

Regulation 5030-R Community Use of Facilities

The following procedures are hereby established for reserving school facilities:

EDUCATIONAL FACILITIES:

Subject to the provisions of Policy 5030 and the annexed fee schedule, school facilities may be rented upon the written approval of the assistant superintendent of auxiliary services.

The requesting party must complete and deliver the Facility Use Application to the principal at least thirty (30) days in advance of the desired date of use. The principal will promptly forward the application to the assistant superintendent of auxiliary services, or his designee, who will within a reasonable time, approve or deny the application and shall notify the requesting party in writing of the approval or denial. Upon approval, the requesting party must pay all rental fees and charges in advance at least seven (7) days prior to the scheduled event. Otherwise, the Board of Education reserves the right to cancel the use of its facility.

All personnel hired to work as part of the Facility Use Application shall be paid their hourly salary, plus overtime and benefits. Events that take place during regular hours of employment for school personnel shall not be charged for personnel services.

RECREATIONAL FACILITIES:

Gymnasiums, practice fields, and playing fields are considered recreational facilities. All recreational facilities at Lee County High School and Southern Lee High School shall be scheduled by LCHS and SLHS personnel only due to the high demand of the facilities by school-sponsored groups. The County may use without charge and public may rent recreational facilities at all other Lee County Schools by approval of the Lee County Parks and Recreation Director.

The Lee County Parks and Recreation Director shall complete all necessary paperwork and charge all applicable fees in accordance with Board Policy 5030, Administrative Regulation 5030-R and County of Lee policies.

SCHEDULE OF ACTIVITIES:

Lee County Schools will have priority scheduling of all recreational facilities during the scholastic sports season. Lee County Schools will provide a game and practice schedule to Lee County Parks & Recreation as soon as available prior to the sports season. In the event of any

Schedule(s) changes, Lee County Schools will notify Lee County Parks & Recreation as soon as possible.

Fee Structure for Board of Education Facilities

THREE HOUR MINIMUM ON ALL HOURLY RATES

FACILITIES	NON PROFIT RATES	FOR PROFIT RATES
Auditorium	\$40/hour plus personnel salary	\$70/hour plus personnel salary
Cafeteria	\$30/hour plus personnel salary	\$50/hour plus personnel salary
Multipurpose Room	\$30/hour	\$50/hour
Kitchen	\$30/hour plus personnel salary	\$50/hour plus personnel salary
Classroom	\$20/hour	\$30/hour
Stadium	\$ 60/hour	\$110/hour
Gymnasium	\$30/hour - community group	\$50/hour - local group

Old gym - LCHS	\$30/hour - individual	\$50/hour - out of county
Auxiliary gym - SLHS	\$30/hour - out of county Additional \$10 per team for tournaments	Additional \$10 per team for tournaments
Gymnasium (high school)	\$60/hour Additional \$10 per team for tournaments	\$120/hour Additional \$10 per team for tournaments
Practice Fields	No charge	\$30/hour
Playing Fields	No charge	\$30/hour
Swimming Pool - FLK (therapeutic use only)	\$40/hour	\$60/hour
EQUIPMENT		
New grand piano	\$200 flat fee	\$200 flat fee
Old grand piano	\$85 flat fee	\$85 flat fee
Classroom piano	No charge	No charge
Spotlights (auditorium)	\$70 flat fee	\$70 flat fee
Screen	No charge	No charge
Sound System (auditorium) upon specific approval from the principal	\$200 flat fee	\$200 flat fee
Field lights	\$20/hour	\$30/hour
Field Preparation	\$40 flat fee \$28 community group fee	\$80 flat fee
Concessions	\$35 flat fee	\$110 flat fee

Personnel fees:

Personnel fees shall be paid based on actual salary of employee rendering services as charged through the Lee County Board of Education payroll office to include hourly rate, overtime pay and benefit costs.

Equipment:

Availability of equipment is subject to school site approval and policies.

The Superintendent has the discretion to adjust fees according to the event.

Effective: November 5, 2001

Revised: February 2, 2004; October 3, 2005; October 9, 2007; June 16, 2008; June 30, 2010

Lee County Schools

The use of school facilities by community groups should be consistent with the educational program and the goals and objectives of the board and school system. Use of school facilities by community groups will be in accordance with policy 5030, Community Use of Facilities, and Sections I through III of this regulation.

I. GENERAL RULES AND REQUIREMENTS FOR USE – ALL FACILITIES**A. General Requirements****1. Application and Proof of Insurance**

All individuals or groups who want to use school system facilities for a meeting or other event must complete a facilities use application and, if required, furnish a satisfactory certificate of insurance.

2. Approval

All requests for use of school facilities are subject to the eligibility requirements established in policy 5030 and approval by the principal or designee and Assistant Superintendent of Operations as described in Section III.

3. Authorized Use

The use of school facilities will be restricted to the space and the purpose designated in the approved facilities use agreement. The school system assumes no responsibility and shall incur no liability for unauthorized use.

4. Use of Equipment and Technology

- a. Unless otherwise specified in the facility use agreement, the following equipment may be used if located in the space identified in the facility use agreement:

- tables
- chairs
- desks
- standard lighting

- b. The use of kitchen facilities is strictly prohibited except as provided in section II.D., below.

- c. Use of any other school system equipment requires a signed loan

agreement as required by policy 6522, Use of Equipment, Materials, and Supplies by Non-School Groups.

5. Cancellation or Modification of Approved Use

The school system reserves the right to cancel facility use requests/agreements upon 24 hours' notice or to reassign a user to a different room or site. The use of athletic fields may be restricted during wet or inclement weather, as provided in subsection II.A.1.

6. Compliance with Laws, Policies, and Rules

Users of school facilities must comply with policy 5030, Community Use of Facilities, and the applicable provisions of the Americans with Disabilities Act (ADA). Users shall also comply with all applicable federal, state, and local laws, other board policies, any rules established by the site administrator, and the restrictions and conditions established in this regulation.

7. Care of Facilities and Responsibility for Damages

Users of school facilities must exercise the utmost care in the use of the facilities and leave the facilities in at least the same condition of cleanliness as they were found. Users are responsible for any required clean-up costs and/or damages beyond normal wear and may be charged an additional fee, beyond the fees that would be applicable otherwise, to cover such costs.

8. Supervision

Users of school facilities are responsible for supervising the people present at their activities to ensure compliance with all requirements established in this regulation.

9. Designation of On-Site Representative

Each user group must designate an on-site representative who must be present when the facility is opened and must remain on-site at all times during the activity.

10. Risk of Use

Use of school system facilities is at the USER'S OWN RISK and the user assumes full responsibility for personal loss or bodily harm from use of the facility. Neither the school system nor the board of education shall be liable for any loss, damage, or expense that may arise during, or that is a result of, the group's use of the facility.

11. Schedule of Activities

Lee County Schools will have priority scheduling of all recreational facilities during the scholastic sports season. Lee County Schools will provide a game and practice schedule to Lee County Parks & Recreation as soon as available prior to the sports season. In the event of any schedule(s) changes, Lee County Schools will notify Lee County Parks & Recreation as soon as possible.

B. Rules for Facilities Use

1. The possession or use of tobacco products (including electronic cigarettes), alcohol, and illegal drugs on school grounds is prohibited. (See policies 5026/7250, Smoking and Tobacco Products, and 5025, Prohibition of Alcoholic Beverages, for more information.)
2. The possession or use of weapons or explosives carried openly or concealed is prohibited unless specifically permitted by law and board policy. (See policy 5027/7275, Weapons and Explosives Prohibited, for more information.)
3. Games of chance and other forms of gambling are not permitted on school grounds.
4. The use of special effects involving fire or smoke, highly combustible materials, spark-producing objects, or any other open flames, including candles, is prohibited on school grounds.
5. No entrances, exits, corridors, or other means of egress will be blocked or restricted in any fashion as this will endanger those present in the facility in the event of an emergency.
6. Users of school facilities must provide adequate supervision to assure that automobiles are not parked on grass, play areas, or in restricted or other areas where they could damage school property or constitute a hazard in the event of an emergency.
7. Trash and recycling must be deposited in the proper receptacles.
8. No decorations or other materials may be applied to walls, ceilings, or floors of school buildings if the materials will mark, deface, or injure these surfaces. Taping to any painted surface or floor surface is prohibited. Thrown glitter, confetti, and similar products are prohibited in school buildings and on school grounds.
9. Nothing may be used which defaces the school facility fixtures, walls, or

floors (no holes cut, no nails or screws used, etc.). Cleats, steel clips, or other metal attachments may not be worn on shoes in school buildings.

10. Furniture and equipment may not be moved from one room or area to another unless specifically permitted by the principal. Any furniture or equipment that the user is authorized to move must be returned to its original location. The user must leave everything in the same condition in which it was received.
11. Any items the user leaves behind may be removed or discarded at the user's expense.
12. The number of occupants of any school facility may at no time exceed the posted maximum occupancy in accordance with fire code.
13. If minors will be involved in the use of a facility, there must be an appropriate level of supervision.
14. Use of the school facilities must end by the agreed upon time. If the facilities are not vacated by the agreed upon time, users may be subject to additional charges.
15. Users may not rent, sublet, transfer, assign their interests in school facilities, or umbrella their use (i.e., act as an intermediary for other groups to use school facilities).
16. A school system employee (either a janitor or other designated building staff member) must be present to render services necessary in the operation of lights, heat, ventilation, and unlocking and locking of the rooms and building while facilities are in use. This person will not supervise groups or activities. Users are responsible for the supervision of their own activities and participants anywhere on school property.
17. If the presence of uniformed fire and/or medical service personnel is necessary for an event, the user is responsible for making the arrangements and paying for the services.

II. RULES SPECIFIC TO CERTAIN TYPES OF FACILITIES

A. Outdoor Athletic Fields

1. Play on fields is prohibited due to the following conditions:
 - One half inch or more of rain has fallen within the previous 24 hours;
 - Water is standing on the fields;
 - Soil is frozen;
 - Turf and mud can be displaced or dislodged from the ground;

- Steady rain is falling; or
 - Bare areas are muddy
2. Golfing or the use of motorized vehicles is not permitted on fields.
 3. Hitting, throwing, or kicking balls into fences is not allowed.
 4. Climbing on the fences, backstops, or goals is not allowed.
 5. The use of portable goals (soccer, field hockey, or lacrosse) on athletic fields must be approved in advance by the principal. After athletic play, such goals must either be properly stored off the athletic field using chains to prevent any risk of overturning or be physically removed from the site.

B. Gymnasiums

1. Climbing on stacked bleachers or sporting equipment or apparatus not designed for that purpose (e.g., basketball goals, volleyball uprights and netting, etc.) is not allowed.
2. No street shoes are allowed on the playing area of the gymnasium floor.
3. Users must dust mop the floor before and after use. The dust and dirt must be swept into a dustpan and deposited in the garbage.
4. Use of school system physical education and athletic equipment, supplies, and apparatus is permitted only with the specific approval of the principal and only in the presence of a leader competent to instruct in its use. Specific permission is required.
5. Bouncing or throwing balls in the hallways is prohibited.

C. Auditoriums

1. No food, drink, or gum is permitted in the auditorium.
2. No glass containers are permitted in the auditorium.
3. Individuals sitting in the audience should not put their feet on the back of the seats in front of them.
4. Only authorized pre- approved personnel are permitted to work with the sound and lighting systems.
5. The principal or designee must inspect and approve any outside electrical equipment prior to use.

6. The use of any equipment which may damage the floor or other parts of the auditorium is prohibited. The principal must approve any outside equipment prior to its use in the auditorium.
7. Stage supplies, such as props and backdrops, may be hung only in a safe manner according to the intended use of stage rigging and sets. Gluing or fastening objects to the floor or walls is prohibited. No objects may be fastened to the curtains or hung from the sprinkler pipes.
8. Pins, nails, or similar objects that create holes in the fabric may not be used to secure theatrical draperies.
9. Liquids may not be spilled or poured on the stage floor or surrounding areas. Wax or special floor dressings are prohibited.

D. Kitchens

1. Kitchen facilities may be used only with the specific permission of the principal or designee and the director of child nutrition.
2. A regular employee of the school cafeteria, who is familiar with its equipment, must be on duty while the kitchen is being used. This employee shall supervise the use of kitchen equipment to see that it is properly used, cleaned, and stored and to see that all electrical appliances, ranges, gas ovens, and other similar equipment are properly turned off, disconnected, or otherwise made safe for storage after use.

E. Technology Facilities

Use of the school system's technology, including audio/visual equipment, is not permitted by user groups unless otherwise specified in the facility use agreement or the user has a signed equipment loan agreement covering use of the technology, as required by policy 6522, Use of Equipment, Materials, and Supplies by Non-School Groups.

III. APPLICATION PROCESS

The process for submitting a Facility Use Request is as follows:

- Facility Use Request Form is attached as an appendix to this regulation
- The request should first be presented to the principal of the requested facility to determine available
- The application should be submitted no later than 30 days prior to the event
- The principal of the requested facility will review and determine the appropriateness of the request.

- The principal will then forward the request to the Assistant Superintendent of Operations
- If the application is incomplete the applicant will be notified
- Once all required information is received the Assistant Superintendent of Operations will review the request, determine the cost of the facility use based upon the included fee schedule approved by the Lee County Board of Education.
- The Assistant Superintendent of Operations will notify the applicant, the school principal, and the Director of Maintenance of the decision and the cost of the request via email.

IV. FEE STRUCTURE FOR BOARD OF EDUCATION FACILITIES:**THREE HOUR MINIMUM ON ALL HOURLY RATES**

FACILITIES	NON-PROFIT RATES	FOR PROFIT RATES
Auditorium	\$75/hour plus personnel salary	\$100/hour plus personnel salary
Cafeteria	\$50/hour plus personnel salary	\$75/hour plus personnel salary
Multipurpose Room	\$50/hour plus personnel salary	\$75/hour plus personnel salary
Kitchen	\$50/hour plus personnel salary	\$75/hour plus personnel salary
Classroom	\$30/hour plus personnel salary	\$50/hour plus personnel salary
Stadium	\$80/hour plus personnel salary	\$150/hour plus personnel salary
Gymnasium	\$50/hour - community group	\$75/hour - local group
Old gym - LCHS	\$50/hour - individual	\$75/hour - out of county
Auxiliary gym - SLHS	\$50/hour - out of county	
	Additional \$10 per team for tournaments	Additional \$10 per team for tournaments
	Plus personnel salary	Plus personnel salary
Gymnasium (high school)	\$80/hour	\$120/hour
	Additional \$10 per team for tournaments	Additional \$10 per team for tournaments
	Plus personnel salary	Plus personnel salary
Practice Fields	\$20/hour	\$40/hour
Playing Fields	\$50/hour plus personnel salary	\$100/hour plus personnel salary
Swimming Pool - FLK (therapeutic use only)	\$40/hour	\$60/hour
EQUIPMENT		
New grand piano	\$200 flat fee	\$200 flat fee
Old grand piano	\$85 flat fee	\$85 flat fee
Classroom piano	No charge	No charge
Spotlights (auditorium)	\$70 flat fee	\$70 flat fee
Screen	No charge	No charge
Sound System (auditorium) upon specific approval from the principal	\$200 flat fee	\$200 flat fee
Field Lights	\$30/hour	\$50/hour
Field Preparation	\$40 flat fee	\$80 flat fee
	\$28 - community group fee	
Concessions	\$35 flat fee	\$110 flat fee

Approved by Board of Education September 2023

FACILITY USE APPLICATION

LEECOUNTY SCHOOLS

All Facility Requests must be submitted to the Assistant Superintendent of Operations 30 days prior to the event. No advertising until the contract is finalized.

Request Submitted by _____
 Address _____
 School Requested _____ Organization _____
 Daytime Phone Number _____ Email: _____
 User: LCS For Profit For Youth Profit Organization Non-Profit Non-Profit Tax ID # _____

Rental Fees: A \$25.00 non-refundable security deposit must be submitted with the application. See Fee Schedule for facility fees. There is a 3 hour minimum for each facility. Classroom space that is occupied by students during the last period of the day will not be available for use until 30 minutes after the school day ends. Rental fees do not include fees for staff. **These staff fees are \$30.00 per hour.** Payment is required before use of facility. Make checks payable to Lee County Schools. A criminal background check is required if facility requested prior to 6:00 pm on a school day. Organization is responsible for the fee. Organization will be billed for any extra staff fees above amount requested below and any damages to facilities and/or equipment.

Facility Requested:

Auditorium ☐ Auxiliary Gym
 Multipurpose Room ☐ Gym
 Cafeteria: ☐ Kitchen
☐ Dining Room
☐ Classroom

Equipment Required:

☐ Tables/Chairs
☐ Public Address
☐ Screen
☐ Other (Specify) _____
 Availability of equipment subject to site

approval. School pianos, spotlights, etc. carry an additional charge.

☐ Athletic Field (practice field only)
☐ Other (Specify) _____

Exact Dates Requested: _____
 Month Day or Days Year

Hours: _____ to _____ (each day)

Purpose of Use: _____

User groups shall not prohibit attendance at any event, meeting or other function held in public school buildings or facilities or on public school grounds based upon race, religion, color national origin, handicapping condition, pregnancy or marital status. I agree to abide by the Lee County Board of Education regulations and guidelines governing use of school facilities (Appendix B). I also agree to hold the Board of Education harmless for any and all claims for damages, personal or otherwise, that may occur during this organization's use of school facilities. I also understand and agree that failure to pay for facility use within 10 days of the date billed constitutes cancellation of the reservation. By signing below, I certify that I am authorized to enter into this agreement with Lee County Schools, on behalf of the above noted organization. Lee County Schools reserves the right to charge for cleaning if trash is left or the facility is not clean. Attendees will not exceed the capacity as established by local fire codes.

Print Name _____ Signature _____ Date _____

For Office Use Only:

Custodian Hours: _____ CN/CTE/LCS Hours: _____ Facility Fee Waived: _____

Custodian Fee: _____ CN/CTE/LCS Fee: _____ Facility Fee: _____
 Total Due: _____

Principal: _____ Date: _____

Superintendent's Designee: _____ Date: _____

Health Department Permits Required: Yes No Copy to Maintenance: _____

Revised: 08/2023

AR Code: 5030-R

Issued by NCSBA: June 30, 2015

Issued by the Superintendent:

Reviewed:

Revised:

Regulation 3320-R School Trips

APPROVED CHARTER BUS COMPANIES

Anyone wishing to use a charter bus to transport children for Lee County Schools must use a company approved by the Lee County Board of Education. The companies listed in Appendix A have all been approved. Anyone wishing to have another company approved should contact the transportation department. All charter buses must have a pre-trip inspection by the transportation department before the trip is taken. *The Transportation Department must be notified at least one week prior to the field trip to ensure proper pre-trip inspection of all approved charter buses.*

Lee County Schools

Safety Standards For

Contracted Charter Transportation

Contracted Transportation Procedures

INTRODUCTION

BACKGROUND

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- 1.) Potential Company Qualification Process
- 2.) Renewal Process
- 3.) Pre-Qualification
 - a. Background checks
 - b. Site Visit
 - i. Required documents
 - ii. Examination of required maintenance and inspection records
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 - vi. Drug and Alcohol Testing System
 - vii. Driver's Hours of Service
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 - c. External Checks
 - i. References
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 - i. List of all Drivers
 1. Medical Certification
 2. CDL Expiration Date
 3. Drivers License records check
 4. Drug and Alcohol Policy
 - e. Vehicles
 - i. List of Vehicles
 1. Description of Vehicle
 2. Vehicle Unit Number
 3. Vehicle Identification Number
 4. License Tag Number
 5. Date of Most Recent DOT Annual Inspection

- 4.) Approved List of Charter Bus Companies
- 5.) Contract for a Specific Trip
 - a. Use of Companies on Approved List Only
 - b. Operational
 - c. Drivers
 - d. Vehicles
- 6.) Departure Checklist (To be completed by Transportation Department immediately before trip begins)
 - a. Operational
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 - c. Vehicle
 - d. Safety and Evacuation Training

APPENDICES

Appendix A - Approved List of Charter Bus Companies

Appendix B - Departure Checklist

INTRODUCTION

The motorcoach industry has a commendable safety record supported by historical data. These procedures were created to give guidance for pre-qualifying potential charter motorcoach companies and procedures to contract with approved companies to be used by Lee County Schools for transportation to school related events and activities.

On April 1, 2010 the North Carolina State Board of Education passed a new policy titled "Policies governing LEA rules and regulations related to charter transportation for school related events and activities.", Policy ID Number: TCS-H-009. This policy is attached as Appendix A-1. The effective date of Policy TCS-H-009 is September 1, 2010.

This Lee County Schools Safety Standards for Contracted Charter Transportation was created to meet State Board Policy and also create a program of contracting for motorcoach services that will help to ensure safe transportation for school children, staff and chaperones.

In development of this safety standard, guidance was taken from The School Charter Transportation Safety Committee - an interagency task force with representation from the following organizations: North Carolina State Highway Patrol, Public Schools of North Carolina, Federal Motor Carrier Safety Administration and North Carolina Motorcoach Association. This task force developed a set of recommendations "School Charter Transportation Recommended Guidelines and Procedures", Version 2.0/December 2004. These recommendations along with North Carolina State Board of Education Policy TCS-H-009 and checklists Lee County Schools Transportation created were utilized in creating the set of safety standards to meet all requirements.

BACKGROUND

In contracting with a company for charter motorcoach services, it is important to understand some basics of the industry of which this company is a member. For instance, what has to happen for a charter bus company to go into business and what federal or state licensing, inspection, and insurance requirements apply?

FMCSRs

- If a vehicle is designed or used to transport more than 8 passengers (including the driver) for compensation or is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation, the motor carrier (that is, the charter motorcoach company), the driver, the vehicle and the motor carrier's agents are subject to the Federal Motor Carrier Safety Regulations (FMCSRs). Within these regulations are requirements for Controlled Substance and Alcohol Testing, Financial Responsibility (minimum levels of insurance), Driver Qualifications,

Driving Rules, Standards for Parts and Accessories of Equipment, Hours of Service Limitations for Drivers, Requirements for the Maintenance of the Equipment and Hazardous Material Rules.

DRUG AND ALCOHOL TESTING

- The driver of a bus designed to transport more than 15 passengers including the driver is subject to Pre-Employment Controlled Substance Testing, Random Controlled Substance/Alcohol Testing, Post-accident Testing, Reasonable Suspicion Testing, Return to Duty Testing, and Follow-up Testing. All records are required to be kept by the carrier. Individual test records are confidential and cannot be released.

INSURANCE

- This same type of vehicle is required to have \$5,000,000 dollars of insurance as evidenced by a form MCS-90B/MCS-82B. These forms are not standardized, however, the form must contain specific information. This is considered public information and should be produced for review upon reasonable request by a member of the public.

US DOT#

- A carrier engaged in interstate commerce (that is, allowed to cross state lines) is required to be marked with the legal name or trade name of the carrier and the USDOT number on both sides of the vehicle.

DRIVER QUALIFICATIONS

- A carrier must assure that before he puts a driver on the road driving, the driver is qualified as evidenced by a complete driver qualification file, which must contain all required documents, such as the medical certification form. These records are confidential and cannot be disclosed. A carrier must assure that its drivers do not violate the hours of service limitations. The carrier must maintain time records and 6 months of time records must always be on file.

Example: A driver can't drive more than 10 hours without taking an 8 consecutive hour break. A driver can't drive after having been on duty 15 hours (part driving time, part non-driving time) without taking a 8 consecutive hour break. A driver can't drive after having been on duty 60 hours in a 7 day period, or 70 hours in an 8 day period if operating vehicles every day of the week.

NORTH CAROLINA REQUIREMENTS

- A bus company must adhere to North Carolina Motor Vehicle laws in addition to the Federal Motor Carrier Safety Regulations. North Carolina Law requires that a driver of a bus designed to transport more than 15 passengers including the driver have a valid Commercial Driver's License (CDL) with a passenger (P) endorsement. North Carolina requires that buses be registered properly and that a carrier transporting passengers for hire must have a for-hire or apportioned license plate.

NON-PROFIT AGENCIES

- Non-Profit Agencies - Non-profit organizations (e.g. churches) are not required to meet all federal safety compliance standard if they carry only organization members or if passengers do not pay to ride. If a non-profit organization charges for the use of its motorcoach or requests a donation, it must meet the federal qualifications applicable to a commercial motorcoach company and be registered accordingly.

RECOMMENDATION PROCEDURE

1.) Potential Company Qualification Process

Companies interested in being included on Lee County Schools Approved List of Charter Bus Companies shall request in writing to be considered. These potential companies shall be required to complete all sections listed under **3.) Pre-Qualification** including the site visit. After reviewing all information Lee County Schools will either recommend or deny recommendation to the Lee County Board of Education for inclusion on the Approved List of Charter Bus Companies. Part or all of the pre-qualification process may be reviewed at any time. Potential companies will have 30 days to return requested information and a site visit set up within 30 days.

2.) Renewal Process

Companies listed on Lee County Schools Approved List of Charter Companies may be required to complete part or all of the pre-qualification process, **3.) Pre-Qualification**, at least annually and at any time deemed necessary by the school system. When a letter is sent requesting information the company will have 30 days to return the requested updated information. Should a company not respond within the 30 day timeframe, they will be notified that the company then will have a 30 day grace period to respond or that company will be removed from Lee County Schools Approved List of Charter Bus Companies. Once a company has been removed that company will have to wait 1 year before reapplying for consideration and will have to complete all requirements listed in the Potential Company Qualification Process.

3.) Pre-Qualification

This section deals with the details of selecting potential charter bus companies for use as a transportation provider for school event and activity trips.

a. Background Checks

A letter shall be sent to potential carriers informing the company of Lee County Schools policy on new companies or renewal process and timetable for requesting certain documents be sent to Lee County Schools. This letter shall also request the following documents:

SUBMIT A Certificate of Insurance in the amount of \$5 million on which the school system (attn: superintendent or designee) is named as an additional insured. The additional insured will be notified 30 days in advance if the company drops any coverage. Documentation of all insurance information should be submitted, including the policy number, the amount of coverage for each vehicle, effective policy dates, insurance carrier, insurance agent/agency and appropriate telephone numbers.

Note: any vehicle designed to transport more than 15 passengers including the driver must have a MCS-90 B form on file showing \$5,000,000 public liability coverage per incident. The proof may be evidenced by more than one MCS-90B endorsement as long as the total coverage meets the \$5 million limit. The \$5 million public liability requirement is consistent with both FMCSA regulations and North Carolina state law.

- * SUBMIT Motor Carrier Policies of Insurance for Public Liability (MCS-90B). This is a document required by the FMCSA to show proof of insurance. The school system can call the telephone number listed on the MCS-90B at any time to verify that insurance is in force, as this is public information.
- * SUBMIT Evidence of a USDOT #, which uniquely identifies the company. This number can be used in the web sites described above to identify the company.
- * SUBMIT Policy or statement on overbooking and subcontracting, including the list of companies that are used as subcontractors. **NOTE:** Any company that is used as a subcontractor **MUST** also be on the approved list.
- * SUBMIT Date of last compliance review and copy of the review, if available.
- * SUBMIT Checklist that indicates compliance with the FMCSRs as outlined in Parts:

- 382 (controlled substance and alcohol testing)
- 387 (financial responsibility)
- 390 (general applicability and definitions)
- 391 (driver qualifications)
- 392 (driving rules)
- 393 (parts and accessories)
- 395 (hours of service)
- 396 (inspection, repair and maintenance)
- 397 (general hazardous materials rules)

* SUBMIT Information for Drug and Alcohol Policy -

- How many driving positions do you have as per Part 382?
- How many drug tests were administered during last calendar year?
- How many alcohol tests were administered during last calendar year?
- Are you a member of a drug and alcohol-testing consortium?
- List company: _____

Phone: _____

Note: Each year, FMCSR, Part 382, requires that drug tests be performed on at least 50% of the average number of driving positions and alcohol tests be performed on at least 10% of the average number of driving positions. The ability of a carrier to respond appropriately to these questions is a good indication that related regulations are being followed.

* SUBMIT Statement on how often and on what schedule drivers license or motor vehicle records (MVR) checks are performed on all drivers. **Note:** FMCSR Part 391 requires that MVR checks are performed annually.

b. Site Visit

Lee County Schools will conduct a site visit of potential charter bus companies. During a renewal process a site visit may be performed. Periodic site visits may be arranged at any time during the year. Site visits consist of several areas that may be asked of carriers and actual visual checks of records and maintenance facilities. This allows time for any questions to be answered and gives an indication of the company's operation and its staff's ability to safely transport the schools students. Photographs of the facility may be taken to be kept in the school system's file of each company. Site visits occur after all required documents are received and reviewed by the school system.

i. Required Documents

These documents consist of those listed in; 3.) **Pre-Qualification**, and must be received by Lee County Schools before the site visit.

ii. Examination of required maintenance and inspection records

The site visit should include an examination of required maintenance and inspection records (either on-site or at a remote maintenance facility). Similarly, the qualifications of maintenance personnel should be examined. For instance, maintenance personnel must have documentation that they are certified to perform annual inspections and brake maintenance. If such documentation does not exist, additional advice from external experts may be needed.

iii. Criteria of annual vehicle inspections

The mechanic should be asked the criteria that are used for annual inspections and he should be able to explain the process and show the form that is used.

iv. Inquiry of professional association membership

Inquire about state or national professional associations or emergency aid organizations of which the company is a member. Such groups might be expected to assist in case of a breakdown or other complications.

v. Policy on emergencies and breakdowns

Discuss the policy on emergencies and breakdowns. Discuss recent breakdowns and how the company handled these specific situations.

vi. Drug and Alcohol Testing System

Review the company's drug and alcohol testing system. The company should be able to produce quarterly and annual summaries of the previous calendar year's tests.

vii. Driver's Hours of Service

Discuss policies on drivers' hours of service. How does the company ensure that a driver departing on a long trip has not already been working at another job prior to the trip? How does the company make sure that the driver is complying with all FMCSRs dealing with the time worked versus scheduled breaks?

viii. Driver's Qualification Files

Review the company's driver qualification files. Note that this may contain confidential information. However, the carrier should be able to show certain non-confidential information such as the

commercial driver's license, medical certificate, etc.

ix. Accident Register

Review the company's accident register as required by the FMCSA.

If the accidents in the register are not corroborated by your online review (see web sites below) then additional questions should be asked. Note that accidents on the web sites are listed regardless of fault.

If information or documentation is needed contact:

FMCSA Division Office

Tel (919) 856-4378

Fax (919) 856-4369

310 New Bern Avenue, Rm 468

Raleigh, NC 27601

Or

NCSHP Troop Offices

Troop A (252) 758-5300 Greenville

Troop B (910) 486-1058 Fayetteville

Troop C (919) 733-3911 Raleigh

Troop D (336) 334-5621 Greensboro

Troop E (704) 639-7595 Salisbury

Troop F (828) 466-5504 Newton

Troop G (828) 298-4253 Asheville

Troop H (704) 283-8559 Monroe

c. External Checks

Checking external resources allows the school system to check references and safety ratings for potential and current charter companies.

i. References

Check references provided by the company. Ask for a list of at least 10 groups that have used the company for charter transportation within the past year and contact at least three of them to ensure that there were no major problems with the service provided. If such problems are documented, the school system should make sure that a plan is in place to rectify the situation before placing the company on the approved list.

ii. Safety Ratings

Check Safety Ratings. If the Federal Motor Carrier Safety Administration (FMCSA) has reviewed a company, their safety rating can be found on the Internet at www.saferysys.org.

- www.fmcsa.dot.gov - Contains rules and regulations, general information and links to carrier information and trade associations.
- www.saferysys.org - Contains information about interstate registered carriers (authorized to operate in multiple states) and includes the USDOT Safety Rating. Carrier ratings can be accessed by company name, US DOT# or MC #.
- ai.volpe.dot.gov - Contains information about moving violations and SafeStat score. The SafeStat score is a snapshot of the carrier's safety status.

Safety Ratings

Companies on the school system's list that operate in interstate commerce should have an acceptable USDOT safety rating. The safety rating is issued following a compliance review conducted by FMCSA or NCSHP. **Note:** Carriers are notified of their official safety rating by FMCSA. You may request a copy of that document.

Satisfactory Safety Rating - Desired rating

Conditional Safety Rating - Lacks some safety management controls. Some inquiries should be done before accepting a company with a conditional rating.

Unsatisfactory - A motor carrier operating a vehicle designed to transport 15 or more passengers that has been issued an unsatisfactory rating has 45 calendar days to improve its rating before the carrier is prohibited from operating such vehicle.

No Rating - This is not necessarily bad, but the company hasn't been evaluated. In order to receive a rating, the company must request a compliance review from the FMCSA. If the carrier has no safety rating, the company can be added to the approved list for a conditional period of one year, with the understanding that a safety rating will be obtained prior to the renewal. This should only be done if the company meets all other criteria for pre-qualification.

New Entrant Safety Audit - As of January 2003 each New Motor Carrier entity will be subject to a "New Entrant Audit" within the first 18 months of operation. A motor carrier that passes this audit is considered to be in good standing.

Department of Defense Inspection

Note that an acceptable review is conducted in a Department of Defense (DOD) audit, rated on a scale of 1 to 5; with 1-3 being acceptable, 4 conditional and 5 unacceptable. The DOD performs periodic inspections of companies that provide motorcoach transportation for U.S. military personnel.

d. Drivers

i. List of all Drivers

* SUBMIT A list of all drivers at the time that documentation has been requested. Also include the following information:

1. Medical Certification
2. CDL Expiration Date
3. Drivers License Records Check

* SUBMIT Statement on how often and on what schedule drivers license or motor vehicle records (MVR) checks are performed on all drivers. Note: FMCSR Part 391 requires that MVR checks be performed annually.

4. Drug and Alcohol Policy

* SUBMIT Information for Drug and Alcohol Policy -

- How many driving positions do you have as per Part 382?
- How many drug tests were administered during last calendar year?
- How many alcohol tests were administered during last calendar year?
- Are you a member of a drug and alcohol-testing consortium?
- List company: _____

Phone: _____

Note: Each year, FMCSR, Part 382, requires that drug tests be performed on at least 50% of the average number of driving positions and alcohol tests be performed on at least 10% of the average number of driving positions. The ability of a carrier to respond appropriately to these questions is a good indication that related regulations are being followed.

e. Vehicles

i. List of Vehicles

* SUBMIT A list of vehicles that includes the following information:

1. Description of Vehicle
2. Vehicle Unit Number
3. Vehicle Identification Number - VIN
4. License Tag Number
5. Date of Most Recent DOT Annual Inspection

4.) Approved List of Charter Bus Companies

- See APPENDIX A

5.) Contract for a Specific Trip

Once a school has decided to contract with a particular company from the approved list, what needs to be included in the contract? At some designated time, typically 7-10 days before the trip, make sure that neither the contract nor the itinerary has changed. Any changes should be documented.

a. Use of Companies on Approved List

Schools must use companies on approved list only to be consistent with Lee County Board of Education (policy 3320) School Trips and (policy 6340) Transportation Service/Vehicle Contracts. Transportation Department can assist with a current list.

b. Operational

The contract for a specific trip must contain certain critical pieces of operational information. The school must be sure that the following items are addressed in the contract.

- Date of trip, number of passengers, itinerary, total charge for trip. Be sure to include the mileage. Any trip more than 550 miles should take more than 10 hours and, therefore, will require more than one driver. However, some trips less than 550 miles - e.g. in rural or mountainous areas - may require 10 hours or more. The "ten hour rule" begins for the driver when he begins driving the bus for this trip (i.e. leaving the bus terminal). Be sure that the contract includes the cost of an extra driver if the length of the trip requires an additional driver or includes the cost of providing an appropriate location for the driver to rest.
- Name of motor carrier and name of your group
- How is the cost of the trip determined? Stipulate whether the charges are hourly, mileage-based, fixed or other. Be sure to understand any special driver accommodations, gratuity, or other costs. For trips booked through travel agents or tour companies, an additional cost may be incurred.
- Deposit and refund/cancellation policy; how much at the time of the reservation? When is final payment due?
- Any other costs - taxes, permits, fees
- Understand any miscellaneous policies that might affect the group (e.g. carry-on food/beverage)
- In case of emergency who should be contacted? (e.g. if the bus driver or vehicle is not acceptable, broken down, etc.)

c. Drivers

The contract for a specific trip must contain certain critical pieces of information regarding the driver or drivers. The school must be sure that the following items are addressed in the contract.

- How many drivers are required? How/when will they be rotated? What are the costs associated with this?
- Length of Trip. Will additional drivers be required to comply with federal hours-of service regulations? Contract should specify the number of drivers as well as the number of vehicles.

d. Vehicles

The contract for a specific trip must contain certain critical pieces of information regarding the vehicle or vehicles. The school must be sure that the following items are addressed in the contract.

- How many vehicles are needed for the trip?
- How many total passengers will be on the trip?
- How much equipment/luggage (e.g. band equipment) is allowed?
- List any specific requirements for vehicles (e.g. handicapped accessible, large equipment storage, etc.)

6.) Departure Checklist

This should be done privately with the driver, not in front of the group to call attention to it, but ahead of time to ensure that everything is in place for the trip. Note that the driver is required to have already completed an official pre-trip inspection by the time he/she arrives for the trip. The departure checklist is a basic review of driver qualifications and a "walk around" review of the vehicle's condition. The departure checklist is to be completed by the Transportation Department before trip begins. See APPENDIX B for Checklist.

a. Operational

By the time the bus is ready for departure, the company's qualifications have been established and most details of the trip should be in place. At this point in time, it is important to know who to contact in case of

emergency - e.g. if the bus driver or vehicle is not available, not acting right, etc.

b. Driver

When a driver arrives at the designated location for trip departure, he/she should be expected to provide the following. The purpose is to ensure that driver has available hours to make the trip and has had adequate rest.

c. Vehicle

The driver must provide certain information on each vehicle that is to be used on the trip. The purpose of this documentation is to ensure that the vehicle is properly registered and is in good mechanical condition.

d. Safety and Evacuation Training

Safety and Evacuation training shall be completed for each bus contracted after passengers have been loaded and before bus begins trip. The training should be provided by the driver and should incorporate aspects of safety on the bus for all passengers and evacuation procedures. This can be accomplished by means of an approved video or by the driver.

APPENDIX A - APPROVED LIST OF CHARTER BUS COMPANIES

<u>COMPANY NAME</u>	<u>LOCATION</u>	<u>PHONE NUMBER</u>
American Charters	Charlotte	800-330-3286
American Charters	Winston Salem	888-801-8687
Holiday Tours	Randleman	800-733-9011
Royal Tours	Randleman	800-997-6925
Southern Coach	Durham	800-222-4793

APPENDIX B - DEPARTURE CHECKLIST

Print or View [APPENDIX B.](#)

Issued Date: April 15, 2002

Revised: December 15, 2003; August 17, 2010

Lee County Schools

I. TRIP APPROVAL

All school trips must be approved in advance by the principal. Out-of-county field trips must be approved by superintendent or designee. Any overnight trips must also be approved in advance by the superintendent.

A. Approval Criteria

School trips must meet at least the following criteria to be approved:

1. have a trip sponsor who is a teacher currently employed in the school system;
2. teacher will conduct introductory and follow up activities related to the trip;
3. be relevant to the course of study and provide an effective method for accomplishing curriculum objectives;
4. be consistent with the educational goals of the board;
5. keep to a minimum any disruptions of other educational programs and/or loss of instructional time;
6. be appropriate for the age group involved in the activity;
7. be reasonable in terms of time, distance, and cost. May be extended beyond the school day to ensure adequate visiting time on site;
8. be planned with careful consideration of student safety;
9. use of charter transportation for field trips will be contracted with companies pre-approved by the superintendent or designee;
10. all chaperones and volunteers accompanying students on school field trips must meet the standards established by the superintendent or designee; and
11. ensure that all eligible students will be given an opportunity to participate and that no student will be denied participation because of the expense of the trip or because the student has a disability.

B. School Trip Requests

The trip sponsor must complete and obtain prior approval for all school trips through the Lee County Schools Travel Tracer by filing a written school trip request with the principal, at least one week prior to the trip date. The school trip request must include the following information:

C. Review Process

Once Travel Tracer is completed the school nurse will review for any medical issues or concerns to ensure proper medical care and attention. The school field trip is also reviewed and approved by the principal and the Director of Transportation.

II. PREPARATION FOR AN APPROVED TRIP

A. Contracts

Any contract related to the trip are signed and approved by authorized school officials and found in Travel Tracer.

B. Student Attendance

1. Students who are suspended from school or assigned to in-school suspension on the day of a school trip are prohibited from participating in the trip.
2. Participation in an approved school trip will be considered an excused absence. However, the student must make up missed assignments as required by the student's teacher(s).

C. Parental Consent

1. All students who participate in a school trip must provide signed parental consent forms to participate, unless a student is officially emancipated, in which case the student can sign on his or her own behalf.
2. A student who fails to provide a signed consent form may be denied participation in the trip.
3. No student's grade may be lowered if the student's parent or guardian refuses consent to participate in the school trip. No student's grade may be raised for participating in a school trip.

III. SAFETY AND SUPERVISION OF STUDENTS

The principal and trip sponsor shall ensure that adequate supervision is maintained at all times during the school trip. These requirements are outlined in the Lee County Schools Travel Tracher.

A. Additional Chaperone Requirements for Overnight Trips

1. Overnight accommodations should be made in advance with safety and security in mind.
2. Separate accommodations for male and female students and chaperones must be maintained. In all cases, single showering and/or restroom facilities shall be used by males and females at different times.
3. Chaperones must be assigned to accommodations on every floor that is occupied by students.
4. Chaperones shall not stay in the same room or private accommodation as a student unless necessary to meet a student's needs as identified in the student's IEP or Section 504 plan or the chaperone is the student's parent or guardian. If the form of accommodation is a group dormitory, this prohibition shall not apply.

B. Threat Assessment

The principal and superintendent or designee shall check and heed any travel advisories or restrictions that have been issued by the State Department or other governmental agencies.

C. Higher Risk Activities

All field trips which may involve higher risk activities require the approval of the superintendent.

D. Medical Treatment

The school nurse will review the list of students participating in any field trip to determine if there are any students with medical issues. The nurse will work with the teacher/field trip organizer to ensure these needs are appropriately addressed during the field trip.

School employees may administer medication to a student during a school trip only upon prior written request of the student's parent or guardian and prior authorization by the principal or designee in accordance with policy 6125,

Administering Medicines to Students. A separate request and authorization is required for the administration of medication to students (or a request to self-administer medicine) during the trip when the scheduled dose falls outside of regular school hours.

In the event of a medical emergency, the trip sponsor or any other staff member may arrange for the emergency medical treatment of a student. The school system will not be responsible for the cost of any such treatment.

As soon as possible during or after a medical emergency, the trip sponsor shall notify the principal who will notify the parents and the superintendent. The necessary documentation regarding the accident/injury will be completed by the person with first-hand knowledge of the occurrence.

IV. TRANSPORTATION

The most appropriate and cost-effective mode of transportation should be considered for all school trips. The principal shall work with the transportation department to ensure that the arranged transportation will accommodate any students with disabilities who require accommodations. All transportation requests are submitted through Travel Tracher for the Director of Transportation approval.

The following modes of transportation are available for school trips.

- Regular school buses for in-county trips during normal school hours, so long as reservation of the bus(es) will not interfere with the regular transportation program.
- Activity buses.
- Commercial transportation with a pre-approved company. The transportation service must be on the school system's approved list of commercial bus services providers, as required by policy 6340. Transportation Service/Vehicle Contracts.

Private vehicles (i.e., not school-owned and not commercial), are prohibited for school trips except in the case of an emergency

Exceptions to these rules are permissible only with the prior approval of the superintendent or designee.

V. TRIP MODIFICATIONS AND/OR CANCELLATION

If any significant aspect of the trip changes after the initial approval has been granted, the trip sponsor must restart the process established in subsection I.B and re-submit a new school trip request through Travel Tracher. The trip sponsor shall notify all students and

parents of any significant modifications to the trip arrangements or itinerary prior to the trip date.

The principal or superintendent may cancel or postpone school trips when necessary if conditions change such that student travel is unsafe or otherwise impracticable under the circumstances. The trip sponsor shall notify all students and parents of such cancellation or postponement as soon as reasonably possible.

The principal and trip sponsor shall endeavor to refund any trip fees or deposits to the fullest extent possible but such reimbursements are **not guaranteed**.

VI. RESPONSIBILITIES DURING A TRIP

A. Sponsor's Responsibilities

1. The trip sponsor shall be accessible by cellular phone at all times during the trip. The principal shall have the sponsor's contact information readily available.
2. The trip sponsor shall keep, for the duration of the trip, a notebook, electronic documentation or other record with emergency contact information for each participant and all appropriate paperwork, including the parental consent forms and medical documentation.
3. The trip sponsor or designee shall store medication in a safe, locked, and secure location during the trip and shall administer medication to students in accordance with policy 6125, Administering Medicine to Students, except to a student who has been pre-authorized to secure and self-administer his or her own medication.
4. The trip sponsor is responsible for all activities during the trip and shall ensure that all activities conform to the approved itinerary.
5. The trip sponsor is responsible for enforcing applicable board policies, regulations, school rules, and the Code of Student Conduct. The trip sponsor shall impose disciplinary consequences for violations accordingly. The trip sponsor must contact the principal prior to sending any student home from the trip early.
6. If any emergency occurs, the trip sponsor shall contact the principal as soon as possible. If the principal is unreachable, the trip sponsor shall contact the superintendent immediately.

B. Student Responsibilities

1. Students must abide by all applicable board policies, regulations, the Code of Student Conduct, and school rules at all times during school trips.
2. Students must also abide by any additional rules established by the principal to govern the conduct of students during participation in school trips. Students will be notified of such rules in advance of the trip.
3. If a student is found to have violated any of these rules and regulations and the trip sponsor deems it necessary to remove the student from a trip or from an activity during the trip, the student must be supervised by a teacher or chaperone at all times. If a student is sent home early, he or she must be accompanied by a teacher or chaperone until he or she is released to the physical custody of his or her parent or guardian.

VII. APPROVAL PROCESS FOR CHARTER BUS COMPANIES

INTRODUCTION

The motor coach industry has a commendable safety record supported by historical data. These procedures were created to give guidance for pre-qualifying potential charter motor coach companies and procedures to contract with approved companies to be used by Lee County Schools for transportation to school related events and activities.

On April 1, 2010 the North Carolina State Board of Education passed a new policy titled "Policies governing LEA rules and regulations related to charter transportation for school related events and activities.", Policy ID Number: TCS-H-009. This policy is attached as Appendix A-1. The effective date of Policy TCS-H-009 is September 1, 2010.

This Lee County Schools Safety Standards for Contracted Charter Transportation was created to meet State Board Policy and also create a program of contracting for motor coach services that will help to ensure safe transportation for school children, staff and chaperones.

In development of this safety standard, guidance was taken from The School Charter Transportation Safety Committee - an interagency task force with representation from the following organizations: North Carolina State Highway Patrol, Public Schools of North Carolina, Federal Motor Carrier Safety Administration and North Carolina Motor Coach Association. This task force developed a set of recommendations "School Charter Transportation Recommended Guidelines and Procedures", Version 2.0/December 2004. These recommendations along with North Carolina State Board of Education Policy TCS-H-009 and checklists Lee County Schools Transportation created were utilized in creating the set of safety standards to meet all requirements.

BACKGROUND

In contracting with a company for charter motor coach services, it is important to understand some basics of the industry of which this company is a member. For instance, what has to happen for a charter bus company to go into business and what federal or state licensing, inspection, and insurance requirements apply?

FMCSRs

- If a vehicle is designed or used to transport more than 8 passengers (including the driver) for compensation or is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation, the motor carrier (that is, the charter motor coach company), the driver, the vehicle and the motor carrier's agents are subject to the Federal Motor Carrier Safety Regulations (FMCSRs). Within these regulations are requirements for Controlled Substance and Alcohol Testing, Financial Responsibility (minimum levels of insurance), Driver Qualifications, Driving Rules, Standards for Parts and Accessories of Equipment, Hours of Service

Limitations for Drivers, Requirements for the Maintenance of the Equipment and Hazardous Material Rules.

DRUG AND ALCOHOL TESTING

- The driver of a bus designed to transport more than 15 passengers including the driver is subject to Pre-Employment Controlled Substance Testing, Random Controlled Substance/Alcohol Testing, Post-accident Testing, Reasonable Suspicion Testing, Return to Duty Testing, and Follow-up Testing. All records are required to be kept by the carrier. Individual test records are confidential and cannot be released.

INSURANCE

- This same type of vehicle is required to have \$5,000,000 dollars of insurance as evidenced by a form MCS-90B/MCS-82B. These forms are not standardized, however, the form must contain specific information. This is considered public information and should be produced for review upon reasonable request by a member of the public.

US DOT#

- A carrier engaged in interstate commerce (that is, allowed to cross state lines) is required to be marked with the legal name or trade name of the carrier and the USDOT number on both sides of the vehicle.

DRIVER QUALIFICATIONS

- A carrier must assure that before he puts a driver on the road driving, the driver is qualified as evidenced by a complete driver qualification file, which must contain all required documents, such as the medical certification form. These records are confidential and cannot be disclosed. A carrier must assure that its drivers do not violate the hours of service limitations. The carrier must maintain time records and 6 months of time records must always be on file.

Example: A driver can't drive more than 10 hours without taking an 8 consecutive hour break. A driver can't drive after having been on duty 15 hours (part driving time, part non-driving time) without taking an 8 consecutive hour break. A driver can't drive after having been on duty 60 hours in a 7-day period, or 70 hours in an 8-day period if operating vehicles every day of the week.

NORTH CAROLINA REQUIREMENTS

- A bus company must adhere to North Carolina Motor Vehicle laws in addition to the Federal Motor Carrier Safety Regulations. North Carolina Law requires that a driver of a bus designed to transport more than 15 passengers including the driver have a valid Commercial Driver's License (CDL) with a passenger (P) endorsement. North Carolina

requires that buses be registered properly and that a carrier transporting passengers for hire must have a for-hire or apportioned license plate.

NON-PROFIT AGENCIES

- Non-Profit Agencies - Non-profit organizations (e.g. churches) are not required to meet all federal safety compliance standard if they carry only organization members or if passengers do not pay to ride. If a non-profit organization charges for the use of its motor coach or requests a donation, it must meet the federal qualifications applicable to a commercial motor coach company and be registered accordingly.

RECOMMENDATION PROCEDURE

1) Potential Company Qualification Process

Companies interested in being included on Lee County Schools Approved List of Charter Bus Companies shall request in writing to be considered. These potential companies shall be required to complete all sections listed under **3.) Pre-Qualification** including the site visit. After reviewing all information Lee County Schools will either recommend or deny recommendation to the Lee County Board of Education for inclusion on the Approved List of Charter Bus Companies. Part or all of the pre-qualification process may be reviewed at any time. Potential companies will have 30 days to return requested information and a site visit set up within 30 days.

2.) Renewal Process

Companies listed on Lee County Schools Approved List of Charter Companies may be required to complete part or all of the pre-qualification process, **3.) Pre-Qualification**, at least annually and at any time deemed necessary by the school system. When a letter is sent requesting information the company will have 30 days to return the requested updated information. Should a company not respond within the 30- day timeframe, they will be notified that the company then will have a 30-day grace period to respond or that company will be removed from Lee County Schools Approved List of Charter Bus Companies. Once a company has been removed that company will have to wait 1 year before reapplying for consideration and will have to complete all requirements listed in the Potential Company Qualification Process.

3.) Pre-Qualification

This section deals with the details of selecting potential charter bus companies for use as a transportation provider for school event and activity trips.

a. Background Checks

A letter shall be sent to potential carriers informing the company of Lee County Schools policy on new companies or renewal process and timetable for requesting certain documents be sent to Lee County Schools. This letter shall also request the following documents:

SUBMIT A Certificate of Insurance in the amount of \$5 million on which the school system (Attn: superintendent or designee) is named as an additional insured. The additional insured will be notified 30 days in advance if the company drops any coverage. Documentation of all insurance information should be submitted, including the policy number, the amount of coverage for each vehicle, effective policy dates, insurance carrier, insurance agent/agency and appropriate telephone numbers.

Note: any vehicle designed to transport more than 15 passengers including the driver must have a MCS-90 B form on file showing \$5,000,000 public liability coverage per incident. The proof may be evidenced by more than one MCS-90B endorsement as long as the total coverage meets the \$5 million limit. The \$5 million public liability requirement is consistent with both FMCSA regulations and North Carolina state law.

* SUBMIT Motor Carrier Policies of Insurance for Public Liability (MCS-90B). This is a document required by the FMCSA to show proof of insurance. The school system can call the telephone number listed on the MCS-90B at any time to verify that insurance is in force, as this is public information.

* SUBMIT Evidence of a USDOT #, which uniquely identifies the company. This number can be used in the web sites described above to identify the company.

* SUBMIT Policy or statement on overbooking and subcontracting, including the list of companies that are used as subcontractors. **NOTE:** Any company that is used as a subcontractor **MUST** also be on the approved list.

* SUBMIT Date of last compliance review and copy of the review, if available.

* SUBMIT Checklist that indicates compliance with the FMCSRs as outlined in Parts:

- 382 (controlled substance and alcohol testing)
- 387 (financial responsibility)
- 390 (general applicability and definitions)
- 391 (driver qualifications)
- 392 (driving rules)
- 393 (parts and accessories)
- 395 (hours of service)
- 396 (inspection, repair and maintenance)
- 397 (general hazardous materials rules)

* SUBMIT Information for Drug and Alcohol Policy -

- How many driving positions do you have as per Part 382?
- How many drug tests were administered during last calendar year?
- How many alcohol tests were administered during last calendar year?
- Are you a member of a drug and alcohol-testing consortium?
- List company: _____

Phone: _____

Note: Each year, FMCSR, Part 382, requires that drug tests be performed on at least 50% of the average number of driving positions and alcohol tests be performed on at least 10% of the average number of driving positions. The ability of a carrier to respond appropriately to these questions is a good indication that related regulations are being followed.

* SUBMIT Statement on how often and on what schedule driver's license or motor vehicle records (MVR) checks are performed on all drivers. **Note:** FMCSR Part 391 requires that MVR checks are performed annually.

b. Site Visit

Lee County Schools will conduct a site visit of potential charter bus companies. During a renewal process a site visit may be performed. Periodic site visits may be arranged at any time during the year. Site visits consist of several areas that may be asked of carriers and actual visual checks of records and maintenance facilities. This allows time for any questions to be answered and gives an indication of the company's operation and its staff's ability to safely transport the school's students. Photographs of the facility may be taken to be kept in the school system's file of each company. Site visits occur after all required documents are received and reviewed by the school system.

i. Required Documents

These documents consist of those listed in; **3.) Pre-Qualification**, and must be received by Lee County Schools before the site visit.

ii. Examination of required maintenance and inspection records

The site visit should include an examination of required maintenance and inspection records (either on-site or at a remote maintenance facility). Similarly, the qualifications of maintenance personnel should be examined. For instance, maintenance personnel must have documentation that they are certified to perform annual inspections and brake maintenance. If such documentation does not exist, additional advice from external experts may be needed.

iii. Criteria of annual vehicle inspections

The mechanic should be asked the criteria that are used for annual inspections and he should be able to explain the process and show the form that is used.

iv. Inquiry of professional association membership

Inquire about state or national professional associations or emergency aid organizations of which the company is a member. Such groups might be expected to assist in case of a breakdown or other complications.

v. Policy on emergencies and breakdowns

Discuss the policy on emergencies and breakdowns. Discuss recent breakdowns and how the company handled these specific situations.

vi. Drug and Alcohol Testing System

Review the company's drug and alcohol testing system. The company should be able to produce quarterly and annual summaries of the previous calendar year's tests.

vii. Driver's Hours of Service

Discuss policies on drivers' hours of service. How does the company ensure that a driver departing on a long trip has not already been working at another job prior to the trip? How does the company make sure that the driver is complying with all FMCSRs dealing with the time worked versus scheduled breaks?

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Review the company's driver qualification files. Note that this may contain confidential information. However, the carrier should be able to show certain non-confidential information such as the commercial driver's license, medical certificate, etc.

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Review the company's accident register as required by the FMCSA.

If the accidents in the register are not corroborated by your online review (see web sites below) then additional questions should be asked. Note that accidents on the web sites are listed regardless of fault.

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c. External Checks

Checking external resources allows the school system to check references and safety ratings for potential and current charter companies.

i. References

Check references provided by the company. Ask for a list of at least 10 groups that have used the company for charter transportation within the past year and contact at least three of them to ensure that there were no major problems with the service provided. If such problems are documented, the school system should make sure that a plan is in place to rectify the situation before placing the company on the approved list.

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- www.fmcsa.dot.gov - Contains rules and regulations, general information and links to carrier information and trade associations.
- www.saferysys.org - Contains information about interstate registered carriers (authorized to operate in multiple states) and includes the USDOT Safety Rating. Carrier ratings can be accessed by company name, US DOT# or MC #.
- ai.volpe.dot.gov - Contains information about moving violations and SafeStat score. The SafeStat score is a snapshot of the carrier's safety status.

Safety Ratings

Companies on the school system's list that operate in interstate commerce should have an acceptable USDOT safety rating. The safety rating is issued following a compliance

review conducted by FMCSA or NCSHP. **Note:** Carriers are notified of their official safety rating by FMCSA. You may request a copy of that document.

Satisfactory Safety Rating - Desired rating

Conditional Safety Rating - Lacks some safety management controls. Some inquiries should be done before accepting a company with a conditional rating.

Unsatisfactory - A motor carrier operating a vehicle designed to transport 15 or more passengers that has been issued an unsatisfactory rating has 45 calendar days to improve its rating before the carrier is prohibited from operating such vehicle.

No Rating - This is not necessarily bad, but the company hasn't been evaluated. In order to receive a rating, the company must request a compliance review from the FMCSA. If the carrier has no safety rating, the company can be added to the approved list for a conditional period of one year, with the understanding that a safety rating will be obtained prior to the renewal. This should only be done if the company meets all other criteria for pre-qualification.

New Entrant Safety Audit - As of January 2003 each New Motor Carrier entity will be subject to a "New Entrant Audit" within the first 18 months of operation. A motor carrier that passes this audit is considered to be in good standing.

Department of Defense Inspection

Note that an acceptable review is conducted in a Department of Defense (DOD) audit, rated on a scale of 1 to 5; with 1-3 being acceptable, 4 conditionals and 5 unacceptable. The DOD performs periodic inspections of companies that provide motor coach transportation for U.S. military personnel.

d. Drivers

i. List of all Drivers

* **SUBMIT:** A list of all drivers at the time that documentation has been requested.

Also include the following information:

1. Medical Certification
2. CDL Expiration Date
3. Driver's License Records Check

* **SUBMIT** Statement on how often and on what schedule driver's license or motor vehicle records (MVR) checks are performed on all drivers. Note: FMCSR Part 391 requires that MVR checks be performed annually.

4. Drug and Alcohol Policy

* **SUBMIT:** Information for Drug and Alcohol Policy -

- How many driving positions do you have as per Part 382?
- How many drug tests were administered during last calendar year?
- How many alcohol tests were administered during last calendar year?
- Are you a member of a drug and alcohol-testing consortium?
- List Company: _____

Phone: _____

Note: Each year, FMCSR, Part 382, requires that drug tests be performed on at least 50% of the average number of driving positions and alcohol tests be performed on at least 10% of the average number of driving positions. The ability of a carrier to respond appropriately to these questions is a good indication that related regulations are being followed.

e. Vehicles

i. List of Vehicles

* SUBMIT A list of vehicles that includes the following information:

1. Description of Vehicle
2. Vehicle Unit Number
3. Vehicle Identification Number - VIN
4. License Tag Number
5. Date of Most Recent DOT Annual Inspection

4.) Approved List of Charter Bus Companies

- See APPENDIX

5.) Contract for a Specific Trip

Once a school has decided to contract with a particular company from the approved list, what needs to be included in the contract? At some designated time, typically 7-10 days before the trip, make sure that neither the contract nor the itinerary has changed. Any changes should be documented.

a. Use of Companies on Approved List

Schools must use companies on approved list only to be consistent with Lee County Board of Education (policy 3320) School Trips and (policy 6340) Transportation Service/Vehicle Contracts. Transportation Department can assist with a current list.

b. Operational

The contract for a specific trip must contain certain critical pieces of operational information. The school must be sure that the following items are addressed in the contract.

- Date of trip, number of passengers, itinerary, total charge for trip. Be sure to include the mileage. Any trip more than 550 miles should take more than 10 hours and, therefore, will require more than one driver. However, some trips less than 550 miles - e.g. in rural or mountainous areas - may require 10 hours or more. The "ten-hour rule" begins for the driver when he begins driving the bus for this trip (i.e. leaving the bus terminal). Be sure that the contract includes the cost of an extra driver if the length of the trip requires an additional driver or includes the cost of providing an appropriate location for the driver to rest.
- Name of motor carrier and name of your group
- How is the cost of the trip determined? Stipulate whether the charges are hourly, mileage-based, fixed or other. Be sure to understand any special driver accommodations, gratuity, or other costs. For trips booked through travel agents or tour companies, an additional cost may be incurred.
- Deposit and refund/cancellation policy; how much at the time of the reservation? When is final payment due?
- Any other costs - taxes, permits, fees
- Understand any miscellaneous policies that might affect the group (e.g. carry-on food/beverage)
- In case of emergency who should be contacted? (e.g. if the bus driver or vehicle is not acceptable, broken down, etc.)

c. Drivers

The contract for a specific trip must contain certain critical pieces of information regarding the driver or drivers. The school must be sure that the following items are addressed in the contract.

- How many drivers are required? How/when will they be rotated? What are the costs associated with this?
- Length of Trip. Will additional drivers be required to comply with federal hours-of service regulations? Contract should specify the number of drivers as well as the number of vehicles.

d. Vehicles

The contract for a specific trip must contain certain critical pieces of information regarding the vehicle or vehicles. The school must be sure that the following items are addressed in the contract.

- How many vehicles are needed for the trip?
- How many total passengers will be on the trip?
- How much equipment/luggage (e.g. band equipment) is allowed?
- List any specific requirements for vehicles (e.g. handicapped accessible, large equipment storage, etc.)

6.) Departure Checklist

This should be done privately with the driver, not in front of the group to call attention to it, but ahead of time to ensure that everything is in place for the trip. Note that the driver is required to have already completed an official pre-trip inspection by the time he/she arrives for the trip. The departure checklist is a basic review of driver qualifications and a "walk around" review of the vehicle's condition. The departure checklist is to be completed by the Transportation Department before trip begins. See APPENDIX B for Checklist.

a. Operational

By the time the bus is ready for departure, the company's qualifications have been established and most details of the trip should be in place. At this point in time, it is important to know who to contact in case of emergency - e.g. if the bus driver or vehicle is not available, not acting right, etc.

b. Driver

When a driver arrives at the designated location for trip departure, he/she should be expected to provide the following. The purpose is to ensure that driver has available hours to make the trip and has had adequate rest.

c. Vehicle

The driver must provide certain information on each vehicle that is to be used on the trip. The purpose of this documentation is to ensure that the vehicle is properly registered and is in good mechanical condition.

d. Safety and Evacuation Training

Safety and Evacuation training shall be completed for each bus contracted after passengers have been loaded and before bus begins trip. The training should be provided by the driver and should incorporate aspects of safety on the bus for all passengers and evacuation procedures. This can be accomplished by means of an approved video or by the driver.

APPENDIX A - APPROVED LIST OF CHARTER BUS COMPANIES

Approved Charter Transportation Carriers 2022-2023

CHARTER CARRIER	DOT#	CONTACT PERSON	LOCATION	PHONE NUMBER	Email Address
Holiday Tours, Inc.	252234	Jonathan Moody/Crystal Hilton	10367 Randleman Rd. Randleman, NC 27317	336-498-9000	crystalh@trusholiday.com
Sunway Charters	1167599	Erica Robinson	408 Center St. Jacksonville, NC 28546	910-577-4422	erica@sunwaycharters.com
Sunway Charters	1167599	Brittany Sawyer	3636 N. Glenn Ave. Winston Salem, NC 27105	336-767-1511	allison@sunwaycharters.com
Sunway Charters	1167599	Terri Goldenbaum	208 Bush Drive Myrtle Beach, SC 29579	843-293-2100	lisa@sunwaycharters.com
Sunway Charters	1167599	Kendra Washington	2400 Queen City Drive Charlotte, NC 28208	704-348-1200	info@sunwaycharters.com

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Revised: