

AMERICAN INDIAN MODEL SCHOOLS

Board Policy

BP XXXX

Business and Non-instructional Operations

Vehicle Use

It is the policy of the American Indian Model Schools that all persons authorized to drive on School business exhibit safe and courteous driving practices, that vehicles be deployed in a manner which best serves the mission of AIMS, and that vehicles be maintained in safe working order. In accordance with this policy, it is the intent of the Board that AIMS vehicles be utilized for AIMS business only. Any other use is strictly prohibited unless prior permission is granted by the Superintendent or Designee.

This Policy sets forth the rules, regulations and procedures that govern the use of vehicles on School business. This includes both AIMS Owned and Non-Owned Vehicles. Non-Owned Vehicles include those vehicles owned, leased or rented by employees or others driving on AIMS business. These procedures shall apply to any person driving on AIMS business, including but not limited to employees, consultants, parents, volunteers or members of the Board of Education.

Financial Responsibility and Liability

District Owned Vehicles

The District may be liable for damages incurred as a result of the negligent operation of its vehicles by its permissive users while engaged in authorized District business. Any person who uses a District vehicle for other than authorized District business may be personally liable for any damage arising from their unauthorized use.

Non-District Owned Vehicles

All persons driving Non-District owned vehicles on AIMS business are required to comply with the Financial Responsibility laws set out in the California Vehicle Code. The registered owner of Non-District owned vehicles shall be responsible for damages incurred as a result of a negligent or wrongful act or omission in the operation of the motor vehicle while on District business (See California Vehicle Code Section 17150 and this Policy, "Insurance for Non-Owned Vehicles).

Responsibility for Enforcement

The Department Head or Site Administrator shall be responsible for ensuring that the procedures outlined in this Policy are followed by any person permitted to drive on AIMS business at the Site or Department level. The appropriate Head shall be responsible for enforcement of these provisions among persons driving on AIMS business. The President of the Board of Education shall be responsible for the

enforcement of these vehicle use procedures by members of the Board or the Board's employees.

Use of AIMS Vans

1. Site and central budgets will be assessed for costs of vans
2. Priority of use goes to athletic engagements that are not within walking distance
3. All keys will be kept in the business office and signed out
4. All drivers must be pre-approved and insured
5. Vans must be reserved one week in advance
6. When appropriate booster seats must be used
7. Vans tanks must be filled with gas upon return to site
8. Vans must be clean inside and out when returned
9. Any damage or wear must be reported to the business office
10. All policies in this full policy must be met in reference to the vans

Employee Eligibility for Driving on District Business

No AIMS employee or Board of Education member may use an AIMS owned vehicle without demonstrating that they possess a valid California driver's license and satisfactory driving record (see definition of satisfactory driving record below). No prospective employee shall be hired for a position which may require driving on AIMS business if the prospective employee does not possess a satisfactory driving record and a valid California driver's license. Existing employees whose job duties include driving shall always be required to possess a valid California driver's license and satisfactory driving record. Failure to maintain a valid California driver's license or a satisfactory driving record shall be grounds for immediate suspension of an employee's eligibility to drive on AIMS business, whether it is in an AIMS Owned or Non-Owned vehicle. Failure to maintain a valid California driver's license and satisfactory driving record shall be grounds for disciplinary action, up to and including dismissal for those employees whose job requires driving on District business.

All AIMS employees, whose job duties include driving on AIMS business, shall provide acceptable written verification to their supervisor annually, on or about January 1, certifying their driver's license status.

All District employees whose job duties include driving on AIMS business are required to immediately report any change in their driver's license status.

General Safety Requirements Owned and Non-Owned Vehicles:

1. Drivers will obey all traffic laws and exhibit courtesy while driving on District business
2. Drivers will be responsible for reasonable vehicle inspection and maintenance to ensure that vehicles used on AIMS business are in safe working order.

3. Drivers will not utilize cell phones while driving.
4. **Under no circumstances** will passengers be transported in an area not designed for passenger use.
5. **Under no circumstances** will drivers transport more persons than the rated vehicle capacity and/or the number of working seat belts, whichever is less. The driver and each and every passenger will be provided and utilize a properly installed seat belt device which meets or exceeds federal and state seat belt safety requirements.
6. Drivers will not allow other persons to drive without prior authorization from their Site or Division Head, or the President of the Board of Education.
7. While on approved AIMS business or using a AIMS Owned vehicle, drivers will not transport any passengers at any time without prior authorization from their supervisor or Head.

Alcohol and Drug Use

The operation of any vehicle on District business while under the influence of any alcohol or drug that may inhibit the operator's ability is strictly prohibited. No District Owned vehicle may ever be used if the operator has consumed any alcohol in the preceding 12 hours. All positions which require the operation of District Owned vehicles and which are regulated by Federal Department of Transportation and state laws and regulations, shall be subject to regular, probable cause, and random drug testing in accordance with those rules and regulations.

Sleep and Rest

Travel to and from certain sports, musical or other interscholastic events may require long distance driving. At no time shall employees or other persons driving on approved AIMS business drive longer than eight (8) hours in a 24-hour period. Drivers are encouraged to take 15-minute breaks from driving once every two hours.

District Owned Vehicles

AIMS Owned vehicles may only be operated by District employees or members of the Board of Education on authorized AIMS business. Prior to operating an AIMS Owned vehicle, the employee or Board member must submit authorization to Business Services for a California Department of Motor Vehicles record check, have a satisfactory driving record determined, and obtain a AIMS Vehicle Operation Permit. No AIMS leader shall permit the operation of an AIMS Owned vehicle without the employee or Board member possessing a satisfactory District Vehicle Operation Permit. DMV record checks will be requested annually in January by Human Resources for every employee or Board member with an AIMS Vehicle Operation Permit.

AIMS Owned vehicles may not be used for personal errands or personal business (e.g., going to the bank, visit relatives, etc.) Employees or Board members who are involved in an accident while engaged in anything other than authorized AIMS business will not be covered by the AIMS insurance and will bear sole liability for any damages or injuries incurred as a result of their unauthorized use. Unauthorized use

or negligent or wrongful acts or omissions while operating a AIMS Owned vehicle is grounds for discipline, up to and including termination.

Employees or Board members assigned an AIMS vehicle shall be responsible to:

1. Maintain the vehicle in a neat and clean condition.
2. Ensure that any equipment and tools are properly loaded and secured to minimize the likelihood of loads shifting and/or creating a hazard during transport.
3. Make reasonable inspections of the vehicle to insure the vehicle is in safe working order.
4. Schedule and adhere to routine maintenance and servicing of the vehicle.
5. Secure and lock the vehicle whenever away from it.
6. Not leave valuables in plain sight which would encourage a criminal to break and enter the vehicle.
7. Report any vehicle damage in writing immediately to supervisor.

Home Garaged Vehicles

AIMS Owned vehicles shall not be used on a 24-hour basis, nor operated and garaged from the residence of any AIMS employee without the permission of the Supervisor or Head and the Superintendent.

Criteria for Home Garaging:

1. The employee's job requires vehicle home assignment because the employee is subject to 24-hour emergency call out on AIMS business. Upon completion of the rotational duty assignment, the vehicle shall return to AIMS garaging; or

2. Superintendent. The high frequency of constant use by these individuals in their official capacity permits an AIMS Owned vehicle be at their constant disposal; or

3. An employee or Board member who is proceeding out of the area on a School related trip, and it is most advantageous to proceed directly from their residence, may take a vehicle home on a temporary basis (over one night or the weekend).

Safeguarding District Owned Vehicle

Employees or Board members who are permitted to take an AIMS vehicle home will adhere to the following requirements, in addition to the General Safety Requirements and responsibilities regarding AIMS Owned vehicles set out above:

1. An AIMS Owned vehicle which is home garaged shall be parked in the employee or Board member's garage, driveway or parking spot at all times while at the residence;

2. No person shall consume or be under the influence of any alcoholic beverage or any drug, which would impair their driving ability or use any tobacco product while in a District Owned vehicle.

Non-Owned Vehicles

A Non-Owned vehicle is one that is not owned by AIMS. It is most commonly a privately owned, leased or rented vehicle of an employee, Board member, consultant, parent or volunteer.

Operation of Non-owned Vehicle on AIMS Business

Non-Owned vehicles may only be used on AIMS business if their use is approved by the Superintendent or the Division Head. Use may only be approved if the vehicle owner and driver demonstrate proof of liability insurance and demonstrate that they possess a valid California driver's license.

Insurance for Non-Owned Vehicles

Insurance coverage must meet or exceed a minimum amount required by law. A copy of the applicable personal automobile insurance policy Declaration Page showing named insured, vehicle description, policy number and policy limits shall be provided to the Site Administrator or Department Head in advance of the vehicle's use. Updated copies shall be provided every January.

Employees and their insurers are responsible for any damage or injuries that result from the negligent or wrongful act or omission in the operation of a Non-District owned vehicle on AIMS business, with the exception of work-related injuries to employee(s) which qualify for workers' compensation benefits to the extent permitted by law. If use of an employee's private, rented or leased vehicle is approved and damage or injuries result during the approved use, it is understood that any available AIMS insurance coverage will come into force if and only if vehicle owner, renter and/or lessee's insurance is exhausted. AIMS liability coverage is available only in instances where a AIMS employee is performing approved AIMS business directly connected with their assignment. No AIMS coverage is available for damage or injuries resulting during non-approved use.

If an employee is traveling on a AIMS approved trip, and requires the use of a rental vehicle, the employee shall purchase and be reimbursed for the maximum insurance coverage available through the rental company. Employees and their insurers are responsible for injuries or damages that result from the negligent or wrongful act or omission in the operation of a rental vehicle, unless the laws of the state in which the vehicle is operated serve to change that rule. (See also Policy XXXXX, Conference Attendance and Business Travel).

Regular or incidental use of employee owned or leased vehicle on AIMS business shall be reimbursed to the employee at the District adopted mileage rate (see Administrative Bulletin 8033, Transportation Reimbursement for Employees).

Non-employees and their insurers shall be responsible for injuries or damage incurred as a result of the negligent or wrongful act or omission in the operation of Non-Owned vehicles while on AIMS business. American Indian Model Schools provides no liability coverage whatsoever for the vehicle operator, passengers or others.

Transportation of Children on District Related Business

1. No child shall be transported on AIMS related business unless the driver demonstrates that they possess a valid California Driver's License, and has current liability Insurance if transport is in a Non-AIMS Owned vehicle;

2. No child shall be transported in any vehicle area not designed for passenger use;
3. Under no circumstances shall more children and adults occupy a vehicle than its rated passenger capacity or working seat belts; the driver and each and every passenger will be provided and utilize a properly installed seat belt device which meets or exceeds federal and state seat belt safety requirements.
4. No driver may transport children (other than their own children) on AIMS related business in a privately-owned vehicle without the appropriate registration and approval of the children's Site Administrator (See Declaration of Driver). No driver shall transport children on AIMS related business if that driver has consumed any alcoholic beverage or taken any drug that would inhibit the operator's driving ability in the preceding 12 hours.
5. In no event shall a site administrator approve the transport of a minor without the consent of their parent or legal guardian.

AIMS Insurance Coverage Limited to Employees and Board members

AIMS recognizes that it may at times be desirable for persons not employed by the AIMS to voluntarily transport children to school or AIMS sponsored activities. In such instances, the AIMS provide no insurance coverage whatsoever for the vehicle operator, passengers or others.

Satisfactory Driving Record Defined

Driving record shall be established based upon information from the California Department of Motor Vehicles (DMV) and records of the District.

The following shall be the definition of a Satisfactory Driving Record:

* No more than 4 points shall be allowed over a three-year period, and no more than 5 points shall be allowed over a 5-year period.

Points are charged as follows:

* One Point per Moving violation, i.e.; speeding, traffic light, etc.

* Two Points per Accident (all accidents are chargeable subject to review and determination by District Accident Review Committee).

* Four Points per Driving Under the Influence (DUI), Reckless Driving, Display of Speed, Open Container, etc.

Accident Reporting

All accidents that occur while on District business, whether in a District Owned Vehicle, or a Non-District Owned vehicle, shall be immediately reported. Following contact to the police or any emergency personnel, drivers are required to immediately telephone their supervisor or department head to report the accident. A written report must also be made to the Site or Department Head and to Risk Management on a Vehicle Accident Report Form (See Exhibit _). If there are any injuries, an Injury to Pupil or Non-Employee or a Report of Injury to Employee form must also be completed and submitted to the Site or Department Head and to Risk Management. Written reports shall be filed the same day whenever possible, or by the next work day after the accident. Risk Management shall immediately forward said report to the appropriate District claims administrator(s). Any accident involving a fatality or serious injury must be reported immediately (within six hours of accident) to the Site or Department Head, Risk Management and the Legal Department.

See also Guidelines for Vehicle Accidents

DMV Financial Responsibility Reports

Every employee, Board member or other person driving on approved District business shall be responsible for filing a completed copy of a DMV Financial Responsibility Accident Report with Risk Management within 10 days of any accident. (See Exhibit D)

AMERICAN INDIAN MODEL SCHOOLS
EMPLOYMENT RECORD CHECK
AGREEMENT AND AUTHORIZATION

APPLICANT: _____

Please Print Last First Middle Initial

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

CALIFORNIA DRIVERS LICENSE NUMBER

CLASS LICENSE (I, II, III, Special Endorsements): _____

DATE OF BIRTH: _____ SSN: _____ - ____ - _____

POSITION: _____

DEPARTMENT:

_____ LOCATION _____

I hereby authorize the American Indian to obtain now and from time to time the future, my drivers license driving records as on file with the California Dept. of Motor Vehicles.

I understand that the position that I am an applicant for, and/or holding, requires me to drive on District business. I further understand that my employment is contingent upon possession of a Satisfactory Driving Record. For definition of Satisfactory Driving Record, see District Administrative Bulletin, Vehicle Use.

I understand and agree that use of any alcohol within the preceding 12 hours or any drug which may impair my driving ability while operating a District owned vehicle, or any other vehicle on District business, is strictly prohibited. Accordingly, I agree to Pre-Placement Physical Drug and Alcohol Testing, as well as Probable Cause and Random Drug and Alcohol Testing.

I agree that a facsimile or photocopy of the original of this document shall serve as an original.

I have read and understand the above and agree and authorize it.

Signed: _____ Date: _____

Original: Risk Management

Copy: Human Resources

AMERICAN INDIAN MODEL SCHOOLS
DISTRICT VEHICLE USE PERMIT
APPLICATION/AUTHORIZATION

Employee Name: _____

Please Print LAST FIRST MI

Address: _____

City: _____ State: _____ Zip: _____

California Drivers License Number: _____ Date Exp. _____

Classes Authorized (I, II, III, Special Endorsements): _____

Employment Attach Copy Of Personal Vehicle Insurance Policy Declaration Page.

SSN: _____ - _____ - _____ Date Of Birth: _____

Employee/Application Signature: _____ Date: _____

Director Certification Of Employee Need To Use On District Business:

Dept. _____ Director Signature: _____ Date: _____

Asst. Supt./Supt. Authorization For Home Garaging: Yes _____ No _____

Division: _____ Auth. Signature: _____ Date: _____

Permit Authorization (Risk Management Completes)

Permit Number: _____ Permit Date: _____

Permit Expires: _____

Certifying Risk Management Official:

Print/Type: _____ Title: _____

Authorized Signature: _____

EXHIBIT B

AMERICAN INDIAN MODEL SCHOOLS

DEPT. OF RISK MANAGEMENT

VEHICLE ACCIDENT REPORT

*Submit to Operations / Insurance company within One day, (6 hrs if injury)

Name of Employee/District Driver: _____ Cal DL# _____

School or Site: _____ Position) _____ Name of Manager _____

Driver Res. Address: _____ Date of Birth _____

City: _____ State _____ Zip _____

Driver Telephone: Residence: (____) _____ Business (____) _____

Date Accident: _____ Time Accident: _____ AM PM

WHERE did accident occur? Street you (VEH. A) were on _____ Direction _____

Nearest Intersection /Cross Street: _____ City _____

What were you driving (VEH A)? Year _____ Make _____ Model _____ Lic Plate _____

Registered Owner of your vehicle (VEH A): _____

Address: _____

Where was Vehicle A damaged? Front ___ Left ___ Right ___ Rear ___ Other _____

Did you drive VEH away or was it towed? _____ Where is it now? _____

Police Depart. Investigating: _____ Name of Officer: _____ PR# _____

Was anyone cited? _____ Who _____ For What? _____

THE OTHER PERSON (B) VEHICLE(B): Driver? ___ Ped? ___ Unoccupied Vehicle? ___

Name of Driver/Ped.(B): _____ Tel. #(____) _____ Cal DL # _____

VEH B Driver Address: _____ City _____ State _____ Zip _____

Other Vehicle/Property(B) Year _____ Make _____ Color _____ Describe _____

Where was other vehicle(B) damaged? _____ Serious or minor damage? _____

If other than vehicle, describe what was damaged/nature of damage _____

Address of other Property(B): _____

Owner of other Property(B): _____ Telephone (____) _____

Describe what happened: You (A) were N, S, E, W bound on _____ Speed Limit _____

In the # _____ Lane. The other party(B) was: _____ Parked? _____

What happened: _____

_____ My speed before accident: _____

What did you say to other party? _____

What drew your attention to the other party? _____

Were your headlights on? ___ Was other party headlights on? _____

Traffic devices Present? Traffic Signal? ___ Color when you entered I/S ___ Stop Sign? ___

WEATHER: Clear ___ Rainy ___ Fog ___ Dry ___ Sunny/Night _____ Sun in eyes? _____

WAS ANYBODY INJURED? _____ WHO?

Name: _____ What vehicle: _____ Nature of injury: _____

Address: _____ City: _____ State _____ Telephone(____) _____

Name: _____ What Vehicle: _____ Nature of Injury: _____

Address: _____ City: _____ State _____ Telephone (____) _____

Name: _____ What vehicle: _____ Nature of injury: _____

Address: _____ City: _____ State _____ Telephone (____) _____

Any transported by Ambulance Co./Hospital: _____

WITNESSES:

Name: _____ Telephone(____) _____ Favorable? Y__ N__

Address: _____ City: _____

Name: _____ Telephone(____) _____ Favorable? Y__ N__

Signature _____ Date _____

Manager Signature: _____ Date _____

Cal DMV SRI form submitted to Risk Management? _____ Date: _____