

# Hernando County School District

## Safe Driver Plan

### INTRODUCTION:

This plan is designed to meet the requirements of Florida Administrative Code and to prevent the hiring of unqualified applicants by requiring that driver's license checks be conducted on potential School District employees. The plan also prevents existing employees with poor driving records from driving a School District vehicle.

Statistics indicate that the Hernando County School District will significantly reduce the potential for injuries and lawsuits resulting from vehicular accidents through its Safe Driver Plan.

CDL License holders need to be aware that points assigned by the Court System are not affected by this plan and cannot be removed by participation in a state sponsored Driver's School.

### PURPOSE:

The purpose of the Safe Driver Plan and Safe Driver Committee is to improve safety throughout the School District by reviewing traffic accidents and incidents, tracking points accumulated through this plan, and recommending corrective action to a driver's supervisor. The responsibility for taking corrective action is the sole responsibility of the driver's supervisor. Any corrective action taken by a supervisor must follow all School Board policies and procedures.

### DEFINITIONS:

**Accident:** shall be defined as when a motor vehicle collides with another vehicle, pedestrian, animal, road debris, or other stationary obstruction, that may result in property damage, injury and/or death.

**Designee:** shall be defined as a Transportation employee assigned by Transportation Administration.

**Driver:** shall be defined as any employee of the School District regardless of job description or, during the performance of his/her job assignments, operates a School District vehicle or personal vehicle and receives reimbursement for the use of their personal vehicle for School District use. Volunteers are not School District employees.

**Effective Date:** This plan became effective and was approved by the District School Board of Hernando County on October 6, 1998. The plan is reviewed annually and will be submitted to the School Board for approval with an effective date of July 1 beginning with the 2007-08 school year and each year thereafter when changes are made.

**Incident:** shall be defined as a planned or unplanned event which disrupts the driving &/or the driver's process and has the potential of resulting in injury, harm or damage to persons or property. Shall also include any violation of School Board policy, school district/department procedure or practice.

**Motor Vehicle:** Any self-propelled vehicle not operated upon rails or guideway, not including any bicycle, motorized scooter, electric personal assistive mobility device, or moped.

**Video Review:** Review of video from security cameras mounted on buses. At any time video from security cameras mounted in vehicle can be reviewed. If it is determined a violation of school board policy, safe driver plan &/or procedure was violated by an employee, the employee is subject to discipline, up to and including termination.

### **ADMINISTRATION:**

The Superintendent will establish a procedure which will include establishing a schedule for the annual review of the driver's records and the Safe Driver Plan.

At the beginning of the school year, all employees shall receive a copy or be given the location of the electronic version of the Safe Driver Plan as part of the Annual Procedures Review and be given an opportunity to view the plan and have all his/her questions answered. All new employees shall be directed to the District's website to read the plan and have all his/her questions answered at the time of employment. All employees are required to sign the Safe Driver Acknowledgement Form indicating that he/she has read and understand the plan. The original signed forms will be retained in the Human Resources Department.

Changes in the plan will be recommended as needed for operational reasons or to clarify the rules under which the Safe Driver Committee operates. Changes to the plan may not be implemented without Board approval per article 15 of the union contract.

### **PLAN:**

All drivers shall strive to establish and maintain a driving record which exemplifies careful driving habits. Regard must be shown for their own personal safety and property and the safety and property of others.

All employees and/or employees who volunteer to drive for the School District, shall be required to hold and maintain a valid driver's license and will have their driving record reviewed periodically. Any change in status through accumulation of points either from the Department of Highway Safety or as assigned through this plan will result in an employee's driving record being forwarded to their supervisor with a recommended action plan.

## **ADDITIONAL REQUIREMENTS TO TRANSPORT STUDENTS IN SCHOOL DISTRICT OWNED OR RENTAL VEHICLES:**

- Only DOE approved passenger vehicles may be used; no SUV's, full size vans, or trucks.
- Passengers must be limited to the number for which the vehicle is designed.
- All passengers must have available, and use, seat belts.
- Large or heavy items may not be transported in the passenger compartment of the vehicle unless properly tie down and secured.

All potential employees who, during the performance of their job assignments, will operate a School District vehicle or who will regularly receive reimbursement for the use of their personal vehicle for School District use shall be required to hold a valid Florida driver license of the proper type and class for the vehicle they drive. The site administrator who offers a position to an applicant who will be required to drive during the performance of their job assignment must submit the license information to the Transportation Department to perform a license check. Driving records will be reviewed and position offer will be revoked if the following is determined:

1. Department of Highway Safety Motor Vehicle records show they have had more than five (5) points in the last year and more than ten (10) points in the last three years assigned to their driving record. This includes incidents that appear on driving record without points assessed due to an adjudication process that withholds adjudication or does not eliminate guilt/fault.
2. The potential employee has ever been terminated as a result of his/her driving record, he/she will not be considered for employment unless he/she has established at least one 12-month period of zero points and a 3 year period with no more than 5 points in accordance with this plan. This includes incidents that appear on driving record without points assessed due to an adjudication process that withholds adjudication or does not eliminate guilt/fault.

## **REPORTING RESPONSIBILITY:**

It shall be the duty of drivers to report the occurrence of any of the following events to their site administrator, designee and/or dispatch immediately at time of incident and/or accident, before leaving the scene of the incident and/or accident if during normal working hours. If the incident and/or accident occurs after normal working hours it must be reported immediately at the time of the incident and/or accident, before leaving the scene of the incident and/or accident, to your immediate supervisor and/or designee, if required, local law enforcement.

**Note: the district's expectation is that an employee must report an accident/incident immediately to their supervisor and/or designee regardless of the time of day or if the main office is closed.**

1. Any traffic related incident and/or accident in which the driver was involved as an operator of a School District vehicle or personal vehicle on authorized School District business.
2. Any traffic citations received on the job regardless of the ownership of the vehicle, or off the job if in a School District owned vehicle.
3. Any traffic citations or arrests received on or off the job regardless of the ownership of the vehicle which might lead to the suspension, or revocation of driver's license.
4. Expiration, suspension, or revocation of driver's license.
5. Any and all visible damage to an assigned vehicle.
6. All CDL License holders must report ALL traffic citations, on or off the job, regardless of the ownership of the vehicle.

Failure to follow the reporting requirements listed above, or making a false or misleading report may result in the Safe Driver Committee making a recommendation up to the employee's termination to their supervisor.

#### **POST-INCIDENT AND/OR ACCIDENT INVESTIGATION:**

A post-incident and/or accident investigation shall be conducted as soon as possible any incident and/or accident or violation. The Transportation Department and/or the Facilities Department will conduct this interview / investigation.

Note: During the course of an investigation, if a violation of the safe driver plan is documented, the violation will be reported to the Safe Driver Committee for review.

The main tasks of this investigation are:

1. To assess and record all the specific information related to the incident &/or accident.
2. To assure the driver has prepared the incident and/or accident report satisfactorily.
3. To determine whether, in the driver's opinion, the incident and/or accident was preventable or non-preventable on his/her part.
4. To determine if the facts stated in the driver's report are accurate to the best of the investigator's ability.
5. Driver must submit completed incident and/or accident report within 24 hours following or by the next business day to their supervisor/investigator. Report should include details necessary to appropriately assess what happened.

A copy of the investigative report will be provided to the driver, if requested.

## **SAFE DRIVER COMMITTEE**

The Safe Driver Committee will consist of five members appointed by the Superintendent's designee:

- 1- Facilities Department employee
- 1- Maintenance employee assigned by the HUSW
- 2- Transportation Department employees, (1) assigned by the HUSW with no financial impact for serving on the Safe Driver Committee
- 1- Risk Management employee
  - All Committee Members must sign a confidentiality form
  - Accident Investigators cannot be assigned as Safe Driver Committee members

### **The Safe Driver Committee will be organized and trained to perform the following duties:**

Establish a schedule for the review of violations, incidents and/or accidents.

Investigate, review and respond to all incidents and/or accidents, in a timely manner that involve School District drivers or vehicles for School District use.

Determine whether the accident and/or incident was preventable or unpreventable.

Assess points for any violation or incident and/or accidents from 0 through 10 following the approved point system as outlined in this plan.

Make a recommendation to an employee's supervisor of corrective actions to be taken based on points assigned through this plan. Recommendations for disciplinary action by the Safe Driver Committee will not exceed the discipline and discharge policy as set forth by School Board Policy.

Make recommendation of reassignment to site supervisor until review is completed.

Meet monthly if necessary, and more often if required, to perform reviews.

Recommend changes to this plan as needed (in accordance with Page 2, paragraph 3) to assure the review process remains fair and efficient.

### **ASSIGNMENT OF POINTS:**

All points shall be assigned by the Safe Driver Committee. The driver has the right to appear at this Safe Driver Committee meeting, and he/she will be provided with all documentation available.

The assignment of points will be made by a majority of votes of the attending members of the Safe Driver Committee or their attendee's. At least three voting members must be present to

review any incident and/or accident and assign points. If attending Safe Driver Committee members cannot reach a simple majority while assigning points, then the two options receiving the greatest number of votes will be used as the available options in a runoff vote. If there are more than two options available because of a tie, then the top three options will be used and one or two runoff votes will be held until a majority of the members agree on a point assignment.

If a majority cannot be reached using this method the Safe Driver Committee may postpone its vote until the next regular Safe Driver Committee meeting date and ask the driver involved in the incident to attend the meeting and clarify any questions the Safe Driver Committee may have.

If a driver is assigned points, he/she will be informed of the assignment of points by the Safe Driver Committee in writing within two business days. The driver may then accept the point assignment or he/she may appeal the assignment of points to the Superintendent’s designee following the appeals process.

<b>NUMBER OF POINTS TIME PERIOD</b>		<b>RECOMMENDED TO DRIVER’S SITE ADMINISTRATOR</b>
1-3 points within	12-month period	coaching notes w/re-training
4 points within	12-month period	letter of reprimand w/re-training
5-6 points within	12-month period	1 day suspension w/o pay w/re-training
7-9 points within	12-month period	3 day's suspension w/o pay w/re-training
10 points within	12-month period	recommendation for termination
16 points within	18-month period	recommendation for termination

Note: When any points are assigned re-training is required.

If the recommendation from the Committee to the Supervisor involves suspension without pay or termination, the Supervisor must submit their recommendation to the Office of Professional Standards for review and discussion with the Superintendent prior to notifying the employee of the discipline. In the event a driver is assigned 10 points by the Safe Driver Committee or in the event the driver has accumulated enough points in the last 12 months to equal 10 points, or in the last 18 months to equal 16 points, the driver shall not drive until the conclusion of the disciplinary process.

## SAFE DRIVER COMMITTEE POINT ASSIGNMENT

CATEGORIES	MAXIMUM POINTS ASSIGNED
1. Driving while intoxicated (DWI), driving under the influence (DUI) or driving with unlawful blood alcohol level (DUBAL) will result in a mandatory recommendation for termination as a School District employee if a valid Florida driver's license is required in the job description	10
2. Operating without a valid driver's license or improper (revoked, suspended, etc.) license	10
3. Failure to report an incident and/or accident or citation, no matter how minor or whether or not a citation was issued by law enforcement, while operating a School District vehicle immediately at time of incident before leaving the scene if during regular working hours. If the incident and/or accident occurs after normal working hours, it must be reported immediately at the time of the incident and/or accident, before leaving the scene of the incident and/or accident, to your immediate supervisor and, if required, local law enforcement.	10
4. Fleeing or attempting to elude police officer	10
5. Leaving the scene of an incident, accident &/or crash	10
6. Vehicular Homicide (convicted of)	10
7. Failure to stop at a railroad crossing (when required to do so by law)	10
8. Texting or manipulating a wireless <del>device</del> while operating a vehicle for School District use <u>with or without students</u>	10
9. Talking on a wireless device while operating a <del>School District vehicle</del> <u>School Bus</u> with or without students <u>or operating any vehicle used for School District purposes with students onboard</u>	9
10. Reckless Driving	8
11. Speeding involving a crash	7
12. Failure to report an incident and/or accident hitting stationary object while operating a School District vehicle immediately at time of incident before leaving the scene if during regular working hours. If the incident and/or accident occurs after normal working hours, it must be reported immediately at the time of the incident and/or accident, before leaving the scene of the incident and/or accident, to your immediate supervisor and, if required, local law enforcement.	6
13. Speeding 15 mph or more over posted limit	4
14. Careless driving	4
15. Failure to obey stop sign	4
16. Failure to obey red traffic light signal	4

<b>CATEGORIES</b>		<b>MAXIMUM POINTS ASSIGNED</b>
17.	Improper lane changing	4
18.	Failure to have vehicle under control	4
19.	Failure to properly secure a load	4
20.	Failure to yield- right of way	3
21.	Improper passing	3
22.	Speeding 10 mph over posted limit but less than 15 mph over posted limit	3
23.	Failure to use seat belt during operation of School District vehicle	2
24.	Crossing private property to avoid traffic light or stop sign	2
25.	Improper turn	2
26.	Failure to yield – entering through highway	2
27.	Improper backing	2
28.	Following too close	2
29.	Failure to use parking brake as required (school buses, standard shift vehicles, vehicles without “Park”, etc.)	2
30.	Driving with a door open	2
31.	Failure to yield to a driver backing up	2
32.	All other at fault accidents and/or incidents	2
33.	Speeding 6 mph over posted limit but less than 10 mph over posted limit	2
34.	Failure to obey traffic instruction sign	2
35.	Not at fault	0
36.	Unable to determine	0
37.	Failure to obey any other driving law, regulation, or School District procedure points to be established 0 – 10 by the Safe Driver Committee using the above schedule as a guide to determine the number of points according to similar severity	

## **APPEALS PROCESS:**

An appeal will not automatically be granted. If the driver can demonstrate to the Superintendent's designee that an error was made by the Safe Driver Committee an appeal can be requested. Grounds for appeal include the following:

1. Error in the investigation not shared with the Safe Driver Committee
2. The evidence presented did not support the points assigned
3. The Safe Driver Committee abused its discretion in assigning points
4. The Safe Driver Committee failed to allow union representation.

The driver must inform his/her supervisor and the Safe Driver Committee in writing of the decision to appeal within five (5) working days of notification of assigned points. The request shall state the driver's basis for appeal to include evidence supporting one or more of the grounds for appeal. The supervisor shall then forward the request for appeal to the Superintendent's designee. All drivers have the right to representation at the appeals meeting. The Superintendent's designee will notify the Supervisor whether or not the driver's request for an appeal will be granted. If an appeal is granted an appeals meeting will be scheduled and the driver will have the right to representation at the meeting.

After the Safe Driver Committee's final recommendation of administrative action is made and any driver's appeal is heard, all disciplinary action taken by the driver's supervisor must follow the School Board approved disciplinary policy.

If the recommendation from the Committee to the Supervisor involves suspension without pay or termination, the Supervisor must submit their recommendation to the Office of Professional Standards for review and discussion with the Superintendent prior to notifying the employee of the discipline. In the event a driver is assigned 10 points by the Safe Driver Committee or in the event the driver has accumulated enough points in the last 12 months to equal 10 points, or in the last 18 months to equal 16 points, the driver shall not drive until the conclusion of the disciplinary process.

**The following job categories shall require a valid Florida driver's license.**

Superintendent of Schools  
Assistant Superintendent  
Executive Director  
Director  
Principal  
Assistant Principal

Managers  
Supervisors  
Coordinators  
Professional Technical Worker (if listed as a requirement in the job description)  
Attendance Assistants  
Warehouse Worker  
Environmental Service Technician III  
Food Service Worker (as assigned)  
Bookkeeper  
Maintenance Worker (if listed as a requirement in the job description)  
Bus Operator  
Any and all employees who operate a motorized vehicle for school district business including itinerant employees

### **Incident and/or Accident Procedures**

1. If you are involved in an incident and/or accident, report it to your supervisor, accident investigator on duty or the Transportation Department Dispatch (transportation drivers) immediately.
2. If possible move the vehicle out of the lane of traffic but do not move the vehicle from the scene of the accident/incident until directed to by Law Enforcement or the Transportation Department Dispatch (transportation drivers) or immediate supervisor for non-transportation drivers.
3. Collect all information from the other driver if there is one and from local law enforcement.
4. Post-accident drug screening is required for the following reasons:
  - a. Anyone is transported to an emergency medical facility
  - b. When vehicle or equipment is towed or removed not by its own power
  - c. Employee receives a citation
5. After returning to your site completely fill out a traffic crash report indicating on the report in the description area whether you feel the accident was or was not preventable. Forward it along with all information collected to the School District investigator assigned to the accident/incident.

6. After the Safe Driver Committee meets and you are notified of their action you have a right to appeal their decision.
7. Within 5 working days of the receipt of the Safe Driver Committee's decision you must notify your supervisor in writing that you wish to appeal the point assignment. In this written notification you must state your reason for believing points should not have been assigned.
8. You will be notified of the date of your appeal meeting by the Superintendent's designee.
9. You must bring all documents, witnesses and statements with you to the appeal meeting. You have the right to representation.
10. After the meeting you will be notified in writing of the final results.

I acknowledge receipt of The Hernando County Schools Safe Driver Plan. I have been given the opportunity to read the Plan and to have my questions answered. I further acknowledge that I will abide by the Reporting Responsibility detailed on Page 3 of the Plan and repeated below:

It shall be the duty of drivers to report the occurrence of any of the following events to their site administrator and or dispatch immediately at time of incident and/or accident, before leaving the scene of the incident and/or accident if during normal working hours. However, if the incident and/or accident occurs after normal working hours it must be reported immediately at the time of the incident and/or accident, before leaving the scene of the incident &/or accident, to local law enforcement and to your immediate supervisor.

1. Any traffic related incident and/or accident in which the driver was involved as an operator of a School District vehicle or personal vehicle on authorized School District business.
2. Any traffic citations received on the job regardless of the ownership of the vehicle, or off the job if in a School District owned vehicle.
3. Any traffic citations or arrests received on or off the job regardless of the ownership of the vehicle which might lead to the suspension, or revocation of driver's license.
4. Expiration, suspension, or revocation of driver's license.
5. Any and all visible damage to an assigned vehicle.
6. All CDL License holders must report any traffic citations, on or off the job, regardless of the ownership of the vehicle, to their immediate supervisor.

Failure to follow the reporting requirements listed above, or making a false or misleading report may result in the Safe Driver Committee making a recommendations, up to employee's termination to their supervisor.

