



Student Transportation Guidelines

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STUDENT TRANSPORTATION GUIDELINES

STUDENT TRANSPORTATION

School districts provide transportation to students for a variety of reasons, including, but not limited to, home to school transport, field trips, athletic events, and other similar extracurricular activities. Transportation is usually provided by district owned vehicles, external contracted charter services, rental vehicles, or use of non-owned vehicles (vehicles owned, leased, or rented by employees/permissive drivers).

In an effort to minimize potential harm to passengers and endeavor to mitigate liability to districts, ASCIP recommends that districts consider the following for their transportation program:

- Adopt a board policy that sets forth the rules, regulations, and procedures governing the use of vehicles to conduct school business. Such policy should include procedures for both district owned and non-owned vehicles and apply to any authorized person driving on school business, including, but not limited to, the governing board, employees, consultants, parents, and volunteers.
- Whenever possible, district owned vehicles should be used to transport students to and from district sponsored activities or for other business purposes.
- When transportation is provided by the district, students should be required to use, unless extraordinary conditions merit an exception. Exceptions should be vetted through a petition/approval process.
- The use of non-owned private vehicles for student transportation is discouraged. However, at times, this may be the only feasible method available. As such, ASCIP recommends the following risk management guidelines:
 - ✓ Obtain a completed and signed Use of Private Vehicle form (attachment 2).
 - ✓ Request driver records through the California Department of Motor Vehicles (DMV) (attachment 3).
- Volunteers should be named/acknowledged by Board action.
- All volunteers, and students, participating in a field trip must submit a signed form indicating the mode of transportation to be used, along with the respective field trip/consent permission slip and authorization for emergency medical treatment form.
- Always refrain from being involved in or arranging for a student to transport himself/herself or other students to attend district sponsored activities. Coordination and transportation is the responsibility of the parent/guardian. **Any arrangements regarding personal transport, carpooling, transportation routes, caravanning,**

etc., are to be made completely outside of the school environment without school supervision or direction from district employees or agents.

- Timelines shall be established for the submission of all required documents prior to the activity/transportation of students.

MILEAGE REIMBURSEMENT AND INSURANCE – PRIVATE VEHICLES

Mileage reimbursement covers all operating expenses on private vehicles including, but not limited to, insurance, gas, oil, maintenance, etc.

If an authorized driver operates his/her own private vehicle while conducting school business and is involved in an accident, the vehicle's liability insurance policy is primary. The district's liability coverage activates only after the district is determined to be liable and the vehicle limits have been exhausted. The district's coverage does not provide for collision or comprehensive coverage on private vehicles. Employees must contact their supervisor and/or designated district representative to report the accident as soon as possible.

DMV PULL NOTICE PROGRAM

The DMV administers a program in which the district can automatically receive driving records for employees and other permissive drivers at no charge. This program is referred to as the Employee Pull Notice (EPN) program and is a valuable tool for tracking driving records.

To participate in the program:

- Obtain a governmental requester code number from the DMV.
- Identify all employees/permissive drivers who drive a vehicle on school business.
- Obtain, in advance, signed authorization from each driver to request his/her DMV records.
- Complete the DMV record request form.
- Mail the completed request to the DMV.
- Any questionable driving records should be discussed with the appropriate district administrator.
- Any driver who has a license or privilege suspended, revoked, or canceled by any state for any period, or who is disqualified from driving a commercial motor vehicle for any period, shall notify the district before the end of the business day following the action in accordance with California Vehicle Code (CVC) Section 15224.
- Per 49 CFR 383.81, commercial drivers with any non-disqualifying traffic conviction shall notify district within 30 days following the conviction.

An alternative to the DMV program is the SAMBA program offered through ASCIP at no cost to the member. The SAMBA system is an online management tool that automates the DMV's paper-based service and electronically monitors the driving records of all

registered commercial drivers. Members can contact ASCIP Risk Services staff for more details.

DMV RECORDS THROUGH ASCIP

Upon request, ASCIP will order DMV records on behalf of the members at no charge. In doing so, members should be aware of the following:

- Vehicles requiring drivers to have a valid commercial driver's license (CDL) are required by law to participate in the EPN program per CVC section 1808.1.
- All employee/permissive drivers should be enrolled in the EPN program.
- All DMV records requests must be with the knowledge and consent of the individual whose driving record information is being requested. No unauthorized dissemination of DMV records or other information is permitted. Ref: CVC sections 1808.21, 1808.45, 1808.46, and 1808.47.
- ASCIP shall not be responsible for any errors or omissions in the DMV records.
- The interpretation and use of DMV information is solely the responsibility of the requesting member.
- Records requested through ASCIP do not include subsequent monitoring. For an update, another request must be submitted.

USE OF OTHER TRANSPORTATION SERVICES

ASCIP recommends that use of other transportation services (e.g., Uber, Lyft) for district purposes be prohibited¹. Should parents/guardians desire to use other transportation services as an occasional home to school transport mode for their child's/children's commute, and/or some community college students desire to use as a regular means of transport, then pick-up/drop-off must be arranged off premises for the district to seek to avoid liability.

¹ Other transportation services, like Uber and Lyft, prohibit giving rides to passengers under the age of 18 unaccompanied by adults. However, there are specialty companies which cater to driving and servicing unaccompanied minors (e.g., HopSkipDrive, RideZum, Kango). These specialty firms fingerprint their drivers, conduct background checks, maintain extensive insurance coverage, and have greater driver/passenger safety procedures than their more established competitors. Such firms may play a significant role in future student transportation. **However, the current limited scope of these firms' routes and of their limited track records with respect to safety and reliability makes it impossible to recommend their use for district purposes.**

ATTACHMENT 1

SAMPLE DISTRICT DRIVER BOARD POLICY

BP 35XX—Business and Non-instructional Operations—Vehicle Use—District Safe Driver Program

It is the policy of the district that:

1. all persons authorized to drive on school business exhibit safe and courteous driving practices;
2. vehicles be deployed in a manner which best serves the mission of the district;
3. vehicles be maintained in safe operating order.

This policy sets forth the rules, regulations, and procedures governing the use of vehicles, district owned and non-owned, to conduct school business. District owned vehicles include those vehicles owned or leased by the district and are to be utilized for school business only; any other use is strictly prohibited. Non-owned vehicles include those vehicles owned, leased, or rented by employees or other permissive drivers. These procedures shall apply to any authorized person driving on school business, including, but not limited to, employees, contractors, consultants, parents, volunteers, or trustees of the Board of Education.

Employee Eligibility for Driving on School Business

All permissive drivers shall always maintain possession of a valid California driver's license and satisfactory driving record, verified through a California Department of Motor Vehicles (DMV) records check. Failure to do so, shall be grounds for immediate suspension of driving eligibility and possible disciplinary action, up to and including, dismissal. No prospective employee shall be hired for a position that may require driving on school business without demonstrating the same.

Additionally, permissive drivers will:

1. Provide, annually, acceptable written verification certifying valid driver's license status, and report immediately any change in status.
2. Obey all traffic laws and exhibit courtesy.
3. Cease cell phone usage while driving.
4. Not allow other persons to drive.
5. Only transport any passengers when authorized.
6. Only transport students whose parent/guardian has submitted the proper permission slip.
7. Only transport passengers in seats equipped with operable seat belts.
8. Only transport the number of passengers for which the vehicle capacity is rated and/or the number of operable seat belts, whichever is less, but never to exceed ten (10) passengers, including the driver.
9. Endeavor to ensure that equipment and tools are properly loaded and secured to minimize the likelihood of loads shifting and/or creating a hazard during transport.

10. Make reasonable inspections to seek to ensure safe vehicle operation and maintain the vehicle in a neat and clean condition.
11. Conceal valuables/district owned property and lock the vehicle.
12. Report any vehicle damage in writing immediately.
13. If traveling long distance, not exceed driving longer than eight (8) hours in a 24-hour period and take a 15 minute break once every two (2) hours.

Satisfactory Driving Record Defined

A driving record shall be established based upon information from the DMV and records of the district. A satisfactory driving record is defined as:

- No more than 4 points over a three-year period, and
- No more than 5 points over a five-year period.

Points are charged as follows:

- One point per moving violation (e.g., speeding, traffic light violation).
- Two points per accident (all accidents are chargeable subject to review and determination by designated district representatives).
- Four points per driving under the influence (DUI), reckless driving, display of speed, or open container.

The district reserves discretion to charge other accidents/violations.

Financial Responsibility and Liability

District Owned Vehicles

The district may be liable for damages incurred because of the negligent operation of its vehicles by its permissive users while engaged in authorized school business. Any permissive driver who uses a district owned vehicle for unauthorized purposes may be solely and personally liable for any damage arising from his/her unauthorized use.

Non-Owned Vehicles

All persons driving non-owned vehicles on school business are required to comply with the financial responsibility laws set out in the California Vehicle Code (CVC). The registered owner shall maintain liability insurance with limits acceptable to the district and be responsible for damages incurred because of a negligent or wrongful act or omission in the operation of the motor vehicle while on school business (CVC section 17150).

Insurance for Non-Owned Vehicles

Insurance coverage must meet the minimum required by law, or exceed the minimum if required by the district. A copy of the applicable personal automobile insurance policy declaration page showing the named insured, vehicle description, policy number, and

policy limits shall be provided in advance of the vehicle's use. Updated copies shall be provided annually.

The liability insurance on a private vehicle is primary. The district's liability coverage activates only after the district is determined to be liable and the vehicle limits have been exhausted. The district's coverage does not provide for collision or comprehensive coverage on private vehicles.

If a rental vehicle is required when traveling on a district approved trip, then the maximum insurance coverage available through the rental company shall be purchased and the permissive driver reimbursed.

Regular or incidental use of private vehicles on school business shall be reimbursed for mileage at the adopted rate.

Accident Reporting

All accidents that occur while on school business shall be reported immediately. Following contact to the police or any emergency personnel, drivers are required to immediately telephone their supervisor or designated district representative to report the accident. A written report must be made on a vehicle accident report form. If there are any injuries, the appropriate form(s) must be completed and submitted to the designated district representative. Written reports shall be filed the same day whenever possible, or by the next work day. Any accident involving a fatality or serious injury must be reported immediately to the designated district representative and Cal/OSHA (no longer than 8 hours). A DMV financial responsibility accident report may need to be completed and filed within 10 days of any accident.

Alcohol, Drug, Tobacco Use

Alcohol, drug, or tobacco use is strictly prohibited. All positions which require the operation of district owned vehicles, and are regulated by the Federal Department of Transportation and state laws and regulations, shall be subject to regular, probable cause, and random drug testing in accordance with all applicable rules and regulations.

[Home Garaged Vehicles - district owned vehicles shall not be used on a 24 hour basis, nor operated and garaged at a permissive driver's residence without the express and written consent of the department head and the superintendent/appointee.]

Criteria for Home Garaging:

1. The job requires vehicle home assignment because the employee is subject to 24-hour emergency calls on school business. Upon completion of the rotational duty assignment, the vehicle shall be returned to district garaging; or
2. The high frequency of constant use in certain official capacities (superintendent/deputy superintendent) permits a district owned vehicle be at his/her disposal; or

3. A permissive driver who is proceeding out of the area on school business, and it is most advantageous to proceed directly from his/her residence, may take a vehicle home on a temporary basis (over one night or the weekend).
4. The vehicle shall be parked in the permissive driver's garage, driveway, or parking spot at all times while at the residence.

Responsibility for Enforcement

The principal/site administrator is responsible for educating permissive drivers on the procedures outlined in this policy. The superintendent, or his/her appointee, is responsible for enforcement of these provisions.

