

ASSIGNMENT OF STUDENTS TO SCHOOLS

Admin. Reg. SS-3
March, 2016 May, 2015

- I. **Purpose.** To establish the basic structure for the assignment of students to district schools.
- II. **Assignment.** The Superintendent or his/her designee will assign students to attend the school serving their legal place of residence but may make special exceptions in the best interest of the child, school and family.
- III. **Students with Special Needs.** Disabled students may attend school in another attendance area if facilities within their residential school attendance area ("RSAA") where they reside do not house needed special education programs as determined by the Superintendent or his/her designee.
- IV. **Guidelines.** The following guidelines will be used by the Superintendent or his/her designee to respond to requests of parents/legal guardians to assign students to a school outside of the student's RSAA.
 - A. Applications for transfer will be subject to the administrative rules then in effect. Several transfer options are granted based on space available only. The capacity of a school is subject to change; therefore parents/legal guardians should carefully consider the potential effect on the family if their children attend schools in more than one attendance area.
 - B. Approval of a student's transfer request does not guarantee approval will be granted for his/her sibling, either for the same academic year or for future academic years.
 - C. Transfers will not be allowed in order for a student to participate in an extracurricular program.
- V. **Majority to Minority.** Any student assigned to a school where his/her race is a majority of the student body may transfer to any school in the district where his/her race is in the minority. The district will determine the majority and minority races of each school at the time of the request.
- VI. **Grandfather Rule.** Students who complete the next to last year at the school in serving their RSAA and who move into a different BCSD attendance zone after that year has completed may be allowed to complete their last year of attendance at that school. School attendance records, grades and discipline may be used in determining whether to allow a student to remain in their now out-of-district school. This does not apply to students that move into another school district.
- VII. **Change of Domicile.** Students who change their domicile from one residence to another within Beaufort County after having been granted a choice transfer and after completion of one (1) academic quarter may remain at that school for the remainder of that school year, provided the student's parent(s) agree to transport their child to and from school. The BCSD shall not provide transportation to the student's original school. School attendance records, grades and discipline may be used in determining whether to allow the student to remain at his original school.

VIII. Health Hardship. A student who has a medical, physical or psychological hardship for whom a licensed physician makes a written statement of the specific reason and for whom a licensed physician recommends a change of schools may, upon review and approval by the Superintendent or his/her designee, be granted a transfer to the closest school which offers facilities and/or a physical environment more suitable to meet the student's medical or psychological needs. The BCSD reserves the right to secure a second opinion regarding the student's medical, physical or psychological health.

IX. Employee Preference. Students whose parent/legal guardian is employed by the BCSD may attend the school at which their parent/legal guardian works. Students whose parent/legal guardian works at a school not offering their grade level may attend the school closest to where their parent/legal guardian works or one that is in route to or from the parent's place of work. If the BCSD employment of the parent/legal guardian concludes and the student has completed one marking period, the student may be permitted to complete the school year at the out of zone school. School attendance records, grades and discipline may be used in determining a final decision.

X. Programmatic Transfers. Transfers for programmatic reasons may be granted; however, in all cases BCSD administration reserves the right to approve or deny the request in accordance with the BCSD's commitment to fulfilling its civil rights obligation. Programmatic transfers are approved conditionally based on space available. The Superintendent or his/her designee will determine the limits on capacity of schools for out of zone students.

XI. School Capacity Guidelines.

A. The BCSD will assign students outside their RSAA to a school up to ninety percent (90%) of that building's capacity ("capacity limit"). If a school exceeds 90% capacity due to students in that school's RSAA and/or students whom the BCSD previously granted a transfer pursuant to this Administrative Regulation, the BCSD will not further assign students to the school.

B. The BCSD may expand the capacity limit solely in order to fill a program's capacity within the building. However, the BCSD will not open or add a new class within a program if doing so expands student enrollment beyond the capacity limit.

C. In the event the BCSD expands the capacity limit to fill a program within a school, in no circumstance shall the BCSD assign students to a school in excess of 95% of the building's capacity, regardless of program capacity.

D. In the event a school offers a school-wide program, assignment shall be capped at the capacity limit.

~~D.E.~~ The Superintendent reserves the right to expand the school or program capacity limits set forth herein.

XII. Student Choice Plan Procedures. The Superintendent shall schedule a choice period prior to the beginning of each school year. Students can apply to go to any school at their

grade level, and transfers are awarded according to space available. If necessary, the Superintendent shall schedule a special open enrollment period to comply with the No Child Left Behind Choice transfer law and regulations.

- A. Transfers shall not cause the receiving school to exceed the capacity limit, with the exception discussed above. The Board delegates the authority to the Superintendent to develop administrative regulations to determine each school's capacity.
- B. Transportation. Transportation shall not be provided for students who transfer outside of their RSAA.
- C. Random sample. If a school's capacity limit is not met by residential students, siblings, and previously enrolled students, the remaining spaces may be filled by a lottery.
- D. Post-Deadline Transfers. A student who moves into Beaufort County or moves into a different RSAA within Beaufort County after the deadline established by the Superintendent but before July 31 shall be allowed to make a choice transfer, contingent on the transfer not contravening the school and/or program capacity guidelines in Section XI, above.
- E. Requests for a transfer may not be denied on the basis of race, national origin, color, ethnic background, religion or gender.

XIII. Length of Assignment.

- A. Once a student has been granted a choice transfer, the student shall be assigned to that school for a minimum of one (1) school year unless a change in the student's domicile from in-county to out-of-county occurs, a medical need exists, grounds for the special transfer as provided below are not met, or a disciplinary reason for a transfer to another school in the system occurs.
- B. Once a student has been assigned to a school, the student may remain at that school until the student completes the grade span, subject to satisfying the expectations outlined below in Section XIV, Expectations.
- C. A student may return to his/her residential school at any time.

XIV. Expectations. Choice transfer students are expected to exhibit exemplary conduct at their assigned school, attend school regularly and pass at least 75 percent (75%) of their courses.

- A. If a student accumulates ten (10) or more unexcused absences, or ten (10) or more unexcused tardies, the student may be re-assigned to his/her residential school.

- B. If a student fails or refuses to exhibit exemplary conduct (any out-of-school suspensions), the student may be re-assigned to his/her residential school.
- C. If a student does not pass seventy-five (75%) of their courses in a given year, the student may be re-assigned his/her residential school.
- D. Principals must notify parents in writing by May 1 if a student is being recommended for reassignment to his/her home school for the following school year. In the event the condition or event necessitating recommendation a student return to his/her residential school occurs after May 1, the Principal must notify the parents of the student as soon as possible after the condition or event occurs.
- E. If a student attending a school on a choice transfer fails to meet the requirements set forth above, is returned to his/her residential school, and requests a second choice transfer to a school, the transfer shall be denied.
- F. If a student is attending his/her residential school and commits an offense resulting in assignment to an alternative school, suspension for the remainder of the school year, 365 calendar day suspension or expulsion, and then the student subsequently moves into another residential district prior to re-enrollment, such student will not be eligible for a special transfer to the school at which the discipline infraction occurred.

XV. Appeal. In the event the Chief ~~Auxiliary Student~~ Services Officer ("CASO") denies a request for transfer, a parent/guardian may appeal the denial to the Superintendent. The appeal must be made in writing to the within fourteen (14) calendar days of written notification from the ~~CASO Chief Student Services Officer~~ that the transfer request has been denied. The Superintendent shall review the appeal and transfer request, and render a decision as soon as practicable. Failure to adhere to the timelines and procedures set out herein will result in a denial.

XVI. No Child Left Behind Student Choice.

- A. Students (a) attending Title I schools identified for school improvement, (b) who attend a school identified as "persistently dangerous" by the State Board of Education, or (c) who have been the victim of a violent criminal offense while in or on the grounds of his/her current school, shall be guaranteed a transfer to another public school in Beaufort County not identified for improvement, corrective action, or the planning year of restructuring, or identified by the State as persistently dangerous. Transportation will be provided as required by NCLB.
- B. District Designation. The BCSD will identify those schools to which students may transfer pursuant to this Section, if applicable.

- C. Preference for NCLB Choice Transfers. In complying with NCLB school choice, the BCSD shall give priority to those students qualifying for school choice either through attending a non-performing or Title 1 school. Within the group of students who are eligible for NCLB school choice, the BCSD will give priority to low-achieving students who are from low-income families. While students will not be rank-ordered by parent income, all students from low income families (such as those eligible for free/reduced priced meal programs) may be ranked by achievement levels as determined by proficiency level on end-of-course tests. Students with the lowest achievement/proficiency levels shall be given a priority for assignment to their school of choice.
- D. Length of option. If a student is granted a transfer under the NCLB provisions, he/she will be allowed to complete the highest grade level at the school to which he/she is assigned. However, the BCSD is under no obligation to continue providing transportation to that school once the student's school of origin is no longer identified for school improvement, corrective action, or in the planning year for restructuring.
- E. Parental Notification. The BCSD will notify parents/legal guardians of students attending identified Title I schools in compliance with law. The BCSD will provide notices by an annually determined date or within ten (10) days of receiving notification of school status from the State.
- F. Transfer requests pursuant to this Section must be received by the BCSD Title I coordinator by the date determined annually by the BCSD or within thirty (30) calendar days after receipt of notification.

XVII. Special Transfers. A student may request and be granted a special transfer for a good and substantial cause at any time during the school year.

- A. A parent may request a special transfer during the school year based on a material and substantial change in circumstances that justifies the need for a special transfer during the school year.
- B. All special transfer requests must be submitted in writing to the ~~CASO~~Chief Student Services Officer. The ~~CASO~~Chief Student Services Officer will monitor special transfers to ensure fairness and equity. The rules set forth governing school choice above also apply.
- C. A parent may appeal a decision on a special-transfer request in writing in accordance with Sections XV and XVI above.

NOTE: The February, 2015, revisions incorporated former Administrative Regulation SS-10, School Choice.

Adopted: July 18, 2001

Revised: July, 2010; April, 2013; February, 2015; May, 2015

Legal references:

A. S. C. Code, 1976, as amended:

1. Section 59-19-90(9) - Transfer and assignment authority.
2. Section 59-63-470 - Transfer of pupils when enrollment of such pupils threatens to disturb peace.
3. Section 59-63-32(b)(2) - Requirements to enroll child in public school; affidavit; penalties for providing false information.

B. Federal Law:

1. Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001, P.L. 107-110, Section 116.
2. Title VI of the Civil Rights Act of 1964 - Prohibits discrimination on the basis of race, color, national origin, religion or sex.
3. Title IX of the Education Amendments of 1972, 20 USC Section 1681, et seq. - Prohibits discrimination on the basis of sex.

C. U.S. Supreme Court:

1. Parents Involved in Community Schools v. Seattle School District No. 1, 127 S. Ct. 2738 (2007).
2. Plyler vs. Doe, 1982.

CRISIS PLANS

Admin. Reg. SS-58
March, 2016

- I. Purpose.** To establish the Superintendent's expectations for providing reasonable protection and care to the students, staff, visitors and facilities of the Beaufort County School District ("BCSD") during periods of unusual emergency with the intent of preventing or minimizing injury and/or damage.
- II. Training to BCSD Staff.** The BCSD protective services coordinator is responsible for providing training and instruction to BCSD staff and students to prepare them to effectively deal with emergencies. On behalf of the BCSD, the protective services coordinator will coordinate his/her efforts with all local governments and law enforcement agencies.
- III. Role of Protective Services Coordinator.** The BCSD protective services coordinator shall:
 - A. Coordinate the preparation of crisis plans suitable to the emergency needs of all BCSD facilities.
 - B. Coordinate the training and instruction of BCSD staff and students to insure familiarity with and effective implementation of the emergency plans.
 - C. Arrange for the incorporation of appropriate civil defense preparedness concepts and approved resource units into the BCSD instructional program.
 - D. Cooperate and coordinate with the appropriate state and local government officials and law enforcement in the development and implementation of the emergency plans and make the current plans and lists of responsible BCSD personnel available to the governments and law enforcement.
- IV. Prohibition Against Disclosure of Security Plans.** The BCSD shall not disclose any information related to security plans or devices proposed, adopted, installed or utilized by the BCSD and/or its schools to the public.

Adopted:

Legal references:

- A. S. C. Code, 1976, as amended:
 1. Section 30-4-20(c) - Public records.
 2. Section 59-5-65 - Powers and responsibilities of state board of education.
 3. Section 59-23-210, *et seq.* - School building codes, specifications and inspections.
 4. Section 59-63-310, *et seq.* - Safe Schools Act of 1990.
 5. Sections 59-63-910, *et seq.* - Fire drills.
- B. State Board of Education Regulations:
 1. R-43-166 - Student and school safety; emergency and disaster plans.

**EMERGENCY SCHOOL CLOSINGS, DELAYED OPENINGS
AND EARLY DISMISSALS**

**Admin. Reg. SS-59
March, 2016**

- I. Purpose.** To establish the Superintendent's authority for emergency school closings, delayed openings, and early dismissals of Beaufort County School District ("BCSD") facilities.
- II. Superintendent's Authority.** The Superintendent or her/his designee has sole and specific authority to close, delay opening or dismiss schools and BCSD facilities on a district-wide, area-wide or individual school basis in the event of hazardous weather or emergency.
- III. Communication of Closings, Delays and Early Dismissals.** The Superintendent or her/his designee's decision to close, delay opening or dismiss will be informed through consultation with appropriate persons such as school administrators and safety, transportation and weather authorities. The official announcement will be communicated expeditiously to radio and television stations and other appropriate news outlets by designated district administrators. The announcement will also be posted on the BCSD website.
- IV. Staff Responsibilities.** BCSD staff is to follow the instructions in the official media announcement or their supervisor's instructions, which take precedence over the media announcement.
- V. Essential Employee Work Days.** Emergency closing days are considered regular work days for staff whose services are considered essential when school is not in session. When directed by BCSD or school administration, essential staff members will report to work as soon as they are able.
- VI. Effect of School Closings on School Activities.** When schools are closed or opening is delayed due to inclement weather, all other school activities are also cancelled or delayed.
- VII. Rescheduling of Missed Instructional Days.** Missed instructional days will be made up except in extraordinary circumstances as authorized by law.

Adopted:
Revised:

Legal references:

- A. S.C. Code, 1976, as amended:**
 1. Section 59-1-425 - School terms, school days, make-up days.
- B. State Board of Education Regulations:**
 1. R 43-234 - Defined program, grades 9-12.

TRANSPORTATION SERVICES

**Admin. Reg. SS-60
March, 2016**

- I. Purpose.** To establish the Superintendent's expectations for pupil transportation services in the Beaufort County School District ("BCSD").
- II. Provision of Student Transportation.** As required by state law, the BCSD provides transportation for eligible public school students within the Beaufort County. In addition, the BCSD may purchase and/or lease and maintain fleet vehicles necessary to accomplish its routine business tasks.
- III. Assignment of Transportation Oversight.** The Superintendent assigns management oversight responsibility for BCSD transportation services to the Chief Auxiliary Services Officer ("CASO"). The BCSD may choose to contract transportation services with a qualified vendor.
- IV. Student Transportation.**
 - A. The South Carolina Department of Education (SDE) has oversight over the transportation of students in public schools. The BCSD shall comply with all SDE rules and regulations regarding student transportation and cooperate with the SDE in all matters pertaining to the safe operation of school buses, the assignment of bus routes and stops and the entitlement of students to ride on state and/or district-provided school buses.
 - B. In accordance with federal law, the BCSD shall also provide transportation to homeless students to and from their school of origin, students transferring from a Title I school identified for school improvement, a student who is a victim of a violent criminal offense occurring in or on the grounds of the school the student attends or a student transferring from a school identified as persistently dangerous for three consecutive years.
 - C. Students who travel to and from school on school buses or who make trips in connection with school sponsored activities are under school supervision.
 - D. The transportation of students and/or BCSD personnel must comply with the regulations and requirements forth in Administrative Rule SS-60-R.
 - E. Contractor personnel, BCSD staff and any other persons who are authorized to operate school buses used in the transportation of students and/or BCSD staff are also subject to AR SS-60-R.
- V. Fleet Vehicles.**
 - A. Purchase and/or lease agreements for fleet vehicles utilized by the BCSD in its routine business operations are governed by the BCSD procurement code.
 - B. Contractor personnel, BCSD staff and any other persons who are authorized to operate BCSD-owned fleet vehicles are subject to AR SS-60-R.

Adopted:
Revised:

Legal references:

A. Federal Law:

1. McKinney-Vento Homeless Education Improvements Act of 2001, P.L. 107-110, 42 U.S.C. Sections 11431-11435.
2. No Child Left Behind Act of 2001, P.L. 107-110, Section 1116 and Title IX, Section 9532.

B. S.C. Code, 1976, as amended:

1. Section 56-5-2770 - Signals and markings on school buses; meeting, overtaking and passing school bus; loading passengers along multi-lane highways.
2. Section 59-67-410, et seq. - School bus transportation.
3. Section 59-67-545 - Authorizes certain adults to ride school buses.
4. Section 59-67-160 - Physical examination of school bus driver.

C. State Board of Education Regulations:

1. R-43-80 - Operation of Public Pupil Transportation Services.

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- IV. Student Transportation.**
 - A. The South Carolina Department of Education (SDE) has oversight over the transportation of students in public schools. The BCSD shall comply with all SDE rules and regulations regarding student transportation and cooperate with the SDE in all matters pertaining to the safe operation of school buses, the assignment of bus routes and stops and the entitlement of students to ride on state and/or district-provided school buses.
 - B. In accordance with federal law, the BCSD shall also provide transportation to homeless students to and from their school of origin, students transferring from a Title I school identified for school improvement, a student who is a victim of a violent criminal offense occurring in or on the grounds of the school the student attends or a student transferring from a school identified as persistently dangerous for three consecutive years.
 - C. Students who travel to and from school on school buses or who make trips in connection with school sponsored activities are under school supervision.
 - D. The transportation of students and/or BCSD personnel must comply with the regulations and requirements forth in Administrative Rule SS-60-R.
 - E. Contractor personnel, BCSD staff and any other persons who are authorized to operate school buses used in the transportation of students and/or BCSD staff are also subject to AR SS-60-R.
- V. Fleet Vehicles.**
 - A. Purchase and/or lease agreements for fleet vehicles utilized by the BCSD in its routine business operations are governed by the BCSD procurement code.
 - B. Contractor personnel, BCSD staff and any other persons who are authorized to operate BCSD-owned fleet vehicles are subject to AR SS-60-R.

Adopted:
Revised:

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4. Section 59-67-160 - Physical examination of school bus driver.

C. State Board of Education Regulations:

1. R-43-80 - Operation of Public Pupil Transportation Services.

TRANSPORTATION SERVICES

**Admin. Reg. SS-60-R
March, 2016**

I. General Standards.

- A. Beaufort County School District ("BCSD") school personnel and contractors may be authorized to operate BCSD vehicles for the purpose of conducting BCSD business, provided the employee driver is at least eighteen (18) years old, has an appropriate and valid U.S. driver's license for the vehicle being driven, has reasonable experience driving the type of vehicle being used, could reasonably be expected to operate the vehicle in a safe and prudent manner, and meets the BCSD transportation requirements as set forth below.
- B. Compliance with South Carolina law and the BCSD transportation guidelines are required for any eligible driver to be authorized to use a BCSD vehicle. The BCSD Operations staff is authorized to deny a vehicle to anyone if any reason exists the pool vehicle may not be operated safely. Individual departments may impose additional standards, restrictions or driver education or training requirements. The requirements in this Administrative Regulation are in addition to any requirements, standards, operating restrictions or suspensions imposed by law.

II. Driving Record Reviews. The BCSD will periodically review the past driving record of current and prospective BCSD employees who use the BCSD vehicles or other vehicles to conduct BCSD business.

- A. Out of State Licenses. Unless the BCSD has an employee who resides in the state of Georgia, the BCSD requires that all employees have a valid driver's license for the State of South Carolina. If the employee has resided in South Carolina for fewer than three (3) years, the employee shall provide the BCSD with a certified copy of his/her driving record from that state.
- B. Record Review. If any one of the following applies, the driver's driving record for the past three (3) years shall be reviewed to determine compliance:
 - 1. Driver is a job applicant or an employee where driving is a condition of employment.
 - 2. Driver is requisitioning a BCSD pool vehicle, will be carrying passengers, or has had an "at fault" accident in the last year.
 - 3. Driver has been convicted of a moving traffic violation or driving under the influence of alcohol or drugs.
 - 4. Driver's license has been revoked, barred, denied or suspended.
 - 5. Driver has routine access to vehicles for conducting BCSD business.

- C. The BCSD reserves the right to review the driving record of any driver to determine driver eligibility related to any vehicle (owned, non-owned, rented, borrowed, leased or any other vehicle) for which the BCSD may be held legally liable.
- D. BCSD Human Resources shall review driving records annually or semi-annually as required by this regulation and when requested by departments on a case-by-case basis. The driving record reviews shall be conducted as permitted by the provisions of the Federal Driver's Privacy Protection Act that regulates the use and disclosure of personal information from driver records. Access to the driving record is restricted to assigned employees and/or contractors of Human Resources, Operations, the individual employee, his/her department supervisor(s) and their superiors, Operations department members and other BCSD contractors who have an authorized and legitimate need for the information in the normal course of business.
- E. An employee who holds a position in which driving is a condition or essential part of employment may be terminated if the driving record does not comply with the requirements of this regulation.
- F. Driving Standards. Driving privileges shall be denied if the driver's driving record during the previous three (3) years indicates any of the following;
 - 1. Three (3) or more "at fault" accidents or three (3) or more moving violations or a combination of three (3) or more accidents and violations;
 - 2. Conviction of reckless driving; conviction of driving with a suspended, denied, revoked or barred license; conviction of hit and run; or conviction of leaving the scene;
 - 3. License suspension, license denial, license revocation, or license bar; or
 - 4. Conviction of driving while under the influence of alcohol or drugs or conviction of vehicular homicide or conviction of any driving offense punishable as a felony.
- G. Bus Drivers.
 - 1. BCSD employees who drive school buses will be held accountable to the BCSD transportation contractor.
 - 2. For purposes of reviewing driver records for eligibility or corrective action, moving violations will not include violations for the following:
 - a. failure to use safety belts;
 - b. parking violations;

- c. past convictions, suspensions or revocations related to civil or criminal actions unrelated to driving or vehicle operation; or
- d. speeding violations of 10 miles per hour or less over the legal speed limit only in speed zones where the legal speed limit is between 34 miles per hour and 56 miles per hour.

III. Authorized Drivers.

- A. Authorized drivers shall be BCSD employees. Contractors and volunteers are **not** eligible and may not use BCSD vehicles without written authorization the Chief Finance & Operations Officer (“CFOO”).
- B. Authorized drivers are **not** consultants or vendors (unless agreed upon by contractual arrangement), students or school personnel/contractors visiting from other schools, visiting artists or speakers, members of special event groups, government representatives, members of visiting athletic teams, members of visiting student groups or members of visiting community organizations.

IV. Driver Record Review Process. Departments, schools and agents are required to submit a list of drivers with license information to Human Resources annually for those drivers who will have routine access to departmental vehicles. Human Resources shall review driving records to determine compliance with this regulation and provide the department head and school with a list of approved drivers. To add employees to their approved driver list, departments and schools shall submit new names and driver license information to Human Resources for review and approval prior to allowing new employees to drive departmental vehicles.

- A. Vehicle Operators/Employed to Drive. Where driving is a condition of or a substantial part of employment duties (bus drivers, couriers, maintenance, food service, custodial, operations or other job position in which fifty percent (50%) or more of the employee’s time is spent driving), Human Resources shall at least annually review the employee's driving history for the past three (3) years for compliance with the driving standards at least annually.
- B. Job Applicants. Applicants for jobs in which they will drive a BCSD vehicle as a condition or as a substantial part of their duties must comply with the guidelines in this administrative regulation prior to employment and are required to supply the BCSD with a current copy of their driving history from the department of motor vehicles for the past three (3) years. Individual departments should forward driver record information with a request for review to Human Resources. The individual department may require more frequent record review and may impose more restrictive standards or require other education or training requirements, other than those provided under this administrative regulation, as a condition of employment.

V. Authorized Passengers.

- A. Authorized passengers include those in official BCSD-sponsored or authorized transportation programs and BCSD employees or agents while on authorized BCSD business.
- B. Authorized passengers may also include persons who are on campus at the BCSD request, for example, for potential employment at the BCSD to provide contracted services or for participation in a BCSD event/program, visiting school personnel/contractors, visiting artists or speakers, government representatives, members of visiting athletic teams or community organizations. All other passengers are prohibited from traveling in BCSD vehicles.
- C. Unauthorized passengers include but may not be limited to an employee's spouse, children or other family members, students, friends or neighbors of a BCSD employee driver and members of the general public.
- D. Student transportation in private vehicles.
 - 1. BCSD employees are prohibited from transporting students in their private vehicles. However, the BCSD recognizes that there are times in which private vehicles are needed by social workers, principals, assistant principals and athletic directors to transport students. The BCSD directs that such transportation services will only be utilized in emergency situations as authorized by the Principal or relevant department head. Otherwise, proper student transportation, i.e. buses, will be used.
 - 2. In certain instances that further the educational mission of the BCSD, other BCSD staff may be authorized to transport students. When private vehicles are to be used, such vehicles will be chosen in advance of the anticipated usage. A trip request authorized by the Principal must be submitted to the BCSD Risk Manager at least two (2) weeks prior to travel. The following guidelines shall be met:
 - a. The driver of a vehicle is restricted to the designated employee.
 - b. The number of students transported shall be limited to the recommended capacity of the vehicle. Seat belts will be available for every passenger and each occupant of the vehicle shall buckle with the appropriate seat belt.
 - c. A photocopy of a valid driver's license of the driver(s) and insurance card of the vehicle shall be submitted to school personnel by the intended driver. A minimum insurance coverage of \$25,000 each person, \$50,000 each occurrence bodily injury and \$25,000 property damage shall be required coverage for any personal vehicles used to transport students. The driver and/or owner of the vehicle being utilized shall execute documentation provided by the BCSD indicating the driver and/or relevant insurance coverages shall be the primary coverage in the event of an accident.

3. Prior to the use of the vehicle, the following background information about the driver and/or owner of the vehicle shall be obtained:
 - a. name, address, phone, trip destination, reason for trip, times of departure and return;
 - b. driver of the vehicle; owner's name, if different from driver;
 - c. number of students to be transported;
 - d. other passengers besides students/driver;
 - e. verification of written permission for all students to travel with the group;
 - f. type, age and condition of the vehicle(s) to be driven;
 - g. verification by signature that the owner of the vehicle gives consent for intended usage of the vehicle;
 - h. information regarding the owner's vehicle insurance coverage; and
 - i. driver's motor vehicle records. The driver shall give the Board permission to evaluate the driver(s) motor vehicle record for driving problems, citations or DWI/DUI convictions.
4. The Principal or his designee shall visually inspect the vehicle(s) to be used in the activity to be completed. The following shall be examined:
 - a. Are there seat belts for every occupant?
 - b. Does the vehicle seem to be in good condition and proper working order?
 - c. Do the tail lights and head lights operate properly?
 - d. Are the tires in good condition (not bald, dry rotted, damaged, etc.)?
 - e. Any other concerns which may be revealed during the inspection should be documented.
5. Under no circumstances will students be allowed to ride in the back of a pickup truck.

VI. Approved Uses. BCSD vehicles may be used solely for the purpose of conducting BCSD business. Examples of approved uses include, but are not limited to:

- A. conducting departmental business;
- B. educational field trips and travel to and from athletic contests and other extra-curricular activities, when supervised and accompanied by school personnel or a BCSD employee on site; and
- C. Maintenance and food service matters.

VII. Personal Liability. In compliance with South Carolina law, the BCSD strictly prohibits the use of BCSD vehicles for personal purposes, vacations or trips or to conduct personal business or for transportation of non-BCSD passengers (except as authorized) or use by family members. Any employee, student or other person who uses BCSD vehicles for

personal transportation or other personal purposes shall is personally liable for any accident which occurs during such personal use.

VIII. Accidents.

A. Corrective action, penalties and restrictions. An "at-fault" accident is an accident which results in bodily injury or property damage of more than \$500.00 (all parties combined) in which the employee driver was more than fifty percent (50%) responsible. In making the determination of fault, all relevant information including information provided by the adjusting agency, the BCSD driver, others involved in the accident, information provided by witnesses to the accident and information contained in any investigating officer's reports will be considered. If an employee is determined to be at fault, they will be responsible for paying fifty percent (50%) of the insurance deductible (not to exceed \$500.00.)

1. **After any "at-fault" accident** involving a BCSD vehicle, the driver's record will be reviewed for compliance with the driving standards.
2. **Second "at-fault" accident.** Drivers who have a second "at-fault" accident in a BCSD vehicle in any two (2) calendar year period are prohibited from driving BCSD vehicles for three (3) calendar months following the accident.
3. **Third "at-fault" accident.** Drivers who have three (3)"at fault" accidents in a BCSD vehicle in a three (3) calendar year period are prohibited from driving BCSD vehicles for one (1) calendar year following the accident.
4. **Fourth "at-fault" accident.** Drivers who have four (4) or more "at-fault" accidents while using a BCSD vehicle in a five (5) calendar -year period will be permanently restricted from driving BCSD vehicles.

B. Suspension of privilege to drive.

1. In the event of an "at-fault" accident where there is substantial property damage (\$2,000.00 or more) or injury or serious criminal violation, the BCSD may immediately suspend the driving privileges of the employee responsible for the accident. The employee and his/her department will be notified of the dates and terms of suspension.
2. Driving privileges shall be suspended pending the outcome of a serious criminal charge involving a vehicle, a charge for driving under the influence of alcohol or drugs, charge of vehicular homicide or any charge punishable as a felony. Other restrictions may be applied, up to and including prohibition from transporting passengers or using any vehicle (private, rented or state-owned) on BCSD business, if there is clear evidence of unsafe driving behavior, such as extreme violations of motor vehicle laws, that would affect the safety, health and welfare of the driver, passengers or the general public.

- C. Appeals. Employees or departments may appeal vehicle use restrictions to the Chief Human Resources Officer ("CHRO"). A written request for appeal should include information on any special circumstances that should be considered. The CHRO or his/her designee, after review of the matter, may reinstate driving privileges or vehicle use, with or without contingent conditions, if it is determined that safe and prudent operating standards will be met.
- D. Probation and reinstatement. Employees who would otherwise lose their driving privileges due to non-compliance may be approved for probationary reinstatement of driving privileges by the CHRO or his/her designee. Probationary reinstatement will require successful completion of remedial driver training and satisfaction of a clean probationary period (sixty (60) work days to one (1) year) during which the employee may not have any "at-fault" accident or conviction of a driving violation covered by this program. If the conditions set by the operations department are not met, the probationary reinstatement status will be revoked and the original penalty, restriction or corrective action will resume.
- E. Defensive driver course. Drivers who are required to complete remedial driver training must also complete a defensive driver course or other training(s) as required by the Superintendent or his/her designee.

IX. Rented, Borrowed or Private Vehicles - Reimbursement of Mileage. The BCSD reserves the right to deny personal mileage reimbursement to any employee or driver who does not meet the criteria required under this administrative regulation.

X. Required Reporting of Accidents/Violations.

- A. A BCSD driver must report to his/her department supervisor all accidents, moving violations or other vehicle citations that occur while the employee is conducting BCSD business within five (5) calendar days of such accident, violation or citation.
- B. The driver's supervisor must immediately forward the information to the BCSD Risk Manager. Failure to report accidents, convictions and violations as required may result in the loss of privilege to use BCSD vehicles and disciplinary action.
- C. Hit and run and vandalism are criminal incidents and must be reported to police.
- D. Failure to report an accident or incident of damage as required will be considered in assessing fault to a driver and may result in loss of vehicle, restricted use or assessment of repair costs or insurance deductibles to the department, up to \$500.00.

XI. Misuse of Vehicles.

- A. All drivers and departments are expected to properly safeguard the BCSD vehicles and use them in accordance with BCSD policy and administrative rules. If it is determined that a vehicle is being misused or is at substantially higher risk of theft or damage due to a lack of reasonable precautions by the driver or department,

Operations will notify the department. If corrective action is not taken, the department may be required to forfeit use of the vehicle and return it to operations.

- B. In the event any BCSD vehicle is stolen or damaged from misuse or failure to take reasonable safety precautions, is subjected to intentional damage or is allowed to be used in violation of BCSD policy, the driver and or the department may be prohibited from further use of BCSD vehicles and the department will be assessed for actual damage and any associated administrative and remedial costs of up to \$500.00.

XII. Inspection, Service and Maintenance Policy. BCSD vehicles licensed for operation on public roads are required to be serviced and maintained in accordance with manufacturer and State guidelines, where applicable.

- A. The annual vehicle inspection shall focus on areas of the vehicle that directly affect its safe operation including steering, tires, brakes, glass, lights, emissions system and horn. The inspector shall provide a written, signed report of the areas/equipment/items inspected, including the date, name of facility and inspector, vehicle make/model and identification number, mileage and notations of operating deficiencies. Provided the vehicle has no operating deficiencies, it shall be deemed to have passed the inspection and may be returned to normal usage. Correction of any operating deficiency must be completed within seven (7) calendar days of the inspection. Repairs are to be performed by maintenance or as otherwise approved in this policy. After correction of deficiencies, the vehicle must pass re-inspection.
- B. Vehicle service and maintenance include but are not limited to complying with manufacturer's service recommendations, using recommended types of gasoline, maintaining proper fluid levels (oil, antifreeze coolant, brake and transmission, etc.), and ensuring proper tire pressure, working signals, lights (headlamps, turn-signal lights, tail lights, brake lights, etc.), brakes and other vehicle safety items.
- C. Failure to comply with the service, maintenance and inspection requirements of this program may result in suspension of driving privileges, increased insurance charges and/or loss of the vehicle.

XIII. Miscellaneous.

- A. Seat belt use. All occupants of BCSD vehicles are required to comply with applicable state of South Carolina motor vehicle laws, including laws that require occupants of a vehicle's front seat(s) to use seat belts. .
- B. Cell phone use. Cell phones are made available for business use to certain BCSD employees. Although recognizing that circumstances will not always permit strict adherence, it is recommended that the BCSD driver safely stop and park the vehicle to use a cell phone.

- C. Towing policy. Due to special equipment and skill required, towing of a trailer or other equipment with a BCSD vehicle is strictly prohibited unless prior written permission is obtained from and granted by the BCSD Risk Manager.
- D. Long distance driving guidelines. The BCSD long distance driving guidelines are as follows.
1. In those instances when only one authorized driver is driving long distance (four or more hours of total driving time), the driver is required to take a 30-minute break every four hours. The driver is not to drive for more than a total of 10 hours during a 24-hour period.
 2. In those instances where a group is driving long distance (e.g., more than one employee traveling together to a business meeting or members of a BCSD-recognized student organization traveling to an approved conference), at least two individuals are required to be designated drivers. Drivers are required to rotate driving duties at least once every two-hour period and take a minimum one-hour break every six hours for all drivers and occupants of the entire vehicle. Any one driver is not to drive for more than a total of 10 hours during a 24-hour period.
 3. The above guidelines assume good driving conditions regarding road, weather, visibility and other factors. In the event of adverse weather or other factors that may affect the ability to drive safely, it must first be determined if the planned travel route may be driven safely by calling the highway patrol. If it is determined to be safe to drive with appropriate precautions, the above driving limitations should be modified accordingly to account for the increased driving times.
- E. All maintenance, custodial and food service vehicles (with the exception of on-call personnel) will be returned each evening to the DESC and parked within the fenced area.

Note: This Administrative Regulation replaces the former Administrative Regulation OS-22, Fleet Safety Program.

Adopted: January 1, 2007 (as Administrative Regulation OS-22, Fleet Safety Program)
Revised: