Policy

**BUS SAFETY PROGRAM**

*Code* **EEAE** *Issued* **DRAFT/19**

The safety and welfare of students is the first consideration in all matters pertaining to transportation. To that end, all district transportation staff will comply with district policies as well as with federal and state law. Staff will immediately report to supervisors any violation of safety policies that threatens the safety of a student or staff member.

All vehicles used to transport students will be maintained in such condition as to provide safe and efficient transportation service with minimal delays and disruption of such service due to mechanical or equipment failure.

In addition to the regular state inspections, each school bus will be inspected by the driver regularly to ascertain that it is in safe, clean, and sanitary condition and that all equipment is in good working order.

**Physical Exam**

Before operating a school bus, a driver candidate will have a physical examination, certified by a medical examiner (i.e., medical physician, osteopathic physician, physician assistant, advanced practice nurse, or chiropractor). The certification will be made on forms provided by the South Carolina Department of Education or the United States Department of Transportation. The bus driver candidate will provide the testing administrator with the certified physical examination before taking the school bus driver physical performance test and the commercial driver’s license skills test. The bus driver candidate will provide a copy of the certification to the district.

Bus drivers are expected to have a physical examination every two years as required by state law. The district may require additional physical examinations as necessary.

**Driving Record**

Driver candidates will meet all requirements for testing for a commercial driver’s license (CDL) and may not have more than four points against his/her license or driving record, including no more than four points against his/her license or driving record in the previous twelve months.

Drivers accumulating more than four points after employment will be placed on probation, suspended without pay, or terminated as deemed appropriate by the superintendent or his/her designee based on the nature and severity of the driving offense(s).

**Alcohol and Drug Testing**

All school bus drivers and driver supervisory staff will be tested for alcohol and drug use. The superintendent or his/her designee will implement this program.

The term “drugs,” as used in this policy, refers to controlled substances, including, but not limited to, marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP).

The district prohibits transportation staff from the following:

* the use of drugs, unless a written prescription from a licensed doctor or osteopath is provided along with a written statement from said individual that the substance does not adversely affect the staff member’s ability to safely operate a motor vehicle or perform other safety-sensitive functions
* reporting for or remaining on duty when the driver uses any drugs
* the use of alcohol under these conditions:
* reporting for or remaining on duty while having a blood-alcohol concentration of .02 or greater
* possessing alcohol while driving
* using alcohol while driving
* driving within four hours after using alcohol
* using alcohol for eight hours following an accident, if the driver is required to take a post-accident alcohol test

Under the testing program, the district will do the following:

* Test transportation staff for drugs before employment. *(Option: The district will also require pre-employment alcohol testing).* The district will also test transportation staff for alcohol and drugs after certain accidents; any time a supervisor has reasonable suspicion that a driver has violated federal rules; on a random, unannounced basis; and as part of a follow-up or return-to-duty program.

Procedures for this testing will include an evidential breath-testing device for alcohol testing. Drug testing will require urine specimen collection and testing by a laboratory certified by the U.S. Department of Health and Human Services.

* Notify the transportation staff orally or in writing before performing an alcohol or drug test that federal regulations require the test.
* Maintain records of district alcohol misuse and drug use prevention programs.
* Prohibit a transportation staff member from working if he/she violates this policy.
* Provide transportation staff with information about drug and alcohol misuse, information concerning testing requirements, and information on how and where staff can get help for substance abuse.
* Provide transportation staff with a copy of this policy.
* Maintain testing results and records under strict confidentiality.
* Furnish supervisors with at least one hour of training on alcohol misuse and another hour of training on drug misuse to assist them in making appropriate determinations for reasonable suspicion testing.

The district *(option: applicant)* will pay for all pre-employment drug *(option: and alcohol)* testing costs. The district *(option: employee)* will pay for all current transportation staff drug and alcohol testing including reasonable suspicion, random, and post-accident testing.

The district will make all offers of employment or transfer to covered positions with the district contingent upon drug testing results. The district will not hire or transfer an individual who tests positive nor will the district consider individuals who refuse drug testing.

The district will regard current transportation staff who refuse to comply with testing requirements as testing positive. In accordance with board policy, the district will immediately discipline and may dismiss current transportation staff who fall into this category.

*DUI Offenses*

If a bus driver receives a ticket for DUI, he/she will be suspended without pay and, if convicted of DUI, the driver shall be terminated.

Adopted ^

Legal References:

1. United States Code of Laws, as amended:
2. Commercial Motor Vehicle Safety Act of 1986, Pub. L. No. 99-570, 100 Stat. 3207.
3. Omnibus Employee Testing Act of 1991, 49 U.S.C.A. Section 31301, *et seq.*
4. S.C. Code of Laws, 1976, as amended:
5. Section 59-67-160 - Physical examination of school bus driver.
6. Code of Federal Regulations, as amended:
7. Federal Motor Carrier Safety Regulations, 49 C.F.R. Section 300, *et seq*.

1. S.C. State Board of Education Regulations:
2. R43-80 - Operation of public school transportation services.