

**School District of Lee County Safe Drive Plan (Violations, Assessed Points, and Discipline)**

<u>Violations</u>	<u>Managerial Guidelines for Points</u>
While operating a SDLC vehicle, speeding 6-15 mph over speed limit	1 Day Suspension without pay and/or 3-6 points
While operating a SDLC vehicle, speeding over 15 mph of speed limit	3 Day Suspension without pay and/or 8-10 points & BDI at the driver's expense
While operating a SDLC vehicle, speeding in a school zone, more than 6 mph over the posted speed limit	3 Day Suspension without pay and/or 8-10 points & BDI at the driver's expense
2 <sup>nd</sup> offense within 12 months, speeding in a school zone	Recommendation for Termination of Employment
Failure to stop at a stop sign or voiding a Traffic Control Device	Written Reprimand (or State points if citation is issued)
Not wearing a seat belt	Written Reprimand (or State points if citation is issued)
Following too close	Written Reprimand (or State points if citation is issued)
Improper lane change	Written Reprimand (or State points if citation is issued)
Improper backing	Written Reprimand (or State points if citation is issued)
Failure to yield right of way	Written Reprimand (or State points if citation is issued)
Improper turn	Written Reprimand (or State points if citation is issued)
DUI (either drugs or alcohol)	10 points and/or Recommendation for Termination
Careless driving with or without an accident	3 Day Suspension without pay, and/or 4 points & BDI at the driver's expense
Leaving the scene of an accident where there was not an injury and property damage less than \$500	1 Day Suspension without pay and/or 6-8 points & BDI at the driver's expense
Leaving the scene of an accident where there was an injury and property damage exceeding \$500	10 points and/or Recommendation for Termination of employment
Railroad crossing violation while in a school bus	Recommendation for Termination
Knowingly operating a School District Vehicle with a suspended or revoked license	Recommendation for Termination of Employment
Reckless driving	3 Day Suspension without pay and/or 4 points & 8-hr BDI
Using a Cell Phone while operating a commercial vehicle	1 <sup>st</sup> Offense - 3 Day Suspension without pay 2 <sup>nd</sup> Offense - Suspension without pay up to Termination
Preventable accident as determined by the Accident Review Committee - ARC	2 points
Fleeing or attempting to elude a police officer	Recommendation for Termination of Employment
Passing a school bus while loading or unloading students	Recommendation for Termination of Employment
Preventable Accident with (serious) injuries	10 points, 8-hr BDI and/or Recommendation for Termination

- Discipline is required if points are not assessed. Managerial Guidelines 5.29 refers to the Safe Driver Plan for disciplinary action. Without an established disciplinary action, employees will not be held accountable unless a citation is issued.
- Discipline under the Managerial Guidelines resulting in more than two (2) Written Reprimands and/or Suspension shall disqualify an individual from earning his/her Safe Driver Award.
- The above list is not all-inclusive.
- Operators who have points assessed on their record may have one (1) point removed annually by qualifying for the Lee County Safe Driver Plan.

Actions Resulting from Assessment of Safe Driver Plan Points

1-5 points in one year	Documented warning up to and/or including written reprimand
6-9 Points within one year	Up to and/or 1 day suspension without pay and BDI at the driver's expense
Up to 10 Points within two years	Minimum 3 days suspension without pay and BDI at driver's expense
Eleven (11) or more points	Recommendation for Termination of employment

Print Full Name: \_\_\_\_\_

I hereby acknowledge receipt of a copy of the Safe Driver Plan established by the School board of Lee County in regard to accidents, driving violations, and district regulations. I have read the Safe Driver Plan, it has been explained to me, and I do understand the contents of the text of the plan.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**THE SCHOOL DISTRICT OF LEE COUNTY**  
**Lee County, Florida**  
**SAFE DRIVER PLAN**

**2018**

**INTRODUCTION:**

Statistics indicate that the School District of Lee County (SDLC) can significantly reduce the potential for accidents, traffic violations and injuries by adhering to the SAFE DRIVER PLAN. The purpose of this plan is to assure the well-being of all persons (students, employees and the general public), to preserve public and private property and to maintain the standards of safe driving. This plan is intended to prevent the hiring of unqualified applicants and prevent an individual with a poor driving record from driving a SDLC vehicle. The Safe Driver Plan provides safe driving guidance and counseling for employees in borderline situations. It is the responsibility of the Transportation Safety and Training Department to monitor and assure adherence to the provisions of this plan.

**DEFINITION:**

"School Bus Operator" shall mean any employee of the SDLC who during his/her job assignment operates a school bus for the purpose of transportation of students in a safe and cost effective manner that supports the goals of the School District of Lee County.

**EFFECTIVE DATE:**

This plan became effective October 20, 1987 and has been revised periodically. Applicants may not be eligible for employment as a SDLC School Bus Operator if:

1. Their Department of Motor Vehicles (DMV) report contains four (4) or more points for moving violations and/or convicted of two serious traffic violations within the past three years.

Example: unlawful speed (15 MPH or more over the posted speed), careless or reckless driving, fleeing or attempting to elude a police officer or other traffic offenses resulting in the death or personal injury of any person.

2. Convicted of the following offenses while operating a motor vehicle.
  - Driving under the influence of alcohol or a controlled substance
  - Leaving the scene of an accident
  - Using a motor vehicle in the commission of a felony
  - Refusing to take a blood alcohol test (Consent to alcohol testing is automatic when you drive a motor vehicle in Florida)
3. Convicted of making, selling, or distribution of drugs.
4. Conviction of a serious nature, as determined by the SDLC, that relates to the duties of the position.
5. A driving or employment history unacceptable to the SDLC Transportation Department.

**CONTINUED EMPLOYMENT:**

In addition to other employment qualifications set forth by the SDLC, continued employment within the SDLC Transportation Department is contingent upon a driving record that exemplifies careful driving habits, due regard for the safety of the general public and the property of others. Driving records of School Bus Operators and other drivers of SDLC Transportation Department vehicles shall meet criteria established by this plan and shall be reviewed as needed, to assure continuing compliance.

A driver who accrues points as a result of preventable accident(s) and/or citation(s) in a SDLC Transportation Department owned vehicle, reaches a level as outlined on PAGE 6 of this plan, may be subject to a reprimand, suspension and/or dismissal.

**Observations of traffic violations not verified by law enforcement officers will not result in points assessed under this plan.**

However, other discipline may apply. If a driver exceeds points established by safe driver plan, he or she may not be afforded the opportunity to become an attendant.

All School Bus Operators will be required to satisfactorily complete the annual pre-school Basic Driver Improvement Course, as scheduled. This course will be of no less than four (4) hours in length and presented by the Southwest Florida Safety Council.

Other drivers of SDLC Transportation Department vehicles may be required to complete this course as indicated by his/her Department Director.

#### **REPORTING RESPONSIBILITY:**

It is the responsibility of the operator of a SDLC Transportation owned vehicle to **immediately** report to the Department, via radio, any incident or accident. All accidents/incidents regardless of how minor must be detailed in a written "Post Accident Report" submitted to the Transportation Safety and Training Department within 48 hours.

Drivers of SDLC Transportation Department vehicles must report any traffic or criminal citation, expiration, suspension or revocation of his/her driver's license to the Transportation Safety and Training Department Management within 48 hours.

Drivers who fail to self-report may be subject to discipline as per the SPALC Contract Article 2 (2).

#### **CITATION(S) RECEIVED WHILE OPERATING A SDLC TRANSPORTATION VEHICLE (not related to an accident)**

1. Citations alone are not subject to the Accident Review Committee (ARC) process; however, all citations will be reviewed by the Safety & Training Department based on the severity of infraction.
2. Point(s) will be aligned in accordance with the Department of Highway Safety Motor Vehicle point system.

Failure to report within 48 hours, the above or making a false report could result in discipline or grounds for dismissal from employment with the School District of Lee County.

3. An operator must submit a copy of a court document reflecting a hearing date to the Transportation Safety and Training Department office. If no documentation of a court date is provided, the Transportation Safety and Training Department Supervisor will assign point(s) in accordance with the Safe Driver Plan point system, ninety (90) days from the date the citation was issued. Employee will be responsible to provide a copy of court disposition to Transportation Safety and Training Department.
4. SDLC Transportation Department employees will receive written notification of points assessed to their District record within ten (10) to fifteen (15) days of assessment.

#### **SAFE DRIVER AWARD PROGRAM**

1. Will be conducted in accordance with the SPALC Collective Bargaining Agreement.
2. An employee shall be eligible for a safe driving award provided that employee:
  - a. Works in a position in which one-half (1/2) the employee's work duties in a given day, is devoted to the operation of a motor vehicle.

- b. Continuously holds such position for a period of 91 days for 180-day employees and/or one-half plus one day of the fiscal year.
  - c. Has not had a preventable accident while operating a SDLC Transportation vehicle (as determined by the Accident Review Committee (ARC) or by the Director of Transportation on appeal).
  - d. Has not received a citation from a law enforcement officer for a traffic violation that resulted in an accident while driving a SDLC Transportation Department Vehicle.
5. The monetary award will be delivered to the employee no later than August 30 following the fiscal year in which the award is earned.

## **PROCEDURES FOLLOWING AN ACCIDENT:**

### **POST-ACCIDENT/CITATION PROVISIONS:**

Accident (Defined): Any accident involving a SDLC vehicle, which results in property damage and/or personal injury.

1. This report must be completed and submitted by the driver, to the Transportation Safety and Training Department within two (2) working days of the accident. The main objective of the report is to record all of the specific information related to the accident.
2. The Post Accident Report will be submitted to the Accident Review Committee (ARC) for assessment. The operator may appear to explain circumstances and/or provide written explanation or verifiable written statements from witnesses. If the operator chooses to appear before the ARC, he/she shall not be paid for that time. The operator may have a representative at the ARC meeting, in accordance with Article 4.02 (1) of the SPALC contract.
3. A citation received in conjunction with an accident that has been dismissed by the courts, shall not be included in the ARC consideration process.
4. If the ARC determines that a case is more of a disciplinary issue rather than an assessment of point's issue, the case will be turned over to the Director or Safety & Training Supervisor for consideration.
5. An operator of a SDLC Transportation Department owned vehicle involved in an accident resulting in serious injury and/or significant property damage and/or in receipt of a traffic citation and/or arrested for the same will be subject to the Safe Driving Plan and/or the SDLC disciplinary process.

### **ACCIDENT REVIEW COMMITTEE (ARC):**

1. Will review any SDLC Transportation Department owned vehicle accident involving property damage or personal injury.
2. Will determine the preventability or non-preventability of SDLC Transportation Department owned vehicle accidents and assign point(s) for preventable accident(s).
3. Will meet regularly during the school year.
4. The results of ARC meetings are confidential.
5. The goal of the ARC Committee is to make fair, unbiased and objective decisions.

**The Accident Review Committee will consist of three (3) voting members and shall serve at least one year.**

1. One (1) Transportation Safety and Training Department Supervisor or Designee (Votes only in the event of deadlock)
2. Supervisor of Garage Operations (Transportation Department) or designee
3. One ( 1 ) additional, management representative (Appointed by the Director of Transportation)
4. Driver Trainer and alternate – only one votes. (Appointed by the Director of Transportation)
5. One (1) SPALC observer - (non-voting) (Appointed by the SPALC President).

## **The ARC Process:**

1. Establish a schedule for the review of alleged accidents and/or violations.
2. Notify the employee of date and time of the review. The employee and representative may attend in accordance with the SPALC contract. Meetings can only be rescheduled one time, if an employee misses his/her scheduled meeting.
3. Assign to each case an identification number to avoid the use of names and to ensure objectivity among committee members.
4. This is the employee's opportunity to explain the accident in detail, including any reference to law enforcement citations, to the review committee, identifying the type of accident and using aids such as photographs, miniature vehicles, videos and road signs as needed.
5. If present, the driver may explain the accident details within a 3-5 minute time frame.
6. ARC members can question vehicle operator or his/her representative in accordance with the SPALC contract. The employee must inform the Transportation Safety and Training Department Supervisor of his/her desire to appear before the ARC or have a representative present, twenty-four (24) hours prior to the review meeting.
7. Members vote by secret ballot (after employee and/or representative leaves meeting) and record the determination on the case docket.
8. A report as to the determination of the ARC and submit the report to the Director of Transportation.
9. Notify employee of determination of the ARC by the Zone Director within ten (10) to fifteen (15) working days.
10. The employee may appeal the decision of ARC within five (5) working days after receipt of determination, if additional information, not previously considered by the ARC, becomes available. The appeal shall be submitted to the Assistant Director of Transportation in writing and will include any/all additional details explaining why the driver believes the determination of the ARC should be reviewed. The Assistant Director will provide a written response to the employee involved within ten (10) working days of receipt of the written appeal.

\*ARC process does not apply to non-preventable accidents.

## **Safe Driver Plan: (Solutions)**

### *Process*

- Safe driver points (Letter) must be sent via certified mail detailing point total and reason(s)
  - Letter will be sent to both the employee and SPALC
- A standard letter must be created for the initial ARC assessment of points and appeal letter
  - It must have a brief narrative with details of the infraction and the reprimand
- Transportation has to establish a meeting date to issue final points; all parties (driver, AD and Safety) must sign-off on the document

### *Final Appeal*

- Driver must submit a letter to Executive Director
- Executive Director will provide a written response with a final verdict
  - Executive director will notify the employee that his/her case was reviewed and upheld, or points were

removed

*Final Step:* Termination

- An end of employment letter will be sent via certified and regular mail

Terminations:

- Non-compliance terminations
- Will not go to the Board
- Open to rehire
  - Eligible for rehire after 5 years
  - Standard hiring practices will apply

**ACTIONS RESULTING FROM ASSESSMENT OF  
SAFE DRIVER PLAN POINTS**

<b>Points/Time</b>	<b>Penalty</b>
1-5 Points in one year	Documented warning, up to and/or including written reprimand
6-9 points within one year	Up to and/or 1-day suspension without pay and four (4) hours remedial training as determined by the Transportation Department at the driver's expense.
Up to 10 points within two years	Minimum 3 days Suspension without pay
Eleven (11) or more points	Recommendation for termination of employment

**Print Your Full Name:**

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