

Morrow County School District

EEAAA
Adopted 5/12/03
1st Rdg Revision 5/8/06

Contracted Bus Service

The following provisions will regulate the use of contracted bus service for district students:

1. **Status of Contractor:** The contractor shall not be held or deemed in any way to be an agent or employee of the Board. It is the intention of the parties that he/she is, and shall be considered, as an independent contractor;
2. **Conduct of Driver:** Drivers shall conduct themselves in a proper and moral manner, and the contractor shall be responsible for the conduct of the students, employees and all other persons being transported. If a driver shall not, in the opinion of the Board, exhibit proper conduct and maintain order and proper discipline among passengers, or shall operate the vehicle in a negligent or reckless manner, or shall for any other reason be deemed unfit or unsuitable, then such driver shall be discharged by the contractor on direction of the Board;
3. **Designation of Drivers:** The contractor shall drive the vehicle or use drivers and substitute drivers who have been approved by the Board. All operators of conveyances are to ~~have received~~ **possess a valid** school bus driver **certificate or permit** licenses, when required by state regulations;
4. **Compliance with Regulations:** The contractor shall make such reports as may be required by the Board and comply with all rules and regulations adopted by the Board for the protection of students or to govern the conduct of the driver **as referenced in the State of Oregon Pupil Transportation Manual;**
5. **Operation of Vehicles:** The contractor shall agree to furnish and operate at his/her own expense an adequate and legally-approved vehicle of transportation, beginning on the date set by the Board, transporting only students attending public school as designated by the Board and as provided by law.

The equipment to be used shall be of a kind and quality reasonably suitable for such purposes and shall be kept and maintained in good mechanical repair and condition, with sufficient brakes and all other appliances required by law.

The vehicle shall not be loaded beyond its rate capacity.

When the conveyance is being used to transport students, no person other than a public school student, teacher or school official shall be permitted to ride in the vehicle without the consent of the Board, unless as otherwise provided by law. Nothing except students and their belongings shall be transported while the students are in the conveyance.

(continued)

6. Insurance: The contractor shall carry insurance on the conveyance and students with such endorsement as part of the policy that meets the minimum required by law and any additional coverage as may be required by the Board as part of its agreement with the contractor.

A copy of the insurance policy is to be filed with the superintendent.

7. Schedule: The operating schedule shall be prepared by the Board in cooperation with the contractor. This schedule shall designate the time and place of all stops, both morning and evening and shall be posted in the conveyance and at the school. The conveyance shall not depart from any designated stop before two minutes after scheduled time unless all students to be transported from that point are on board. The time schedule may be modified by the Board as the occasion demands, but only after due notice has been given to the parents of the students and the operator involved.

The Board reserves the right to change routing of the conveyance, and if additional mileage is required, it shall be at an extra cost. If the route is shortened, the amount paid to the contractor will be reduced.

8. Speed Limit: No vehicle shall exceed the legal speed limit while transporting students;
9. Taking On and Discharging Passengers: Students shall be taken on and discharged from the vehicle only at the designated stop and at the extreme right of the road. No student shall be permitted to get on or off the vehicle while it is in motion. In discharging students, the driver shall see that each student crossing the highway at that point is safely across before starting the vehicle in motion. Students shall pass in front of the vehicle to cross the highway;
10. Termination of Contract: Any violation of the terms or conditions of this policy by a contractor shall be grounds for termination of contract upon 10 days notice. The Board is to be the sole judge as to whether such violations have occurred.

END OF POLICY

Legal Reference(s):

ORS 327.006	.155 - 343.246	-0050 to -0075
ORS 327.033	ORS 343.533	OAR 581-022-1530
ORS 327.043	ORS 811???.210	OAR 581-023-0040
ORS 332.405	ORS 815???.055	OAR 581-053-0002 to
ORS 332.415	ORS 815???.080	-0015
ORS 339.240 - 339.250	ORS 820.100 - 820.190	OAR 735-102??-0010
ORS 343	OAR 581-021	

Letter Opinion, Office of the Attorney General (Nov. 22, 1988).