

December 2005

TO: All Holders of the Policy Manual of the Pinellas County School Board

FROM: Allen Mortimer
Director of Planning and Policy

SUBJECT: **SUPPLEMENT NO. 34 TO THE POLICY MANUAL OF JUNE 30, 1998**

Please update your Policy Manual as follows:

REMOVE PAGE(S)

None

5-71 thru 5-74

10-11 thru 10-21

INSERT PAGE(S)

2-47

5-71 thru 5-74

10-11 thru 10-22

2.25 SCHOOL WELLNESS POLICY

The School Wellness Policy has been developed to meet the requirements of Public Law 108-265 Sec. 204 to address the federal requirements for a local wellness policy.

5.17 EXCEPTIONAL STUDENT EDUCATION PROCEDURES AND ASSESSMENT

Has been changed to comply with Florida statute that requires each school board to submit to the Florida Department of Education its proposed procedures for the provision of special instruction and services for exceptional students.

10.13 SAFE DRIVER PLAN

This policy has been amended to update guidelines for school bus transportation.

2.25 School Wellness Policy

(1) The Pinellas County School District is committed to providing healthy schools, by supporting wellness, good nutrition, and regular physical activity as a part of the total learning environment.

(2) The Superintendent shall establish a School Health Advisory Committee (SHAC) to align and coordinate districts efforts to ensure a healthy learning environment and promote lifelong wellness.

(3) The Superintendent will direct the School Health Advisory Committee (SHAC) to develop, implement, monitor and review district-wide Pinellas County Administration Guidelines on Wellness, Physical Activity and Nutrition, which will at a minimum, include:

- (a) Goals for nutrition education
- (b) Goals for physical activity
- (c) Goals for other school-based activities designed to promote student wellness
- (d) Nutrition guidelines for all foods available on the school campus during the day
- (e) Assurances that the guidelines for reimbursable school meals are not less restrictive than federal requirements
- (f) Plans for measuring the implementation of the guidelines

(4) Membership of the School Health Advisory Committee (SHAC) shall reflect the Coordinated School Health Model. The Coordinated School Health Model consists of eight discrete health components representing 1) comprehensive health education, 2) physical education, 3) school health services, 4) school counseling, psychological and social services, 5) nutrition services, 6) healthy school environment, 7) school-site health promotion for staff, and 8) family and community involvement in school health. These components shall be represented by school district staff, parents, students and community. Although not members of SHAC, the School Board will be involved in the development of the Administration Guidelines on Wellness, Physical Activity and Nutrition.

Statutory Authority: 1001.32(2), 1001.41, 1001.42, 1001.43 F.S.

Laws Implemented: 381.0056 F.S.; P.L. 108-265 Sec. 204

History: New 12/13/05

(b) Promotion Within the Disciplinary Program

1. To be promoted from grade to grade within the Disciplinary Program, a student may fail only one basic unit. The student will be required, however, to pass the course either in the Extended Learning Program or, at the principal's discretion, during the following year.

2. If a Disciplinary Program student fails two basic units in an academic year, the student will be retained at the same grade level, or the student will be promoted upon passing two units in the Extended Learning Program. Sixth and seventh grade students may take one unit during the following school year and two units in the Extended Learning Program.

3. If a Disciplinary Program student fails more than two (2) basic units within an academic year, the student will be retained.

(c) Promotion from Grade 8 to Grade 9

1. Promotion of Disciplinary Program eighth grade students to ninth grade is based upon middle school requirements. In cases where minimum standards have not been met, the decision to promote a student to the next grade will be made by the program coordinator and staff based upon supporting data.

Statutory Authority: 1001.32(2), 1001.41, 1001.42, 1001.43 F.S.

Laws Implemented: 230.2312, 230.2312 (5), 232.245 F.S.

History: New 6/30/98; Amended 12/9/03

5.17 EXCEPTIONAL STUDENT EDUCATION PROCEDURES AND ASSESSMENT

(1) Exceptional Student Procedures: The current Department of Education approved Pinellas County Schools Policies And Procedures For The Provision Of Specially Designed Instruction And Related Services For Exceptional Students (SP&P) - Effective Dates: 2004-2005 through 2006-2007 (formerly named the Special Programs and Procedures for Exceptional Students Handbook), as approved July 31, 2001 and amended September 21, 2004 and October 25, 2005, is hereby adopted by the School Board as a rule and is incorporated in this policy manual by reference and made a part hereof. All school centers shall be provided a handbook.

(2) Participation of Students with Disabilities in the State or District Assessment: It is expected that all students with disabilities participate in state and district assessments for accountability whenever appropriate. Each student with a disability has an Individual Education Plan (IEP). It is the responsibility of the IEP team to specify the testing accommodations required as a result of a student's disability.

(a) Accommodations must:

1. Facilitate an accurate demonstration of what the student knows or can do.
2. Not provide the student with an unfair advantage or interfere with the validity of a test. They must not change the underlying skills that are being measured by the test.
3. Be the same or nearly the same as adaptations used by the student in completing classroom instruction and assessment activities.
4. Be necessary for enabling the student to demonstrate knowledge, ability, skill, or mastery.
5. Be specified as permissible by the individual test manual.

(b) The accommodations may include:

1. *Flexible Scheduling*: This may include allowing the student to take the test during several brief sessions, and may include providing the student with additional time to complete individual subtests.

2. *Flexible Setting*: This may include taking the test individually or in a small group setting.

3. *Flexible Presentation*: This may include the use of aids such as a magnifying glass, pointer, abacus, Braille writer, etc; or using altered versions of the test such as enlarged print, Braille versions, or signing for the deaf. This may include reading aloud test directions and sections of the test, which do not measure reading.

4. *Flexible Responding*: This may include allowing students to mark answers in a test book, type answers by machine, or give answers orally for a proctor to record. Testing accommodations are provided consistently for classroom, district and state assessments.

(3) Exemption Criteria for State or District Assessment:

(a) The decision to exempt a student with disabilities from state or district testing shall be made by the Individual Education Plan (IEP) team.

(b) Beginning in grade 2, the IEP team determines annually if the student will participate in state and district assessments of student achievement. The student must meet **all** of the following criteria to be exempted from state and district assessments:

- Cognitive ability prevents mastery of the Sunshine State Standards (SSS); and
- Extensive direct instruction is required to apply and transfer skills and competencies; and
- Students inability to master SSS is not due to absences or social, cultural, or economic disadvantage.

Students who are exempt from assessment participate in the alternate assessment specified on their IEP. They are not eligible for a standard diploma.

(4) Waiver of the FCAT Requirement for High School Graduation

(a) Students with disabilities whose abilities cannot accurately be measured by the statewide assessment test may be determined eligible for a waiver of the FCAT requirement for graduation.

(b) To be considered for the waiver, a student must meet the following requirements:

1. be identified as a student with a disability, as defined in section 1007.02(2) Florida Statutes,
2. have an individual educational plan (IEP),
3. be a senior or a student with disabilities who remains enrolled seeking a standard diploma,
4. have demonstrated mastery of the grade 10 Sunshine State Standards,
5. have taken the Grade 10 FCAT with appropriate, allowable accommodations at least twice (for example, once in grade 10 and once in grade 11) or, if not continuously enrolled in public school in Florida, at least once during each year of enrollment in grades 10, 11, or 12,

6. have participated in intensive remediation for the FCAT Reading and/or FCAT Mathematics, if passing scores were not earned, and have participated in the March FCAT administration during the senior year,

7. be progressing toward meeting the district's high school credit requirement, the district's 2.0 cumulative grade point average (GPA) requirement and any other district requirements for graduation with a standard diploma.

(c) For students who meet all requirements, the IEP team may waive the FCAT as a requirement for a standard diploma.

(d) The FCAT waiver for students with disabilities is only available for the 4-year standard diploma option. It is not available for the three-year, 18-credit diploma options.

Statutory Authority: 1001.32(2), 1001.41, 1001.42, 1001.43 F.S.

Laws Implemented: 230.23(4)(m)(n) F.S.; 6A-6.03020 SBE Rules

History: New 6/30/98; Amended 3/9/99, 4/11/00, 7/31/01, 12/9/03, 9/21/04, 10/25/05

Note: Replaced 6Gx52-3.10

5.18 DROPOUT PREVENTION SERVICES PROGRAMS

(1) It is the policy of the School Board of Pinellas County to provide suitable programs for all its students. Dropout Prevention Services programs may be established to meet the needs of students and parents and the educational goals of the Pinellas County School System. Such programs may be located either within existing schools, in separate schools, in community agencies, Department of Juvenile Justice, or Department of Children and Families facilities, as resources permit.

(2) Dropout Prevention Services programs established by the Board shall report eligible students grades 4-12 for dropout prevention full-time equivalent student membership in the Florida Educational Finance Program (FEFP) and/or Dropout Prevention Incentive Funds.

(3) In order to be eligible for FEFP dropout prevention program funding or Dropout Prevention Incentive Funds, the district shall prepare a Dropout Prevention Plan, approved by the Superintendent and the School Board, which must include programs for students identified as possible dropouts based upon one of the following criteria as required by the Dropout Prevention Act, 230.2316 F.S., Educational services in Department of Juvenile Justice Programs, 230.23161 F.S. and Teen Parent Programs 230.23166 F.S.:

(a) The student has shown a lack of motivation in school through grades which are not commensurate with documented ability levels or high absenteeism or habitual truancy as defined in s. 228.041(28) F.S.

(b) The student has not been successful in school as determined by retentions, failing grades, or low achievement test scores and has needs and interests that cannot be met through traditional programs.

(c) The student has been identified as a potential school dropout by student services personnel using district criteria. District criteria that are used as a basis for student referral to an educational alternatives program shall identify specific student performance indicators that the educational alternative program seeks to address.

(d) The student has a history of disruptive behavior in school or has committed an offense that warrants out-of-school suspension or expulsion from school according to the district code of student conduct. For the purposes of this program, "disruptive behavior" is behavior that:

1. Interferes with the student's own learning or the educational process of others and requires attention and assistance beyond that which the traditional program can provide or results in frequent conflicts of a disruptive nature while the student is under the jurisdiction of the school either in or out of the classroom; or

2. Severely threatens the general welfare of student or others with whom the student comes into contact.

(e) The student has documented drug-related or alcohol-related problems, or has immediate family members with documented drug-related or alcohol-related problems that adversely affect the student's performance in school.

(f) The student is assigned to a program provided pursuant to Chapter 39, F.S. which is sponsored by a state-based or community-based agency or is operated or contracted for by the Department of Children and Families.

(g) Students participating in a detention, commitment, or rehabilitation program pursuant to Chapter 39, F.S. which is sponsored by a community-based agency or is operated or contracted for by the Department of Juvenile Justice shall receive educational programs according to rules of the State Board of Education. These students shall be eligible for services afforded to students enrolled in programs pursuant to s.230.2316 F.S. and all corresponding State Board of Education rules.

(h) The student is a pregnant or parenting teen,

(4) The District follows the State Board Rule for the operation, staff development, and evaluation of district dropout prevention services programs. Dropout prevention services programs differ from traditional programs in scheduling, philosophy, curricula, or setting and shall employ alternative teaching methodologies, learning activities, or diagnostic and assessment procedures in order to meet the needs, interests, abilities, and talents of eligible students. The educational program shall provide curricula and related services which support the program goals and lead to completion of a high school diploma. The district may modify courses listed in the Florida Course Code Directory for the purpose of providing Dropout Prevention Services for eligible students. The district ensures coordination of service and activities with other programs and agencies including but not limited to the following:

(a) Department of Juvenile Justice/Department of Children and Families: For the Department of Juvenile Justice and Department of Children and Families the board shall provide an appropriate program of instruction and special education services for students in residential and non-residential facilities. The district school board shall make provisions for each student to participate in regular, vocational, and exceptional student programs as appropriate.

(b) Teenage Parent Services: For teenage parent programs, the curriculum shall include instruction in such topics as prenatal and postnatal health care, parenting skills, benefits of sexual abstinence, and consequences of subsequent pregnancies. Parenting skills should include instruction in the stages of a child growth and development, methods for aiding in the intellectual, language, physical, and social development of children, and guidance on constructive play activities. Provisions for necessary child care, health care, social services, parent education, and transportation shall be required ancillary service components of teenage parent programs. Ancillary services may be provided through the coordination of existing programs and services and through joint agreements between school districts and between school districts and other appropriate public and private

(3) Applicant Eligibility

(a) The driving history of all applicants for a school bus driver position shall be reviewed through a check of driving records with the Florida Department of Highway Safety and Motor Vehicles (DHSMV) to verify a satisfactory driving history. Driving records shall be forwarded to the Director of Transportation, or his/her designee, for review.

(b) Each applicant's *Transcript of Driver Record* shall be screened in accordance with the guidelines and criteria established by this document. The entire driving record shall be checked for the purpose of determining an individual's acceptability to drive a school bus for Pinellas County Schools, with particular emphasis placed on entries for five (5) years preceding the date of the records check.

(c) Screening of applicants: "Safe Driver Points" shall be assigned for each entry on the applicant's *Transcript of Driver Record*, in accordance with Section 10.13(13) of this policy.

1. Applicants shall not be approved to drive a school bus for Pinellas County Schools if they have:

a. More than three (3) "Safe Driver Points" during the past twelve (12) months/one (1) year,

or

b. More than six (6) "Safe Driver Points" during the past thirty-six (36) months/three (3) years, or

c. More than nine (9) "Safe Driver Points" during the past sixty (60) months/five (5) years,

or

d. More than twenty-five (25) "Safe Driver Points," total, on the entire driving record

2. In addition to the "Safe Driver Points" criteria stated above, applicants for a position as a school bus driver shall not be approved for hiring if:

a. The applicant has been cited for reckless driving at any time during the past ten (10) years,

or

b. The applicant has been cited for driving while impaired due to unlawful use of alcohol or drugs at any time during the past ten (10) years.

3. Applicants who have been cited for reckless driving or driving while impaired due to unlawful use of alcohol or drugs more than ten years ago must have a completely clean driving record (no citations for moving violations) for the past ten years in order to be considered for hiring and must meet all other "Safe Driver Point" criteria and Pinellas County Schools hiring guidelines.

(4) Current Employee Requirements. All Transportation Department employees who hold a position which requires them to transport students on a school bus shall be expected to be in compliance with the provisions of this *Safe Driver Plan* at all times. All other Transportation Department employees who choose to maintain a Commercial Driver License (CDL) and complete the necessary requirements to transport students on a school bus shall also be required to comply with all requirements set forth in this *Safe Driver Plan*. The employees described in this paragraph shall be referred to and considered as "covered" employees under this *Safe Driver Plan* and School Board Policy 8.23.

(5) Florida Department Of Education Requirements

(a) All employees covered under this *Safe Driver Plan* shall be entered into the Florida Department of Education School Bus Driver Records Check System database.

(b) The Transportation Department shall accomplish a complete check of driving records of all covered employees before the start of the school year in August of each year.

(c) The Transportation Department shall also obtain a weekly update of new activity posted to covered employees' driving records via the *Weekly Exception Report* from the Florida Department of Education School Bus Driver Records Check System.

(d) If the *Weekly Exception Report* indicates a covered employee's driver's license has been suspended, revoked, or canceled, the Director of Transportation (or designee) shall ensure immediate action is taken to prohibit such driver from operating a school bus or any other School Board owned/leased vehicle.

(6) Incident Reporting Procedure:

(a) While it is absolutely essential that all damage to a bus be reported, there are some very minor incidents that do not warrant the attention of the Accident Review Committee or the awarding of points unless, of course, an individual demonstrates a continuing problem with such incidents. Therefore, incidents that meet all of the following criteria will no longer be considered "accidents" for the purposes of this plan:

1. The damage must occur between two buses.

2. The damage must have occurred while on school board property (i.e., in a compound or at a school site).

3. The amount of damage must not exceed \$50.00.

(b) Incidents meeting the above criteria will not require an accident report, but must be reported immediately using an incident report. In addition, if the damage could cause a safety problem when doing a route (e.g., cross-over mirror glass broken and out), then the repair must be made prior to using the damaged bus. Any incident reported that does not meet the above criteria will be considered an accident and will be handled in that manner.

(c) If data analysis on data generated from the incident reports shows any abuse of this policy, or if vehicle maintenance starts seeing a marked increase in unreported damage to buses, then this clause will be removed from the plan.

(7) Employee Responsibility

(a) **Driver's license:** All employees covered under this Safe Driver Plan shall be required to possess the appropriate Commercial Driver License (CDL) at all times while employed with Pinellas County Schools and to maintain their license in good standing. Covered employees shall make sure information on their driver's license pertaining to their address is kept current at all times.

(b) **Reporting of vehicle accidents/crashes:** Covered employees shall report all vehicle accidents/crashes in which they were the vehicle operator, regardless of who is deemed to be at fault. All accidents/crashes shall be reported, regardless of the amount of resulting damage to vehicles or property, and/or injuries. All accidents/crashes shall be reported, regardless of the ownership of the vehicle being driven by the covered employee. All accidents/crashes shall be reported, regardless of the location where the accident/crash occurred.

1. **School bus or other School Board owned/leased vehicle:** Covered employees shall **immediately** report any accident/crash involving a school bus or other School Board owned/leased vehicle to the Transportation Department. If the accident occurs after normal working hours, or at any other time the offices of the Transportation Department are closed, the employee shall **immediately** notify the Pinellas County School Police Department.

2. **Other vehicles (not owned/leased by School Board):** Covered employees shall also be responsible to report any accident/crash in which the employee was the vehicle operator, regardless of ownership of the vehicle, to their immediate supervisor **by 12 p.m. (noon) on the next work day.**

(c) **Reporting of citations for moving violations (traffic tickets):** All citations for moving violations issued to covered employees shall be reported, regardless of the ownership of the vehicle being driven by the covered employee. All citations for moving violations shall be reported, regardless of the location where the citation was issued. Covered employees shall be responsible to report the receipt of any citation for a moving violation to their immediate supervisor **by 12 p.m. (noon) on the next work day.**

(8) “Safe Driver Points”

(a) “Safe Driver Points” shall be assessed by the Transportation Safe Driver Committee for all preventable vehicle accidents/crashes involving covered employees driving School Board owned/leased vehicles, in accordance with the guidelines established in Section (14)(a) of this *Safe Driver Plan*.

(b) “Safe Driver Points” shall also be assessed for all moving violations appearing on a covered employee’s *Transcript of Driver Record*, as obtained through the Florida Department of Education School Bus Driver Records Check System. The Director of Transportation, or his/her designee, shall assess “Safe Driver Points” for entries on a covered employee’s *Transcript of Driver Record* in accordance with the criteria established in Sections (14)(b) and (14)(c) of this *Safe Driver Plan*.

1. If an employee decides to go to Court on a traffic citation, he/she shall have the right to request the assessment of “Safe Driver Points” be held in abeyance until the Court renders a judgment. Such request must be made, in writing, to the Director of Transportation. The employee’s letter making the request must contain the following information:

- a. Name of employee, bus compound to which assigned and bus route number
- b. Date of the citation and citation control number
- c. Nature of the citation
- d. Court date

e. Statement describing the reason why the employee feels he/she should not have been given the citation

(c) Safe Driver Points” shall not be assessed for moving or non-moving violations appearing on a covered employee’s *Transcript of Driver Record*, while operating their personal vehicle as obtained through the Florida Department of Education School Bus Driver Records Check System except as noted in section (14)(c). The Director of Transportation, or his/her designee, shall review the record for indications of driving behavior that could affect a covered employee’s driving license (Suspension/Revocation/Cancellation). When a driver’s *Transcript of Driver Record* shows a deterioration of driving performance on their personal vehicle that could jeopardize their ability to continue driving a school bus for the district, management will have documented conferences with that driver according to the following schedule:

1. Within Any Twelve (12) Month Period:

a. If a driver receives six (6) points, a documented conference will be held with the driver to make sure they understand that any future citations/violations could jeopardize their continued employment.

b. If a driver received nine (9) points, a documented conference will be held with the driver emphasizing how close they are to having their license suspended and the need to drive with extreme caution or they could be jeopardizing their continued employment.

2. Within Any Eighteen (18) Month Period:

a. If a driver receives nine (9) points, a documented conference will be held with the driver to make sure they understand that any future citations/violations could jeopardize their continued employment.

b. If a driver receives fourteen (14) points, a documented conference will be held with the driver emphasizing how close they are having their license suspended and the need to drive with extreme caution or they could be jeopardizing their continued employment.

3. Within Any Thirty Six (36) Month Period:

a. If a driver receives twelve (12) points, a documented conference will be held with the driver to make sure they understand that any future citations/violations could jeopardize their continued employment.

b. If a driver receives eighteen (18) points, a documented conference will be held with the driver emphasizing how close they are to having their license suspended and the need to drive with extreme caution or they could be jeopardizing their continued employment.

(d) “Safe Driver Points” assessed under this *Safe Driver Plan* shall be deleted three (3) years following the date they were originally assessed.

(9) Suspension/Revocation/Cancellation Of Driver’s License

(a) Any covered employee who receives notification of a driver’s license suspension, revocation, or cancellation shall be required to **immediately** notify the Transportation Department upon receiving such notification. After normal working hours, or any other time the offices of

the Transportation Department are closed, the employee shall immediately notify Pinellas County School Police Department. Upon notification that a covered employee's driver's license has been suspended, revoked, or canceled, the Director of Transportation (or designee) shall take appropriate action to ensure the employee does not drive a school bus or any other School Board owned/leased vehicle.

(b) The Director of Transportation, or his/her designee, shall hold a conference with the driver to determine the circumstances of the license suspension/revocation/cancellation and if the driver knowingly operated a school bus or other School Board owned/leased vehicle with a suspended/revoked/canceled driver's license. **If it is determined a driver has knowingly operated a school bus or other School Board owned/leased vehicle with a suspended, revoked, or canceled driver's license, such driver shall be recommended to the School Board for dismissal.** Otherwise, "Safe Driver Points" shall be assessed and disciplinary action taken in accordance with the guidelines and procedures included in this policy.

(c) Any driver who fails to get their suspended/revoked/canceled driver's license reinstated within ten (10) working days shall be recommended to the School Board for dismissal.

(d) **Repeat offenses.** The procedures detailed above shall apply only to the **first** time a school bus driver's license is suspended/revoked/canceled. Additional occurrences shall result in the following:

1. **Second occurrence within a three-year period:** So long as the driver has not knowingly operated a school bus or other School Board owned/leased vehicle with a suspended/revoked/canceled driver's license, "Safe Driver Points" shall be assessed and disciplinary action taken in accordance with the guidelines and procedures included in this document. However, any driver who fails to get their suspended/revoked/canceled driver's license reinstated within ten (10) working days shall be recommended to the School Board for dismissal.

2. **Third occurrence within a three year period:** All such drivers shall be recommended to the School Board for dismissal.

(10) Disciplinary Action

(a) Covered employees who are assessed "Safe Driver Points" assigned in accordance with the guidelines and criteria established in this document shall be recommended for disciplinary action as detailed below:

“Safe Driver Points” Assessed	Time Period	Disciplinary Action
1 - 4 points	One Year	Documented Warning
5 - 7 points	One Year	Letter of Reprimand
8 - 11 points	One Year	Three (3) day Suspension Without Pay
12 or more points	One Year	Dismissal
15 or more points	Two Years	Dismissal
18 or more points	Three Years	Dismissal

NOTE: A year is defined as twelve (12) consecutive calendar months.

(b) **Retraining:** All covered employees who have been determined to have had a preventable accident/crash while driving a school bus or other School Board owned/leased vehicle shall be required to successfully complete refresher training under the direction of the Transportation Department’s Driver Training & Safety Specialist.

(c) **Re-employment:** Dismissal as a school bus driver under this policy shall permanently disqualify that individual for re-employment as a school bus driver.

(11) Transportation Accident Review Committee (ARC)

(a) **Objectives of the Transportation ARC:**

1. Review all vehicle accidents/crashes (preventable and non-preventable) involving covered employees driving a school bus or other School Board owned/leased vehicle, in accordance with the guidelines and criteria set forth in this document and standards promulgated by the National Safety Council and the National Association for Pupil Transportation.

2. Recommend assessment of “Safe Driver Points” based on a review of all available information regarding accidents.

3. Analyze accident trends and make recommendations about accident prevention.

4. Review the *Safe Driver Plan* and make recommendations for revisions.

(b) **Committee Membership:** The Transportation ARC shall be composed of the following representatives:

1. Voting

a. Manager – Transportation Services (committee chairperson, votes only as tie-breaker).

b. Transportation Driver Training & Safety Specialist.

c. Central, North & South Area Managers or their designee (Designee must be a Supervisor -Transportation Field Operations).

d. Representative of Risk Management.

e. At large representative appointed by Director of Transportation.

f. School bus driver representatives will be appointed by Certified Bargaining Agent. Two drivers will be appointed from each school bus compound. One driver shall be designated as the primary representative to the ARC, and the second driver shall be designated as the alternative member. The appointed driver representatives must be equally divided between Certified Bargaining Agent and non-member. Only one driver representative from each compound shall attend each meeting of the ARC. It shall be Certified Bargaining Agent's responsibility to ensure that both Certified Bargaining Agent and the non-member drivers are properly represented at each ACR meeting based on compound representatives attending.

2. Non-Voting

a. Representative of the School Employees' union (Local 1220, Service Employees International Union).

(c) **Term of office for school bus driver representatives:** School bus driver representatives to the Transportation ARC shall be rotated for a period of two (2) school years.

(d) **Meetings.** Meetings will be scheduled on a biweekly basis throughout the regular school year. If there is insufficient work for the ARC to review, the meeting will be cancelled. *No meeting shall be held unless there is an equal number of driver and management representatives present to make decisions on crash preventability.* The Certified Bargaining Agent representative is not an active participant in the discussions/decisions of the ARC. The Certified Bargaining Agent representative's role is to ensure that the deliberations of and decisions made by the ARC are fair and impartial from an employee perspective.

(e) **Training:** At the beginning of each school year before any meetings occur, all ARC members shall be thoroughly trained in the criteria promulgated by the NSC to determine crash preventability. No one may serve as a voting member of the ARC without this training.

(f) **ARC Review Process & Appeals of Decisions**

1. All covered employees shall have the right to appeal "Safe Driver Point" assessment recommendations of the Transportation ARC. However, in order to be eligible to appeal, the employee must have appeared before the ARC.

2. The employee must submit his/her request, in writing, for a review of the Transportation Safe Driver Committee's recommendations to the Director of Transportation **within ten (10) working days** of receiving notification of the Committee's recommendations. The Director of Transportation shall review the appeal request form and schedule a meeting with the employee to hear the appeal. During the appeal process, assessment of "Safe Driver Points" shall be held in abeyance until such time as the appeal ruling has been made by the Director of Transportation.

(g) **Audit Process:** The importance of operating a school bus fleet safely cannot be over emphasized. Therefore, the integrity of the processes and outcomes of the ARC are of paramount importance to the students, parents, district and public at large to ensure such safety.

1. On an annual basis at the conclusion of the regular school year, the Supervisor, Transportation Process and Quality Control will arrange for a statistical analysis and audit of ARC decisions for the past school year. The work will at a minimum include a review by an independent group of safety experts who will review statistics and a random sample of decisions reached by the ARC to determine if decisions are consistent with the National Safety Council Guidelines. Feedback and recommendations for process improvement will be given to ARC members at the annual training discussed in (e).

2. In addition, if during the course of the school year a pattern of ARC decisions emerges that cause the Director of Transportation to question the workings of the ARC, he may at his sole discretion ask the Supervisor, Transportation Process & Quality Control to have such decisions audited to ensure they meet NSC Guidelines.

(12) Safe Driver Awards

(a) **Purpose:** Safe Driver Awards are designed to recognize those drivers who have maintained an exemplary driving record. There shall be an annual award and also separate awards for multiple years of continuous safe driving.

(b) **Criteria for Annual Safe Driver Award:** To receive this award a covered employee must:

1. Have no citations, during the year, on his/her DHSMV Transcript of Driver Record, *and*
2. Have maintained his/her driver's license in good standing, *and*
3. Have no preventable accidents/crashes, *and*
4. Have been employed with Pinellas County Schools in a covered employee position for the preceding twelve months (August through July). A covered employee who is absent from work for any cause for more than thirty (30) working days shall not be eligible to receive a Safe Driver Award for the school year.

(c) **Criteria for Multiple Year Safe Driver Awards:** Multiple Year Safe Driver Awards shall be established as follows:

1. Drivers who met the criteria to receive the Annual Safe Driver Award for two (2) or more **consecutive** years shall receive a Multiple Year Safe Driver Award in recognition of their accomplishment.
2. Drivers who meet the criteria to receive a Multiple Year Safe Driver Award for **ten (10) or more consecutive years** of safe driving shall be specially recognized by the School Board of Pinellas County during the annual National School Bus Safety Week in October.

(13) Distribution Of The Safe Driver Plan. Each year the *Safe Driver Plan* shall be printed and distributed to all employees which it covers either at the beginning of the school year (annual workshop), or upon initial employment (upon successful completion of the driver training class), or after any changes in the plan have been approved by the School Board.

(14) “Safe Driver Point” Assessment Schedule

(a) The Transportation ARC shall review the circumstances of all accidents/crashes involving a covered employee operating a school bus or other School Board owned/leased vehicle. If the Committee’s review determines that an accident/crash was preventable then “Safe Driver Points” shall be assessed. The Committee shall assess up to three (3) “Safe Driver Points” but not less than one (1) “Safe Driver Point,” depending on the circumstances of the preventable accident/crash.

(b) “Safe Driver Points” shall also be assessed for moving violations appearing on a covered employee’s *Transcript of Driver Record*, as obtained through the Florida Department of Education School Bus Driver Records Check System, as set forth in Section (8)(c) of this *Safe Driver Plan*.

(c) "Safe Driver point" Assessment Schedule – moving violations;

Moving violation	“Safe Driver Points”	
	SB	PV
1. Speeding:		
a. 15 mph or less over posted speed limit	3	0
b. 16 mph or more over posted speed limit	4	0
c. Speeding in a school zone more than 5 mph over the posted speed limit in a school bus or other School Board owned/leased vehicle.	9	0
2. Driving too fast for conditions	3	0
3. Following too close	3	0
4. Failed to comply with traffic control device/sign	3	0
5. Failed to yield	3	0
a. To emergency/authorized vehicles	4	0
6. Improper lane change/turning/passing	3	0
7. Passing a stopped school bus loading/unloading students	9	4
8. Improper backing	3	0
9. Careless or improper driving – in a school bus or other School Board owned/leased vehicle	4	0
10. Reckless driving	12	4
11. Failed to stop before crossing railroad tracks (in a school bus)	9	0
12. Driving around/through railroad crossing gate or barrier without proper authorization in a school bus	9	0
13. Seat belt violation – driver in a school bus or other School Board owned/leased vehicle	0	3
14. Special Hazard – failure to use due care – in a school bus or other School Board owned/leased vehicle	6	0
15. Driving a CMV without a CDL in the driver’s possession (FMVCR 383.51)	3	0
16. Driving while impaired due to unlawful use of alcohol or drugs	12	12
17. Driving with open container of alcoholic beverage (operator)	12	3
18. Fleeing or attempting to elude a police/highway patrol officer	12	6
19. At-fault accident – not involving school buses or other School Board vehicle	1*	0

* *“Safer driver points” for accidents/crashes involving school buses or other School Board vehicles shall be reviewed and assessed by the Accident Review Committee in accordance with paragraph (a), above*

20. Failed to report/file report of moving violation/accident	4	0
21. Failed to report/file report of moving violation/accident – school bus or other School Board owned vehicle	9	0
22. Left scene of accident before police/highway patrol arrived (driver involved)	4	0
23. Citations for vehicle defects, vehicle not properly equipped, vehicle not properly registered or insured: One (1) “Safe Driver Point” shall be assessed for these citations, when reviewing driving records of applicants for a position as a school bus driver.		

(d) “Safe Driver Point” Assessment Schedule – driver license suspensions, cancellations and revocations

1. Applicants for a position as a school bus driver:		
a. License suspended or canceled for any reason other than personal injury protection insurance (PIP) cancellation or financial responsibility judgment (FRJ):	3	“safe driver points”
b. License suspended for PIP cancellation or FRJ:	1	“safe driver point”
c. License revoked (any reason):	12	“safe driver points”
d. Driving while license suspended/revoked/canceled:	4	“safe driver points”
2. Current employees covered under this <i>Safe Driver Plan</i> :		
a. License suspended/canceled for any reason other than PIP cancellation or FRJ:	4	“safe driver points”
b. License suspended for PIP cancellation or FRJ:	2	“safe driver points”
c. License revoked (any reason):	12	“safe driver points”
d. Driving while license suspended/revoked/canceled:	8	“safe driver points”

Statutory Authority: 1001.32(2), 1001.41, 1001.42, 1001.43 F.S.
Laws Implemented: 230.23 (4) F.S.; 6A-1.082 SBE Rules.
History: New 3/11/03; Amended 3/11/03, 11/8/05

10.14 SAFE DRIVING PRINCIPLES -- BACKING

Statutory Authority: 1001.32(2), 1001.41, 1001.42, 1001.43 F.S.
Laws Implemented:
History: New 6/30/98; Repealed 3/11/03

10.15 ASSIGNMENT OF SCHOOL BOARD OWNED VEHICLES TO CERTAIN EMPLOYEES

(1) If the Superintendent (or designee) finds it necessary for an employee to regularly or frequently utilize a School Board vehicle for School Board purposes outside of regular working hours, the Superintendent may assign to that employee a vehicle. Any employee who is assigned such a vehicle shall not use or allow others to use said vehicle for personal reasons except for minimal stops for errands and the Superintendent (or designee) shall determine the parking location of the vehicle.

Statutory Authority: 1001.32(2), 1001.41, 1001.42, 1001.43 F.S.
Laws Implemented: 230.22(1) F.S.
History: New 1/25/89 (Emergency); Amended 2/22/89
Note: Former 6Gx52-4.12 (changed 6/30/98)

10.16 AUTOMOTIVE EQUIPMENT

- (1) Automotive equipment owned by the Board shall be assigned to the director of transportation (or designee) for proper care and maintenance.
- (2) Failure of the operator to notify the vehicle maintenance supervisor (or designee) as to any safety defect of any piece of automotive equipment may be cause for disciplinary action.
- (3) All mechanical defects of equipment, where repairs are needed, shall be the vehicle maintenance supervisor's responsibility. Repair action shall be taken as soon as possible in the most appropriate manner. A faulty vehicle should be withdrawn from use until the required repairs are made.
- (4) The Board shall not assume any financial responsibility for purchases or contracts for repairs unless prior approval is obtained from the Superintendent (or designee).
- (5) The vehicle maintenance supervisor shall determine that all equipment is inspected at regular intervals. The equipment shall be placed in the district's garage for repairs or servicing.
- (6) Under no conditions shall equipment be repaired by a private shop or private individual without the approval of the director of transportation (or designee).
- (7) The person who is assigned a vehicle shall be responsible for delivering the vehicle to the district's garage for inspection as prescribed by the vehicle maintenance supervisor.

Statutory Authority: 1001.32(2), 1001.41, 1001.42, 1001.43 F.S.

Laws Implemented: 230.23(8), 231.001, 234.02 FS

History: New 6/30/98

10.17 VEHICLE MAINTENANCE PROGRAM

- (1) All transportation equipment shall be maintained in safe operating condition. The director of transportation (or designee) shall be responsible for a planned program of maintenance to keep all vehicles functioning safely and efficiently. This program shall include the following.
 - (a) Instructing bus operators in methods of anticipating and noting maintenance problems.
 - (b) Inspecting and servicing all vehicles as prescribed in State Board of Education Rule 6A-3.017 on a periodic basis.
 - (c) Devising a checklist for use in recording the results of the safety inspection.
 - (d) Maintaining service and repair records on each vehicle as required by State Board of Education Rule.
 - (e) Planning and scheduling preventive maintenance through major overhaul and repair of all equipment.
 - (f) Training through in-service activities for vehicle mechanics.

1. The mechanical condition of each school bus in operation shall be in compliance with State Statute and State Board of Education Rule. Any school bus which does not comply with the requirements of Florida Statutes and State Board of Education Rules shall be withdrawn immediately from use until such requirements are met.

2. No vehicle or equipment, other than district-owned, may be repaired or serviced in the district's garage.

Statutory Authority: 1001.32(2), 1001.41, 1001.42, 1001.43 F.S.

Laws Implemented: 230.23(8) ; 230.33(10), F.S.; 6A-3.017, 6A-3.018 SBE Rules

History: New 11/17/71, revised 12/18/74; Amended 12/14/77, 6/30/98, 3/11/03

Note: Former 6Gx52-2.04 (changed 6/30/98)

10.18 PURCHASE OF SCHOOL BUSES & REPLACEMENT CYCLE

(1) Except when specifically approved by the Board, all new school buses shall be purchased through the state pool purchase plan administered by the Department of Education. The Board shall designate the number and size of buses to be purchased each year. Within budgetary limitations and constraints the Superintendent shall annually include in the proposed district school budget, as a minimum, an amount for bus replacement sufficient to replace one fifteenth (1/15) of the existing bus fleet.

Statutory Authority: 1001.32(2), 1001.41, 1001.42, 1001.43 F.S.

Laws Implemented: 229.79; 230.23(4)(j)(8), (10); 230.33(12); 234.02; 234.051; 236.0835; 237.02 F.S.; 6A-1.012, 6A-3.004, 6A-3.005, 6A-3.006, 6A-3.007, 6A-3.017, 6A-3.018 SBE Rules

History: New 6/30/98; Amended 3/11/03