



Administrative Procedure: Student Transportation by Staff or other Volunteers

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Principal's/Vice-Principal's Responsibility

When volunteer drivers (staff, parents or other volunteers – volunteer is NOT a student registered in secondary school) are utilized to provide transportation for students the school Principal/Vice-Principal is responsible for ensuring the following:

- The appropriate VOLUNTEER DRIVER – AUTHORIZATION TO TRANSPORT STUDENTS form (attached as Appendix A) is completed prior to the commencement of the trip.
- The driver(s) are in possession of a valid driver's license appropriate for the vehicle. [See Section 3.0 - Licensing Requirements For School Purpose Vehicles]
- The owner of the vehicle being operated on School Board business carries adequate limits of liability insurance. [See Section 2.0 - Insurance Coverage]
- Vehicles being rented by school staff are contracted in the name of the School Board.
- The full insurance coverage offered by the rental company is to be purchased, including deductible waiver coverage (liability, collision and comprehensive).
- Transporting of students in a private vehicle must be in accordance with the legislation of Bill 73: An Act to Enhance the Safety of Children and Youth on Ontario's Roads, which requires preschoolers and primary grade age children to be buckled up in the appropriate child car seat, including booster seats. A child can start using a seatbelt alone once any one of the following criteria is met:

the child turns eight years old;

1. the child weighs 36 kg (80 lbs); or
2. the child is 145 cm (4 feet 9 inches) tall

Insurance Coverage

The owner of the vehicle is required by the Board to provide a minimum liability insurance of \$1,000,000.00.

If a personal vehicle is used regularly to transport students, then the vehicle owner is advised to notify his or her agent, broker or insurer and request a rider be added to the policy to extend coverage.

In addition to the owner's insurance, the Board carries NON-OWNED AUTOMOBILE LIABILITY insurance, which is designed to provide coverage in excess of the vehicle owners' insurance carried on the vehicle while being used or operated on Board business.

The Insurance Act stipulates that the vehicle owner's insurance is primary to any non-owned automobile liability insurance policy.

Employees, Trustees, volunteers, parents and other individuals are protected while operating a vehicle not owned by them on Board business. Further, they are protected while operating their own vehicles on Board business, such as field trips.

Licensing Requirements for School Purpose Vehicles

Seating capacity is the key determinant, not the number of passengers actually being carried. Vehicles are divided into three categories based on the vehicle seating capacity:

- **Five (5) Passenger Seats Plus The Driver** - Driver is required to carry a valid driver's license with a 'G' class.
- **Six (6) to Nine (9) Passenger Seats Plus The Driver** – Driver must carry a valid driver's license with a 'G' class. Vehicle must have safety inspection stickers, carry a logbook and conform to Regulation 611 of the Highway Traffic Act.

These requirements apply to vehicles owned, leased or rented in the name of the Board or operated under contract with the Board. A vehicle is considered under contract if compensation is paid for the service. Compensation is defined as any rate, remuneration, reimbursement or reward of any kind paid, payable or promised or received or demanded, directly or indirectly.

If no remuneration is paid, Regulation 611 of the Highway Traffic Act does not apply.

Ten (10) To Twenty-Four (24) Passenger Seats Plus The Driver - Driver must carry a valid driver's license with an 'E' class. Vehicle must meet all of the School Purpose Bus Regulations under the Highway Traffic Act.

These requirements apply to vehicles owned, leased or rented in the name of the Board.

For vehicles provided with no payment for the occasional transportation of students, a class 'F' license is required if the vehicle has the capacity to carry more than eleven (11) passengers and the vehicle need not meet the School Purpose Bus Regulations under the Highway Traffic Act.

Highway Traffic Act Regulations are very stringent and violation of these regulations could result in a fine, license suspension or such other penalty as permitted by the Highway Traffic Act.

Appendix A, Part A - Volunteer Drive Authorization Form to Transport Students

This will authorize _____
(Name of Teacher Or Other Volunteer Driver)

1. To transport students participating in the events listed on the attached school schedule,
- OR
2. To transport students participating in the following school activity:

3. Vehicle Information: MAKE: _____ YEAR: _____ LICENSE #: _____

_____ *Date* _____ *School Name* _____ *Principal's/Vice-Principal's Signature*

NOTE: ALL 'TRIP DRIVERS', INCLUDING VOLUNTEER DRIVERS ARE ADVISED THAT, IN ORDER TO BRING INTO EFFECT THE BOARD'S EXCESS LIABILITY INSURANCE, THEY MUST:

- (A) Use a licensed automobile which carries valid automobile Third Party Liability insurance as required under Ontario legislation;
- (B) Provide the School Board with prompt written notice, with particulars, of any accident arising out of the use of a licensed automobile during a trip on Board-related business;
- (C) Be aware that the School Board's Excess Automobile Liability insurance comes into effect only after the vehicle owner's primary Third Party Liability insurance limit has been exhausted;
- (D) Be aware that any damage to the volunteer's vehicle, the cost of any insurance deductible or premium adjustment as the result of an accident while the vehicle is being used on Board related business is NOT covered by the School Board's Excess Automobile Liability insurance.
- (E) Be aware that if the vehicle is equipped with passenger-side airbags, children under 12 years should not be permitted to ride in the front seat. (See vehicle manufacturer's recommendation.)

N.B. A 'trip driver' is defined as any person authorized by the Board who has agreed to be a driver for a certain trip while they are driving their own or another licensed automobile. This includes, but is not limited to: Trustees, employees, teachers, parents, volunteers, officials of the School Board.

DECLARATION TO BE SIGNED BY DRIVER

- I declare that I hold an unrestricted driver's license and am authorized to drive in Ontario, and my vehicle is insured by a valid automobile liability insurance policy as required by Ontario law.
- I declare that the vehicle described above is mechanically fit and that there are seat belts in working condition for all passengers.



Signature

Date

DECLARATION TO BE SIGNED BY OWNER (IF DRIVER DOES NOT OWN THE VEHICLE)

- I declare that I have authorized _____ to drive my vehicle to transport students participating in the school event(s) listed on this form.
- I declare that he/she holds an unrestricted driver's license, is authorized to drive and is insured as an operator under the vehicle's liability insurance.
- I declare the vehicle described above is mechanically fit and that there are seat belts in working condition for all passengers.

Signature

Date

Part B - Summary of Insurance

Volunteer Supervisors on School Premises

The School Board's liability insurance policy protects both staff and volunteers who are working within the scope of their duties for the Board. This coverage responds to law suits that are brought against staff or volunteers who are supervising school events and provides protection up to \$24 million for each occurrence.

Volunteer Drivers for School Activities

Ontario legislation makes automobile insurance compulsory in the province of Ontario. The same legislation makes the owner's insurance primary coverage in the event of an accident - in other words, the insurance carried on the vehicle responds first.

If a vehicle which is not owned by the School Board is being operated by a volunteer or any other Board employee for approved school activities, the Board's Non-owned Automobile Insurance endorsement will respond to Third Party Liability claims in excess of the owner's insurance limit up to a total combined limit as stated in the non-owned auto policy.

There is no coverage provided by the School Board's insurance for damage to volunteer's or employee's vehicles while they are being operated for Board activities.

According to provincial legislation, passengers who are injured would recover Accident Benefits coverage from their own or a parent's automobile policy. In the absence of a

personal or family automobile policy, the passenger would then be eligible to recover benefits from the insurance policy covering the vehicle in which they were riding.

Personal Automobile Insurance Coverage

For the personal protection of volunteer drivers, it is recommended that drivers carry a minimum of \$1 million of Third Party Automobile Liability insurance. Volunteers and Board employees who use their personal vehicles for transporting students to school activities should advise their insurance carrier.