

School districts are authorized to provide home-to-school transportation for pupils. Transportation services are optional for most students but are required for special education students whose individualized education programs (IEPs) include transportation. [EC §§ 39800(a), 41851.2, 56342]

Pupil transportation costs may significantly impact school district budgets, particularly when urban or rural districts transport a large percentage of students, must transport students long distances, or have a large number of students attending nonpublic schools. To assist school districts, the state provides partial funding to eligible districts to reimburse them for regular home-to-school and special education transportation costs. The remaining funding comes from other state or local sources. Rules governing transportation funding are adopted by the California Department of Education (CDE). [EC § 41850 et seq.; 5 CCR § 15240 et seq.]

Transportation apportionments must be deposited in a restricted pupil transportation account within the General Fund. While current law does not provide a statutory cost of living (COLA) increase for home-to-school and special education transportation apportionments, the Legislature provided a COLA in 2006-07. [EC §§ 41850 et seq., 41860 et seq.]

Districts prepare annual reports of pupil transportation expenses electronically and on forms furnished by the California Department of Education. These reports are subject to audit by outside accountants under the compulsory state audit program. Districts should ensure that the source documents for all reports are complete and accurate and maintained for the period required by law. Policies or waivers that are a prerequisite for receipt of additional state funding should also be available for audit.

## LEGAL PROVISIONS

### Definitions

The governing board of a school district may charge fees for transportation services. The California Supreme Court has held that fees may be charged to pupils for home-to-school transportation. However, fees cannot be charged to students who are low-income or who have transportation requirements specified in their individualized education programs (IEPs). The governing board has the authority to establish criteria for determining which families are low-income and exempt from paying fees. Because of confidentiality laws, eligibility for free and reduced lunch programs cannot be used as a proxy for low-income status. [EC §§ 39807.5, 49558]

Payments to parents in lieu of transportation services should be made only in cases in which the district cannot provide transportation more economically. [EC §§ 39806-7]

Title 5 of the California Code of Regulations establishes 16 classifications of school bus fleets based on average size of buses and average hours of operation per day. [5 CCR § 15247]

A schoolbus is legally defined as any motor vehicle designed, used, or maintained for the transportation of any school pupil at or below the 12th grade level to or from a public or private school or to or from public or private school activities, except as specified in the Education Code. [EC § 39830; VC § 545]

A community college district governing board may by resolution designate any motor vehicle operated by or for the district as a schoolbus if it is primarily used for the transportation of community college students to or from a public community college or community college activities. Written notification of such designation must be filed with the Department of the California Highway Patrol to be effective. [VC § 545]

A school pupil activity bus is a motor vehicle, other than a schoolbus, operated by a common carrier, or by and under the exclusive jurisdiction of a publicly owned or operated transit system, or by a passenger charter-party carrier, used under a contractual agreement between a school and carrier to transport school pupils at or below the 12th grade level to or from a public or private school activity, or used to transport pupils to or from residential schools, when pupils are received and discharged at off-highway locations where a parent or designated adult is present to accept the pupil or place the pupil on the bus. [EC § 39830.1; VC § 546]

The California Department of Education may reduce a district's allowable transportation expense if it is transporting an excessive number of students within minimum prescribed distances or average costs per bus per day exceed 125 percent of the median cost for the district's classification. Excess expense incurred may be allowed only because of necessary engine replacement and necessary major overhaul of one or more schoolbuses. [5 CCR § 15283 et seq.]

### Rules and Regulations

The Vehicle Code contains specific requirements for every bus being used for the transportation of school pupils. The State Board of Education establishes regulations regarding the use of schoolbuses. The Department of California Highway Patrol controls the equipment requirements on all schoolbuses and sets the standards for the safe operation of those schoolbuses. The Air Resources Board enforces pollution control requirements for schoolbuses, such as the maximum idling time for schoolbuses in front of a school.

The governing board may adopt regulations addressing issues such as:

1. Setting minimum distances for providing transportation services. These must meet or exceed state minimums: 3/4 mile for K-3; 1 mile for grades 4-9; and 2 miles for grades 9-12 attending a high school. [5 CCR § 15241]
2. Providing an adequate system of transportation for eligible students living beyond a stipulated distance from the school of attendance and fees for use.
3. Providing transportation for pupils who have special transportation requirements in their individualized education programs (IEPs).
4. Specifying the extent of bus use for instructional trips and purposes other than home-to-school transportation.
5. Establishing procedures for authorizing bus trips for purposes other than home-to-school transportation. The use of schoolbuses for educational trips and school-related activities should be subject to written permission by a person designated by the governing board. The board should ratify permission.
6. Specifying whether students will be transported using district buses or by other means.
7. Specifying circumstances under which the district will transport persons other than pupils or district employees.
8. Providing payments to families in lieu of providing transportation.
9. Establishing rules of conduct for schoolbus passengers.
10. Maintaining and servicing schoolbuses over their useful life.
11. Establishing bus routes.
12. Providing adequate records to the California Department of Education to support transportation expenses. [5 CCR § 15253 et seq.]
13. Promulgating a policy on the misuse of alcohol and use of controlled substances by bus drivers and drivers of school transportation vehicles. [49 CFR § 382.601; VC §§ 34520, 34520.3]

### Private Vehicle Use

School district governing boards should adopt policies specifying the circumstances and conditions under which students may be transported in private vehicles. Policies should address the following topics: the minimum age, licensing status, liability insurance coverage, and responsibilities of drivers; adherence to vehicle seating capacities; requirements for permission slips from parents/guardians; and whether students subject to provisional driving restrictions are prohibited from driving other students on school-authorized activities. [EC §§ 35330, 44808; VC §§ 12814.6, 16020, 16056, 16430, 23152-3, 27363]

### Special Education Students

School district governing boards are required to adopt policies on meeting transportation needs of special education pupils. The policy must describe how special education and regular home-to-school transportation are coordinated. It must also include procedures to ensure compatibility of mobile seating devices and securement systems and to ensure that drivers are trained on proper use. [49 CFR § 571.222; EC § 56195.8(b)(5)]

Special education students who qualify for transportation services cannot be charged for transportation. Special education students must be treated the same as other students to avoid being labeled. [EC §§ 39807.5(e), 41851.2, 56342]

Disabled pupils, disabled public or private school or community college teachers, and dog trainers may be accompanied by guide dogs on a schoolbus. [EC § 39839]

### No Child Left Behind Act of 2001

Title I of the No Child Left Behind Act of 2001 (NCLB) requires certain interventions for schools that do not meet Adequate Yearly Progress and are identified for Program Improvement (see Additional Resources). For schools identified for these interventions, local educational agencies (LEAs) must provide parents with the option of transferring their children to another school in the district. Students may transfer only to schools that have not been identified for Program Improvement. In addition, students cannot transfer to schools that have been identified as Persistently Dangerous under NCLB.

The LEA must use federal Title I funds or other eligible sources to pay for the cost of transporting students electing to transfer under the provisions of NCLB. Unless a lesser amount is needed, an LEA with schools in Program Improvement must set aside an amount equal to 20 percent of its federal Title I funds for transportation and supplemental educational services. A total of five percent must be set aside for

transportation, five percent must be set aside for supplemental educational services, and ten percent can be used for either service. [20 USC § 6316(b)(10); 34 CFR § 200.44]

Title X of NCLB requires districts to transport homeless pupils as part of the McKinney-Vento Homeless Assistance Act. LEAs may use Title X, state, or local funds for transportation of homeless students, but may not use Title I funds. The district shall provide transportation for a homeless student to and from a district of origin when the student is residing within the district and the parent/guardian requests that such transportation be provided. If the student moves outside of district boundaries but continues to attend the district's school of origin, the superintendent or designee shall consult with the superintendent of the district in which the student is now residing to agree upon a method to apportion the responsibility and costs of the student's transportation. [42 USC § 11431 et seq.]

### Safety

The U.S. Department of Transportation establishes schoolbus safety standards. The National Highway Traffic Safety Administration issues rules and regulations defining these standards (see Additional Resources).

California law also addresses schoolbus safety issues. Some key provisions include:

1. The school district may place a notice at the entrance of a schoolbus or a school pupil activity bus that warns against unauthorized entry by any person. [EC § 39842; 13 CCR § 1256.5(c)(3)]
2. Assault or battery against any person on a schoolbus or district property shall be punishable by a fine and/or imprisonment. [PC §§ 243.3, 243.5]
3. The driver of a school pupil activity bus is subject to the California Highway Patrol regulations governing schoolbus drivers. A valid certificate to drive a school pupil activity bus does not entitle the bearer to drive a schoolbus. [EC § 39830.1; VC § 546]
4. The school district governing board shall adopt procedures that limit home-to-school bus operations during periods of reduced visibility. Drivers shall have discretion to discontinue operations for school activity trips because of reduced visibility. [VC § 34501.6]

5. The school district governing board may adopt a policy for evacuation of pupils in the event of a natural disaster or hazard that may provide for loading a schoolbus in excess of its seating capacity. Any such overloading of a schoolbus in the absence of an emergency is not permissible. [EC § 39834]
6. Any driver of a 15-passenger van used for school transportation purposes must have a valid class B driver's license, regardless of whether the van has been altered to seat fewer passengers. Under federal law, 15-passenger vans are considered to be schoolbuses. [49 USC § 30125(a); EC § 39800.5]
7. Passengers must use restraint systems on schoolbuses and pupil activity buses when such systems are available and unless specified exemptions apply. Districts must also require instruction on proper use of restraint systems. [EC §§ 38047.6, 39831.5; 5 CCR § 14105] Instructions for the proper use of child restraint systems in schoolbuses are available on the National Highway Traffic Safety Administration Web site (see Additional Resources).
8. Private vehicles used for transporting students must have seat belts or child passenger restraint systems that meet federal motor vehicle safety standards. [VC §§ 27315, 27360-0.5] National Highway Traffic Safety Administration recommendations address the seating of children in cars with air bags and the use of seat belts and safety seats for children under age 16 (see Additional Resources).

### Schoolbus Safety Mandates

School districts are mandated to create transportation safety plans and to provide transportation safety instruction to pupils. These requirements were suspended for 2006-07, and districts are not required to implement the mandated provisions. The Legislature decides on an annual basis whether to suspend mandates. [GC § 17581.5]

In years when compliance with the schoolbus safety mandates is required, each district is required to create a plan that addresses all of the following:

1. Escorting pupils across a highway or private road pursuant to Vehicle Code § 22112(d).
2. Procedures for all pupils in prekindergarten, kindergarten, and grades 1 to 8, inclusive, to follow as they board and exit at each bus stop.
3. Procedures for boarding and exiting a schoolbus at a school or other trip destination.

A current copy of the district's safety plan shall be made available upon request to an officer of the California Highway Patrol. The California Department of Education recommends that it be made available to all full- and part-time school personnel, including teachers, coaches, nurses, therapists, aides, administrative staff, etc., who may be in a position to transport a student as a passenger in a district vehicle. [EC § 39831.3]

In years when transportation safety instruction is required, districts and county offices of education that provide schoolbus transportation shall provide instruction to all pupils in prekindergarten, kindergarten, and grades 1 to 12 on schoolbus emergency procedures and passenger safety. Written information on schoolbus safety shall be given to the parent or guardian upon registration of prekindergarten and K-8 pupils not previously transported in a schoolbus or school pupil activity bus. At least once each school year, all prekindergarten and K-8 pupils who receive home-to-school transportation shall receive specified safety instruction, including instruction on the proper use of a passenger restraint system, and shall evacuate the schoolbus through emergency exit doors. Documentation is required each time instruction is given. These records shall be maintained for a minimum of one year and shall be subject to inspection by the Department of the California Highway Patrol. [EC § 39831.5; 5 CCR § 14105]

#### ADMINISTRATION OF THE PUPIL TRANSPORTATION PROGRAM

##### Transportation Supervisor

Responsibility for supervision of the pupil transportation program should be assigned to a district employee possessing qualifications in the technical aspects of schoolbus operation. The supervisor of a school district transportation program should be qualified to administer the program with due regard for safety requirements and other legal provisions. The person should be familiar with the Vehicle Code and the California Code of Regulations, Title 13, Motor Vehicles. These laws and regulations specify the requirements for schoolbuses operated in California.

An effective district transportation program should be maintained. The transportation supervisor should make an annual appraisal of transportation facilities, equipment, and bus routes. An appraisal of the program should be presented to the district superintendent before the end of each school year.

##### Design of Transportation Program

There are two key elements districts should consider when designing a transportation program: which students to serve and how to design the bus routes and schedules.

Home-to-school transportation is not mandatory for the general student population, but is required for special education students who have transportation services included in their individualized education programs (IEPs). Districts should consider whether to offer transportation to the general student population or only to special education students. If home-to-school transportation is provided, the district should establish criteria for determining which students should be transported based on factors such as distance from school, availability of safe routes to school, racial and ethnic integration, school over- or under-capacity, and funding constraints. [EC §§ 39800, 41850]

Well in advance of the first day of school, the transportation supervisor should submit a transportation plan to the district superintendent for recommendation to the district governing board. This plan should be developed with input from principals and should include bus routes and designated bus stops. The California Highway Patrol should be consulted regarding any unique bus stop locations. Bus schedules should be coordinated with bell schedules to ensure compliance with minimum annual instructional minutes. (See also Attendance Accounting.)

At the beginning of the school year and periodically thereafter, the transportation supervisor should analyze pupil loads and make any necessary changes to bus routes and schedules. Parents, guardians, and other stakeholders should be informed of changes to bus routes and schedules.

Careful consideration should be given to the effect that establishing and modifying transportation schedules has on cost classifications for average daily hours of bus operations and average size of buses. These cost classifications are used in the Annual Report of Pupil Transportation, SACS Form TRAN, for determining allowable maximum expenses. [5 CCR § 15246 et seq.]

Transportation schedules and work schedules of district personnel should be coordinated so that students are being supervised whenever they board or leave the bus on school premises.

### Schoolbus Drivers

Schoolbus drivers must possess the qualifications specified in the Education Code, the Vehicle Code, and regulations of the Department of the California Highway Patrol. Effective September 20, 2005, all California schoolbus drivers must also obtain an "S" (Schoolbus) endorsement on their commercial driver's licenses. Schoolbus drivers are also required to participate in ongoing testing for controlled substances and alcohol use. [49 CFR § 382; VC § 34520]

When hiring schoolbus drivers, school districts should conduct a critical review of each applicant's pre-employment and certificate application documents at all phases of the screening and hiring process. Pre-employment testing for controlled substances and alcohol is required in compliance with the Federal Transportation Code. Applicants must be fingerprinted and undergo background checks by the Department of Justice. A school district, county office of education, or public law enforcement agency may fingerprint applicants using an electronic fingerprinting system. (See also Human Resources.) Temporary certificates to operate buses are not issued until clearance is given from the Department of Justice. [49 CFR § 382; EC § 39833; VC §§ 12517 et seq., 12522; 13 CCR § 1213.1]

The Department of the California Highway Patrol conducts a schoolbus driver testing and certification program. Additional information about bus driver training is available on the California Department of Education Web site (see Additional Resources). A thorough training and development program, in conjunction with the pre-employment review process, should ensure competent, qualified drivers. Provisions should also be made to have qualified substitute bus drivers available.

Schoolbus drivers are responsible for pupil conduct and safety while students are boarding, riding, and leaving schoolbuses. Drivers cannot require any pupil to leave the bus enroute. The school principal, upon recommendation of the schoolbus driver, should decide whether any student should be excluded from a schoolbus. [5 CCR § 14103]

#### Schoolbus Maintenance

Prompt attention should be given to any repairs or servicing needs detected during each driver's daily inspection of schoolbuses or indicated in periodic preventive maintenance inspection reports made in accordance with regulations of the California Highway Patrol. When private companies perform repairs or service, the district should develop a checklist for the repair facility to use as a guide for bus maintenance. [VC §§ 2807-7.2]

Schoolbus mechanics or other maintenance personnel are not required to obtain an "S" endorsement on their commercial driver's license as long as they are not transporting pupils or members of the public in a schoolbus within the course of their employment. [VC § 12525]

The district should periodically conduct a comparative analysis of the cost of repairs performed by private repair facilities versus district personnel.

## SUGGESTED DISTRICT RECORDS

The use of periodic district reports is desirable to support transportation expenditure claims to the California Department of Education and to comply with requirements of the California Highway Patrol. [VC § 2807.2]

### Preventive Maintenance Inspection Report

Each schoolbus driver shall conduct a periodic preventive maintenance inspection in accordance with the regulations of the California Highway Patrol. The record of this inspection shall be signed by the person making the inspection and shall be retained on file in the district for review and inspection by the California Highway Patrol.

### Monthly Bus Report

A monthly bus report should be prepared for each schoolbus to record the daily mileage and odometer readings for regular and special trips. The form may also document any repairs or services that were performed on the vehicle.

### Annual Bus Report

An annual bus report summarizing the data in the monthly reports should be completed each year by June 30 or as soon as possible thereafter. The annual bus report should include detailed information that can be used to complete the state-required Annual Report of Pupil Transportation. A spreadsheet should be attached to each annual bus report showing that the entries represent the sums of the items in the monthly reports. This report, with the supporting monthly reports, should be filed in the district office. These documents are subject to review by the auditor during the annual audit.

### Other District Reports

Each fueling of a district vehicle from a district tank should be recorded, with the quantity of fuel pumped reconciled periodically with the quantities of gasoline purchased. Accounting entries should be made to differentiate between fuel for schoolbuses and fuel for other vehicles and machines.

Districts can conduct a daily count of pupils transported or they can opt to use the timesaving "four-count" method. To use the "four-count" method, the district calculates the average of an actual count from four regular school days occurring on or about October 1, December 1, February 1, and May 1.

## STATE REPORTS

### Forms

Districts report actual direct and support costs incurred for transportation of special education and regular students electronically on the Annual Report of Pupil Transportation, SACS Form TRAN. In addition, districts must file the reports listed below when applicable. Forms are available from the California Department of Education (see Additional Resources). [5 CCR § 15270]

1. Report of School Buses, Form J-143 [5 CCR §§ 15272, 15320]
2. Transfer of Transportation Services, J-141-T
3. Report of Regional Occupational Center/Program Transportation, J-141-ROCP
4. Joint Powers Agency Data Report, J-141-JPA

The expense for each bus replacement should be reported on Form J-143 during the year of replacement. [5 CCR § 15320 et seq.]

### Accounting Classification

Current expenses entered on SACS Form TRAN should be reconciled with expenses charged to the budget classification, "Pupil Transportation."

The salary of an employee working partly in pupil transportation and partly in other work should be charged to the respective accounting classifications in accordance with the time spent on each type of work. The prorated portion of salary charged to the accounting classification "Pupil Transportation" should be based on an analysis of the actual time spent in this work.

Interdistrict payments received for pupil transportation services must be accounted for as noted in the *California School Accounting Manual*, Section 640 (see Additional Resources).

## PURCHASE AND LEASE OF BUSES

### Financing

To finance the initial purchase or replacement of schoolbuses, the governing board should consider the following:

1. Cash purchase from the General Fund or from a Pupil Transportation Equipment Fund if one has been established. [EC § 41852(b)]
2. Cash purchase from the Building Fund if the useful life of the bus is at least 20 years and if this is a purpose for which bonds have been voted. Schoolbuses cannot be purchased from the Special Reserve for Capital Projects. [EC § 15100]
3. Purchase on the basis of district eligibility for an apportionment grant for replacement or reconditioning of transportation equipment. [EC §§ 42290-3, 42300-3]
4. Purchase on the basis of a lease/purchase agreement for a term not to exceed 10 years. [EC §§ 17452, 81552]

#### Purchasing and Leasing

Competitive bidding procedures must be followed before purchasing or leasing transportation equipment totaling more than \$69,000 in 2007. This limit is adjusted annually commencing January 1. The California Highway Patrol Commercial and Technical Section controls the equipment requirements on all schoolbuses operated in California. All Type 2 schoolbuses manufactured on or after July 1, 2004, and all Type 1 schoolbuses manufactured on or after July 1, 2005, shall be equipped with a combination pelvic and upper torso passenger restraint system installed at all designated seating positions. The Notice to Bidders should provide that at the time of delivery the schoolbuses must meet all state and federal requirements and must pass inspection by the Department of the California Highway Patrol. This notice should also specify that the schoolbus must be guaranteed for a stated period or number of miles. [EC §§ 17912.3, 81641; PCC §§ 20111-2, 20651; VC § 27316, 13 CCR § 1201] (See also Purchasing.)

Cost records must be maintained that clearly show the original cost of each bus and accessory. Capital improvements to buses, including emergency stopping systems, should also be accounted for in these cost records. [VC § 26508]

Because driver salary is a relatively fixed cost for each bus, districts should consider acquiring buses of larger capacity when bus replacements are made.

Continuing contracts for the lease or rental of schoolbuses may be made for a period not to exceed five years. If provisions of a lease agreement provide for maintenance at the district's expense, the length of the manufacturer's warranty should be considered in determining the lease period. If the lease agreement provides an annual option to purchase the buses or cancel the contract, the contract may be for a term of up to 10 years. [EC § 39803(b)]

### Small School District Bus Replacement Program

School districts with average daily attendance (ADA) under 2,501 may apply for schoolbus replacement and reconditioning grants through the School Fiscal Services Division of the California Department of Education (see Additional Resources). [EC §§ 42290-3]

### Lower-Emission School Bus Program

The Transportation and Air Quality Bond, Proposition 1B, which was passed on November 7, 2006, provides \$200 million for replacing and retrofitting schoolbuses. These funds will be allocated over a three-year period beginning in 2007-08. As required by the 2006 Budget Act (Chapter 47, Statutes of 2006), \$25 million previously allocated for schoolbus replacement has been diverted to grants to purchase low-polluting construction equipment.

### Clean School Bus USA Assistance Grants

The Environmental Protection Agency provides grant funding under the Clean School Bus USA Assistance Grants program to retrofit and/or replace diesel-powered schoolbuses (see Additional Resources).

## CONTRACTING FOR TRANSPORTATION SERVICES

Before contracting for transportation services, school districts should consider the provisions of EC § 45103.1, which places certain restrictions on contracting for personal services. The school district governing board must have a written agreement with each party contracting for the transportation of pupils. Exhibit 1 presents a sample form for contracting for transportation services. [EC §§ 39802, 45103.1]

Competitive bidding procedures pursuant to the Public Contract Code must be followed before contracting for transportation services totaling more than \$10,000. Continuing contracts for furnishing transportation to students must not exceed five years. Such a contract may be renewed at the option of the school district. [EC §§ 39802-3; PCC §§ 20111-2] (See also Purchasing.)

Consideration should be given to interdistrict contracts for student transportation whenever such practice would result in cost savings or improved service.

## ADDITIONAL RESOURCES

1. Air Resources Board, California Environmental Protection Agency, for information on lower-emission school bus programs. Available: <<http://www.arb.ca.gov/msprog/schoolbus/schoolbus.htm>>
2. *California School Accounting Manual*, California Department of Education, 2007. Available: <<http://www.cde.ca.gov/fg/ac/sa/>>
3. Child passenger safety information available as link from “Traffic Safety” tab; federal laws and regulations available from “Laws/Regulations” tab, National Highway Traffic Safety Administration. Available: <<http://www.nhtsa.dot.gov/>>
4. Child safety restraint systems in schoolbuses, National Highway Traffic Safety Administration. Available: <<http://www.nhtsa.dot.gov/people/injury/buses/busseatbelt/index.html>>
5. Clean School Bus USA Program, U.S. Environmental Protection Agency. Available: <<http://www.epa.gov/otaq/schoolbus/index.htm>>
6. No Child Left Behind Act of 2001, U.S. Department of Education. Available: <<http://www.ed.gov/nclb/landing.jhtml>>
7. Office of School Transportation, California Department of Education, for bus driver training programs and links to resources for transportation administrators. Available: <<http://www.cde.ca.gov/ls/tn/>>
8. Pupil Transportation Program, California Department of Education, for program information, forms, and apportionments. Available: <<http://www.cde.ca.gov/fg/aa/ca/pupiltransport.asp>>
9. *Putting Children First*, National Transportation Safety Board, 2000. Available: <<http://www.nts.gov/publictn/2000/sr0002.htm>>
10. Small School District/County Office of Education Bus Replacement Program, California Department of Education. Available: <<http://www.cde.ca.gov/fg/aa/ca/smallschdistcoebus.asp>>
11. Title 13, California Code of Regulations—Motor Vehicles. Available: <<http://government.westlaw.com/linkedslice/default.asp?SP=CCR-1000>>

12. U.S. Department of Transportation. Available: <<http://www.dot.gov>>

#### LIST OF EXHIBITS

Exhibit 1 School District Contract for Transportation, Sample, San Diego County Office of Education

SCHOOL DISTRICT CONTRACT FOR TRANSPORTATION  
(For contracting with other than school bus drivers, parents, or guardians)

NOTE: Transportation contracts involving an expenditure of more than \$10,000 should be let only after compliance with the provisions of Education Code sections 39802 and 45103.1.

This agreement entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the Governing Board of the \_\_\_\_\_ District, hereinafter referred to as the BOARD, and \_\_\_\_\_ hereinafter referred to as the CONTRACTOR, witnesseth:

1. The CONTRACTOR does hereby agree to transport pupils attending the school of the \_\_\_\_\_ District(s) on such days as the schools are in session:  
Approximate number of miles covered in route, going and coming \_\_\_\_\_  
Approximate number of pupils to be transported \_\_\_\_\_
2. The BOARD agrees, in consideration of the service rendered by the CONTRACTOR under this agreement, to pay said CONTRACTOR the sum \$ \_\_\_\_\_ payable as follows:
3. All moneys accruing to the CONTRACTOR under the terms of this agreement shall be paid not later than the tenth day of the calendar month following that in which the service was rendered.
4. The CONTRACTOR agrees, while performing the duties required by this agreement, to comply with and observe all the provisions of the California Vehicle Code and all other applicable laws, and further agrees to comply with all rules and regulations established by the State Board of Education and/or the Department of Education of the State of California and by the BOARD relating to the safe transportation of pupils.
5. The CONTRACTOR further agrees that prior to the effective date of this agreement, said CONTRACTOR will insure jointly the liability of said CONTRACTOR and that of the BOARD and \_\_\_\_\_ District for damage to property or injury to persons while performing services under this agreement. The insurance shall be in the amount of \$ \_\_\_\_\_ Public Liability and \$ \_\_\_\_\_ Property Damage and shall be purchased from an insurance company authorized by law to transact business in the State of California.
6. It is expressly understood and agreed to by both parties hereto that the CONTRACTOR, while performing services under this agreement is an INDEPENDENT CONTRACTOR and is not an officer, agent, or employee of the \_\_\_\_\_ District.
7. It is also expressly understood and agreed to by both parties hereto that upon the willful violation of any of the terms and conditions of this agreement by either party herein, this agreement shall terminate and shall be of no force and effect whatever.
8. Service under this agreement shall begin on \_\_\_\_\_ and terminate on \_\_\_\_\_, unless terminated earlier as hereinbefore provided or by the mutual consent of the parties hereto.

\_\_\_\_\_  
CONTRACTOR

\_\_\_\_\_ DISTRICT

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

Members of the Governing Board