

# Policy Guide



Policy No. 810.3

Section OPERATIONS

Title SCHOOL VEHICLE DRIVERS

Adopted OCTOBER 22, 2019

Last Revised AUGUST 15, 2023

<b>POLICY NO. 810.3 SCHOOL VEHICLE DRIVERS</b>		
<b>Section 1</b>	<p><b><u>Purpose</u></b></p> <p>The Board recognizes that an employee must be fit to operate a school related vehicle to ensure the health and safety of students being transported. The Board also recognizes that an employee impaired by drugs or alcohol who operates district vehicles or transports students poses significant risks to the safety of students and others.</p>	
<b>Section 2</b>	<p><b><u>Definition</u></b></p> <p><b>School-related vehicle</b> means a motor vehicle, except a motorcycle, designed for carrying no more than ten (10) passengers, including the driver, and used for the transportation of preprimary, primary or secondary school students while registered by or under contract to the school district or any other vehicle owned/leased by the District. The term includes vehicles having chartered, group and party rights under the Pennsylvania Public Utility Commission and used for the transportation of school children. The term does not include a “school bus” or “commercial motor vehicle.”</p>	75 Pa. C.S.A. 102
<b>Section 3</b>	<p><b><u>Authority</u></b></p> <p>The Board shall implement a drug use and alcohol misuse prevention program for non-CDL drivers who operate school-related vehicles.</p>	



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<b>Section 5</b>	<p><b><u>Guidelines</u></b></p> <p>School-related vehicle drivers shall comply with the requirements for background checks/certifications and employment history reviews in accordance with applicable law, Board policy and administrative regulations. These requirements are addressed separately in Board policy 850 for drivers employed by the District and Board policy 818 for drivers employed by an independent contractor.</p> <p>Prior to employment and at least once each school year, school-related vehicle drivers shall submit a copy of a valid driver’s license to the Superintendent or designee.</p> <p>School-related vehicle drivers shall report misconduct in accordance with Board policy 817 for drivers employed by the District and Board policy 818 for drivers employed by an independent contractor.</p> <p><b><u>Reporting Requirements</u></b></p> <p>School-related vehicle drivers using controlled substances prescribed for therapeutic purposes by a licensed medical practitioner shall submit the practitioner’s written statement that the prescribed substance will not adversely affect the employee’s ability to safely operate a school-related vehicle.</p> <p>School-related vehicle drivers shall also inform their supervisors of any use of drug(s) or medication(s) for which the packaging includes warnings that, “marked drowsiness may occur and/or be careful when driving a motor vehicle or operating machinery.”</p> <p>A school-related vehicle driver arrested, charged with or issued a citation for violating a federal or state law or local ordinance relating to motor vehicle traffic control in this or any other state or any federal, provincial, territorial or municipal law relating to motor vehicle traffic control in Canada, other than parking violations, shall notify the Superintendent or designee in writing before the end of the next business day following the driver’s arrest, charge or receipt of citation. Notice is required no matter what type of vehicle the driver was driving.</p>	<p>Pol. 818, 850 23 Pa. C.S.A. 6344, 6344.3 SC 111, 111.1</p> <p>75 Pa. C.S.A. 1606</p> <p>Pol. 818, 817</p>

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An employee who has provided timely notification of an arrest, citation or charge shall not be terminated or otherwise disciplined by the District based solely on the allegations underlying the arrest, citation or charge reported by the employee. Termination or other disciplinary action based on the underlying misconduct may be taken only where there has been a conviction of the violation, or where there is independent evidence of the underlying misconduct warranting termination or other discipline. This shall not preclude suspension, reassignment or other action pending resolution of the charges reported by the employee, nor disciplinary action up to and including termination for failure to provide timely notice of an arrest, citation or charge.

Pol. 817, 818

A school-related vehicle driver who is convicted of violating a federal or state law or local ordinance relating to motor vehicle traffic control in this or any other state or any federal, provincial, territorial or municipal law relating to motor vehicle traffic control in Canada, other than parking violations, shall notify the Superintendent or designee in writing of the conviction within fifteen (15) days of the date of conviction. Notice is required no matter what type of vehicle the driver was driving.

Any school-related vehicle driver whose operating privilege is suspended, revoked, canceled or recalled by any state, shall notify the Superintendent or designee immediately upon reporting to work for the next scheduled shift following the notice of the suspension, revocation, cancellation, loss or disqualification.

75 Pa. C.S.A. 1606

Controlled Substances and Alcohol

Drug and Alcohol Testing -

The District may require school related vehicle drivers to submit to the following drug and alcohol tests: pre-employment, random, post-accident, reasonable suspicion, return-to-work and follow-up.

*Prohibited Conduct –*

School-related vehicle drivers shall not use medical marijuana products.

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School-related vehicle drivers shall not ingest hemp products or otherwise use hemp products in a way that may result in absorption of hemp or hemp residue into the body.

A school-related vehicle driver shall not report for duty, drive, operate or be in the actual physical control of the movement of a school-related vehicle under the following circumstances:

1. While using or while having any amount of alcohol present in the body, including medications containing alcohol.
2. While under the influence of a controlled substance or combination of controlled substances, or the combined influence of alcohol and a controlled substance or substances.
3. After consuming alcohol or a controlled substance within the previous eight (8) hours.

75 Pa. C.S.A. 1612

75 Pa. C.S.A. 3802

An exception shall be made for therapeutic use of prescribed controlled substances used by a school vehicle driver when the driver has submitted in advance a licensed medical practitioner's written statement that the prescribed substance will not adversely affect the driver's ability to safely operate a school-related vehicle.

*Consequences/Discipline –*

The District shall place a school-related vehicle driver who drives, operates or is in physical control of a school-related vehicle out of service for thirty (30) days if the school-related vehicle driver:

75 Pa. C.S.A. 1606, 1612

1. Has any detectable amount of alcohol in his/her system;  
or
2. Refuses to take a test to determine his/her alcohol content.

A school-related vehicle driver who refuses to take a drug or alcohol test required pursuant to Board policy and administrative

49 CFR 40.191, 40.261

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regulations has not refused to take a Department of Transportation (DOT)-test.

Consistent with contractual and legal requirements, a determination shall be made as to the appropriate disciplinary action, up to and including termination, for a school-related vehicle driver who violates applicable law and regulations, Board policy or administrative regulations. Nothing in this policy shall limit the Board's authority to impose discipline, including discharge.

Pol. 817, 818

Maintenance of Records

Drug and alcohol test information for school-related vehicle drivers shall be maintained separate from test information for covered drivers, such information shall be treated as confidential and shall only be released in accordance with law.

49 CFR 40.13

Drug and alcohol test information for school-related vehicle drivers shall not be included on the U.S. Department of Transportation Drug and Alcohol Testing MIS Data Collection Form.

Acknowledgment of Receipt

Each school-related vehicle driver shall sign a statement certifying that they have received a copy of this policy and its accompanying administrative regulations.

The District shall keep the original signed statement in the school-related vehicle driver's personnel file and provide a copy to the driver.

Training

School-related vehicle drivers shall attend orientation and training sessions, as appropriate to the nature of their service. When training is provided for other school employees relating to the legal obligations of employers and educational institutions, consideration shall be given to which school related vehicle drivers should also receive that training.

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References:

PA School Code – 24 P.S. Sec. 111, 111.1

Child Protective Services Law – 23 Pa. C.S.A. 6344, 6344.3

PA Vehicle Code – 75 Pa. C.S.A. Sec. 102, 1606, 1612, 3316,  
3802

Procedures for Transportation Workplace Drug and Alcohol  
Testing Programs – 49 CFR Part 40.13, 40.191, 40.261

Board Policy – 817, 818, 850