

Driver Safety Plan

Transylvania County Schools

Revised and Effective _____

INTRODUCTION

The Transportation Services Department of Transylvania County Schools seeks to increase transportation safety and reduce the potential for injuries and legal liability by initiating this Driver Safety Plan (the “Plan”), thereby ensuring that only persons with an acceptable driving record are permitted to operate school buses. Persons with poor driving records shall not be permitted to drive school buses for Transylvania County Schools until they demonstrate appropriate improvements to their driving records. Persons with poor driving records may have an opportunity to correct poor driving habits or infractions through remediation with the Driver Training Representative assigned to Transylvania County Schools by the North Carolina Department of Motor Vehicles School Bus and Traffic Safety Section (“NCDMV”).

SAFE DRIVER PLAN

Throughout this Plan, “driver” is defined to include all persons who hold an appropriate operator's license issued by the NCDMV and who operate yellow and/or white school buses owned by Transylvania County Schools on a regular, substitute, or voluntary basis.

All drivers must maintain a personal driving record that exemplifies careful driving habits and that satisfies the criteria established by this plan. The Transportation Director or appropriate designee (“Director”) is responsible for monitoring bus driver records. Drivers are required to report to the Director within twenty-four (24) hours:

1. Any accident or violation in which they are involved as the driver of a vehicle owned or leased by Transylvania County Schools.
2. Any accident or violation in which they are convicted of a traffic violation as the driver a vehicle not owned or leased by Transylvania County Schools.
3. All evidence of damage to assigned vehicle(s).
4. Any suspension or revocation of an operator's license. No driver shall be permitted to drive a vehicle owned or leased by Transylvania County Schools without a proper operator's license or during any period of suspension or revocation of a proper operator's license.
5. Any citation for DWI (driving while impaired) or DUI (driving under the influence of a controlled substance). A driver cited for DWI or DUI shall be suspended without pay from his or her driving duties pending the final disposition of the citation in a court or office of appropriate legal jurisdiction. Any regular driver, substitute driver, or other employee of Transylvania County Schools for whom driving a bus is an occupational requirement and who is convicted of such a charge shall be dismissed from employment pursuant to policy GDDP (“Suspension or Dismissal of Classified Employees”) of the Transylvania County Board of Education. Any voluntary bus driver or employee for whom driving a bus is an ancillary activity, including teachers and other licensed employees, shall have those driving privileges terminated and may face additional disciplinary action consistent with locally-established Board policy and the North Carolina General Statutes.

Failure to report within twenty-four (24) hours any incident described above, or making false or misleading report(s), constitutes grounds the termination of driving privileges and/or dismissal from employment.

APPLICABILITY

This Plan is applicable to all drivers who transport students for Transylvania County Schools. Prospective drivers shall not be hired if, pursuant to this Plan, they have accumulated more than ten (10) points within the last twelve months or if they have been convicted of any DWI or DUI citation within the last sixty months. Please also note that more than one conviction of DWI or DUI disqualifies a person from obtaining or maintaining an operator's license for school buses within the State of North Carolina.

VIOLATIONS AND POINTS

The Director shall periodically review the driving records of all drivers and shall, as needed, assign points to the personnel record of drivers consistent with the following schedule. Any driver involved in a single accident or event and simultaneously guilty of more than one violation shall receive no less than the maximum points assigned to the highest violation category.

CODE	VIOLATION	POINTS
1	Conviction of DWI, DUI, or driving with an unlawful blood alcohol content shall result in termination of driving privileges and/or dismissal from employment	Special – see note under “Violation”
2	Careless driving	4
3	Reckless driving	4
4	Failure to observe stop sign	4
5	Failure to observe red light	4
6	Failure to observe traffic instruction sign	1
7	Operating without a valid operator's license or operating with an improper (e.g., revoked, suspended) operator's license	10
8	Improper lane change	4
9	Failure to have vehicle under control	4
10	Crossing private property to avoid traffic light or stop-sign	2
11	Driving on wrong side of road	2
12	Improper turn	2
13	Violation of local Board policy EEAA (“School Bus Idling”), EEAB-R (“Energy Management – School Buses”), or EEBA (“Vehicle Usage”)	2
14	Failure to yield right-of-way	4
15	Improper backing	2
16	Following too closely	2
17	Following too closely resulting in an accident	4
18	Improper passing	4
19	Leaving the scene of an accident	4
20	Failure to follow proper procedure at railroad crossing	4
21	Failure to follow proper procedure at a passenger stop	4
22	Passing a stopped school bus while loading or unloading passengers	4
23	Not wearing a seat belt	2
24	Driving with the door open	2
25	Speeding 10 mph or more above the posted speed limit	4
26	Leaving running bus unattended	2
27	Failure to properly secure bus	2
28	Vehicle abuse	4

29	Failure to follow the reasonable request or directive of supervisory personnel	5
30	Failure to report to work without communicating with supervisory personnel	3
31	Abuse of timekeeping system or other misrepresentations in order to gain compensation for time not actually worked, including, but not limited to, driving excessively slowly, unauthorized stopping on route, deviating from route description, and excessive cleaning time	5
32	Unauthorized use of a bus, including, but not limited to, driving off-route, unauthorized stopping, and personal use	4
33	Unlawful use of a mobile phone pursuant to N. C. Gen. Stat. § 20-137.4	1st Offense – 8 2nd Offense – 15
34	Failure to follow pre-trip or post-trip inspection	4
35	Abandoning a child on the bus	8
36	Improper discipline of a student, including the failure to report disciplinary violations committed by student passengers	4
37	Possessing prohibited items on a bus, including, but not limited to, de-icer, aerosol cans, items obstructing the view on the dash, and other prohibited items in the driver's area	2
38	Eating or drinking while driving a bus	2
39	Using tobacco products on a bus	4
40	Failure to observe any other established driving law. The Director shall assign a point value between 1 and 10 not inconsistent with the the guidelines suggested herein.	1 to 10
41	Any other incident indicating evidence of driver negligence or unsafe driving practices resulting in injuries or causing damage to vehicles or property. The Director shall assign a point value between 1 and 10 not inconsistent with the the guidelines suggested herein.	1 to 10

The Director shall impose consequences for drivers who accumulate points consistent with these guidelines:

POINTS	TIME PERIOD	EMPLOYEE	VOLUNTEER
1-2 points within	10-month period	Verbal warning	Verbal warning
3-4 points within	10-month period	Written warning	Written warning
5-6 points within	10-month period	Five (5)- to ten (10)-day suspension without pay	Five (5)- to ten (10)-day suspension of driving privileges
7-9 points within	10-month period	Ten (10)- to twenty (20)-day suspension without pay and mandatory post-certification driver training	Ten (10)- to twenty (20)-day suspension of driving privileges and mandatory post-certification driver training
10 points within	10-month period	Dismissal from employment and/or termination of driving privileges	Termination of driving privileges

Points assigned to a driver's personnel record pursuant to this Plan shall remain on the driver's record for a period of two (2) years from the date of the infraction or conviction.

ADMINISTRATION

The Director shall administer this Plan and shall have a specific responsibility to:

1. Determine whether or not an incident was *preventable* in accordance with guidelines established by the National Safe Driver Award Rules and Guidelines. *A preventable incident is any occurrence involving an employer owned or leased vehicle which results in property damage regardless of who was injured, what property was damaged, to what extent or where it occurred, in which the driver in question failed to do everything reasonable to prevent it.*
2. Make recommendations to the Director of Human Resources regarding employment actions in conjunction with this Plan.
3. Review convictions of drivers for driving violations.
4. Assign points to drivers' personnel records consistent with the point system included herein.
5. Remove points from a drivers' personnel records (a) as they are scheduled to expire, (b) upon successful completion of an approved defensive driving workshop, or (c) upon the driver's passing the four written knowledge CDL tests administered by the the Driver Training Representative assigned to Transylvania County Schools by the NCDMV.

ACCIDENT OR INFRACTION REVIEW

The Director shall review all vehicle accidents and reported infractions. If the driver is determined to be at fault in an accident or guilty of committing other infractions described herein, then the Director shall assign appropriate points to the driver's personnel record. The Director shall record those points in the driver's personnel file and shall notify the driver of such action in writing.

REVIEW PROCESS

Drivers who believe they have been unreasonably assigned points pursuant to this Plan may make a written request to the Director of Human Resources for a timely hearing before a review committee consisting of the Director of Human Resources, Director of Transportation, the Driver Training Representative assigned to Transylvania County Schools by the NCDMV, and other *ad hoc* members necessary to render an informed and impartial decision regarding the appeal. In reaching a determination in the matter, the committee shall consider the documents produced in the hearing, the testimony of the witness(es), and other evidence presented at the hearing. Formal rules of evidence do not apply, and the committee may rely on evidence that a reasonably prudent person would consider in the conduct of serious affairs. The committee shall notify the driver of its decision in writing within three (3) business days of the hearing. If the review committee determines that the infraction or conviction is not reasonable based on the evidence presented, then those points improperly assigned to the driver's personnel record shall be removed.

REMEDATION

Drivers who wish to remediate poor driving habits or violations under this Plan may attend an approved defensive driving workshop or complete the four written knowledge CDL tests administered by the Driver Training Representative assigned to Transylvania County Schools by the NCDMV. Upon the driver's successful completion of the workshop or receipt of a passing score on the four tests, the Director may remove up to four points per year from the driver's record. Any points removed must be the oldest points existing in the driver's record. Participation in these remedial activities is purely voluntary, and drivers who choose to participate do so without expectation of compensation from Transylvania County Schools.

Driver Safety Plan
Transylvania County Schools

Revised and Effective _____

POINT NOTIFICATION FORM

Driver: _____

Transylvania County Schools' Driver Safety Plan requires the assignment of points for infractions according to an established scale and provides specific consequences for drivers based on points they accumulate over time. On _____, we reviewed the Driver Safety Plan in conjunction with a vehicle accident, Board policy violation, or other citable incident that occurred on _____. As a result, the following action was taken:

Violation Category and Description	Points Possible	Points Assigned

Additional Comments:

Driver's Signature

____/____/____
Date

Supervisor's Signature

____/____/____
Date