

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

All contractors shall have **policies and** procedures in place to ensure that contractors are notified by their employees of any such charges, convictions, or ~~investigations-alleged~~ **child abuse**. The **policies and** procedures shall also include the provision that the failure on the part of employees **to at any time report arrests, convictions or child abuse** ~~make such a timely notification to contractors~~ shall subject them to disciplinary action; ~~including termination~~ **including denial of employment, termination if already hired, and/or criminal prosecution.**

IV. Employment History Review

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

V. Child Abuse Reporting and Training

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

Adoption Date	-	March 16, 2011
Revision Date	-	January 26, 2015
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
		Child Protective Services Law – 23 Pa. C.S.A. 6301, et seq.
Cross Reference	-	District Policies 5002 and 7020