

Policy

PRIVATELY OWNED VEHICLES

In recommending arrangements for student transportation to and from school-related activities, the superintendent shall consider the type of activity, the total number of students involved, and the availability of appropriate vehicles. This policy shall not apply to the transportation of students to and from practices or home games or activities, which are the responsibility of the parents/guardians. Groups of students too small in number to make economical use of Type I or Type II vehicles may be transported in privately owned passenger vehicles driven by qualified school personnel, state employees and parents/guardians.

Transportation by Volunteer Drivers

The school business administrator shall supplement the transportation resources of the district by identifying qualified school personnel, state employees and parents/guardians who are willing to provide transportation for district students to and from school-related activities.

Any such transportation, including transportation of students by their own parents/guardians, must be approved in advance and in writing by the Principal, Business Administrator, or Superintendent. Students who are driven to school-related activities in private vehicles without prior approval will be deemed ineligible to participate in the activity.

Only employees of the Mendham Borough Board of Education (the "Board") or a parent/guardian of a student enrolled in this district shall be approved for the transportation of students in a private vehicle.

Qualifications shall include:

- A. Valid driver's license with no convictions for moving violations;
- B. Private passenger vehicle of eight or fewer capacity, with a current New Jersey or other inspection sticker; and
- C. Evidence of at least the statutorily required insurance coverage.
 - A. The driver must have a valid driver's license; and
 - B. Automobile liability insurance for bodily injury and property damage of at least the minimum amount required by law for all vehicles to be used (\$1,000,000 combined single limit per occurrence, as of November 2014) which is obtained through a company authorized to issue insurance in New Jersey and names the Board as an additional insured party to the policy.

Transportation of Students by Other Parents/Guardians

The following requirements must be met by parents/guardians who will provide transportation for students, other than their own children, to and from school-related activities:

- A. The vehicle must be a private passenger vehicle, owned or leased by the driver or his/her spouse, with capacity for eight or fewer passengers which meets all of the safety requirements of the State of New Jersey Motor Vehicle Commission, including but not limited to one seat belt for each occupant of the vehicle, a valid motor vehicle inspection sticker, valid licensing/registration documentation, and an approved first aid kit;

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B. The driver must (1) have a valid New Jersey driver's license, (2) sign a Motor Vehicle License authorization for the release of his/her current motor vehicle abstract (MVA) which will be obtained by the district at no cost to the driver, (3) have no guilty pleas, pleas of no contest, or convictions for moving violations within the last three years, and (4) agree to abide by the regulations referenced below;

C. Automobile liability insurance for bodily injury and property damage of at least the minimum amount required by law for all vehicles to be used (\$1,000,000 combined single limit per occurrence, as of November 2010) which is obtained through a company authorized to issue insurance in New Jersey and names the Board as an additional insured party to the policy; and

D. The driver must agree to (1) immediately report student misconduct to the staff member supervising the activity, who will be responsible for reporting this to the Principal or the Principal's designee, (2) upon arrival at the destination, deliver students to the staff member in charge, who will be responsible for the students at the activity, and (3) upon conclusion of the activity, return students to the school and deliver students to the staff member in charge, who will be responsible for the students until they are picked up by a parent/guardian.

In addition, the parent/guardian of any student who is to be driven by another parent/guardian must provide a signed permission form for the student to be transported by another parent/guardian for the specific school-related activity, including an agreement to release, defend, indemnify and hold harmless the Board from any and all claims arising out of or in any way relating to the transportation.

The superintendent shall develop and the board shall adopt detailed regulations to ensure:

- A. District approval of activities involved;
- B. District determination of drivers and assignment of students to them;
- C. Student safety in pickup, transit and drop-off;
- D. Adequate supervision of students at the activity.

Transportation of Students by District Employees as Part of Assigned Duties

District employees who transport students in a private vehicle during working hours as part of their assigned duties shall:

- A. Have a current driver's license with no guilty pleas, pleas of no contest, or convictions for moving violations within the last 3 years;
- B. Use a privately owned passenger vehicle of eight or fewer capacity with evidence of at least the statutorily required insurance coverage. The vehicle must have a current inspection sticker;
- C. Conform to all safety practices set forth in the regulations to this policy.

Implementation of this section shall be in conformity with applicable negotiated agreement.

NOTE: EMPLOYEES WHO USE DISTRICT-OWNED VEHICLES MUST CONFORM TO A, B AND C. THE DISTRICT IS RESPONSIBLE FOR MAINTENANCE OF THE VEHICLE AND ADEQUATE INSURANCE. A DISTRICT IS NOT OBLIGATED TO NEGOTIATE OVER ACTUAL ASSIGNMENTS. IT MUST BARGAIN UPON DEMAND OVER COMPENSATION RELATED TO SUCH ASSIGNMENTS.

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**Mandated only if the board wishes to do this.

Key Words

Privately Owned Vehicles, Auxiliary Student Transportation, Student Transportation, Student Transportation

<u>N.J.S.A.</u> 18A:16-6	Indemnity of officers and employees against civil actions
<u>N.J.S.A.</u> 18A:39-20.1	Transportation to and from related school activities in private vehicle with capacity of eight or less; authorization of qualified school personnel, state employees or parents
<u>N.J.A.C.</u> 6A:27-1.5	Insurance
<u>N.J.A.C.</u> 6A:27-7.6	Transportation to and from related school activities
<u>N.J.A.C.</u> 6A:27-7.7	Parent transporting his or her own child or children

Possible

<u>Cross References:</u> *5020	Role of parents/guardians
*6145	Extracurricular activities
*6145.1/6145.2	Intramural competition; interscholastic competition
*6153	Field trips

*Indicates policy is included in the Critical Policy Reference Manual.