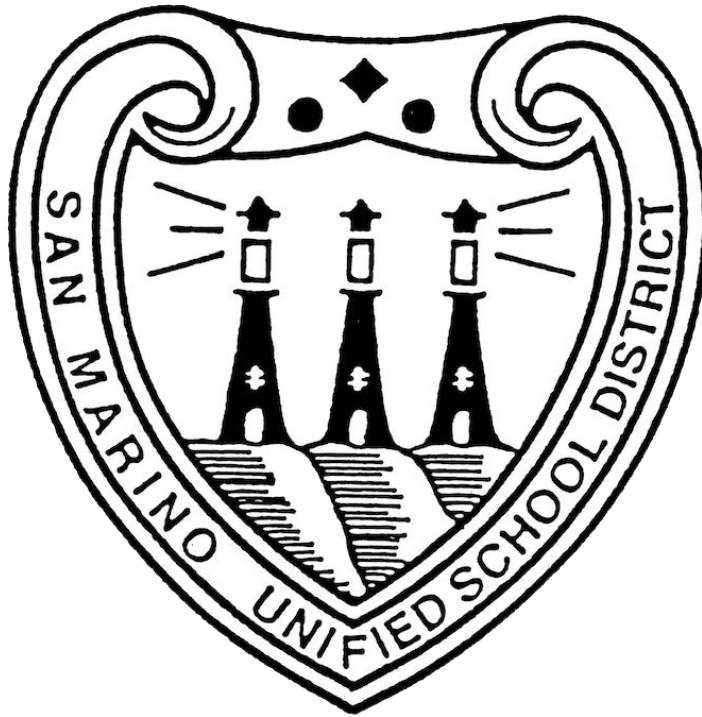


**SAN MARINO UNIFIED SCHOOL DISTRICT**  
**STUDENT TRANSPORTATION PROCEDURES**



October 2019



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## **BUS & VEHICLE OPERATIONS**

The operation of any bus and vehicle on San Marino Unified District (hereafter referred to as District) or individual District school site business may result in a liability claim against the District. Because of this exposure, strict vehicle and driver controls shall be maintained at all times. The District will work with public agencies to establish traffic patterns which promote safety when picking up and dropping off students. These controls will be maintained by following established procedures. Any driver of a bus or vehicle containing 10 or more people (including the driver) is required to have a commercial license in accordance with the California Department of Motor Vehicles, Commercial Driver's License Manual, Section 1. A special endorsement is also required to drive the certain types of vehicles. The endorsement shows as a single letter on the drivers license:

- Passenger transport vehicles—(P).
- School bus—(S).

## **STUDENT TRANSPORTATION**

K-12 student transportation is generally categorized as Home-to-School Transportation (HTST) and Non-Home-to-School Transportation (NHTST), which involves field trips, athletic events, and similar extracurricular activities wherein transportation may be provided by District-owned fleets, contracted school bus services, or volunteer drivers.

The primary layer of liability coverage is the insurance which is on the vehicle driven. Therefore, when a authorized individual is driving a District vehicle, the District's liability coverage will be primary. When a private vehicle is being driven, the primary liability coverage will be that which is on the private vehicle and thus the District's liability coverage will be excess.

This is the District's transportation risk management policy and it contains sections that address:

- Chartered transportation services
- District driver policy
- School bus emergency procedures and passenger safety training
- Guidelines for NHTST
- Use of private vehicle policy
- "Proof of Insurance" for private vehicles
- Completion of appropriate vehicle use forms
- DMV records check

- Adherence to education codes and vehicle codes
- Drug test requirements for employees (that drive school pupil transportation or commercial vehicles)

## **TRANSPORTATION - DISTRICT AND PRIVATE VEHICLES**

The District is not responsible for the negligence of a volunteer who is acting as an agent of the District while driving a private vehicle. This includes field trips/excursions, co-curricular activities, business trips, running errands for the District, etc. Employees are not permitted to transport students in private vehicles.

Sometimes the District sponsors an activity but not the transportation and does not intend for the drivers to be agents of the District. Seemingly harmless, well intentioned actions can create a legal argument that an agency relationship exists which could make the District legally responsible for the negligence of the driver.

Agency relationship could be established in the following ways:

- Mandated route or time of travel
- Mandated caravanning, carpooling or assigned rider ship
- Driver transports District personnel, equipment, or materials
- District “screens” drivers; i.e., a check of Department of Motor Vehicles records, proof of liability insurance coverage, check of vehicle condition, etc.
- District authorizes drivers

## **NON-DISTRICT-SPONSORED TRANSPORTATION**

Occasionally students drive themselves or ride together while traveling to and from District activities, e.g., off-campus instruction and participation in athletic events. Care must be taken to reduce the likelihood that a student driving a private vehicle will not be considered an agent/volunteer of the District.

If the District is not providing the transportation it is important to avoid these issues.

It should be made clear to the participants that they are “on their own” and are responsible for arranging their own transportation to and/or from the activity by signing a form whereby they acknowledge that while driving their vehicle or riding as a passenger in a private vehicle, the driver is not an agent of the District, and the District assumes no liability.

- Students will not be permitted to drive other students.
- Prior to the activity, all parent/guardian drivers should complete a “Student Voluntary Transportation Agreement.”
- Students who have not signed the Agreement must ride in District-sponsored transportation.
- The District will not dictate the route, time, passengers, caravanning, etc.
- The District will not check for driver’s license or proof of insurance.

The appropriate form should be used when:

- Student provides their own transportation even though District provides transportation.
- Parent/guardian acknowledges responsibility for transportation since the District is not providing it.

## **DISTRICT SPONSORED TRANSPORTATION**

For district sponsored transportation there is a procedure to “screen,” control and approve drivers. All drivers complete an authorization form that includes:

- Liability insurance information
- Drivers’ license information

The financial responsibility laws in California require automobile liability coverage as a condition for operating a vehicle on public streets. Therefore, all drivers must provide the District with automobile liability coverage documentation prior to operating a motor vehicle as part of district sponsored transportation.

Regular or frequent drivers, such as employees who receive mileage reimbursement, must be included in the District’s Department of Motor Vehicles Pull Notice Program. This will verify the validity of their driver’s license and provide a record of driving violations.

All drivers on District business, whether in their personal vehicle, a District owned vehicle, a rental vehicle, or a loaned vehicle, shall be advised of the following:

- Only authorized passengers are allowed in the vehicle.
- They must follow the safest, most direct route giving consideration to the weather and road conditions.
- They must avoid unnecessary stops and side trips.

- All passengers must be in the passenger compartment and wear a seat belt.
- They must follow the “rules of the road,” including speed limits, and all laws pertaining to distracted driving.

The District does not allow students or other minors to sit in the front passenger seat if there is an operable passenger side airbag.

The personal vehicle use procedure shall include:

- Identification of those persons who regularly drive on district business
- Pull Notice Program for regular drivers
- Routine submission of proof of liability insurance and driver’s license information

It is important to note that the primary layer of liability coverage is the insurance which is on the vehicle driven. Therefore, when an authorized user is driving a District vehicle, the District’s liability coverage will be primary. When a private vehicle is being driven, the primary liability coverage will be that which is on the vehicle and the District’s liability coverage will be excess.

The District is not providing any collision or comprehensive coverage on private vehicles.



## **USE OF PRIVATE VEHICLES**

### **PROOF OF INSURANCE**

The normal California Automobile Insurance Policy covers any additional person or entity for whom the employee or volunteer may be driving on any occasional (not commercial) basis. Therefore, there is no need for the District to be named as an “additional insured” on the employee’s or volunteer’s auto policy.

As a minimum risk management practice, the District shall require evidence of insurance by the following:

- A form filled out by the employee or volunteer providing the information.
- “Proof of Insurance” form provided by automobile insurance companies in California.

**SAN MARINO UNIFIED SCHOOL DISTRICT  
PERSONAL VEHICLE USE FORM**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Birth Date: \_\_\_\_\_

Driver's License #: \_\_\_\_\_ Exp. Date: \_\_\_\_\_

Year/Make of Auto: \_\_\_\_\_ Vehicle License #: \_\_\_\_\_

Insurance Carrier/Agent: \_\_\_\_\_ Phone: \_\_\_\_\_

Liability Limits: \_\_\_\_\_ Policy #: \_\_\_\_\_

Expiration Date: \_\_\_\_\_ Driving Restrictions: \_\_\_\_\_

I certify that the above information is correct and that the insurance coverage is in force. I understand that if performing work for the School District in the course of my duties I to utilize my personal vehicle, I must have liability insurance coverage in force as required by the State of California and agree to advise the District, in writing, of any changes in the above information. I further certify that the above vehicle is mechanically safe.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Site \_\_\_\_\_ Purpose \_\_\_\_\_

Site Administrator Approval \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_  
District Office Approval (if applicable)

NOTE: If you drive your personal automobile while on District business and you are involved in an accident, by law your liability insurance policy is used first. The District liability policy would be used only after your policy limits have been exceeded. The District does not cover, nor is it responsible for, comprehensive and collision coverage to your vehicle.

All persons driving on District business will: (1) follow the most direct route; (2) avoid all unnecessary stops; (3) not carry unauthorized non-District personnel or students or guests as passengers; (4) not carry more than 9 students/passengers, no matter what size of vehicle; and (5) ensure that all vehicle occupants use seat belts if available in the vehicle.

Note: Please attach a photocopy of the following: (1) "Proof of Insurance" form presently being provided by your automobile insurance company that indicates expiration date of insurance and (2) current drivers license.

District Administration may obtain employee driving record checks from the California Department of Motor Vehicles which are a matter of public record.

## **MILEAGE REIMBURSEMENT**

Mileage reimbursement shall not be paid unless the driver's license and insurance information is on file with the District.

The following information shall be provided to the driver:

- If you drive your personal automobile while on District business and you are involved in an accident, your own liability insurance policy applies first. The District liability coverage would be used only after your limits had been exceeded. The District does not cover collision or comprehensive coverage for your automobile.
- The mileage reimbursement paid by the District covers all operating expenses on your automobile including, but not limited to, insurance, gas, oil, maintenance, etc.
- State law requires that automobile owners meet a minimum financial responsibility. This requirement is met by providing automobile liability insurance or a bond.
- If you do not carry automobile liability insurance, you should immediately notify your supervisor and you should not use your automobile for District business until you have met the minimum insurance requirements.

**SAN MARINO UNIFIED DISTRICT  
STUDENT VOLUNTARY ALTERNATE TRANSPORTATION AGREEMENT**

**NOTE: Although the District is providing transportation for a specific activity, there may be instances where a student wishes to provide for his/her transportation. Parents/guardians are required to agree to the alternate transportation by completing this form.**

Student Name \_\_\_\_\_

Activity/Activities \_\_\_\_\_

I understand the San Marino Unified District is providing transportation to and from the above activity. However, I do not wish to avail myself of the transportation provided by the District.

The above student hereby requests permission to provide for his/her own transportation at his/her own expense.

IT IS FULLY UNDERSTOOD THAT THE DISTRICT IS IN NO WAY RESPONSIBLE, NOR DOES THE DISTRICT ASSUME LIABILITY, FOR ANY INJURIES OR LOSSES RESULTING FROM THIS NON-DISTRICT SPONSORED TRANSPORTATION. ALTHOUGH THE DISTRICT MAY ASSIST IN COORDINATING TRANSPORTATION AND/OR RECOMMEND TRAVEL TIME, ROUTES, OR CARAVANNING TO OR FROM THIS EVENT, I FULLY UNDERSTAND THAT SUCH RECOMMENDATIONS ARE NOT MANDATORY.

I ALSO UNDERSTAND THAT THE DRIVER IS NOT DRIVING AS AN AGENT OF OR ON BEHALF OF THE DISTRICT.

\_\_\_\_\_  
Student Signature Date

\_\_\_\_\_  
Parent/Legal Guardian Date  
(If Student under 18 years of age)

\_\_\_\_\_  
District Approval Signature Date

**SAN MARINO UNIFIED SCHOOL DISTRICT  
NON-DISTRICT TRANSPORTATION NOTICE**

The undersigned hereby acknowledges and understands that the San Marino Unified District is NOT providing transportation to the \_\_\_\_\_ school-sponsored activities and that it is the responsibility of the undersigned to arrange for transportation.

As parent/legal guardian, I hereby authorize and give permission for my child,  
\_\_\_\_\_ to (check all that apply):

- drive himself/herself
  
- ride as a passenger in a vehicle driven by another parent/guardian

The undersigned acknowledges and understands that the driver is not driving on behalf of or as an agent of the District. Further, the undersigned understands that the District has not verified the driving record of the driver, the driver’s liability insurance, or the mechanical condition of the vehicle.

I FULLY UNDERSTAND THAT THE DISTRICT IS IN NO WAY RESPONSIBLE, NOR DOES THE DISTRICT ASSUME LIABILITY, FOR ANY INJURIES OR LOSSES RESULTING FROM THIS NON-DISTRICT SPONSORED TRANSPORTATION. ALTHOUGH THE DISTRICT MAY ASSIST IN COORDINATING THE TRANSPORTATION AND/OR RECOMMEND TRAVEL TIME, ROUTES, OR CARAVANNING TO OR FROM THIS EVENT, I FULLY UNDERSTAND THAT SUCH RECOMMENDATIONS ARE NOT MANDATORY.

\_\_\_\_\_

Parent/Guardian's Signature

Date

\_\_\_\_\_

Student's Signature

Date

## **TRANSPORTING DISABLED STUDENTS**

Parents/guardians will receive a notice regarding the attachment of a warning label to wheelchairs by their manufacturers stating that “the wheelchair is not an approved seat on a moving vehicle.” Based on this warning, they may have concerns, and expect the District to take their child out of the wheelchair and place him/her in a regular seat with a seat belt.

The District will send a notice to the parents of the students in wheelchairs, advising them that the wheelchair industry may consider being in a wheelchair in a vehicle to be unsafe although the District takes steps to anchor the wheelchair into place. The parent/guardian will also be advised that in considering the purchase of a wheelchair for their disabled child, they should seek out the strongest wheelchair available which would reduce the likelihood of a child being injured while riding in the moving vehicle.

This notice to parent/guardian shall also state that the District assumes no liability or responsibility in the event the wheelchair should fail while it is being transported with the child in the District vehicle.

**SAN MARINO UNIFIED SCHOOL DISTRICT  
NOTICE TO PARENTS - TRANSPORTING DISABLED STUDENTS**

Sample letter:

Dear Parent/Guardian:

Wheelchair manufacturers have been attaching a warning label to wheelchairs stating that the wheelchair is not deemed to be an approved seat in a moving vehicle while your child is being transported. The District does take steps to anchor the wheelchair into the vehicle to prevent its movement or shifting during the transportation process.

However, the District recommends that you seek out the strongest wheelchair available when purchasing a wheelchair for your child. This will reduce the likelihood of your child being injured while seated in the wheelchair when being transported in the District vehicle.

Be advised that the District assumes no liability or responsibility in the event the wheelchair should collapse or fail for any reason while your child is being transported in the District vehicle.

Sincerely,

San Marino Unified School District

## **NON-HOME-TO-SCHOOL TRANSPORTATION (NHTST)**

In order to ensure the maximum safety of students, District employees, and other individuals who may be participating in field trips or other official District business requiring transportation, and in order to mitigate the liability exposure of the District, the following guidelines have been established to regulate transportation activities:

It is the intent of the District to provide commercial transportation services for official school activities and business whenever it is possible to do so.

When District-provided transportation is provided, students are required to use this transportation unless extraordinary conditions merit an exception. Exceptions shall be made through a petition process in writing.

The use of private vehicles for student transportation is discouraged, however, when such transportation is the only feasible method available, the following risk management guidelines shall be followed:

- A “Use of Private Vehicle” request form must be submitted by the department sponsoring the activity/event to the District.
- The driver must submit proof of valid insurance along with the “Use of Private Vehicle” form and must certify that he/she will inform the District if there is any change in his/her insurance status.
- The driver will provide the District with authorization to check his/her driving record through the California Department of Motor Vehicles Driver Record program. The driver’s license must be valid, and driving records must be acceptable to the District.
- Volunteers must be named/acknowledged by District Board action.
- All students and volunteers participating in a field trip must submit a student or volunteer field trip permission slip, indicating the mode of transportation to be used, authorization for emergency medical treatment, and indicating—in the case of the volunteer drivers or individuals using personal vehicles—knowledge of the laws pertaining to the transportation of students and California financial responsibility laws pertaining to automobile liability. A synopsis of these rules shall be printed on the forms signed by the driver/volunteer; and the driver/volunteer shall be informed that his/her signature indicates acknowledgement and understanding of such rules. In no case shall the District be involved in arranging for a student to transport himself/herself or other students to attend school-



related activities as this may match the District to liability. Coordination and transportation is the responsibility of the parent or guardian. **Any arrangements regarding personal transport, carpooling, transportation routes, caravanning, etc., are to be made completely outside 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 transportation of students and no activity shall be authorized unless all required documents are submitted on a timely basis.
- Employees who drive personal vehicles in the course and scope of their employment or who may be asked to transport as a part of their work responsibilities must provide the documents specified above.
- Private vehicle users shall be made aware that their automobile liability insurance will be primary and the District automobile liability coverage is in excess.

## **FIELD TRIPS: EVALUATING SPECIAL ACTIVITIES**

Student activities such as field trips and fund raising events require evaluation of the perceived benefits versus the potential risks in order to decide how to risk manage the exposures to the District. Some issues that will be addressed in evaluating a proposed activity are the following:

- Purpose of the activity.
- Nature/type of activity.
- Description of the activity to take place.
- Location of activity.
- Name of entity sponsoring the activity.
- Potential hazards and exposures likely to arise out of the activity.
- What types of communications with parents / students will occur?
- How and what type of transportation will be provided?

## FIELD TRIPS

While field trips can be a valuable enhancement of the educational program, such trips can also create significant liability exposure for the District, including potential risks involving transportation and hazardous conditions at the location. School sites must work with the District to evaluate the purpose and goals of a proposed trip compared to liability exposures to decide whether the trip is appropriate for the District to sponsor. For instance, a trip providing educational benefits, may warrant accepting the liability exposures, whereas a trip involving recreational activities, may not warrant accepting the extra exposure to the District.

Procedures have been adopted to insure that no child is deprived of participation in an activity due to inability to pay a fee. The District's board policy and administrative regulations related to transportation, to categories of individuals allowed to supervise specific types of trips, and to supervision ratios.

The District has adopted clear procedures and conditions for participating in a field trip, and such procedures include:

- Description of the field trip approval process and required forms.
- Designation of responsibilities for facets of field trip approval and the activities related to field trip planning and execution.
- Method of securing parent / guardian approval for field trip participation, including authorization for emergency medical treatment; process to insure that responsible supervisors have such forms in their possession
- Provision for appropriate transportation arrangements in accord with Board-approved policies, specifying whether District-provided transportation is mandatory or optional; provision for handling "exceptions."
- Provision for parent / guardian to provide transportation and acknowledge in writing this responsibility and release of district.
  
- Procedure for allowing volunteers to participate in field trips, including field trips participation form and authorization for emergency medical treatment
- Two adult chaperones are to be present on field trips.

It is important that chaperones are prepared for emergencies, particularly medical emergencies. It is prudent to identify emergency care facilities prior to the activity, especially when the activity takes place in another state or country. The student's or chaperone's personal medical insurance may not be valid in foreign countries, and inexpensive travel accident policies are available for this purpose.

In addition to medical treatment benefits, many travel accident policies offer options, which pay the cost of transportation to the insured's home country for medical care, or for repatriation. The JPA can assist our members in identifying and procuring appropriate coverage. Education Code 35331 specifies the District's responsibilities in regard to provision of or notification of parents/guardian of the availability of medical insurance. A copy of this code can be located in the appendix section of this policy.

In addition to adopting, publishing and consistently following formal policies and procedures related to field trips, it is also important that sound and enforceable rules for the conduct of students, supervisors and chaperones be known and agreed to be all parties. Parents and trip participants should acknowledge receipt of such rules and their knowledge of the consequences of infractions.

**SAN MARINO UNIFIED SCHOOL DISTRICT  
AUTHORIZATION FOR STUDENT PARTICIPATION - ONE-DAY ACTIVITY**

\_\_\_\_\_ wishes to participate in \_\_\_\_\_  
(Student's name) (Field Trip Activity)

on \_\_\_\_\_ from \_\_\_\_\_ a.m./p.m. to \_\_\_\_\_ a.m./p.m.  
(Date)

Transportation will be provided by:

\_\_\_\_\_ Chartered Bus  
\_\_\_\_\_ Parent of San Marino High School student driving with school approval  
\_\_\_\_\_

It is necessary that the parents specifically authorize that their child be included in the activity. Supervision for this event will be furnished by the District, but parents should understand that supervision will end at the time slated above. The District will take every precaution to assure the welfare and safety of your son/daughter participating in this activity. However, it is important that you understand that the District cannot assume financial or legal liability in case of injury or accident.

If you wish your son/daughter to participate in the above described activity, please complete the request for participation form below, and return it to the school immediately.

\_\_\_\_\_  
Administrator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Field Trip Teacher/Advisor

\_\_\_\_\_  
Date

**PARENT/GUARDIAN AUTHORIZATION FOR PARTICIPATION**

I, the undersigned, authorize my son/daughter/child \_\_\_\_\_  
(Name of Student)

to participate in \_\_\_\_\_  
(Name of Activity)

scheduled for \_\_\_\_\_ a.m./p.m. to \_\_\_\_\_ a.m./p.m.,  
(Date)

**California law (Education Code Section 35330) provides that any person making a field trip or excursion waives all claims against the school district and the State of California for injury, accident, illness, or death occurring during or by reason of the field trip or excursion.**

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

**PLEASE RETURN THIS PORTION TO YOUR TEACHER/ADVISOR**

## **STUDENT BODY ACTIVITIES**

Student Body organizations, which are sponsored or sanctioned by the District provide important educational and recreational opportunities for our schools' students; however, these organizations can also create unusual liability exposures. These organizations may present risks to the District when administration is not aware of their activities and the staff advisor is not cognizant of the potential risks that may arise from certain activities.

It is important for the District to risk manage student body activities. Following the risk management guidelines below are designed to reduce the district's risk:

Proposed Student Body activities must be evaluated to ensure that they are appropriately classified as student body activities, rather than activities, which should be handled by alternative organizations which are better able to manage the activity under consideration. If meaningful supervision is impossible within the scope of activities contemplated during an outing, the District will transfer the sponsorship to an entity which is better equipped to handle the activity and of which the same standard of supervision and care is not expected.

Procedures and rules pertaining to field trips shall be followed, including all requirements for permission forms for students and chaperones, including medical treatment authorization forms and arrangements for transportation. Planning activities must include the use of permission forms and waivers, for students and volunteers, which were discussed in the Field Trip section and appear at the back of this section.

Good planning reduces "last minute crises" during which risk management generally is neglected.

Club advisors should be made aware of District guidelines and shall adhere to the administrative procedures and rules, which pertain to the activity.

There may be exception to the procedure, those will be addressed by the Superintendent or their designee. However, the following "unbreakable" rules will be followed:

- Students may never participate in a field trip without a signed permission form and medical authorization.

- If the district is not providing transportation, the responsibility will be that of the parent/guardian; and the District will not participate in arranging transportation by a parent of student for students.
- Students will not be released at the end of a field trip for which there is District transportation without prior written consent of the parent/guardian. In case of an accident or claim, the District's will make diligent efforts to disseminate information and to procure signed acknowledgement forms to provide a sound foundation for mitigating the District's exposure.

## **NON-DISTRICT ORGANIZATIONS      SPONSORED      ACTIVITIES      SCHOOL-CONNECTED**

Parents, employees, and volunteers will sometimes approach school administrators with requests to conduct off-campus activities on weekends or during non-school hours. Many of these activities have merit, and whether or not they do, a number of these activities will be held regardless of the position of the District.

If there is a presumption that the District was aware of a “non-sponsored” activity, should have been aware of it, or was in some way promoting or supporting the activity, the District or any of its agents, employees, or volunteers, may be held liable in the event a student sustains an injury while engaged in such activities.

Recommendations for risk transferring or managing liability will include the following:

- Notify student/parent/guardians that the activity is not District sponsored. Include a description of the event in as much detail as possible, and identify parents/guardians responsible for supervision—or state that there will be no oversight or supervision, whatsoever, provided by the District or its personnel acting in their capacities as District agents.
- Clearly indicate no District transportation or supervision at the pickup or drop-off point will be provided.
- Endeavor to have the student/parent/guardian sign a form acknowledging that the event is not District sponsored. Include in the event description as much information as is possible, including activities, destinations, etc. In exchange for some school cooperation, such as being allowed to use a school facility (under a Use of Facilities Agreement), the sponsor may agree to require signed acknowledgement forms as a condition for student participation.
- Prohibit use of the District or School logo or school supplies and equipment for promoting the activity.
- Prohibit use of classroom time to promote trip.
- Post notices on campus that the trip is an activity of the school-connected organization not the school or the District. The notice must name the school-connected organization.

## **SB 1072 SCHOOL BUS SAFETY: CHILD SAFETY ALERT SYSTEM**

The Paul Lee School Bus Safety Law is named after a Whittier student who tragically passed away in 2015 after being left unattended on a school bus for many hours.

Section 28160 of the California Vehicle Code requires that by the beginning of the 2018-2019 school year each school bus be equipped with an operational child safety alert system.

A “child safety alert system” is a device located at the interior rear of a vehicle that requires the driver to either manually contact or scan the device before exiting the vehicle, thereby prompting the driver to inspect the entirety of the interior of the vehicle before exiting.

Exception: A bus is not required to be equipped with an operational child safety alert system if ALL of the following apply:

- The bus is not used exclusively to transport students.
- The students are accompanied by at least one adult chaperone selected by a school official. Chaperones who are volunteers will meet the established policies of the school district.
- One adult chaperone has a list of every student and adult chaperone, including a school employee, who is on the bus at the time of departure.
- The driver has reviewed all safety and emergency procedures, and the driver and adult chaperone have signed a form with the time and date acknowledging the safety plan and procedures were reviewed.
- Before departure, the adult chaperone shall account for each pupil on a list, verify the number of pupils to the driver, and sign a form indicating that all pupils are accounted for.
- After pupils have exited the bus and before driving away, the driver shall check all areas of the bus to ensure the bus is vacant.
- The driver shall sign a form with the time and date verifying that all required procedures have been followed.
- The information required may be recorded on a single form. The form shall be retained by the District for a minimum of two years.



## **SCHOOL BUS EMERGENCY TRAINING PROCEDURES**

Pursuant to Education Code Section 39831.5, all pupils riding in a school bus or school pupil activity bus must receive instruction in school bus procedure and passenger safety as follows:

1. At least once each school year, all pupils receiving home to school transportation shall receive safety instruction which includes, but is not limited to:
  - a. Proper loading and unloading procedures
  - b. Proper passenger conduct
  - c. Bus evacuation
  - d. Location of emergency equipment
  - e. School bus evacuation drill through emergency exit doors
  
2. This training shall be documented each time the instruction is given as follows:
  - a. Name of District or COE
  - b. Name and location of the school
  - c. Date of instruction
  - d. Names of supervising adults
  - e. Number of pupils participating
  - f. Grade levels of pupils
  - g. Subjects covered in the instruction
  - h. Amount of time taken for instruction
  - i. Bus driver's name
  - j. Bus number
  - k. Additional remarks
  
3. The above information shall remain on file for one (1) year from the date of the instruction.

4. Prior to departure on any school activity trip, all pupils riding on a school bus or school pupil activity bus shall receive safety instruction which includes, but is not limited to:
  - a. Location of emergency exits
  - b. Use of emergency equipment

**SAN MARINO UNIFIED SCHOOL DISTRICT  
STUDENT TRANSPORTATION AGREEMENT**

Pursuant to the California Education Code Section 39806, which authorizes payment to parents for the transportation of students, (Contractor Name) enters into agreement with San Marino Unified School District for the purpose of transporting (Student Name) to and from school under the following terms and conditions:

1. This Agreement shall be in effect from \_\_\_\_\_ (Date) through \_\_\_\_\_ (Date) \_\_\_\_\_.
2. Contractor agrees to transport only students approved by the District.
3. Contractor shall be reimbursed by District at the rate of (\$ per day/mile/hour).
4. Contractor agrees that reimbursement pursuant to Paragraph 3, shall cover all expenses including, but not limited to, automobile liability insurance, gas, oil, maintenance, etc.
5. Contractor agrees to maintain in force throughout the term of this Agreement at least the California legal minimum automobile liability insurance required by law.
6. Contractor agrees and understands that he/she is an independent contractor and not an employee, volunteer or agent of the District.
7. Contractor agrees and understands that as an independent contractor there is no general or automobile liability coverage, Workers' Compensation coverage, health benefits or any other similar insurance coverage being provided by District to contractor.
8. This Agreement may be terminated by either party at any time by giving a minimum of \_\_\_\_\_ days written notice.
9. Contractor agrees to take the most direct route in transporting students and avoid unnecessary errands, stops or other personal business while transporting student(s).
10. Contractor certifies that he/she has a valid California driver's license and shall notify District in the event the license is not renewed, suspended, revoked or becomes invalid for any reason whatsoever.
11. Contractor agrees to maintain the vehicle to be used for transportation in a safe condition.
12. Contractor agrees to defend, indemnify and hold harmless the District for any and all losses, claims or injuries to any person resulting in any way from Contractor's performance under this Agreement.

I have read the entire Agreement and fully understand and agree to all duties and obligations thereunder. I hereby agree to abide by all terms and conditions of this Agreement.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
District: \_\_\_\_\_ Date: \_\_\_\_\_

## **DMV PULL NOTICE PROGRAM**

The Department of Motor Vehicles has instituted a program whereby the District can “sign up” to automatically receive driving records for specified employees. This is a method for maintaining current information on the status of the driving records of employees who regularly drive on District business. The DMV will provide employee driving record information to the District free of charge.

Since there is no primary commercial insurance on district owned vehicles, participation in the DMV pull notice program is particularly important for those employees or volunteers who drive District vehicles.

The District will:

- Identify all employees who regularly drive a vehicle on District business. (Bus drivers are automatically checked by the State Highway Patrol)
- Obtain Governmental Requester Code Number.
- Complete the current DMV request form for each employee.
- Mail completed requests to Department of Motor Vehicles
- Discuss any questionable driving records with the Claims Administrator.

## **PREVENTING ACCIDENTS**

The heart of the transportation and vehicle safety program is the careful determination of the preventability of each accident in which a driver is involved. This shall be done in light of all the facts pertinent to the accident's occurrence. Determining these facts is sometimes difficult in practice, but it can be made easier by training drivers to completely and accurately report the accidents in which they are involved. Complete accident investigation by management is equally necessary.

The first step in reviewing the accident is to determine if the driver involved adhered to the Defensive Driving Code. That is, did drivers "drive in such a way that they committed no errors, and so controlled the vehicle to make due allowance for conditions of road, weather and traffic, and to assure that mistakes of other drivers did not cause an accident?"

Despite the fact each accident shall be judged individually, experience in vehicle safety over the years has shown that certain types are generally non-preventable on the part of the professional driver and certain others, in absence of extenuating circumstances, could have been prevented by defensive driving. The types of accidents listed below cannot cover every accident which may occur, but they are intended to provide guidance in determining the eligibility of drivers for safe driving awards.

Employees are encouraged to report all non-accident incidents. This will enable the vehicle manager to obtain a true picture of potential accident causation factors.

## REFERENCES AND INFORMATION

California Highway Patrol <http://www.chp.ca.gov/>

California Department of Motor Vehicles

<http://www.dmv.ca.gov/portal/home/dmv.htm>

Department of Transportation <http://www.dot.gov/>

Alliant Insurance Services [www.alliant.com](http://www.alliant.com)

York

<https://riskcontrol.yorkrisk.com/>

**ALLIANT REPORT OF ACCIDENT FORM**





**AUTHORIZATION FOR RELEASE OF DRIVER RECORD INFORMATION**  
(Insert DMV Form)

## **EDUCATION CODE – 35331**

TITLE 2. ELEMENTARY AND SECONDARY EDUCATION [33000 - 64100]

DIVISION 3. LOCAL ADMINISTRATION [35000 - 45460]

PART 21. LOCAL EDUCATIONAL AGENCIES [35000 - 35787]

CHAPTER 2. Governing Boards [35100 - 35401]

ARTICLE 13. Excursions and Field Trips [35330 - 35332]

35331.

(a) The governing board of any school district conducting excursions and field trips pursuant to this article shall provide, or make available, medical or hospital service, or both, for pupils of the district injured while participating in any excursion or field trip under the jurisdiction of, or sponsored or controlled by, the district or the authorities of any school of the district.

(b) (1) The medical or hospital service, or both, described in subdivision (a) shall be provided, or made available, through any of the following:

(A) One or more nonprofit membership corporations defraying the cost of medical or hospital service, or both.

(B) One or more group, blanket, or individual policies of accident insurance from an authorized insurer.

(C) A self-insurance program of the school district.

(2) The cost incurred by the school district pursuant to this subdivision may be paid from the funds of the district, or by the insured pupil or his or her parent or guardian.

(3) The membership may be taken in, or the insurance may be purchased from, only those corporations or insurers that are authorized to do business in this state. If the coverage described in this subdivision is to be provided through a self-insurance program of the school district, claims may be paid from a fund established for that purpose.

*(Amended by Stats. 2010, Ch. 89, Sec. 6. (AB 2081) Effective January 1, 2011.)*

## FREQUENTLY ASKED QUESTIONS

### **Is the school/District required to provide transportation for student extra-curricular transportation?**

The District/school may provide transportation for students, employees, and other individuals for field trips and other school-related trips, but it is not required. The District receives \$110,000 from the City of San Marino and donations from parents through the First Day Packet process to support extra-curricular transportation.

### **Does the school provide transportation for athletics and VAPA games, events etc.?**

Yes, to a limited extent. The High School provides student transportation for extra-curricular transportation within its budget means.

### **What laws govern student transportation?**

There are specific federal and state laws governing the transportation of students of more than 10 persons (9 students plus the adult driver). For information on these laws refer to [CA Vehicle Code 545](#) and [CA Vehicle Code 546](#). [CA Education Code](#) Sections 35330, 39380, 39830.1, 39860, and 44808. The transportation of 9 or more students (10 persons including the driver) requires the driver and the vehicle to comply with School Pupil Activity Bus (SPAB) regulations, including the requirement for CHP certification, and a Commercial CA Driver's license.

### **If parents are willing and able to drive, what is required?**

The driver(s) would complete the District's [Authorization Form](#) provide a copy of their valid California Driver's License, proof of insurance with specific levels of coverage, and agree to the District's requirements when transporting students. The Authorization Form is available on the District's website or in the APO Office.

### **Can a student drive other students?**

It is strongly discouraged. Authorized student drivers must follow all state Vehicle Code laws, the District requirements to receive authorization to drive other students, and permission from the Principal. More information on minor's driving restrictions can be found on the CA DMV website at:

[https://www.dmv.ca.gov/portal/dmv/detail/pubs/brochures/fast\\_facts/ffd119#dlrestrictions](https://www.dmv.ca.gov/portal/dmv/detail/pubs/brochures/fast_facts/ffd119#dlrestrictions)

### **Can a parent volunteer rent or lease a vehicle or truck to transport students?**

No. The District insurance prohibits the District from allowing parent volunteers to rent or lease vehicles or trucks to transport student or school equipment. The parent

volunteer would be acting as an agent of the District and the District would be held liable in any legal action.

**Can a parent volunteer or drive a District-owned truck?**

No. The District is responsible for the negligence of a parent volunteer who is acting as an agent of the District while driving a private vehicle. This includes field trips, co-curricular activities, etc. Parents are not allowed to drive District trucks for liability reasons.

**Can the High School/District buy a truck to transport students and/or equipment?**

No. This is not financially feasible. The District does not have the required transportation department, certified drivers, mechanics, etc. that are required under state and federal laws to transport students or school equipment.

**For equipment moving services, can we just have a driver and not an additional mover?**

The rates charged by the moving service company are based on per trip cost plus the driver and mover(s). Two workers are required when moving large equipment, such as band equipment. Due to liability reasons, Sterling loads the trucks with the equipment.

**For more information, contact the APO Office or the District's Business Office.**

