



# **TRANSPORTATION/ DRIVING POLICY**

## **TRANSPORTATION/ DRIVING POLICY**

Student transportation is a necessary service and an integral part of the total educational program at Birmingham Community Charter High School (BCCHS or School). The safe operation of our motor vehicles is one of the highest priorities at the School. Though it is not the intent of the School to “police” operators of vehicles driven on behalf of the school or to invade the privacy of employees or volunteers, it is necessary to establish a basis for determining safe operating standards for drivers. The following shall apply to all persons operating School vehicles or operating their own vehicles to transport students for any reason or for School business:

### **Vehicle Requirements:**

Acceptable private-passenger vehicles used for transporting students must meet the following requirements:

- The vehicle ***must not*** be designed, used, or maintained to carry more than 11 passengers (including the driver). For 11 passenger vehicles, a commercial driver’s license is required.
- The vehicle must be in safe working condition (e.g. working seatbelts, brakes, wipers, horn, and lights).
- As required by law, children who are under 8 years old OR who are not at least 4 feet 9 inches in height must be properly secured in a federally approved child passenger restraint system.

### **Employee Driver Requirements:**

Driver must be at least 24 years of age and have the following on file with the school:

- Driver application
- Live Scan background check
- TB Risk Assessment
- Signed Boundaries Policy
- Valid CA driving license
- Valid vehicle registration

### **Volunteer Driver Requirements:**

Driver must be at least 24 years of age and have the following on file with the school:

- Driver application
- Live Scan background check
- TB Risk Assessment
- Signed volunteer handbook and injury waiver
- Valid CA driving license

- Valid vehicle registration

### **Insurance Requirements:**

Driver must carry and provide evidence of the following auto insurance coverage and amounts:

- Automobile Liability - \$100,000 per person; \$300,000 per occurrence
- Property Damage - \$50,000 per occurrence

If the driver of a personal automobile for approved School purposes is involved in an accident, by law their liability insurance policy is used first (California Vehicle Code section 17150). The School's liability policy would be used only after their policy limits have been exceeded. BCCHS does not cover, nor is it responsible for, comprehensive and collision coverage to personal vehicles. The School's insurance does not cover damage to personal vehicles.

### **Driving Record Requirements:**

All drivers must obtain and provide a copy of their current Motor Vehicle Record (MVR) at least annually for review; it is available online on the DMV website for \$2.

### **Written Warning Status:**

Any employee or volunteer who has an MVR with the following violations may be subject to a *written warning status*:

- Two (2) or more moving violations;
- One (1) accident and (1) moving violation;
- Two (2) or more seat belt violations.

### **Probationary Status:**

Any employee or volunteer who has an MVR with the following violations may be placed on *probationary status*:

- Three (3) or more moving violations and/or accidents whether or not at-fault (e.g. 2 moving violations and 1 accident or combination thereof);
- One (1) at-fault accident.

### **Suspension Status/Not Permitted:**

Any employee or volunteer who has an MVR with the following violations *may not be permitted to transport students* or operate any vehicle on School business:

- Two (2) or more At-Fault accidents;
- Any arrest or conviction of a Felony within 10 years
- Any arrest or conviction, including but not limited to, driving under the influence of alcohol or any drug, that impairs the driver's ability to safely operate a motor vehicle or distracted driving violations resulting in Bodily Injury or Property Damage;
- Suspension or Revocation of Driver's License;
- An accumulated three (3) or more points over a period of three (3) years as determined by the Department of Motor Vehicles.

Employees in driving positions who are in suspension status may be placed in a non-driving position if one is available, and if doing so would not violate the terms of any collective bargaining agreement.

Seatbelts are an essential element of our driver safety policy/procedures. To emphasize seatbelt awareness, one (1) seatbelt violation while on School business will equate to one (1) moving violation for the purposes of the above statuses.

**Guidelines:**

- Drivers must obey the rule of three (3): At least two (2) adults are required to transport a single student (unless responding to a medical emergency). At least two (2) students must be present if transported by a single adult.
- No non-approved stops other than to and from the activity should be made. During approved stops, students must be supervised.
- Drivers are required to obey all laws regarding electronic wireless communication, including but not limited to: telephone calls, writing, sending, or reading text messages, instant messages, and e-mail messages.
- No smoking while driving. Drivers suspected of being under the influence of drugs or alcohol will not be permitted to drive.
- Drivers may not carry non-school personnel, non-students, or other “guests” as passengers.
- Every driver shall be familiar with and observe all State of California Vehicle Codes, and local traffic rules and ordinances, including traffic control signs, posted speed limits, parking restrictions, and other applicable rules and regulations governing vehicle operation. It is the responsibility of the employee to visually inspect the vehicle prior to its use to ensure that the vehicle is in a safe and clean operating condition (e.g. material/equipment that obstructs the driver’s vision and/or may cause injury in the event of an accident).
- Drivers who are driving their personal automobile for approved school purposes will be responsible for any costs associated with moving violations and parking violations incurred during such driving.
- Parents are required to sign a permission slip/waiver that explains how transportation will be provided for each trip before their child may drive in a private passenger vehicle.

**Appendix I - Written Warning**

The safe operation of Motor Vehicles is imperative to the safety of our employees, volunteers and students as well as the public.

The management of Birmingham Community Charter High School (BCCHS or School) has reviewed your Motor Vehicle Record and provided you with a copy.

If you disagree with the information provided, you have been given the opportunity to go to the DMV within 30 days of notification, correct the information and give us an updated/corrected copy of your Motor Vehicle Record.

The information contained in your Motor Vehicle Record is of concern to the School with respect to your ability to drive safely.

By signing this form, you are aware that you have been placed on a written warning status until the next review of your Motor Vehicle Record. Should the next review uncover further violations/accidents, your status may change to probationary.

I HAVE READ AND UNDERSTAND THIS WRITTEN WARNING. FURTHERMORE, I HAVE READ AND UNDERSTAND THE STUDENT TRANSPORTATION/ DRIVING POLICY & AGREE TO ITS TERMS.

Employee or Volunteer's Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor's Name: \_\_\_\_\_ Supervisor's Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### **Appendix II - Probation Notice**

The safe operation of Motor Vehicles is imperative to the safety of our employees, volunteers and students as well as the public.

The management of Birmingham Community Charter High School (BCCHS or School) has reviewed your Motor Vehicle Record and provided you with a copy.

If you disagree with the information provided, you have been given the opportunity to go to the DMV within 30 days of notification, correct the information and give us an updated/corrected copy of your Motor Vehicle Record.

The information contained in your Motor Vehicle Record is of concern to the School with respect to your ability to drive safely.

Any employee or volunteer who has accumulated moving violations, accidents or a combination thereof, which exceed the standards aforementioned in this policy, is placed on probationary status and will be subject to having their Motor Vehicle Record reviewed as often as Management feels necessary. Probationary status will remain in

effect for a minimum period of twelve (12) months from the date of your signature below. At that time management will review driving status with the employee or volunteer for consideration to be placed back into written warning status.

If notification of a moving violation and/or at-fault accident occurs while on probationary status, an employee may be placed in a non-driving position or be subject to termination at management's discretion. Please note, there that if an employee is excluded from driving activities due to their Motor Vehicle Record, we may not have a position for them.

By signing this form, you are aware that you have been placed on a probationary status until the next review of your Motor Vehicle Record. Should the next review uncover further violations/accidents, your School driving privileges may be revoked.

I HAVE READ AND UNDERSTAND THIS PROBATION NOTICE. FURTHERMORE, I HAVE READ AND UNDERSTAND THE STUDENT TRANSPORTATION/ DRIVING POLICY & AGREE TO ITS TERMS.

Employee or Volunteer's Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor's Name: \_\_\_\_\_ Supervisor's Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### **Appendix III - Suspension Notice**

The safe operation of Motor Vehicles is imperative to the safety of our employees, volunteers and students as well as the public.

The management of Birmingham Community Charter High School (BCCHS or School) has reviewed your Motor Vehicle Record and provided you with a copy.

If you disagree with the information provided, you have been given the opportunity to go to the DMV within 30 days of notification to correct the information and give us an updated/corrected copy of your Motor Vehicle Record.

The information contained in your Motor Vehicle Record is of concern to the school with respect to your ability to drive safely.

Any employee or volunteer who has accumulated moving violations, accidents or a combination thereof, which exceed the standards aforementioned in this policy, is subject to immediate suspension of School driving privileges. Immediate suspension of School driving privileges also applies should the State revoke or suspend the driver's

license.

Please note that if an employee is excluded from Charter school driving activities due to their Motor Vehicle Record, we may not have a position for them.

By signing this form, you are aware that you have been placed on a suspended driving status. You have the opportunity to go to the DMV within 30 days of this notification to correct the information, and give us an updated/corrected copy of your Motor Vehicle Record. In the event that you are unable to correct the deficiencies that prompted your School driving privilege suspension, your suspended status will continue, and, pending non-driving position availability you may be subject to termination.

If you are subject to a collective bargaining agreement, nothing in this suspension notice is intended to conflict with the terms of this agreement.

I HAVE READ AND UNDERSTAND THIS SUSPENSION NOTICE. FURTHERMORE, I HAVE READ AND UNDERSTAND THE STUDENT TRANSPORTATION/ DRIVING POLICY & AGREE TO ITS TERMS.

Employee or Volunteer's Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor's Name: \_\_\_\_\_ Supervisor's Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_