

TRANSPORTATION FOR SCHOOL-RELATED TRIPS

Transportation by District or District Sponsored Vehicle

The district may provide transportation in buses or other school or public transportation vehicles for field trips and excursions in connection with instruction or school-related social, educational, cultural, athletic or school band activities. District owned vehicles and/or vehicles that are rented by the district shall only be driven by district staff 21 years of age or older, who are enrolled in the District's California Department of Motor Vehicle Employer Pull Notice Program.

(cf. 3541.5 - Alternative Transportation Arrangements)

School-related organizations requesting transportation shall be fully responsible for the costs of their trips unless funding has been approved by the Governing Board.

(cf. 3250 - Transportation Fees)

(cf. 3542 - School Bus Drivers)

(cf. 3543 - Transportation Safety and Emergencies)

(cf. 6153 - School-Sponsored Trips)

District Driver Approval

The district reserves the right to refuse or limit an employee's or volunteer's authorization to operate a vehicle on district business or be reimbursed mileage if the individual is determined to be a high risk driver according to district guidelines, or fails to maintain adequate vehicle insurance and/or a valid California drivers license.

Student Release From Using District Transportation

When district transportation is provided, students may be released from using district transportation only with the advance written permission of their parent/guardian. The written release form must be submitted for each activity a student is involved.

Transportation by Private Vehicle

The Superintendent or designee may authorize the transportation of students by private automobile for approved field trips and activities when the vehicle is driven by an adult, age 21 or over, who has registered for such purposes and the student's parents/guardians have provided signed permission slips with the district.

Legal Reference: (see next page)

TRANSPORTATION FOR SCHOOL-RELATED TRIPS (continued)

Legal Reference:

EDUCATION CODE

35330 *Excursions and field trips*

39830 *School bus*

39835 *Use for community recreation*

39837 *Transportation of pupils to places of summer employment*

39860 *Transportation to special activities by district*

44808 *Liability when students not on school property*

VEHICLE CODE

27315 *Mandatory use of seat belts in private passenger vehicles*

34501.6 *School buses; reduced visibility*

Castro v. Los Angeles (1976) 54 Cal.App.3d 232

Salcedo v. Monterey County Office of Education (1992) 1 Cal.Rptr.2d 868

Hanson v. Reedley School District (1941) 43 Cal.App.2d 643

Lehmuth v. Long Beach Unified School District (1960) 53 Cal.App.2d 544

Policy
adopted: April 14, 1997
Revised: May 27, 2003

VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California

TRANSPORTATION FOR SCHOOL-RELATED TRIPS

The district may provide transportation for students, employees, and other individuals for field trips and other school-related trips approved according to Board policy and administrative regulation.

(cf. 3312.2 - Educational Travel Program Contracts)

(cf. 3540 - Transportation)

(cf. 3541 - Transportation Routes and Services)

(cf. 6153 - School-Sponsored Trips)

The Superintendent or designee shall determine the most appropriate and cost-effective mode of transportation for each approved trip. He/she may authorize the use of district vehicles, contract to provide transportation, or arrange transportation by the use of other vehicles.

The Superintendent or designee shall ensure that the district or contractor has sufficient liability insurance for transportation on school-related trips.

(cf. 3530 - Risk Management/Insurance)

School-related organizations requesting transportation shall be fully responsible for the costs of their trips unless funding has been approved by the Governing Board.

(cf. 1230 - School-Connected Organizations)

Transportation by Private Vehicle

The Superintendent or designee may authorize the transportation of students by private vehicle when the vehicle is driven by an adult age 21 or older who possesses a valid California driver's license or, if he/she is a nonresident on active military duty in California, possesses a valid license from his/her state of residence. To be approved, a driver shall have a good driving record and possess at least the minimum insurance required by law. Any person providing transportation to district students in a private vehicle shall register with the district for such purposes.

(cf. 1240 - Volunteer Assistance)

For activities where the district is providing and/or sponsoring the transportation in a private passenger vehicle, it shall be the responsibility of Transportation Department or designee to authorize and approve the drivers of those vehicles. All required forms shall be submitted to the Transportation Department no less than 15 days prior to the activity.

TRANSPORTATION FOR SCHOOL-RELATED TRIPS (continued)

It shall be the responsibility of the principal or designee to:

1. Submit all required forms to the Transportation Department no less than 15 days prior to the activity;
2. Obtain a photocopy of the driver's license; obtain a photocopy of the driver's proof of insurance form;
3. Have all drivers complete the requirements of the "Personal Vehicle Use Guidelines" form # E (1) 3541.1;
4. Have all drivers sign the "Employee/Volunteer Personal Use Permission" form # E (3) 3541.1;
5. Submit a copy of "District Employee Driving Private Vehicles – Driver Instructions" form – E (2) 3541.1.

If transportation is not provided and/or sponsored by the district, it shall be the responsibility of the principal or their designee to be certain that the participants and the parents/guardians are advised in writing that the district is not providing transportation, that the parent/guardian assumes all responsibility to make appropriate transportation arrangements, and that the district assumes no legal liability for that transportation. ("Non-District Sponsored Transportation Agreement" form E (6) 3541.1)

Drivers shall receive safety and emergency instructions which shall be kept in their vehicle.

Private vehicle owners, drivers and passengers shall be informed that the registered owner of the vehicle and his/her insurance company is the primary coverage for any accidents which may occur, and that the district does not provide collision or comprehensive coverage on the vehicle.

All student passengers shall submit permission slips signed by their parents/guardians. Teachers shall ensure that each driver has a copy of the permission slip for each student riding in his/her vehicle.

The number of passengers, including the driver, shall not exceed the capacity for which the vehicle was designed. Trucks may not transport more persons than can safely sit in the passenger compartment. The driver shall ensure that the manufacturer's recommendations for his/her vehicle are followed regarding the seating of children in seats equipped with airbags.

TRANSPORTATION FOR SCHOOL-RELATED TRIPS (continued)

The driver or any other person shall not smoke or have in his/her immediate possession a lighted pipe, cigar, or cigarette containing tobacco or any other plant when there is a minor in the motor vehicle, whether the motor vehicle is in motion or at rest. (Health and Safety Code 118948)

Passenger Restraint Systems

All drivers shall wear safety belts and shall ensure that all passengers are properly secured in seat belts or child passenger restraint systems in accordance with law. (Vehicle Code 27315, 27360, 27360.5, 27363)

A child who is under age 8 years shall be properly secured in a rear seat in an appropriate child passenger restraint system meeting federal safety standards, except under any of the following circumstances: (Vehicle Code 27360, 27363)

1. The child is four feet nine inches or taller, in which case a safety belt may be used.
2. Use of a child passenger restraint system would be impractical by reason of physical unfitness, medical condition, or size and an appropriate special needs child passenger restraint system is not available.
3. There is no rear seat, the rear seats are side-facing jump seats or rear-facing seats, the child passenger restraint system cannot be installed properly in the rear seat, all rear seats are already occupied by children under age 8 years, or medical reasons necessitate that the child not ride in the rear seat.
4. The child is otherwise exempted by law.

Student Release from Using District Transportation

When district transportation is provided, students may be released from using district transportation only with the advance written permission of their parents/guardians parent.

The written release form must be submitted for each activity a student is involved.

(“Parent/Student Voluntary Transportation Agreement” form E (5) 3541.1).

Employee Transportation

Procedures are as follows:

1. At the beginning of the school year, the site principals and department supervisors shall identify those employees who frequently or regularly drive their personal vehicles on district business.

TRANSPORTATION FOR SCHOOL-RELATED TRIPS (continued)

2. The principal/supervisor shall obtain a complete “Employee/Volunteer Personal Vehicle Use Permission Form” - E (3) 3541.1 from those employees driving personal vehicles.
3. The completed form, and a photocopy of the employee’s drivers license and proof of insurance shall be sent to the Transportation Department.
4. The Transportation Department shall submit the necessary information to the California DMV for the listed employees to be entered into the DMV “Employer Pull Notice Program.”
5. The forms and DMV pull-notices shall be reviewed by the Transportation Department. The employee’s DMV pull-notice will be evaluated and “points” assessed as follows:
 - A. One point is charged for the following:
 - a. Unsafe operation of a vehicle
 - b. Moving violation
 - c. An “at fault” accident

If the employee disputes the fault of an accident, it is the employee’s responsibility to obtain a copy of the accident report or insurance company report for review and consideration.

- B. Two points are charged for any of the following:
 - a. Reckless driving
 - b. Hit and run driving
 - c. Vehicular manslaughter
 - d. Evading a peace officer or resisting citation/arrest
 - e. Driving on the wrong side of the highway
 - f. Speed contest or exhibition of speed
 - g. Use of a vehicle for any illegal purpose
 - h. Driving under the influence of alcohol and/or any drug
 - C. For the district's purposes an employee is considered a high-risk driver when the driving record shows the following DMV point count:
 - 2 points in the most recent 12 month period
 - 3 points in the most recent 24 month period
 - 4 points in the most recent 36 month period

TRANSPORTATION FOR SCHOOL-RELATED TRIPS (continued)

6. If any employee has a suspended or revoked drivers license, the Transportation Department shall notify the principal or site supervisor that the employee is not allowed to drive on district business.

When an employee is considered a high-risk driver pursuant to 5.C., the Transportation Department shall notify the principal or site supervisor that the employee shall be refused or limited when driving on district business as much as reasonably possible. The principal/supervisor shall then notify the employee. The employee shall not be allowed to drive students or staff in the course of business.

Employees shall be advised and periodically reminded of the following minimum risk management standards:

1. Transport only approved passengers while on any trip.
2. All drivers and passengers are required to wear seat belts at all times.
3. Follow the safest, most direct route while giving consideration to weather and road conditions.
4. Follow all laws and rules of the road, including but not limited to, speed limits.
5. Drive defensively and do what a reasonable and prudent person would do.

Legal Reference: (see next page)

TRANSPORTATION FOR SCHOOL-RELATED TRIPS (continued)

Legal Reference:

EDUCATION CODE

35330 *Excursions and field trips*

35332 *Transportation by air*

39830 *School bus*

39830.1 *School pupil activity bus*

39860 *Transportation to special activities by district*

44808 *Liability when students not on school property*

HEALTH AND SAFETY CODE

118947-118949 *Prohibition against smoking in motor vehicle with minor*

PUBLIC UTILITIES CODE

5384.2 *District not liable for charter-party carrier*

VEHICLE CODE

545 *School bus, definition*

12814.6 *Limitations of provisional driver's license*

27315 *Mandatory use of seat belts in private passenger vehicles*

27360-27360.5 *Child passenger restraint systems*

27363 *Child passenger restraint systems, exemptions*

Management Resources:

WEB SITES

California Department of Motor Vehicles: <http://www.dmv.ca.gov>

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

California Office of Traffic Safety: <http://www.ots.ca.gov>

National Highway Traffic Safety Administration: <http://www.nhtsa.dot.gov>

Regulation

approved: April 14, 1997

revised: April 24, 2003

revised: March 8, 2012

VISALIA UNIFIED SCHOOL DISTRICT

Visalia, California

PERSONAL VEHICLE USE GUIDELINES

Guidelines for Use of Personal Vehicle

1. Driver must:
 - a) Be an adult, age 21 or older
 - b) Posses a valid California driver's license
 - c) Be sure the vehicle being driven has the minimum liability insurance as required by the State of California
 - d) Be a participant in the District Employer Pull Notice Program or submit Form H-6 from the California Department of Motor Vehicles (Form H-6 is a 10 year driving history record)
2. A driver cannot transport more than nine (9) passengers plus the driver (ten (10) occupants total). In no case can the number of passengers, including the driver, exceed the number of available seat belts. At no time shall the driver's vision be obstructed.
3. Trip routes to points outside of the District in excess of ten (10) miles must be approved in advance by the campus administrator/program director or designee.
4. The "Employee/Volunteer Personal Vehicle Use Permission Form" (E (3) 3541.1) must be completed and on file with the Transportation Department 15 days before the trip.
5. Consent slips from parents must be on file prior to a trip.
7. Use of personal vehicles where hazardous road conditions exist is prohibited (includes hazardous conditions declared by California Highway Patrol, or other city, county, state or federal agencies authorized to monitor road conditions).
8. All forms must be completed and submitted before a trip will be authorized.

District Insurance

Any employee or authorized volunteer, while engaged in authorized activities within the scope of his/her assigned duties, is covered by District insurance for damages caused to persons or property, as a result of negligence of the employee or volunteer. However, when privately owned vehicles are used on authorized school business, the driver's personal liability insurance will go first to settle any claims. District insurance will cover the unpaid excess up to the policy limits. Collision damage to privately owned vehicles, owned by either employees or volunteers, is not covered by District insurance.

1/27/98

Revised: July 23, 2001

Revised: April 24, 2003

**DISTRICT EMPLOYEE DRIVING PRIVATE VEHICLES
DRIVER INSTRUCTIONS**

When using your vehicle to transport students or staff on school activity trips, please do the following:

1. Be sure that you are registered with the district for such purposes and have a valid California driver's license and current liability insurance as mandated by the State of California. You must be 21 years of age or older to drive on school activity trips.
2. Check the safety of your vehicle: tires, brakes, lights, horn, suspension, etc.
3. Carry only the number of passengers for which your vehicle was designed and which there are seatbelts, but in no case may you transport more than 10 people, including the driver. If you have a truck or pickup, carry only as many as can safely sit in the passenger compartment and for which there are seatbelts.
4. Require each occupant of the vehicle to use a safety belt.

In case of emergency, keep all the children together and call the principal or site supervisor. If emergency medical care is needed call 911.

Employee/Volunteer Personal Vehicle Use Permission Form

Today's Date _____ School/Site _____

Site Contact
Person _____

Name of Driver _____ Contact Phone# _____

Date of Birth(must be 21) _____ Date of Activity _____

California Driver License # _____ Location of Activity _____

Expiration Date _____ Type of Activity _____

Year and Make of Vehicle _____ Vehicle License # _____

Insurance Carrier _____ Policy # _____

Insurance Agent _____ Phone# _____

Policy Expiration Date _____ Liability Limits _____

Procedures and Guidelines for Use of Personal Vehicles:

The following shall be submitted to the Transportation Department 15 days in advance of the scheduled activity:

- ◆ Valid "**Evidence of Insurance**" (either a photocopy of the face-sheet of the insurance policy or a "Certificate of Insurance" from the Company or Agent)
- ◆ Clear photocopy of the Drivers valid **California Driver License**
- ◆ Any driver not enrolled in the District Employer Pull Notice Program must submit a current ten year driving record from the California Department of Motor Vehicles - **Form DMV H-6**. To be current, the H-6 must have been generated within 30 days of the date of the Personal Vehicle Use Permission Form. To find out if a driver is in the District Pull Notice Program, phone the Transportation Department at 559-730-7594.
- ◆ Guidelines for use of personal vehicles must be adhered to by the driver.

Capacity of Vehicles Transporting Students:

- ◆ No more than 10 people may be transported in the vehicle, including the driver. In no case should the number of passengers exceed the number of the original manufacturer equipped seatbelts installed in the vehicle.
- ◆ All passengers and the driver must adhere to the proper use of seatbelts as mandated by the State of California.

Liability:

- ◆ If while driving your personal vehicle on District business, you are involved in an accident, your liability insurance policy will be used first. The District liability policy would be used only after your policy limits have been exceeded.
- ◆ The District does not cover, nor is the District responsible for, comprehensive and collision coverage on your vehicle.

I certify the above information is correct and the insurance coverage is in force. I understand I must have liability insurance coverage in force 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 and I am willing to provide the vehicle for inspection to the District Transportation Director if requested. I have received a copy of and will adhere to the [Guidelines for Personal Vehicle Use] as required by the District. I have attached to this form valid Evidence of Insurance for the vehicle, a copy of my valid California Driver License and if I do not have a DMV Pull Notice on file with the District, a current DMV Form H-6.

Signature-Owner of Vehicle

Date

Signature-Driver of Vehicle

Date

Signature – Site Administrator

Date

VISALIA UNIFIED SCHOOL DISTRICT

“WAIVER LIABILITY NOTICE”

Parent Permission Waiver For Student Transported To Activity
Transported in a Non-District Vehicle

(Please Print or Type)

Student Participant: _____ Date(s) of Activity: _____

Type of Activity: _____ Location of Activity: _____

Parent or Guardian must initial one of the following statements:

_____ I understand that the student named above will be transported to the stated activity in a non-District vehicle driven by a District person.

_____ I understand that the student named above will be transported to the stated activity in a non-District vehicle driven by a non-District person.

For and in consideration of permitting the student named above to participate in the activity named above, do hereby as the undersigned voluntarily release, discharge, waive and relinquish any and all actions or causes of action for personal injury, property damage or wrongful death occurring to him/herself arising as a result of engaging or receiving instruction in said activity or any activities incidental thereto wherever or however the same may incur and continue, and the undersigned does for him/herself, his/her heirs, executors, administrators and assigns hereafter arise from him/herself and for his/her estate, and agrees that under no circumstances will he/she or his/her heirs, executors, administrators and assigns prosecute, present any claim for personal injury, property damage or wrongful death against the Visalia Unified School District or any of its officers, agents or employees for any of said causes of action, whether the same shall arise by the negligence of any of said persons or otherwise.

It is the intention of student named above by this instrument, to exempt and relieve Visalia Unified School District from liability for personal injury, property damage or wrongful death caused by negligence for participation in the stated activity.

The undersigned, for him/herself, his/her heirs, executors, administrators or assigns agrees that in the event any claim for personal injury, property damage or wrongful death shall be prosecuted against Visalia Unified School District he/she shall indemnify and save harmless the same Visalia Unified School District from any and all claims or causes of action by whomever or wherever made or presented for personal injuries, property damage or wrongful death.

The undersigned acknowledges that he/she has read the Waiver Liability Notice and the foregoing paragraphs, has been fully and completely advised of the potential dangers incidental to engaging in the activity and transportation to this activity and is fully aware of the legal consequences of signing the within instrument.

Student Signature

Date

Parent or Guardian Signature

Date

Witness

Date

VISALIA UNIFIED SCHOOL DISTRICT

PARENT/STUDENT VOLUNTARY TRANSPORTATION AGREEMENT

STUDENT NAME: _____

ACTIVITY(IES): _____

I understand the Visalia Unified School District IS providing transportation to and from the above activity. However, I DO NOT wish to have my child utilize the transportation provided by the district for this activity.

The above student hereby requests permission to provide for his/her own transportation at his/her own expense. As parent/guardian of this student, I hereby grant permission for this student to arrange and provide for his/her own transportations to and from this activity at his/her own expense.

I understand and hereby agree that it is my choice for how my student is to be transported to and from these specified activities. I fully understand that the District is in no way responsible nor does the District assume liability, for any injuries or loses resulting from this non-district sponsored transportation. I understand that I may choose to allow my child to drive him/herself, be transported by another student or adult; or make other arrangements for my student to be transported.

I understand that any driver of my student is not a district person and is not as an agent of or on behalf of the District. For and in consideration of permitting the student named above to be transported home in non- district vehicle driven by a non-district person. I hereby as the undersigned voluntarily release, discharge, waive and relinquish any and all actions or causes of action for personal injury, property damage, or wrongful death occurring to the student arising as a result of the student being transported by a non-district vehicle driven by an non-district person.

I agree to defend Visalia Unified School District, its officers, agents, employees and volunteers against any claim or lawsuit for injury, loss, or damage arising from or in any way connected with such student's participation in this activity, including transportation.

I have carefully read this agreement and fully understand its contents. I am aware that this is a Release of Liability and Indemnity, and it is a legally binding contract between the Visalia Unified School District and me, and I sign it of my own free will. I fully recognized and understand that this is not a school-required activity and that participation is not required.

Student Signature

Date

Parent/Legal Guardian
(If student is under 18 years of age)

Date

District Approval Signature

Date

VISALIA UNIFIED SCHOOL DISTRICT

NON-DISTRICT SPONSORED TRANSPORTATION AGREEMENT

STUDENT NAME: _____

ACTIVITY(IES): _____

I understand the Visalia Unified School District is **NOT** providing transportation to and from the above activity. As such, I acknowledge and agree that it the student and/or his parent/guardian has the responsibility to arrange appropriate transportation to and from this activity.

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
(If student is under 18 years of age)

Date

District Approval Signature

Date