, Staff Health and Safety

## BUILDINGS AND GROUNDS SECURITY

Offices and equipment of the ESC constitute one of its greatest investments. It is in the best interest of the ESC to protect the investment adequately.

Security means not only maintenance of a secure building, but also protection from fire hazards, faulty equipment and unsafe practices in the use of electrical, plumbing and heating equipment. The ESC requires and encourages close cooperation with local police and fire departments and with insurance company inspectors.

The Superintendent assigns keys to the individual offices according to need. He/She will further be responsible for instructing recipients on the use and maintenance of such keys and will keep an accurate record of all keys assigned to members of his/her staff.

[Adoption date: January 7, 2003]

LEGAL REF.: ORC 3313.20

## AUTHORIZED USE OF SCHOOL-OWNED MATERIALS

### Personal Usage Policy

All office equipment in the Fairfield County Educational Service Center is provided for staff use as a legitimate educational and administrative resource. Use of such equipment, including copiers, faxes, computers and software is granted based on each staff member's professional duties. In order to maintain usage of office equipment, all staff members must take responsibility for appropriate and lawful use of such equipment.

[Adoption date: January 7, 2003]

## COMPUTER/ON-LINE SERVICES

Internet access and electronic mail are provided for education, educational administration, and communication. The Fairfield County ESC Governing Board and Administration reserve the right to monitor, inspect, copy, review and store at any time and without prior notice any and all usage of the Internet access and any and all materials, files, information, software, communications and other content transmitted, received or stored in connection with this usage. All such information, content and files shall be and remain the property of the Fairfield County ESC, and there should be no expectation of privacy regarding those materials. For Educational Management Information System (EMIS) purposes, confidential information regarding both students and personnel is stored on our systems. Other than transmission of such information to the Metropolitan Education Council or the Ohio Department of Education, no confidential information is to be electronically transmitted. No files stored on office hard drives, discs, or tapes are to be deleted without the approval of the person responsible for the maintenance of those specific files. In the event of termination of employment, no files are to be deleted or copies removed.

In use of the Internet, staff members shall comply with the following guidelines and procedures:

1. Use appropriate language. Do not use profanity, obscenity or other language which may be offensive to other users. Illegal activities are strictly forbidden.
2. Do not reveal your personal home address, e-mail address or phone number or those of other students or colleagues.
3. Note that electronic mail (e-mail) is not guaranteed to be private. People who operate the system do have access to all messages relating to or in support of illegal activities and such activities will be reported to the authorities.
4. Use of the computer and/or network is not for financial gain or for any commercial or illegal activity.
5. The network should not be used in such a way that it disrupts the use of the network by others.
6. Rules and regulations of on-line etiquette are subject to change by the administration.
7. Users shall keep all personal passwords, home addresses and telephone numbers private. They shall use this system only under their own user name and password.
8. The system shall be used only for a legitimate educational resource. Commercial, political and/or personal use of this system for other purposes is strictly prohibited. The administration reserves the right to monitor any computer activity and on-line communications for improper use.

9. Users shall not use the system to encourage the use of drugs, alcohol, or tobacco, nor shall they promote unethical practices or any activity prohibited by law or Board policy.

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10. Users shall not view, download or transmit material that is threatening, obscene, disruptive or sexually explicit or that could be construed as harassment or disparagement of others based on race, national origin, citizenship status, sex, sexual orientation, age, disability, religion or political belief.
11. Copyrighted material may not be placed on the system without the author's permission.
12. Vandalism results in the cancellation of user privileges. Vandalism includes uploading/downloading inappropriate material, creating computer viruses and/or any malicious attempt to harm or destroy equipment or materials or the data of any other user.
13. Users shall not read other users' mail or files; they shall not attempt to interfere with other users' ability to send or receive electronic mail, nor shall they attempt to read, delete, copy, modify or forge other users' mail.
14. Users are expected to keep messages brief and use appropriate language.

Each staff member will be given a copy of this policy and will sign an acceptable usage agreement.

[Adoption date: January 7, 2003]



## COMPUTER/ON-LINE SERVICES

The following guidelines and procedures shall be complied with by staff, students or community members who are specifically authorized to use the ESC's computers or on-line services.

1. Use appropriate language. Do not use profanity, obscenity or other language which may be offensive to other users. Illegal activities are strictly forbidden.
2. Do not reveal your personal home address or phone number or those of other students or colleagues.
3. Note that electronic mail (e-mail) is not guaranteed to be private. Systems managers have access to all messages relating to or in support of illegal activities and such activities may be reported to the authorities.
4. Use of the computer and/or network is not for financial gain or for any commercial or illegal activity.
5. The network should not be used in such a way that it disrupts the use of the network by others.
6. All communications and information accessible via the network should be assumed to be property of the ESC.
7. Rules and regulations of on-line etiquette are subject to change by the administration.
8. The user in whose name an on-line service account is issued is responsible for its proper use at all times. Users shall keep personal account numbers, home addresses and telephone numbers private. They shall use this system only under their account numbers issued by the ESC.
9. The system shall be used only for purposes related to education or administration. Commercial, political and/or personal use of the system is strictly prohibited. The administration reserves the right to monitor any computer activity and on-line communications for improper use.
10. Users shall not use the system to encourage the use of drugs, alcohol or tobacco nor shall they promote unethical practices or any activity prohibited by law or Board policy.
11. Users shall not view, download or transmit material that is threatening, obscene, disruptive or sexually explicit or that could be construed as harassment or disparagement of others based on their race, national origin, citizenship status, sex, sexual orientation, age, disability, religion or political beliefs.
12. Copyrighted material may not be placed on the system without the author's permission.
13. Vandalism results in the cancellation of user privileges. Vandalism includes uploading/downloading any inappropriate material, creating computer viruses and/or any malicious attempt to harm or destroy equipment or materials or the data of any other user.
14. Users shall not read other users' mail or files; they shall not attempt to interfere with other users' ability to send or receive electronic mail, nor shall they attempt to read, delete, copy, modify or forge other users' mail.
15. Users are expected to keep messages brief and use appropriate language.
16. Users shall report any security problem or misuse of the network to the teacher or the principal or immediate supervisor.

(Approval date: January 7, 2003)

APPLICATION FOR ACCESS  
AND  
TERMS AND CONDITIONS FOR USE OF THE NETWORK

Please read the following carefully before signing this document.

Terms and Conditions

1. **Acceptable Use** - The purpose of this network is to support education in and among academic institutions to provide access to unique resources and opportunities for collaborative work. Access must be in support of education and research and consistent with the educational objectives of the ESC. Use of other organizations networks or computing resources must comply with the rules appropriate for that network. Transmission of any material in violation of any U.S. or State regulation is prohibited. This includes, but is not limited to: copyrighted material, threatening or obscene material or material protected by trade secret. Use for commercial activities by for-profit institutions is generally not acceptable. Use for product advertisement or political lobbying is also prohibited.
2. **Privileges** - The use of the network is a privilege, not a right, and inappropriate use will result in a cancellation of those privileges. The system administrators will deem what is inappropriate use and their decision is final. Also, the system administrators may deny access at any time as required. The administration of the ESC may also request the system administrator to deny, revoke or suspend access.
3. **Security** - Security on any computer system is a high priority, especially when the system involves many users. If you feel you can identify a security problem on the network, you must notify the system administrator. Do not demonstrate the problem to other users. Do not use another individual's account and never give your password to another user. Never allow students to use your Internet account. Attempts to log in to the system as any other user will result in cancellation of user privileges. Attempts to log in to the network as a system administrator will result in cancellation of user privileges. Any user identified as a security risk or having a history of problems with other computer systems may be denied access.
4. **Vandalism** - Vandalism will result in cancellation of privileges. Vandalism is defined as any malicious attempt to harm or destroy data of another user of any of the above listed agencies or other networks that are connected to the local network. This includes, but is not limited to, the uploading or creation of computer viruses, destroying other users' files, hacking, etc.
5. **Netiquette** - You are expected to abide by the generally accepted rules of network etiquette. These include (but are not limited to) the following:

- A. Be polite. Do not become abusive in your messages to others. Use appropriate language. Do not swear, use vulgarities or any other inappropriate language.
- B. Illegal activities are strictly forbidden.

- C. Do not reveal any personal information about yourself to others.
  - D. Note that electronic mail (e-mail) is not guaranteed to be private.
  - E. Do not overcrowd your mailbox.
  - F. Do not use the network in such a way that you would disrupt the use of the network by other users.
  - G. All communications and information accessible via the network should be assumed to be private property.
6. Updating User Information - LEECA may occasionally require new registration and account information from the ESC to continue the service. Currently, there are no user fees for this service.
7. Exceptions of Terms and Conditions - All terms and conditions as stated in this document are applicable to the ESC, LEECA and all servers connected through LEECA. These terms and conditions reflect the entire agreement of the parties and supersedes all prior oral or written agreements and understandings of the parties. These terms and conditions shall be governed and interpreted in accordance with the laws of the State of Ohio, United States of America.

If a user violates any of these provisions, his/her access will be terminated and future access could possibly be denied. The signature(s) at the end of this document is (are) legally binding and indicate(s) the party (parties) who signed has (have) read the terms and conditions carefully and understand(s) their significance.



## BUS DRIVERS EXAMINATION AND TRAINING

### Qualifications of School Bus Drivers

Section 3327.10 of the Ohio Revised Code states that the Educational Service Center Governing Board shall be responsible for the issuance of driver certificates for school bus drivers in those local districts falling under the jurisdiction of the Governing Board. Such certificates to operate a school bus shall be signed by the President of the Educational Service Center Governing Board. Any person who has not received a certificate from the Educational Service Center Governing Board shall not be employed as a driver of a school bus or motor van, owned or operated by the ESC. In order to receive this certificate, the bus driver must:

1. pass a physical examination each year within 90 days of applying for employment as a bus driver in the ESC;
2. be at least 18 years of age, of good moral character and qualified physically and otherwise, under OAC 3301-83-06(B) et seq., for such a position;
3. produce a safe driving abstract each year (regular or CDL when qualified) not more than 60 days old each year when applying for a bus driving certificate in the ESC;
4. submit an acceptable report from the State Bureau of Criminal Identification and Investigation every two calendar years and
5. complete four hours of approved in-service training annually as required by the Ohio Pupil Transportation Operation and Safety Rules.

In accordance with criteria for school bus driver physicals, under OAC 3301-83-07 et seq., all ESC bus drivers must meet the physical requirements as set forth in these standards. In addition, the standards require that any person certified as physically qualified to operate a school bus must require, obtain and present to the Board an abstract (regular or CDL when qualified) of his/her driving record. This abstract is to be attached to the Department of Education's copy of the completed physical examination. This is to be a yearly requirement, and the driver is responsible for obtaining and paying for the cost to obtain the abstract. A new report of the State Bureau of Criminal Identification and Investigation shall be required every two calendar years.

The Board policy shall hereafter be that when any school bus driver loses insurability or, based upon Ohio's point system for traffic violations, when any school bus driver accumulates six traffic violation points during a 12-month period, regardless of the vehicle being driven at the time of the violation, the driver shall not be issued a certificate to drive a school bus in the ESC for a period of two years from the date of the issuance of the sixth violation point. Furthermore, any ESC school bus driver accumulating a total of four points for traffic violations over a 12-month period while driving a school bus shall not be issued a certificate to drive a bus in the ESC for a period of two years from the date of issuance of the fourth traffic violation point. When a

bus driver employed by a ESC loses insurability or accumulates six violations points within any 12-month period, regardless of the vehicle being driven or accumulates four violation points within a 12-month period while driving a school bus, the local superintendent shall immediately notify the ESC Superintendent.

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File: EEACA

[Adoption date: January 7, 2003]

LEGAL REF.: ORC 3327.10

CROSS REF.: GBQ, Criminal Record Check



## PRINTING AND DUPLICATING SERVICES

State law requires that all public records be promptly prepared and made available for inspection to any member of the general public at all reasonable times during regular business hours. Upon request, the person responsible for maintenance of the public records is required to make copies available at cost, within a reasonable period of time.

The ESC will provide duplicating services at a cost established by the Board at the organizational meeting. The cost will apply to copies of the minutes, personnel records or other records which by law can be shared with the general public.

[Adoption date: January 7, 2003]

LEGAL REF.: PL94-553, Copyright Act of 1976

CROSS REFS.: BDDG, Minutes  
GBL, Personnel Records

## COPYRIGHT

The Board conforms to existing United States copyright laws and maintains the highest ethical standards in the use of copyrighted materials for instructional purposes.

The Board encourages its staff to enrich the learning programs by making proper use of supplementary materials. It is the responsibility of the staff to abide by the copying procedures and obey the requirements of the law. Under no circumstances may employees of the ESC violate copyright requirements in order to perform their duties properly. The Board is not responsible for any violations of the Copyright Act by its employees.

Public Law 94-533, The Copyright Act, affects all employees because it sets guidelines regarding the duplication and use of all copyrighted materials – print, nonprint, music, computer software and others. The Superintendent is responsible for disseminating the guidelines for duplication and use of copyrighted materials to all employees.

Any employee who is uncertain as to whether the reproducing or use of copyrighted materials complies with the procedures or is permissible under law shall contact the Superintendent/designee.

[Adoption date: January 7, 2003]

LEGAL REFS.: U.S. Const. Art. I, Section 8  
Copyright Act, 17 USC Section 101 et seq.

## COPYRIGHT

### Educational Use of Copyrighted Print Materials

1. Fair use
  - A. The fair use of copyrighted work for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship or research is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use, the factors to be considered include:
    - 1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
    - 2) the nature of the copyrighted work;
    - 3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole and
    - 4) the effect of the use upon the potential market for or value of the copyrighted work.
2. Single copying for teachers
  - A. A single copy may be made of any of the following by or for a teacher at his/her individual request for his/her scholarly research or use in teaching or preparation to teach a class:
    - 1) a chapter from a book;
    - 2) an article from a periodical or newspaper;
    - 3) a short story, short essay or short poem, whether or not from a collective work or
    - 4) a chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.
3. Multiple copies for classroom use
  - A. Multiple copies (not to exceed more than one copy per student in a course) may be made by or for the teacher giving the course for classroom use or discussion, provided that:
    - 1) the copying meets the tests of brevity, spontaneity and cumulative effect as defined below and
    - 2) each copy includes a notice of copyright.
      - a. Brevity

Poetry: (a) a complete poem if less than 250 words and if printed on not more than two pages or (b) from a longer poem, an excerpt of not more than 250 words.

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Prose: (a) a complete article, story or essay of less than 2,500 words or (b) an excerpt of not more than 1,000 words or 10% of the work, whichever is less, but in any event a minimum of 500 words.

Each of the numerical limits stated in "poetry" and "prose" above may be expanded to permit the completion of an unfinished line of a poem or of an unfinished prose paragraph.

Illustration: one chart, graph, diagram, drawing, cartoon or picture per book or periodical issue.

Special work: certain work in poetry, prose or "poetic prose", which often combines language with illustrations, of less than 2,500 words.

A "special work" may not be reproduced in its entirety. However, an excerpt comprising not more than two of the published pages of a special work, and containing not more than 10% of the words found in the text thereof, may be reproduced.

b. Spontaneity

The copying is at the instance and inspiration of the individual teacher. The inspiration and decision to use the work, and the moment of its use for maximum teaching effectiveness, are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

c. Cumulative effect

The copying of the material is for only one course in the school in which copies are made.

Not more than one short poem, article, story or essay, or two excerpts, may be copied from the same author, nor more than three from the same collective work or periodical volume, during one class term.

The limitations stated in the preceding two paragraphs shall not apply to current news periodicals and newspapers and current news sections of other periodicals.

The limitations as to single copying for teachers and multiple copies for classroom use are applicable.

4. Prohibitions

- A. Copying shall not be used to create, replace or substitute for anthologies, compilations or collective works. Such replacements or substitutions may occur whether copies of various works or excerpts therefrom are accumulated or reproduced and used separately.

- B. There shall be no copying of or from works intended to be “consumable” in the course of study or teaching. These include workbooks, exercises, standardized tests, test booklets, answer sheets and similar consumable material.
- C. Copying shall not:
  - 1) substitute for the purchase of books, publishers’ reprints or periodicals;
  - 2) be directed by higher authority or
  - 3) be repeated with respect to the same item by the same teacher from term to term.
- D. No charge shall be made to the student beyond the actual cost of the photocopying.

### Educational Use of Copyrighted Music

#### 1. Permissible uses

- A. Emergency copying may be done to replace purchased copies which for any reason are not available for an imminent performance, provided purchased replacement copies shall be substituted in due course.
- B. For academic purposes other than performance, single or multiple copies of excerpts of works may be made, provided that the excerpts do not comprise a part of the whole which would constitute a performable unit such as a section, movement or area, but in no case more than 10% of the whole work. The number of copies shall not exceed one copy per student.
- C. Printed copies which have been purchased may be edited or simplified, provided that the fundamental character of the work is not distorted or that lyrics, if any, are not altered or added.
- D. A single copy of recordings of performances by students may be retained by the educational institution or individual teacher.
- E. A single copy of a sound recording (such as a tape, disc or cassette) of copyrighted music may be made from sound recordings owned by an educational institution or an individual teacher for the purpose of constructing aural exercises or examinations and may be retained by the educational institution or individual teacher. (This pertains only to the copyright of the music itself and not to any copyright which may exist in the sound recording.)

#### 2. Prohibitions

- A. Copying shall not be used to create, replace or substitute for anthologies, compilations or collective works.

- B. Copying of or from works intended to be “consumable” in the course of study or of teaching such as workbooks, exercises, standardized tests, answer sheets and similar material is prohibited.
- C. Copying shall not be used for the purpose of performance except as previously stated.
- D. Copying shall not be used for the purpose of substituting for the purchase of music except as previously stated.
- E. Copying without inclusion of the copyright notice which appears on the printed copy is prohibited.

#### Educational Use of Copyrighted Audio-Visual Material

- 1. Before reproducing small portions of sound recordings, filmstrips, slide sets, transparencies or motion pictures, or videotaping commercial television broadcasts, employees shall consult with the principal to determine whether the proposed action complies with the “fair use” principles of the Copyright Act.
- 2. School recordings may be made of certain instructional television programs telecast by the local Public Broadcasting Systems educational television station. Before recording the telecast, the following conditions shall be satisfied.
  - A. The monthly list of programs not licensed for recording shall be consulted. Any program listed shall not be recorded.
  - B. Recordings may be used in classroom or instructional settings as an educational activity or at a PTA meeting, Board meeting or similar activity.
  - C. Recordings shall be used only in the facilities of the ESC and shall not be loaned or made available outside of those facilities.
  - D. Recordings made from evening programs, which may be copied, shall be retained for no more than seven days following the telecast unless an extension is received in writing in advance. Daytime telecasts may be recorded and retained permanently unless otherwise notified.

#### Educational Use of Copyrighted Library Material

- 1. A library may make a single copy of unpublished work in order to replace it because it is damaged, deteriorated, lost or stolen, provided that an unused replacement cannot be obtained at a fair price.
- 2. A library may provide a single copy of copyrighted material at cost to a student or staff member.

- A. The copy must be limited to one article of a periodical issue or a small part of other material, unless the library finds that the copyrighted work cannot be obtained elsewhere at a fair price. Under the latter circumstances, the entire work may be copied.

- B. The copy shall contain the notice of copyright, and the student or staff member shall be notified that the copy is to be used only for private study, scholarship or research. Any other use subjects the person to liability for copyright infringement.
3. At the request of the teacher, copies may be made for reserve use. The same limits apply as for single or multiple copies as previously stated.

### Copying Limitations

- 1. Circumstances arise when personnel are uncertain whether or not copying is prohibited. In those circumstances, the Superintendent shall be contacted. If the Superintendent is uncertain, he/she shall consult with the ESC's legal counsel.
- 2. The following prohibitions have been expressly stated in Federal guidelines.
  - A. Reproduction of copyrighted material shall not be used to create or substitute for anthologies, compilations or collective works.
  - B. Unless expressly permitted by agreement with the publisher and authorized by ESC action, there shall be no copying from copyrighted consumable materials such as workbooks, exercises, test booklets, answer sheets or similar materials.
  - C. Employees shall not:
    - 1) use copies to substitute for the purchase of books, periodicals, music recordings or other copyrighted material, except as permitted by ESC procedure;
    - 2) copy or use the same items from term to term without the copyright owner's permission;
    - 3) copy or use more than nine instances of multiple copying of protected material in any one term;
    - 4) copy or use more than one short work or two excerpts from works of the same author in any one term or
    - 5) copy or use protected materials without including a notice of copyright. The following shall constitute a satisfactory notice:

NOTICE: THIS MATERIAL MAY BE PROTECTED BY  
COPYRIGHT LAW.

- 3. Employees shall not reproduce or use copyrighted material at the direction of an ESC administrator without permission of the copyright owner.

### Computer Software Copyright

The Board recognizes that computer software piracy is a major problem for the industry, and that violations of copyright laws contribute to higher costs and lessen incentives for publishers to develop effective educational software. Therefore, in an effort to discourage software piracy and to prevent such illegal activity, the ESC will take the following steps.



1. The ethical and practical implications of software copyright violations will be provided to all employees and students using ESC computer facilities and software.
2. Employees and students will be informed that they are expected to adhere to the Copyright Act and all subsequent amendments thereto governing the use of software.
3. Wherever possible, efforts will be made to secure software from being duplicated from floppy disks, hard drives or networked systems.
4. Illegal copies of copyrighted software shall not be made or used on ESC equipment.
5. ESC administrators shall be designated as the only individuals who may sign license agreements for educational software used on ESC computers.
6. Documentation of licenses for software used on ESC computers will be located at the site where the software is being used.

#### Unsupervised Copy Equipment

The following notice, in large type, shall be affixed to all ESC copying equipment (Xerox, Thermofax, audiotape recorder, videotape recorder and copy camera):

NOTICE: THE COPYRIGHT LAW OF THE UNITED STATES GOVERNS THE  
MAKING OF COPIES OF COPYRIGHTED MATERIAL. THE PERSON  
USING THIS EQUIPMENT IS LIABLE FOR ANY INFRINGEMENT.

#### Library Copying for Students or Staff

1. The following notice, in large type, shall be posted prominently where copies are made available to students or staff:

NOTICE: THE COPYRIGHT LAW OF THE UNITED STATES GOVERNS THE  
MAKING OF COPIES OF COPYRIGHTED MATERIAL.

2. The following notice, in large type, shall be posted prominently where print copies are made available to students and/or staff:

#### WARNING CONCERNING COPYRIGHT RESTRICTIONS

THE COPYRIGHT LAW OF THE UNITED STATES GOVERNS THE  
MAKING OF COPIES OR OTHER REPRODUCTION OF COPYRIGHTED  
MATERIAL.



UNDER CERTAIN CONDITIONS SPECIFIED IN THE LAW, LIBRARIES AND ARCHIVES ARE AUTHORIZED TO FURNISH A PHOTOCOPY OR OTHER REPRODUCTION. ONE OF THESE SPECIFIED CONDITIONS IS THAT THE PHOTOCOPY OR REPRODUCTION IS NOT TO BE "USED FOR ANY PURPOSE OTHER THAN PRIVATE STUDY, SCHOLARSHIP OR RESEARCH." IF A USER MAKES A REQUEST FOR, OR LATER USES, A PHOTOCOPY OR REPRODUCTION FOR PURPOSES IN EXCESS OF "FAIR USE," THAT USER MAY BE LIABLE FOR COPYRIGHT INFRINGEMENT.

THIS INSTITUTION RESERVES THE RIGHT TO REFUSE TO ACCEPT A COPYING ORDER IF, IN ITS JUDGMENT, FULFILLMENT OF THE ORDER WOULD INVOLVE VIOLATION OF COPYRIGHT LAW.

(Approval date: January 7, 2003)



## TELEPHONE SERVICES

Telephones are provided for official ESC use; however, in order to permit staff members to make necessary personal calls at a minimum inconvenience and loss of time, telephones may be used for personal calls. The staff members making such calls will be expected to pay any long distance or toll charges.

[Adoption date: January 7, 2003]

LEGAL REFS.: OAC 3301-35-03

## DATA AND RECORDS RETENTION

All records<sup>1</sup> are the property of the District and are not removed, destroyed, mutilated, transferred or otherwise damaged or disposed of, in whole or in part, except as provided by law or under the rules adopted by the District Records Commission. Such records shall be delivered by outgoing officials and employees to their successors and shall not be otherwise removed, transferred or destroyed unlawfully.

The Records Commission is composed of the Board President, the Treasurer and the Superintendent and meets at least once every 12 months.

The function of the commission is to review applications for one-time records disposal and schedules of records retention and disposition submitted by any employee of the District. Records may be disposed of by the District pursuant to the procedure outlined below. The commission may at any time review any schedule it has previously approved and may revise that schedule.

The Superintendent designates a Records Officer in each department/building who is responsible for all aspects of records retention, including electronic mail, within that department/building.

When District records have been approved for disposal, the Records Commission sends a list of such records to the Auditor of State. If he/she disapproves the action by the commission, in whole or in part, he/she so informs the commission within a period of 60 days, and these records are not destroyed. Before public records are disposed of, the Ohio Historical Society is informed and given the opportunity for a period of 60 days to select for its custody such public records as it considers to be of continuing historical value.<sup>2</sup>

### Electronic Mail

Electronic mail sent or received by the Board and/or District employees may be considered a public record subject to public disclosure or inspection under Ohio's Sunshine Law. Upon sending or receiving electronic mail, all users shall segregate or store public electronic mail records.

All Board and District electronic mail communications are monitored in accordance with the attached regulation to ensure that all public electronic mail records are retained, archived and destroyed in compliance with State law.

District employees are subject to disciplinary action for violation of this policy and regulation.

[Revision date: 4/6/2010]

LEGAL REFS.: Family Educational Rights and Privacy Act; 20 USC 1232g et seq.

ORC 9.01

149.35; 149.41; 149.43

3313.29

3319.321

3701.028

Auditor of State Form RC-2

CROSS REFS.: DI, Fiscal Accounting and Reporting

GBL, Personnel Records

JO, Student Records

KBA, Public's Right to Know

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<sup>1</sup>Records include documents, devices or items, regardless of physical form or characteristic, created or received by or coming under the jurisdiction of the District which serves to document the organization, functions, policies, decisions, procedures, operations or other activities of the District. ORC Section 149.011

<sup>2</sup>The Historical Society may not review or select for its custody the records set forth in ORC Section 149.41(A) and (B) .

## DATA AND RECORDS RETENTION (Electronic Mail)

The Ohio Electronic Records Committee has established the following guidelines for managing electronic mail (e-mail).

Retention or disposition of e-mail messages must be related to the information they contain or the purpose they serve. The content, transactional information and any attachments associated with the message are considered a record (if they meet State law criteria). Because the content of e-mail messages may vary considerably, the content must be evaluated to determine the length of time messages must be retained.

There are two categories of e-mail retention: non-record messages and official record messages.

### Non-Record Messages

E-mail messages that do not meet the criteria of the Ohio Revised Code definition of a record may be deleted at any time, unless they become part of some official record as a result of special circumstances. These items may be immediately deleted, or maintained in a "Non-Record" mail box and deleted later, just as you might trash the unwanted publications or promotional flyers. Types of messages may include:

1. Personal Correspondence: Any e-mail not received or created in the course of state business may be deleted immediately, since it is not an official record. Examples include, but are not limited to, the "Let's do lunch" (not a business lunch) or "Can I catch a ride home" type of note.
2. Non-State Publications: Publications, promotional material from vendors and similar materials that are "publicly available" to anyone are not official records. In the electronic world, this includes list serve messages (other than those you post in your official capacity), unsolicited promotional material ("spam"), files copied or downloaded from Internet sites, etc.

## Official Record Messages

E-mail messages that meet the definition of a record in the ORC are official records and must be scheduled, retained and disposed of as such. These official records fall into the following categories:

1. Transient Messages: This type of e-mail has a very limited administrative value. Transient messages do not set policy, establish guidelines or procedures, certify a transaction or become a receipt. The informal tone of transient messages might be compared to a communication that might take place during a telephone conversation in an office hallway.

Transient Documents: Include telephone messages, drafts and other limited documents which serve to convey information of temporary importance in lieu of oral communication.

Retention: Until no longer of administrative value, then destroy

2. Intermediate Messages: E-mail messages that have more significant administrative, legal and/or fiscal value but are not scheduled as transient or permanent should be categorized under other appropriate record series. These may include (but are not limited to):
  - A. General Correspondence: Includes internal correspondence (e.g., letters, memos); also, correspondence from various individuals, companies and organizations requesting information pertaining to agency and legal interpretations and other miscellaneous inquiries. This correspondence is informative (it does not attempt to influence District policy).

Retention: 1 year, then destroy

- B. Routine Correspondence: Referral letters, requests for routine information or publications provided to the public by the District which are answered by standard form letters.

Retention: 6 months, then destroy

- C. Monthly and Weekly Reports: Document status of ongoing projects and issues; advise supervisors of various events and issues.

Retention: 1 year, then destroy

- D. Minutes of Agency Staff Meetings: Minutes and supporting records documenting internal policy decisions.

Retention: 2 years, then transfer to State Archives for their possible retention or destruction

3. Permanent Messages: E-mail messages that have significant administrative, legal and/or fiscal value and are scheduled as permanent also should be categorized under the appropriate record series. These may include, but are not limited to:

- A. Executive Correspondence: Correspondence dealing with significant aspects of the administration of executive offices. Correspondence includes information concerning policies, program, fiscal and personnel matters.

Retention: 2 years, then transfer to State Archives

- B. Departmental Policies and Procedures: Includes published reports, unpublished substantive reports and policy studies.

Retention: Retain until superseded, obsolete or replaced, then transfer to State Archives for their possible retention and destruction

(Revision date: 4/6/2010)



## INSURANCE MANAGEMENT

The Board has the responsibility to maintain an adequate and comprehensive insurance program covering its buildings and grounds, fleet of school buses and individuals discharging responsibilities for the ESC.

The Superintendent administers the total insurance program.

The ESC makes efforts to obtain insurance at the most economical cost, consistent with required coverage and service, through obtaining quotations or bids.

[Adoption date: January 7, 2003]

LEGAL REFS.: ORC 9.83  
9.90  
3313.201; 3313.202; 3313.203  
3327.09  
3917.01; 3917.04

CROSS REFS.: GCBC, Certified Staff Fringe Benefits  
GDBC, Classified Staff Fringe Benefits