

PURPOSE

To outline the standard driver qualifications and training required for approval by NLSchools to transport students.

These standards represent the minimum standard of documentation, training and qualifications required to be eligible for approval by NLSchools to transport students. For example, Student Transportation Operators should consider the training requirements outlined below to be a supplement to any regular training provided by the Operator themselves.

SCOPE

This protocol applies to all school bus and private vehicle drivers transporting students via NLSchools-arranged service to and from school. This includes:

- Contracted drivers;
- Government-operated school bus drivers; and
- Charter/Field Trip transportation that is arranged by the school in accordance with the Student Transportation Field Trip Protocol.

RELATED GUIDANCE

This Driver Standards document shall be read and applied in conjunction with:

- The [NLSchools Criminal Record Check Policy](#);
- Other [NLSchools policies](#), procedures and instructions;
- [School Bus Transportation Policies and procedures](#);
- Individual student transportation contracts entered into between NLSchools and a contractor;
- [Highway Traffic Act](#) (HTA) and associated [Regulations](#);
- [Policies and procedures of the Motor Registration Division](#) (MRD) of the Department of Digital Government and Service NL, and
- Applicable collective agreements governing NLSchools employees (where a conflict exists, provisions of collective agreement will prevail).

DEFINITIONS

Regular Transportation:	Regularly-scheduled transportation arranged by NLSchools and provided to eligible students in Primary, Elementary and Secondary schools within the province.
Alternate Transportation:	Transportation provided to students who have been approved in accordance with its Alternate Transportation Policy.
Private Vehicle:	A vehicle with a maximum seating capacity of seven or less (including the driver) and can be owned by NLSchools, a private individual or a taxi company as per the Highway Traffic Act.
Transportation Operator:	1) A company under contract with NLSchools to perform student transportation services on behalf of NLSchools; or

- 2) A regional Government-operated student transportation service network i.e., there are three (3) Government-operated Operators: Labrador Region, Western Region and Central Region

Regular Driver: Must be/have been a NLSchools-approved driver in the current and previous school year and transported students on behalf of NLSchools in the previous school year.

New Driver: Was not an NLSchools-approved driver the previous school year OR was NLSchools-approved but did not transport students on behalf of NLSchools in the previous school year.

Information of Interest: Includes, but is not limited to:

- a) Criminal Record Check has disclosed a criminal record or a criminal finding of guilt;
- b) Criminal Record Check has disclosed a current or pending investigation (or adverse information);
- c) Vulnerable Sector Check has disclosed a result of positive, or
- d) Driver has convictions, suspensions or accidents on their Driver Record (Abstract).

1. DOCUMENTATION

The following chart outlines the required documentation and training, including frequency, for all student transportation drivers.

ITEM	TYPE	NOTES
1	Driver's Licence	<p>*Maintain a valid class of licence for the vehicle that the driver is using to transport students as per MRD requirements:</p> <ul style="list-style-type: none"> ● Class 4 (Taxi) – private vehicle (school purpose vehicle) ● Class 4 (Commercial) – bus up to 24 passengers ● Class 2 (Commercial) – bus over 24 passengers ● Appropriate endorsements for equipment being used ● Annual Submission
2	Driver Record (Abstract)	<p>MRD issued Driver Record</p> <ul style="list-style-type: none"> ● Annual submission
3	Criminal Record Check	<p>RCMP or RNC issued:</p> <ul style="list-style-type: none"> ● Criminal Record Check ● Vulnerable Sector Check <p>*Documentation must have the Operator recorded as the organization.</p>

		<p>A <u>comprehensive list of convictions</u> is also required if findings of guilt are identified.</p> <p>Criminal Record and Vulnerable Sector Check - submission every 5 years</p>
4	Criminal Offence Declaration	Annual Submission
5	Confidentiality Agreement	Completed form submitted upon hire/start with an Operator
6	Emergency First Aid, CPR & Epipen	<p>Maintain a valid certificate (normally valid for 3 years)</p> <ul style="list-style-type: none"> Includes Level C CPR
7	Online Driver Training	<p>New Driver:</p> <ul style="list-style-type: none"> New Driver Orientation training package (approx. 5 modules) Comprehensive New Driver training (approx. 40 modules) <p>Regular Driver:</p> <ul style="list-style-type: none"> Current year assigned modules (approx. 5-10 modules)

*MRD issued or issued from a jurisdiction with which MRD has a driver's licence reciprocity agreement in place.

Note: Transportation Operator is responsible to evaluate a new driver candidate's school bus driving ability for the provision of student transportation, both from a vehicle operation and interpersonal skills/temperament standpoint of interacting with students of all ages.

Medical Standards:

NLSchools relies on the integrity of [MRD's medical requirements for obtaining a Commercial and Taxi driver's licence](#) (frequency of completion of medical form by a physician dependent upon age).

Note: Where the medical condition of a driver changes during a school year to such an extent that it could affect the driver's ability to safely perform the essential duties of the job, the driver is expected to notify their Transportation Operator, who is expected to notify NLSchools.

2. MINIMUM DRIVER REQUIREMENTS

- Appropriate class of licence for equipment (Class 4 Taxi, Class 4 Commercial or Class 2 Commercial)
- Minimum of 3 years driving experience
- Previous bus, professional and/or commercial driving experience (preferred)
- Effective reading, writing and comprehension ability normally obtained through a High School Diploma
- Knowledge of the *Highway Traffic Act* and associated Regulations
- Previous experience working with youth (preferred)

- Knowledge of Occupational Health and Safety

3. EVALUATION

Driver documentation is evaluated in order to obtain reasonable assurance that drivers are considered low risk with respect to the well-being and safety of students for the provision of student transportation service. If there is information of interest for a potential driver, it will be evaluated based upon the following principles:

- Nature of the conviction/offence/charge; the number of convictions, and whether it is related to the performance of the duties of transporting students;
- Sentence received;
- The length of time since the most recent conviction;
- The relevance of the conviction(s) in relation to the performance of the duties of transporting students;
- Driver performance/conduct information on file (employment history in the case of NLSchools employees), and
- Other information that may be relevant to assessing a driver's suitability for transporting students in service to NLSchools, or
- Any combination of the above.

The following guidelines shall apply when reviewing a driver's Criminal Record Check that has "information of interest":

- a) Generally, subject to the above principles, the following offences will NOT be accepted, and a driver shall be prohibited from service where there is a conviction of any of the following on the Criminal Record Check:
 - i) Any sexual offence;
 - ii) Violent Assault - with a weapon, causing bodily harm, or aggravated;
 - iii) Trafficking offences related to illegal drugs/narcotics or contraband; and
 - iv) Vulnerable Sector Check is positive
 - v) Impaired driving or failure to provide a breath sample (if occurred in the last seven (7) years), and
 - vi) Possession of illegal drugs/narcotics or contraband (if occurred in the last seven (7) years).
- b) All other listed offences on the Criminal Record Check, single or repeat, will also be assessed on their merits in accordance with the principles outlined in Section 3. If deemed an unacceptable risk by NLSchools, the driver will not be approved to transport students in service to NLSchools.
- c) The following offences or conditions will not be accepted, in the absence of extenuating circumstances, and a driver shall be prohibited from service where there is a conviction on their Driver Record (Abstract) for any of the following:
 - i) Driver has been convicted of dangerous operation of a motor vehicle within the last five (5) years;

- ii) Driver has accumulated more than eight (8) [demerit points](#) on his/her current driving record as of the date of the Driver Record, or
 - iii) Driver record indicates a suspension at any time within the preceding 36 months for an infraction(s) under the HTA.
- d) All other information included on the Driver Record (Abstract) will be assessed on its merits in accordance with the principles outlined in Section 3. If deemed an unacceptable risk by NLSchools, the driver will not be approved to transport students in service to NLSchools.
- e) Where criminal charges have been issued, but not yet prosecuted, against a driver that are of such a nature as to bring into question a driver's suitability to transport students, the driver may be prohibited from providing service to NLSchools until such charges have been either prosecuted or withdrawn/stayed, NLSchools has concluded its investigation and has made its determination.
- f) Where a driver has, in the sole discretion of NLSchools acting reasonably, exhibited conduct within the last five (5) years related to student transportation activity that demonstrates a lack of integrity or lack of character that brings into question a driver's suitability to transport students, the driver may be prohibited from service.

When it appears that a Driver's overall record (Criminal Convictions and/or Driver Record Abstract) may not meet the standards outlined in this document, the Regional Manager of Student Transportation and the Regional Director of Human Resources shall collectively review the Driver's overall record and make a determination on whether or not the Driver's overall record is deemed suitable to transport students in service to NLSchools. Depending on the circumstances, this may also trigger an investigation by the Human Resources Division for NLSchools employees. This collective review will be documented through the completion of NLSchools Driver Documentation Evaluation Form found in Appendix A.

Any situation or circumstance not specifically covered above will be assessed on the facts and merits of the circumstance and treated consistent with the guidance contained in this document.

NLSchools reserves the right to evaluate driver information on a consolidated basis and evaluate a driver's full information, as a whole, in assessing risk and determining fitness to transport students in service to NLSchools.

Where a driver has previously been prohibited from transporting students in service to NLSchools, and is under review for return to service, all current and prior documentation will be considered in evaluating a request for return to service. An approved return to service will be documented.

Self-Disclosure Regarding a Change to Information Provided

A NLSchools employee that becomes the subject of a criminal investigation, charged with, or convicted of a criminal offence, convicted of an abstract offence, issued a driver licence suspension or found at-fault relating to an accident, shall self-report the information to their supervisor immediately. Failure to do so will result in disciplinary action or termination of employment.

Similarly, a contracted driver that becomes subject of a criminal investigation, charged with, or convicted of a criminal offence, convicted of an abstract offence, issued a driver licence suspension or found at-fault relating to an accident, shall self-report the information to their Contractor immediately. The Contractor is then required to notify NLSchools in writing.

Appendix A

Driver Documentation Evaluation Form

Driver Documentation Evaluation Form

Driver Name: _____

Driver Licence #: _____

Operator: _____

APPROVED ____

REJECTED ____

Comments:

Manager/Director of Human Resources

Name: _____

Signature: _____

Date: _____

Manager/Director of Student Transportation

Name: _____

Signature: _____

Date: _____