

**Department of Health and Human Services
Office of Education Services
Policies and Procedures**

CONTRACTED TRANSPORTATION SERVICES

Effective Date: January 11, 2008 (Revised)
Original Effective Date: April 17, 2001

Purpose:

To establish a uniform policy and guidelines regarding the provision of contracted transportation services for K-12 residential and day students in the Office of Education Services (OES).

Legal Rationale:

- (1) The Individuals with Disabilities Education Act 1997 (IDEA)
- (2) GS 115C, Article 9
- (3) North Carolina Constitution

Mission Statement:

The Office of Education Services is committed to promoting independence and educational opportunities for special needs students through positive, safe, and efficient transportation experiences. Equal educational opportunities to elementary and secondary school age special needs children are achieved by providing a free and appropriate public education to each student, regardless of the nature or severity of the student's disability. An essential part of the student's free and appropriate public education is transportation services.

Target Group:

All OES Employees and Contracted Vendors Providing Transportation

Policy:

- ❑ Appropriate transportation shall be provided for all OES students.
- ❑ Appropriate transportation depends on the unique needs of the student and may vary from student to student.
- ❑ In conjunction with School and OES Business Managers the OES Transportation Committee is responsible for developing and implementing contracts for individual providers as needed. This includes contracts with vendors (i.e. bus companies, van and cab companies) as well as legal guardian contracts.
- ❑ Contractors will ensure that all drivers be 21 years of age or older.

- ❑ The use of a mobile phone or additional technology while operating a vehicle transporting students is strictly prohibited, unless it is an emergency situation such as medical concerns, unsafe road conditions, matters of public safety, or mechanical problems that create a risk of harm for the operator or passengers of a vehicle transporting students.
- ❑ OES employees are not eligible for contracting for transportation purposes.
- ❑ Funding for all K-12 students will be provided by and will be administered through the Office of Education Services.
- ❑ Transportation will be provided by school buses maintained by the student's school, by contracts or fares with public or commercial carriers when necessary, or by individual contractors (i.e. legal guardians, family members, etc.).
- ❑ Contracts should be written to provide appropriate service as economically as possible. This may include contract providers to serve multiple students.
- ❑ When applicable, a contractor may not serve more children than s/he has child restraints in his/her vehicle.
- ❑ Contractors, the school's assistant business manager, and the School Director prior to the initiation of services will sign all contracts.
- ❑ All contracts shall contain the required terms and conditions (see attached sample contracts).
- ❑ OES schools entering into contracts shall not assume any responsibility for any funding other than services outlined in the contract.
- ❑ Drivers of contract vehicles shall hold the appropriate North Carolina Operator's license and maintain a current safety inspection sticker on the transporting vehicle.

- The contractor will provide for all drivers, copies of the following prior to the initiation of service:
 - Current License
 - Current Insurance Coverage
 - Agreement for a Criminal Records Check
 - Driving Record

The school's Transportation Coordinator will ensure this information is maintained at the school.

- Staff transporting students shall meet all the requirements and safety regulations of the Department of Motor Vehicles, Department of Public Instruction, and the Department of Health and Human Services.

The school's Transportation Coordinator will ensure this information is maintained at the school.

- The contractor must immediately notify the school by phone and in writing, of any traffic offenses or accidents while under contract.
- Contractors shall acquire and maintain at least the minimum liability insurance required by State law.
- The contractor must immediately notify the school, in writing, of any changes in his/her insurance to include carrier or extent of coverage/limits of liability. The school's Transportation Coordinator will ensure this information is maintained at the school.
- The school is responsible for verification following receipt of the contractor's invoice.
- Payment based on mileage shall not exceed the current state approved rate of mileage reimbursement.

(OES Policy T-3; 4-17-2001, 3-27-2002, 7-25-07)