



## Recommendations for Student Activity Transportation

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#### 1. Scope:

- a. These Recommendations are to be used when students are travelling to activities, but are not travelling in buses owned by the district or buses provided by the primary transportation contractor.
- b. Buses owned by the district or buses provided by the primary transportation contractor are governed by the rules and regulations of the California Highway Patrol.

#### 2. Definitions

- a. Activity travel is defined as when a class, team, band, club or any other school group takes a trip to any off-campus practice, competition, or activity.

b. School Bus

- 1) In California, a “school bus” is a motor vehicle designed, used, or maintained for the transportation of a student at or below the grade 12 level to or from a public or private school or to or from public or private school activities, except:
    - a) A motor vehicle of any type carrying only members of household of its owner;
    - b) A motortruck transporting students who are seated only in the passenger compartment;
    - c) A motor vehicle operated by a common carrier, or by and under the exclusive jurisdiction of a publicly owned or operated transit system, only during the time it is on a scheduled run and is available to the general public
    - d) A motor vehicle operated by a common carrier, or by and under exclusive jurisdiction of a publicly owned or operated transit system, only during the time it is on a scheduled run and is available to the general public;
    - e) A school pupil activity bus (see below)
  - 2) In federal law, “school bus” means a passenger motor vehicle designed or used to carry more than 10 passengers in addition to the driver, and which the Secretary of Transportation determines is likely to be significantly used for the purpose of transporting pre-primary, primary, or secondary school students from home to school or school to home.
- c. A school pupil activity bus (SPAB) means any motor vehicle, other than a school bus, operated by a common carrier, or by and under the exclusive jurisdiction of a publicly owned or operated transit system, or by a passenger charter-party carrier, used under a contractual agreement between a school and carrier.
- 1) Examples:
    - a) Charter bus
    - b) Charter coach bus
    - c) Charter van
    - d) Charter limousine
  - d. Public transportation means a motor vehicle operated by and under exclusive jurisdiction of a publicly owned or operated transit system, only during the time it is on a scheduled run and is available to the general public.
3. Mode of Transportation (In Order of Preference)
- a. Students are to use district transportation to field trips, athletic competitions, band trips, club trips, etc., when provided.
    - 1) Travel in a school bus built to federal specifications is the safest mode of travel for student activity transportation.

- b. School pupil activity bus (see sections 5 and 6)
  - c. Public Transportation (see section 7)
  - d. Personal vehicle of student's parent or other volunteer (see sections 8 to 11)
  - e. Personal vehicle of staff (see sections 8 to 11)
  - f. Student driver (see sections 8 to 11)
4. District Transportation
- a. A district may own their buses or contract for transportation.
  - b. Students are to use district transportation to field trips, athletic competitions, band trips, club trips, etc., when provided.
    - 1) Travel in a school bus built to federal specifications is the safest mode of travel for student activity transportation.
5. Chartered Buses (School Pupil Activity Bus)
- a. All chartered vehicles are to be arranged or approved through the district office.
  - b. The chartered transportation provider is to comply with Education Code section 45125.1, Fingerprint certification requirements, as applicable. The chartered transportation provider is to provide proof that fingerprint certification requirements have been fulfilled
  - c. The chartered transportation provider is to comply with Education Code section 49406(i), Examination for tuberculosis requirements, as applicable.
    - 1) Exception: drivers who transport students on an infrequent basis, not to exceed once per month
    - 2) The chartered transportation provider is to provide proof that examination for tuberculosis requirements has been fulfilled.
  - d. Maximum driving time: 10 hours within a work period
    - 1) Two (2) hours may be added if a driver encounters adverse driving conditions
      - a) Snow, sleet, fog, other adverse weather conditions
      - b) unusual road and traffic conditions
      - c) none of which were apparent on the basis of information known to the dispatch person
  - e. State of California Documentation
    - 1) School Bus:
      - a) Valid driver license for the appropriate class of vehicle
        - i. A school bus and a passenger transportation endorsement

- b) Driver is to have a certificate to drive a school bus and a valid medical card
- c) Obtain proof of Highway Patrol (CHP) vehicle certification and inspection from the chartered transportation provider
- 2) School pupil activity bus:
  - a) Valid driver license for the appropriate class of vehicle
    - i. passenger transportation endorsement
  - b) Driver is to have a certificate to drive a school pupil activity bus and a valid medical card
  - c) Obtain proof of CHP vehicle certification and inspection from the chartered transportation provider
- f. Insurance and Indemnification
  - 1) An authorized agent of the school district or charter school and the vendor should sign a services agreement.
    - a) The term of transportation agreements can be for up to five (5) year(s).
  - 2) Indemnification language protecting the district should be included in the agreement.
  - 3) Recommended commercial general liability insurance limits of \$5,000,000 per occurrence, \$10,000,000 aggregate.
  - 4) Recommended commercial automobile liability insurance limits
    - Combined single limit:       \$25,000,000
  - 5) Abuse and Molestation coverage of at least \$10,000,000 per occurrence, \$25,000,000 aggregate.
  - 6) Transportation provider's commercial general liability insurance and commercial automobile liability insurance should name the district as additional insured. The endorsement specifying the additional insured for the insurance policies should be ISO form CG 20 26 10 01 or an equivalent endorsement reasonably acceptable to the district.
  - 7) The transportation agreement should contain the following:
    - a) If the Provider maintains broader coverage and/or higher limits than the minimums shown above, the District requires and shall be entitled to the broader coverage and/or higher limits maintained by the contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the District.
- g. The cost of chartered transportation may be offset by fees for field trips and excursions in connection with courses of instruction or school-related social, educational, cultural, athletic, or school band activities so long as no student is prevented from making the

- field trip or excursion because of lack of sufficient funds. (*Education Code*, section 35330 (b))
- h. The “Passenger Charter-party Carriers’ Act” does not apply to transportation of students conducted by or under contract with the governing board of any school district entered into pursuant to the Education Code.
6. Chartered Limousines, Vans, and Cars
- a. All chartered vehicles are to be arranged or approved through the district office.
  - b. The chartered transportation provider, including cars, is to comply with Education Code section 45125.1, Fingerprint certification requirements, as applicable.
    - 1) The chartered transportation provider is to provide proof that fingerprint certification requirements have been fulfilled.
  - c. The chartered transportation provider, including cars, is to comply with Education Code section 49406(i), tuberculosis\_risk assessment requirements, as applicable.
    - 1) Exception: drivers who transport students on an infrequent basis, not to exceed once per month
    - 2) The chartered transportation provider is to provide proof that examination for tuberculosis requirements has been fulfilled.
  - d. Limousines and vans with capacity of 10 or more
    - 1) A commercial driver license (CDL) is required to operate any vehicle designed to transport 10 or more passengers (including the driver).
      - a) passenger transportation endorsement
    - 2) Driver is to have a certificate to drive a school pupil activity bus and a valid medical card.
    - 3) Obtain proof of CHP vehicle certification and inspection from the chartered transportation provider.
  - e. Insurance and Indemnification
    - 1) An authorized agent of the school district or charter school and the vendor should sign a services agreement.
      - a) The term of transportation agreements can be for up to five (5) year(s).
    - 2) Indemnification language protecting the district should be included in the agreement.
    - 3) Recommended commercial general liability insurance limits of \$5,000,000 per occurrence, \$10,000,000 aggregate.
    - 4) Recommended commercial automobile liability insurance limits  
Combined single limit:       \$25,000,000

- 5) Abuse and Molestation coverage of at least \$10,000,000 per occurrence, \$25,000,000 aggregate.
- 6) Transportation provider's commercial general liability insurance and commercial automobile liability insurance should name the district as additional insured. The endorsement specifying the additional insured for the insurance policies should be ISO form CG 20 26 10 01 or an equivalent endorsement reasonably acceptable to the district.
- 7) The transportation agreement should contain the following:
  - a) If the Provider maintains broader coverage and/or higher limits than the minimums shown above, the District requires and shall be entitled to the broader coverage and/or higher limits maintained by the contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the District.
- f. The cost of chartered transportation may be offset by fees for field trips and excursions in connection with courses of instruction or school-related social, educational, cultural, athletic, or school band activities so long as no student is prevented from making the field trip or excursion because of lack of sufficient funds. (*Education Code*, section 35330 (b))
- g. Prom Limousines
  - 1) Prom paperwork should encourage parents who choose to hire limousines to hire a company that provides transportation services with vehicles having a seating capacity of 10 or less including the driver.
  - 2) Prom paperwork should warn parents who choose to hire limousines that furnishing or giving any alcoholic beverage to any person under 21 years of age is guilty of a misdemeanor (*California Business and Professions Code*, section 25658)
    - a) \$1000 fine, and
    - b) Not less than 24 hours of community service.
7. Public Transportation
  - a. Students may travel on public transportation for school purposes, if that public transportation is on a scheduled run and is available to the general public;
  - b. If the public transportation is not on a scheduled run and is not available to the general public, the requirements for chartered buses or chartered limousines and vans apply.
8. Personal Vehicles
  - a. This section applies to:
    - 1) Cars other than limousines
    - 2) Sport utility vehicles of nine (9) passengers or less (including the driver),

- 3) Seven (7) or eight (8) passenger minivans, or
- 4) Eight (8) or nine (9) passenger vans (including the driver).
- b. Students are to use district transportation to field trips, athletic competitions, band trips, club trips, etc., when provided.
  - 1) Travel in a school bus built to federal specifications is the safest mode of travel for student activity transportation.
- c. California law requires all personal vehicles be covered by liability insurance. Recommended automobile insurance coverage limits for vehicles in which students ride are:
 

Liability:	\$100,000 each person	\$300,000 each accident
Medical Payments:	\$10,000	Property Damage: \$50,000

  - 1) Exception: vehicles containing only members of a single family need only meet state minimum limits
- d. A person driving their personal vehicle for approved district purposes will be responsible for any costs associated with moving violations and parking violations incurred during such driving
- e. Personal Vehicles of Parent Volunteers and Staff
  - 1) A driver must have at least five (5) years of driving experience for all car pools involving non-family riders.
  - 2) A Personal Vehicle Use form must be on file, with an attached copy of a valid driver license, proof of insurance, and schedule, at the district.
  - 3) The limit on the distance of transporting students in personal vehicles shall be a radius of [enter number of miles] miles, in accordance with district policy.
  - 4) The “rule of three” is used when transporting students in personal vehicles. At least two adults are required to transport a single student. At least two students must be present if transported by a single adult.
- f. Parents Driving Only their own Children
  - 1) This paragraph applies to the following circumstances:
    - a) When parents choose to drive only their own children rather than use transportation provided by the district.
    - b) When district transportation is not provided, but no non-family students will be allowed in the vehicle.
  - 2) Students are to use district transportation to travel to field trips, athletic competitions, band trips, club trips, etc., when provided.

- 3) If district policy allows, and a parent opts out of provided district transportation for a field trip during the regular school day, the student(s) must be checked out of school.
  - a) Check out must be in writing.
  - b) This procedure places the student(s) in the care, custody, and control of the parent or guardian, and not the responsibility of the school or district.
  - c) The parent should check in with the teacher upon arrival at the field trip destination.
  - d) The parent is to stay with their own student(s) during the entire field trip, including the trip home or back to school.
  - e) The parent should not be counted as chaperone for the trip.
  - f) Family members not enrolled in class are not to travel to or attend the field trip.
- 4) If district policy allows, and a parent opts out of provided district transportation, for a field trip, athletic competition, band trip, club trip, etc., that begins during school hours but extends beyond the regular school day, the student(s) must be checked out of school.
  - a) Preferably after the completion of the field trip, athletic competition, band trip, club trip, etc.
    - i. Should only be to an alternate destination.
  - b) Check out must be in writing.
  - c) This procedure places the student(s) in the care, custody, and control of the parent or guardian, and not the responsibility of the school or district.
- 5) If district policy allows, and a parent opts out of provided district transportation, for a field trip, athletic competition, band trip, club trip, etc., that begins after the end of the regular school day or on a weekend, the parent must notify the coach, teacher, or advisor and the school administrator as soon as possible, but not less than 24 hours before the activity.
  - a) The parent should check in with the coach, teacher, or advisor upon arrival at the activity.
  - b) The student(s) must be checked out at the conclusion of the activity.
  - c) This procedure places the student(s) in the care, custody, and control of the parent or guardian, and not the responsibility of the school or district.
- 6) Parents of student(s) to be checked out should request permission for the check out from the coach, teacher, or advisor and the school administrator as soon as possible, but not less than 24 hours before the activity.



- 7) Only check-out documentation is necessary.
    - a) School Sign-out form, or
    - b) Student Transportation Permission Form, or
    - c) School Activity Transportation Sign-out Sheet.
  - 8) Check-out documentation should be kept with the field trip forms for the field trip, athletic competition, band trip, club trip, etc., for at least six (6) years, or two (2) years past the date of graduation, whichever is first.
- g. Students Drivers (Pursuant to District Policy)
- 1) Students are to use district transportation to field trips, athletic competitions, band trips, club trips, etc., when provided.
    - a) Travel in a school bus built to federal specifications is the safest mode of travel for student activity transportation.
    - b) Potential Exceptions:
      - i. Travel to offsite career education classes and career internships directly from school,
      - ii. Travel to offsite athletic practices, including independent study physical education,
  - 2) Parent/guardian must sign a Student Transportation Permission form.
    - a) Form SFA 7020, Student Non-District Transportation Permission Form
  - 3) A Personal Vehicle Use form must be on file, with an attached copy of a valid driver license, proof of insurance, and schedule, at the district.
  - 4) Parents of students should request permission from the coach or advisor and the school administrator that they will be providing their own transportation as soon as possible, but not less than 24 hours before the activity
    - a) If the coach, advisor, and/or school administrator decide that self-transportation for a particular activity is inappropriate, an alternative mode of transportation must be taken.
  - 5) Student drivers are to strictly follow the practices for cellular/mobile/wireless telephone use in section 10.e.
  - 6) The limit on the distance students in personal vehicles may drive shall be a radius of [enter number of miles] miles, in accordance with district policy.
  - 7) Students may only drive other students who are immediate family members.
  - 8) Requirements of the California provisional driver license are to be followed, as applicable
- h. Personal Vehicles with Trailers

- 1) Ensure the correct trailer for the vehicle and the correct hitch for the trailer
  - 2) Distribute and anchor the load.
  - 3) Observe posted speed limits
  - 4) Allow extra time to brake
  - 5) Add safety equipment as dictated by common sense and state law
    - a) Mirrors, lights, safety chains, brakes for heavy trailers, etc.
9. Personal Passenger Vans with Capacity of 10 or More
- a. Application
    - 1) This section applies to:
      - a) Vans of this size owned or rented by the district, staff, or volunteers,
      - b) 12 passenger vans (passengers include the driver)
      - c) 15 passenger vans (passengers include the driver)
        - i. A 15-passenger van is a van manufactured to accommodate 15 passengers, including the driver, or a van “designed” to carry 15 passengers, including the driver, even if seats have been removed to accommodate fewer than 15 passengers
    - 2) This section does not apply to:
      - a) Personal vehicles (see section 8)
      - b) Chartered Buses (see section 5)
      - c) Chartered limousines and vans (see section 6)
      - d) Large vans with seats permanently removed, and used for maintenance and/or purchasing/warehouse purposes only.
  - b. Federal regulations do not prohibit the use of vans by schools, but require any van (with a capacity of more than 10) sold or leased for use as a school bus (transporting students) to meet the safety standards applicable to school buses.
    - 1) “a school or school system may not purchase or lease a new 15-passenger van if it will be used significantly by, or on behalf of, the school or school system to transport preprimary, primary, or secondary school students to or from school or an event related to school, unless the 15-passenger van complies with the motor vehicle standards prescribed for school buses and multifunction school activity buses under this title.” (Public Law 109-59, section 10309)
    - 2) Each school bus shall be equipped with a stop signal arm,
    - 3) Each school bus shall have an emergency exit,

- 4) Rollover protection in accordance with 49 Code of Federal Regulations (CFR), section 571.220
- 5) Body joint strength in accordance with 49 CFR 571.221
- 6) Passenger seating and crash protection
  - a) For school buses manufactured before October 21, 2009, each school bus passenger seat must be equipped with a seat back that has a vertical height of at least 20 inches above the seating reference point.
  - b) For school buses manufactured on or after October 21, 2009, each school bus passenger seat must be equipped with a seat back that has a vertical height of at least 24 inches above the seating reference point.
  - c) Crash protection in accordance with 49 CFR 571.222
- 7) Lamps, reflective devices, and associated equipment
  - a) Four red signal lamps designed to conform to SAE Standard J887.
  - b) Four amber signal lamps (optional) designed to conform to SAE Standard J887, except for their color, and except that their candlepower shall be at least 2½ times that specified for red signal lamps.
- c. A commercial driver license (CDL) is required to operate any vehicle designed to transport 10 or more passengers (including the driver).
- d. California law requires drivers for school districts, private schools, community colleges, and California state universities who operate 15-passenger vans must have a commercial driver license (CDL) with a passenger transport vehicle (PV) endorsement.
  - 1) A 15-passenger van is a van manufactured to accommodate 15 passengers, including the driver, or
  - 2) A van "designed" to carry 15 passengers, including the driver, even if seats have been removed to accommodate fewer than 15 passengers.
- e. Required commercial automobile liability insurance limits for vans with capacity of 10 or more:
 

Combined single limit:	\$25,000,000 minimum
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- f. Large Van Safety
  - 1) Limit the number of passengers
    - a) Carrying more than nine (9) people, including the driver, increases the risk of rollover.
    - b) Seat passengers toward the front of the van, in front of the rear axle.
  - 2) Do not use roof racks and/or trailers.

## 10. General Driving Safety

- a. All classes, teams, clubs, bands, and/or other organizations must obtain first aid kits and are required to travel with first aid kits.
- b. All travel, except for short trips should be done in daylight.
- c. Observe all traffic laws including speed limits
- d. Driving time is limited to a maximum of 10 hours.
  - 1) Driving time must be interrupted by frequent rest, food, and recreation stops.
  - 2) If there is only one driver, the driving time should be reduced and stops should be made more frequently.
- e. Cellular/mobile/wireless telephone use
  - 1) It is illegal to drive a motor vehicle in California while using an electronic wireless communication device to write, send, or read text messages, instant messages, and e-mail(s);
  - 2) With certain exceptions, adults may **not** use a cell phone while driving unless hands-free equipment is used
    - a) Exceptions:
      - i. a person using a wireless telephone for emergency purposes, including, but not limited to, an emergency call to a law enforcement agency, health care provider, fire department, or other emergency services agency or entity
      - ii. A school bus driver using a wireless telephone for work-related purposes, or for emergency purposes
    - b) Do not engage in distracting conversations
  - 3) When safe, stop the vehicle at the side of the road to use a wireless telephone;
  - 4) If the wireless telephone rings, let the call go to voicemail;
  - 5) Pay attention to the road;
  - 6) Never use a mobile/wireless telephone in heavy traffic, severe weather, or other hazardous conditions;
  - 7) Never take notes or look up telephone numbers while driving;
  - 8) Use the wireless telephone to call for help in an emergency.
- f. Do not attempt to maintain a caravan or convoy.
  - 1) Set designated meeting locations and times.

## 11. Passenger Safety

- a. California law requires the driver and all passengers 16 years of age or over, or who weigh 60 lbs. or more, wear seat belts.

- b. Any child under the age of eight (8), is to be secured in a federally approved child passenger restraint system and ride in the back seat of a vehicle.
  - 1) This applies to personal vehicles, rented vehicles, taxis, and limousines and cars for hire.
  - 2) Child passenger restraint systems are not required on school buses or SPABs.
  - 3) Safety vests can be used to protect small students.
- c. Follow the vehicle manufacturer's recommendation regarding air bags in the front seat.
- d. Passengers are to ride only in the cab (passenger compartment) if trucks are used.
- e. Passengers are to keep their head, hands and arms, and feet and legs inside a moving vehicle at all times.

## 12. Rented Vehicles

- a. All recommendations above apply to rental vehicles and the respective size of those vehicles.
- b. Employees and volunteers renting vehicles are to follow district procedures for such rentals.
- c. When the district driver is at fault, automobile physical damage on rented vehicles is covered by the VCSSFA Property Coverage Memorandum. Refer to Appendix C, Automobile Physical Damage.
  - 1) Collision deductible: \$250.
  - 2) Comprehensive deductible: \$500.
- d. Employees injured in a collision in rented vehicles are covered by the district workers' compensation program.
- e. When the district driver is at fault, bodily injury to third parties is covered by the VCSSFA Liability Coverage Memorandum.
- f. It is a district preference whether or not it chooses to purchase additional insurance coverage for rental vehicles.
  - 1) Advantages of purchasing additional insurance:
    - a) Deductible: none.
    - b) The district's liability and/or property experience is not impacted.
  - 2) Advantage of not purchasing additional insurance:
    - a) No additional fee.

## 13. Transportation by Air

- a. California *Education Code* section 35332 allows excursion or field trip/student activity transportation by air only by the following:

- 1) aircraft owned and operated by the state or federal government
  - 2) chartered or regularly scheduled aircraft operated exclusively by an air carrier or foreign air carrier
- b. "In flight" operations of manned aircraft are excluded from the VCSSFA liability program.
- c. Aircraft insurance limits
- 1) At least \$10 million for large chartered commercial aircraft
  - 2) Do not expect any insurance documentation from regularly scheduled aircraft operated exclusively by an air carrier