



POLICY 3.21

5-C I recommend that the Board approve development of the proposed **revised** Policy 3.21, entitled “Safe Operation of District School Buses.”

[Contact: Yevola Falana, PX 58312.]

Development

CONSENT ITEM

- This revision requires school bus operators to possess the required driver's license, hold a current valid medical examiner's certificate, and possess the minimum qualifications as mandated by relevant Florida laws, Federal laws, State Board of Education rules and applicable School Board policies. It further outlines circumstances under which an applicant will not be hired.
- It also sets forth the standards of conduct to which school bus drivers must adhere.
- This revision also updates statutory references.

POLICY 3.21

SAFE OPERATION OF DISTRICT SCHOOL BUSES

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3 1. **Purpose.** -- The safety and welfare of District students is of paramount importance
4 to the School Board and transportation personnel of the School District are charged
5 with the responsibility of student transportation safety. Thus, it is essential that
6 school buses be operated by properly licensed drivers who meet all other
7 requirements of state and federal laws, state rules and the School Board for the
8 transport of students.

- 9 2. **Policy.** -- No person will be hired to operate or will operate a District school bus
10 unless the person possesses the required driver's license, holds a current valid
11 medical examiner's certificate, and possesses the minimum qualifications as
12 mandated by relevant Florida laws, Federal laws, State Board of Education rules
13 and applicable School Board policies.
 - 14 a. An applicant for the position of school bus driver will not be hired if the driver
15 applicant's history record contains either a plea of guilty, nolo contendere or
16 an adjudication withheld of guilt within the preceding seven (7) years for one or
17 more of the following crimes:
 - 18 i. Driving under the influence of alcoholic beverages, chemical substances
19 or controlled substances, or with an unlawful blood alcohol levels;
 - 20 ii. Leaving the scene of an accident where there was an injury and/or
21 property damage;
 - 22 iii. Reckless driving resulting in an accident; or
 - 23 iv. Fleeing or attempting to elude a police officer.
 - 24 b. An applicant or employee found through fingerprint processing to have been
25 convicted of a crime involving moral turpitude shall not be employed as a
26 school bus driver.
 - 27 c. Any school bus operator who knew or should have known that his or her
28 driver's license has expired or has been suspended or revoked shall be
29 subject to discipline up to and including termination.
 - 30 d. A driving record shall be obtained of each school bus operator prior to
31 employment, prior to the first day of the each fall semester, and through the
32 continuous screen of operator records using the Automated School Bus
33 Driver's License Record Check System through the Florida Department of

- 34 Motor Vehicles and Highway Safety database.
- 35 e. The District shall comply with federal law, rules and regulations related to the
36 drug and alcohol testing of transportation personnel in safety sensitive
37 positions. All school bus operators shall take and pass the required physical
38 or medical examination as required by the State Board of Education.
- 39 3. **Standards of Conduct.** -- Any school bus operator may be subject to discipline up
40 to and including termination for the failure to abide by this policy, applicable state
41 and federal laws, state rules and the standards of conduct as provided below.
- 42 a. Employees are required to safely drive all district school buses, as defined by
43 §§ 1006.22 ~~234.054~~, 316.003(45), Fla. Stat., or 49 C.F.R. Part 571.3, which
44 are owned, leased, or rented by, or on loan to, the Board.
- 45 b. All employees who drive a district school bus shall maintain a valid commercial
46 driver's license, with passenger and student endorsements, and comply with
47 the requirements of state board of education rules 6A-3.0141 and 6A-3.0151,
48 F.A.C., as now or hereafter amended.
- 49 c. All employees who drive a school bus must maintain a driving record, with the
50 Florida Department of Highway Safety and Motor Vehicles, which is free of
51 any conviction for a moving violation which may result, or has resulted, in the
52 suspension of driving privileges.
- 53 d. Any operator who receives notification of a driver's license suspension,
54 revocation, or cancellation shall notify the Director of Transportation
55 immediately during or after normal working hours. The director shall take
56 appropriate action to ensure the employee does not drive a school bus or any
57 other School Board owned/leased vehicles. Any employee who knowingly
58 operates a district school bus with a suspended or revoked license shall be
59 subject to disciplinary action including termination.
- 60 e. If the employee receives more than two (2) ~~one (1)~~ convictions for a moving
61 violation, as defined in any section of Chapter 316, F.S., in any eighteen (18)
62 month period, calendar year, the employee may be subject to disciplinary
63 action up to and including termination.
- 64 f. All procedures incorporated in the Florida Department of Education Basic
65 School Bus Operator's Curriculum and the Transportation Department's
66 School Bus Drivers and Bus Attendants Handbook, attached and incorporated
67 hereto as www. _____ shall be observed by all operators. An
68 applicant for the position of school bus driver will not be hired if driver the
69 applicant's history record contains either a plea of guilty or nolo contendere or
70 an adjudication withheld of guilt within the preceding seven (7) years for one
71 or more of the following crimes:

- 72 i. ~~Driving under the influence of alcoholic beverages, chemical substances~~
73 ~~or controlled substances, or with unlawful blood alcohol levels;~~
- 74 ii. ~~Leaving the scene of an accident where there was an injury and/or~~
75 ~~property damage exceeding (\$500);~~
- 76 iii. ~~Reckless driving resulting in an accident; or~~
- 77 iv. ~~Fleeing or attempting to elude a police officer.~~
- 78 g. ~~An employee found through fingerprint processing to have been convicted of a~~
79 ~~crime involving moral turpitude shall not be employed as a school bus driver.~~
- 80 h. Employees who operate a district bus during the performance of their regular
81 duties and who plead nolo contendere or guilty, or who are found guilty, of
82 committing any of the crimes listed in Section 2A F of this policy, will be
83 subject to disciplinary action up to and including termination.
- 84 i. All school bus drivers shall be subject to the federal substance-abuse testing
85 and alcohol detection program requirements of 49 C.F.R. Parts 40, 382 and
86 391, as now or hereafter amended and the physical standards and
87 examinations set forth in state board of education rule 6A-3.0151, F.A.C., as
88 now or hereafter amended. School bus operators are prohibited from refusing
89 to take the required test when requested or required as outlined by federal
90 law, rules and regulations.
- 91 j. School bus drivers shall always drive the bus at a safe speed and never in
92 excess of the legally posted speed limit in business or residential districts, and
93 never in excess of fifty-five (55) miles per hour outside of business or
94 residential districts.
- 95 k. School bus drivers shall not carry any firearm while on school board property,
96 including while on the bus.
- 97 l. While driving any school bus or while otherwise on duty, a driver shall not use
98 or be under the influence of alcohol or any other substance, including
99 prescription or non-prescription medication, which may impair the driver's
100 alertness or performance.
- 101 m. All employees who operate a district school bus shall have the responsibility to
102 study and observe all laws and state board of education rules relating to the
103 safe operation of school buses, including rule 6-3.017(2)(e)3.a-z, F.A.C.

104 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41, 1012.22, 1012.23, 1012.45,
105 1012.465 ~~230.22(2); 230.23(5)&(8); 231.001~~
106 LAWS IMPLEMENTED: Fla. Stat. §§ 322.57, 1001.43, 1012.45 ~~230.23(5); 230.33(7);~~

107 ~~234.101; 231.02(2)(a); 234.02; 322.03~~
108 STATE BOARD OF EDUCATION RULES: 6A-3.0171; 6A-3.0141; 6A-3.0151. F.A.C.
109 CODE OF FEDERAL REGULATIONS: 49 C.F.R. Parts 40, 382, 391
110 HISTORY: 2/4/87; 3/11/98; 07/09/2001; __/___2009

Legal Signoff:

The Legal Department has reviewed proposed Policy 3.21 and finds it legally sufficient for development by the Board.

Attorney

Date