

5400 TRANSPORTATION SERVICES**5404 School Bus Drivers/Contractors****I. Definition**

For purposes of this Policy, “direct contact with children” shall be defined as the possibility of care, supervision, guidance or control of children or routine interaction with children.

II. Clearances

A contractor or employee of a contractor shall not be permitted to transport District students or have direct contact with students of the District until he or she has complied with the mandatory background check requirements for criminal history (state and federal) and child abuse; the contractor has evaluated the results of the criminal background and child abuse checks/clearances; and the contractor has provided the District’s Director of Transportation with copies of all required criminal background and child abuse checks/clearances. Additionally, a contractor or employee of a contractor shall be required to submit a new criminal background check (state and federal) and child abuse clearance every thirty-six (36) months as required by law and District Policy 7020.

Contractors and their employees shall report, on the designated disclosure form (a copy of which shall be provided to the District), all arrests and convictions as specified on the form. Independent contractors and their employees shall likewise report arrests and/or convictions that occur subsequent to initially submitting the form.

III. Reports of Contractor or Employee Crimes/Child Abuse

In addition to the above requirements, contractors shall be responsible to **immediately** notify the District’s Director of Transportation in writing if a contractor or a contractor’s employee that has direct contact with students of the District:

1. Has been charged with or convicted of a criminal offense that does not appear on the criminal background check/clearance previously provided to the District; or
2. Has been listed as a perpetrator in the statewide database for any instance of alleged child abuse that does not appear on the child abuse check/clearance previously provided to the District.

Said notification must occur within 72 hours from the time that the contractor acquires knowledge of the charge, conviction, or investigation. The notification shall include the

1 name of the individual, the nature of the offense, the date of the offense, and the status of the
2 disposition. The District will review this information, determine whether the individual will
3 be permitted to continue to transport District students, and provide the contractor with notice
4 of the District's determination in this regard.

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6 All contractors shall have policies and procedures in place to ensure that contractors are
7 notified by their employees of any such charges, convictions, or alleged child abuse. The
8 policies and procedures shall also include the provision that the failure on the part of
9 employees to at any time report arrests, convictions or child abuse shall subject them to
10 disciplinary action including denial of employment, termination if already hired, and/or
11 criminal prosecution.

12 13 **IV. Employment History Review**

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15 All contractors, pursuant to 24 P.S. 1-111.1, shall conduct an employment history review, in
16 compliance with state law, prior to issuing an offer of employment to a candidate or prior to
17 assignment of a current employee to perform work for the District. Failure to accurately
18 report required information shall subject the candidate or employee to discipline up to, and
19 including, denial of employment or termination if already hired, and may subject the
20 candidate or employee to civil and criminal penalties. Contractors may use the information
21 for the purpose of evaluating an applicant's fitness to be hired or for continued employment
22 of a current employee and may report the information as permitted by law.

23 24 **V. Child Abuse Reporting and Training**

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26 As mandated reporters, all contractors and their employees shall comply with the child abuse
27 reporting requirements pursuant to 23 Pa.C.S.A. 301, et. seq., and District Policy 7020.
28 Additionally, all contractors shall provide their employees who have direct contact with
29 children with the mandated training on child abuse recognition and reporting pursuant to 24
30 P.S. 12-1205.6, and District Policy 7020.

31 32 **VI. Tobacco and Vapor Products**

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34 **Pursuant to Policy 1415, the Board prohibits tobacco or vapor product use or visible**
35 **possession (and discourages any possession) by contractors and their employees in a**
36 **school building, on school property, or on any buses, vans or vehicles that are owned,**
37 **leased or controlled by the District, or utilized by a contractor to transport District**
38 **students to or from school or a school sponsored activity. The Board further prohibits**
39 **tobacco or vapor product use or visible possession (and discourages any possession) by**
40 **contractors and their employees while working at a school-sponsored activity that is**
41 **held off school property. The definition of "tobacco" and "vapor product" are**
42 **contained in Policy 1415 and are incorporated herein by reference.**

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45 Revision Date - January 26, 2015, **May 11, 2015**
46 Review Date -

Legal Reference - School Code – 24 P.S. 1-111; 24 P.S. 1-111.1; 24 P.S. 12-1205.6

22 Pa Code 8.1 et seq., 23.1, and 23.4

Cross Reference - Child Protective Services Law – 23 Pa. C.S.A. 6301, et seq.
Policies 5002, 7020, **and 1415**