

## CHAPTER 8.00 - AUXILIARY SERVICES

### TRANSPORTING STUDENTS IN PRIVATE VEHICLES

8.36\*

- I. The Board will normally use school buses, as defined in Florida Statutes, for all regular transportation of students, prekindergarten through grade 12. *Regular transportation* or *regular use* means to and from school or school-related activities which are part of a scheduled series or sequence of events to the same location. Regular transportation of students in motor vehicles other than school buses may occur only under the following conditions:
  - A. When transportation is for a physically handicapped or isolated student and the Board has entered into a written agreement for the transportation of the student.
  - B. When the transportation is part of a comprehensive contract for a specialized educational program between the Board and a service provider for instruction, transportation and other services.
  - C. When the transportation is provided through a public transit system.
  - D. When transportation is for trips to and from school sites or agricultural education sites.
  - E. When transportation is for trips to and from agriculture related events or competitions.
- II. Except as provided in section I, the transportation of students in private vehicles may be authorized by the principal on a case-by-case basis only under the following conditions:
  - A. When a student is ill or injured and must be taken home or to a medical treatment facility under nonemergency circumstances and
    1. The school has been unable to contact the student's parent, as defined by Florida Statutes, or the parent, or responsible adult designated by the parent is not available to provide the transportation;
    2. Proper adult supervision of the student is available at the location to which the student is being transported;
    3. The transportation is approved by the school principal or designee; and
    4. If the school has been unable to contact the parent prior to the transportation, the school continues to attempt to contact the parent until the school is able to notify the parent of the transportation and the circumstances.
  - B. When the transportation is in connection with a school function or event in which the school has undertaken to participate and
    1. The function is a single event which is not part of a scheduled series or sequence of events to the same location, such as, but not limited to, a field trip, recreational outing, a competitive or cooperative event, or an event connected to an educational program; and

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2. Transportation is not available, as a practical matter, using a school bus or school board passenger car; and
  3. Each student's parent is notified in writing about the transportation arrangement and gives written consent before a student is transported in a private vehicle.
- C. When board employees are required to use their own vehicle to perform duties of employment, and such duties include the occasional transportation of students.
- III. A private vehicle used to transport students shall be a passenger car or multipurpose passenger vehicle or truck, as defined by federal law, designed to transport fewer than ten (10) students.
- IV. Any private vehicles used to transport students under this policy shall be currently registered in the State of Florida, be insured for personal injury protection and property damage liability in at least the minimum amounts required by law, and be in good working order. A person wishing to transport students in a private vehicle will request approval by submitting his/her driver's license, vehicle registration and insurance identification card, to the principal in a reasonable amount of time before the planned travel. The principal will examine the driver's license, vehicle registration and insurance card, and may, in his or her discretion, give approval for the transportation of students in the private vehicles as requested
- V. A driver who is transporting students under the provisions of this policy shall adhere to Florida laws and regulations related to driving including the Florida Ban on Texting While Driving Law.
- VI. Student transportation in private vehicles may only be authorized for trips within the State of Florida. When transportation is authorized in a private vehicle, students may only be transported in designated seating positions and shall be required to use the occupant crash protection system provided by the vehicle manufacturer. A student who is transported to an activity in a private vehicle approved under this policy shall return from the activity in the same vehicle, unless the student is released to his/her parent.
- VII. Employees will be covered by the Board's liability program when they are transporting students as part of their assigned or related duties. Benefits due from private vehicle insurance will be primary, except for workers' compensation, in accordance with state law.
- VIII. Notwithstanding any other provision of this policy, in an emergency situation which constitutes an imminent threat to student health or safety, school personnel may take whatever action is necessary under the circumstances to protect students.
- IX. Notwithstanding any other provision of this policy, a student's parents are responsible for the transportation of students to and from extracurricular activities, including athletic events and practices, unless the school principal and athletic director determine the school will provide transportation. Factors such as the number of students involved and the proximity of the event will be among the factors considered when making such determination. School personnel are not permitted to assist in arranging for or providing

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transportation when the school does not provide transportation and the school district has no liability when transportation is not provided by the school.

**STATUTORY AUTHORITY:** 1001.42(10), 1001.43(9), F.S.

**LAW(S) IMPLEMENTED:** 316.305, 1006.21, 1006.22, 1006.24, F.S.

**STATE BOARD OF EDUCATION RULE(S):** 6A-3.0171

**HISTORY:** ADOPTED: 08/21/01  
REVISION DATE(S): 07/21/09, 04/15/14  
11/06/18  
FORMERLY: 6.303

**NOTES:**