

Related Entries: (Not identified at this time)

Transportation of Students in Vehicles Other Than School Buses

Students of the Lee County School District shall be transported to and from school activities in school buses whenever practical. When transporting students to such events in a school or charter bus is not practical, the following requirements shall apply:

- (1) When students are being transported in a vehicle other than a school bus or charter bus and that vehicle is owned, operated, rented, contracted, or leased by the School District, the following provisions shall apply:
 - (a) The vehicle must be a passenger car or multipurpose passenger vehicle or truck, as defined in Title 49 C.F.R. part 571. The vehicle must be designed to transport fewer than 10 students. The Safety, Security and Inspections Department shall maintain a web site with updated guidelines. Students must be transported in designated seating positions and must use the occupant crash protection system.
 - (b) The vehicle may not be driven by a student.
 - (c) The driver of an authorized vehicle transporting students must be a school employee, hold a valid driver's license and comply with the requirements of the safe driver plan.
- (2) When students are transported to or from school activities in privately-owned vehicles, the following requirements shall apply:
 - (a) The requirements of paragraphs (1)(a) and (1)(b) above must be complied with.
 - (b) The owner of the privately-owned vehicle must provide proof of insurance and a driver's license.
 - (c) If a privately-owned vehicle is driven by a student, the student must be at least a tenth grader and may only transport him or herself and siblings, and must provide written parental permission to do such. Transportation in a vehicle driven by a student in this manner is not considered transportation approved by the school for purposes of the liability provisions of Paragraph (3). The School Board will not be liable for any claims arising out of such transportation.

- 45 (3) Liability. When approval is granted to transport students in a privately-owned
46 vehicle, the School Board shall be liable for tort claims arising out of such
47 transportation to the extent allowed by Section 768.28, Florida Statutes, except that
48 all claims or judgments arising out of this transportation shall not exceed an amount
49 equal to \$5,000 multiplied by the rated seating capacity of the vehicle, or \$100,000,
50 whichever is greater.
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- 52 (4) Consequences for Violations. Private citizens who transport students to or from
53 school activities in a privately-owned vehicle in a manner not in compliance with this
54 regulation do so at their own risk and shall be liable for any tort claims arising out of
55 transportation of a student in this manner. Employees of the School District who
56 transport students to or from school activities in a manner not in compliance with
57 the policy do so at their own personal risk, and shall be personally liable for any tort
58 claims arising out of such provision of transportation to a student. An employee
59 acting in such a manner shall not be considered to be in the performance of their
60 duties and shall be appropriately disciplined considering all the factors of the
61 employee's actions. School administrators shall not give approval for private
62 citizens nor employees to transport student to or from school activities in a manner
63 not in compliance with this policy.
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- 65 (5) The word "students" in this regulation mean students enrolled in the District's PreK-
66 12 educational program.
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69 **STATUTORY AUTHORITY:** 1001.42, 1001.43, 1006.22, 1006.24, F.S.
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71 Adopted: 2/27/07

72 Formerly: AR-3.61