



**DSSC**

# School Vehicle Procedures

Revised Jan. 2007



# Preface

**All Rules and Regulations set forth in this document are intended to assure each student in the Central Consolidated School District safe and reliable transportation during school related activity trips.**

**The Central Consolidated Board of Education recognizes and accepts all rules and regulations promulgated by the State Department of Education, Transportation Division.**

**All persons involved with the pupil transportation program are responsible to become thoroughly familiar with the district vehicle usage policies and procedures.**

*A copy of this signed page will be placed on file to indicate that the CCSD Employee did receive a copy of these procedures on the date of receipt.*

Employee \_\_\_\_\_ Date \_\_\_\_\_

Supervisor \_\_\_\_\_ Date \_\_\_\_\_

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## DEFINITIONS

1. Authorized assistant - An individual employed by the District who is assigned to the authorized trip (who is not the driver), to assist the driver or to oversee and supervise passengers and students.
2. Authorized driver - An individual who meets all state and local criteria to drive students in a District-owned vehicle other than a school bus in connection with school programs, activities, functions or events.
3. Authorized trip - The periodic use of District-owned vehicles necessary in connection with District business or operations and approved by the Superintendent or designee.
4. Authorized passenger - An individual employed by the District whose occasional travel is necessary and/or an individual closely associated with the District whose travel is necessary for the business or operations of the school district, as a sponsor, chaperone or assistant.
5. Safety-Sensitive Function - Employment tasks (Maintenance, Liaisons, Mechanics, Bus Drivers) which involve:
  - a. Operation of school buses or District-owned vehicles as a regular or essential function of the employment position or as a regular job assignment.
  - b. Operation of heavy or potentially-dangerous equipment or vehicles.
  - c. Use of hazardous toxic materials where misuse or accident may pose serious health or safety risks to staff or students.
6. School Transportation Supervisor - An individual designated by the District Superintendent who has responsibility to monitor and or guide local school transportation and or drivers and who is required to make daily observations to detect reasonable suspicion for alcohol and or substance use.
7. District-owned vehicle - A vehicle, other than a school bus, that meets the following criteria:
  - a. May not accommodate more than nine people, including the driver.
  - b. All occupants are required to wear available seat belts while the vehicle is in motion.
  - c. The cargo securement system is designed to ensure that no object is likely to become a flying missile in a crash situation i.e., a cargo net or other adequate tie-downs will be carried in the trunk or in external cargo carrier.
  - d. Acceptable vehicles for transportation of students include four (4) to six (6) passenger mini-compact cars, intermediate or full-size sedans, six (6) to nine (9) passenger station wagons, and six (6) to nine (9) passenger suburban-type vehicles built on a truck chassis.
  - e. Unacceptable vehicles for the transportation of students are vans or mini-vans with a sliding side door, or double opening side doors.
8. On-duty time - The time allotted for driving, servicing or operation of a vehicle or those duties assigned that are related to a specific authorized trip, such as staying with the vehicle for security purposes and assisting with the supervision of students.

9. Serious traffic violation – A conviction of any of the following offenses when operating any motor vehicle, except weight, defect and parking violations:
  - a. Excessive speeding, involving any single offense for any speed of 15 miles per hour or more above the posted speed limit.
  - b. Reckless driving with disregard for the safety of people or property.
  - c. Improper or erratic traffic lane changes.
  - d. Following the vehicle ahead too closely.
  - e. A violation, arising in connection with a fatal accident.
  - f. Driving a Commercial Motor Vehicle without obtaining a Commercial Drivers License with the proper endorsements.
10. SAMHSA - Substance Abuse Mental Health Services Administration
11. DUI - Driving Under the Influence
12. DWI - Driving While Intoxicated
13. D.O.T. - Department of Transportation
14. SAMBA - Monitors driving-record of fleet drivers and sends monthly Motor Vehicle Reports.
15. NHTSA - National Highway Traffic Safety Administration

## **ADMINISTRATIVE REGULATIONS FOR DISTRICT-OWNED VEHICLES**

*These administrative regulations are adopted pursuant to the authority of NMSA 1978 Section 22-5-4(o). The following regulations are adopted, and may be amended by the Superintendent from time to time, to assure safe and efficient operation and use of school vehicles other than school buses.*

### **GENERAL PROCEDURES**

1. Only Board members or District approved employees may drive district vehicles.
2. All authorized drivers must complete all certification, training and licensing requirements in accordance with board policy. All District-owned vehicles are used only for official purposes. No unauthorized drivers will operate or use the District-owned vehicles. Unauthorized drivers will not transport students or unauthorized passengers in District-owned vehicles.
3. These regulations are interpreted and implemented in a manner consistent with applicable federal and state laws and regulations.
4. The Superintendent will ensure the transportation policies adopted by the School Board and federal/state laws are implemented and enforced by School District employees and administrators. In his/her absence, the Superintendent may delegate the responsibility for supervision and management of the school transportation program to the School Transportation Supervisor and/or another administrator or staff member.
5. The Superintendent or designee will verify the current qualifications and training records of each authorized driver. Background and reference checks are verified in accordance with applicable laws.
6. The Superintendent or designee will adhere to all applicable federal and state employment requirements when designating, employing, or retaining an authorized driver, whose regular or essential job duties include driving District-owned vehicles.
7. Students who do not obey the state and local regulations governing student transportation may have their transportation privileges revoked by the school District in accordance with the student's Conduct Code.
8. When a student's behavior endangers the safety of others, the student will immediately be returned to his or her school or removed from the District-owned vehicle to await alternative transportation under the supervision of an authorized driver, authorized assistant or other school District staff.
9. All purchased vehicles must meet applicable United States Department of Transportation Federal Motor Vehicle Safety Standards.
10. District-owned vehicles with a rated seating capacity of nine (9) or fewer which are used to transport students on school-sponsored activity trips are not required to meet federal and state standards for school buses.
11. An individual applying for a position that requires them to drive a district vehicle will not be eligible to operate a school owned vehicle that has:
  - a. A conviction for DWI or DUI within the previous seven-years.

- b. Two convictions in any combination of DWI or DUI within the previous 10-years.
- c. Three (3) or more convictions of either DWI or DUI.
- d. A driver's license suspended or revoked within the previous five (5) years for serious traffic violations.
- e. Been convicted of more than three (3) serious traffic violations within the previous three (3) years.
- f. Been convicted of any felony within the previous ten (10) years.
- g. Been convicted of child abuse.
- h. Been convicted of any misdemeanor drug charges within the previous twenty (20) years.

## **GENERAL REQUIREMENTS FOR DRIVERS**

### **1. Activity Vehicle Driver (Transport):**

- a. Submit a copy of driver's license to the transportation office.
- b. Attend four (4) hours of Pre-Service Class
- c. Attend two (2) hours of Homeland Security Training
- d. Complete eight (8) hours of Defensive Driving Course within thirty (30) days of hire.
- e. Take a Drug Test and be placed on a Random Testing Program.
- f. Complete a physical examination, and renew as needed or every 24 months from the date of the last examination by a licensed physician and certified on a form established by the Department of Transportation. Additional physical examinations may be required at any other time at the request of the Superintendent or designee.
- g. Must be First Aid/CPR Certified

### **2. District Vehicle Driver (Non-Transport):**

- a. Submit copy of drivers license to the transportation office.
- b. Complete eight (8) hours of Defensive Driving and submit a copy of certificate to the Transportation office. New employees have thirty (30) days to complete DDC. Employees who are returning must complete DDC before they start driving.

### **3. Drug and Alcohol Testing:**

The authorized drivers of all District-owned vehicles, involving the transportation of students are required to meet the requirements of the Controlled Substances and Alcohol Use and Testing in accordance with 49 C.F.R. Part 382. In addition, authorized drivers of District-owned vehicles whose position is designated as a safety sensitive job will be subject to random drug and alcohol testing. The testing to be instituted will include:

- a. pre-employment testing
- b. random testing
- c. reasonable suspicion testing
- d. post-accident testing
- e. return to duty testing
- f. follow up testing

4. Random drug and alcohol testing are conducted at the following locations: Kirtland, Shiprock, and Newcomb Transportation Office. You must bring a pictured ID to present to the test administrator. Upon being notified by your supervisor you must report to the location closest to your work site. Failure to report for testing will be considered a refusal to take an alcohol or drug screening test. It will be treated in the same manner as a test that is confirmed positive and you will relinquish your privilege to drive a District vehicle for five years. The driver will be required to complete the District drug and alcohol referral process or you may be recommended for termination.
5. Employee Notification for Department of Transportation Required Alcohol and Drug Testing:

IN THE EVENT THAT THE DRIVER IS INVOLVED IN AN ACCIDENT WHERE YOU ARE ISSUED A CITATION OR INVOLVES A FATALITY REGARDLESS OF FAULT, YOU MUST BE TESTED WITHIN TWO (2) HOURS. CONTACT YOUR SUPERVISOR IMMEDIATELY! ***THIS IS YOUR RESPONSIBILITY!***

- a. The Director of Transportation is designated by CCSD to answer your questions regarding the materials in the drug and alcohol policy.
- b. The employees affected by this policy are those who are regulated by: the commercial drivers license requirements of the Department of Transportation (DOT) as defined by part 383; anyone possessing a "CDL" license, or who meets the Licencia Federal de Conductor (Mexico) requirements or the Canadian National Safety Code commercial drivers license requirements. Employees who have CDL's and operate qualifying vehicles are subject to DOT drug and alcohol testing regulations. Transportation employees with CDL's who operate vehicles that don't meet DOT requirements for safety-sensitive duties will be held to the standards in this policy and will be subject to the same consequences for positive test results. However, individuals who perform safety-sensitive functions because the vehicles operated do not meet the DOT definition of a Commercial Motor Vehicle will be tested using non-DOT forms.
- c. The safety functions that pertain to an operator of a commercial motor vehicle, as defined by the Department of Transportation, are as follows: i) all times at a carrier or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved of duty by the motor carrier; ii) all times inspecting equipment as required by Sec. 392.7 and Sec 392.8 or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time; iii) all driving time as defined in Sec. 395.7; iv) all times, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth as defined by the term sleeper berth in Sec. 395.2.
- d. Employees who are involved in safety sensitive areas of work are prohibited from the consumption of controlled substances at all times. The consumption of alcohol is also forbidden during the following times: i) while performing safety sensitive functions, ii) during the four (4) hours prior to performing safety sensitive functions, iii) reporting for duty to perform safety sensitive functions with a breath alcohol concentration greater than 0.02, iv) possession of alcohol, unless



the alcohol is manifested and transported as part of a shipment, v) use of alcohol during eight (8) hours following an accident, or until such time that a post accident test has been taken. Refusal to take a drug or alcohol test includes intimidation or harassment of collectors or refusal to provide an adequate sample as outlined in this policy.

- e. The circumstances under which an employee may be tested for alcohol or drug use are as follows: i) Pre-employment unless the applicant is excepted because of verified previous participation in a DOT drug and alcohol testing program; ii) On a random basis throughout the year, as required by the Department of Transportation; iii) After an accident that involved a fatality regardless if the employee was at fault or when an employee has been issued a citation for his/her involvement in the accident. If an accident does not meet the DOT definition for testing, CCSD will require drug and alcohol testing using non-DOT forms. CCSD transportation management will determine if non-DOT post-accident testing is required; iv) When reasonable suspicion exists and is documented by a trained supervisor.
- f. 6) The collection procedures for drug and alcohol testing will provide confidentiality. The maintenance of employees' records will provide adequate security to prevent any unauthorized person from gaining access. During the actual testing, the privacy of those being tested will be provided for as the circumstances allow. Prior to the start of testing, an employee will be asked for positive identification or recognition of the employee by a member of management. The method for drug screening will be a urinalysis conducted by a SAMHSA certified lab. The collection will be performed in the manner that DOT requires. This will include the use of a split sample, DOT approved documentation, a procedure for securing the sample as to be tamperproof, a clearly defined chain of custody for those who handle the sample, a unique number that is the same assigned to both the document and the security seals. The transportation of these samples will be by courier in accordance to DOT regulations. The initial tests of all specimens will use an immunoassay analysis that will detect the following controlled substances along with the minimum concentrations(ng/ml): Marijuana metabolites 50, Cocaine 300. Opiate metabolites 2,000, Phencyclidine 25, Amphetamines 1,000. In the event of an initial positive test result, a confirmation test will be conducted. The confirmation test will use a gas chromatography mass spectrometry technique. The levels for the confirmation tests to result in a positive reading are (ng/ml): Marijuana metabolite 15, Cocaine metabolite 150, Opiates (Morphine) 2,000 (with 6 AM), Codeine 300, Phencyclidine 25, Amphetamines 500, Methamphetamine 500. The purpose of a split sample is in the event of a positive result, a set aside amount will then be made available to the employee for retesting at a facility of his/her choosing and expense. In the event of a positive result, the Medical Review Officer (MRO) will contact the employee directly, or a message will be left for the employee to contact the MRO to discuss the results and to advise the employee on the steps to retest the split portion. In order to have the split specimen tested, the employee must contact the MRO within the seventy-two (72) hour after being notified of the positive result or provide a reason as to why this

could not be done or further tests will not be performed. The results will be forwarded on to the employee, the collector, and the designated employer representative as stated above.

- g. Alcohol testing will be performed using a breath analyzer that meets all of the DOT regulations and is listed on the NI-ITSA products list. This device will assign a unique number to every test, and this is a function that the operator cannot change. The test will be done according to DOT requirements and by a certified Breath Alcohol Technician (BAT). The documentation for this test will be in accordance with the requirements of DOT. After the test is conducted, the employee will be shown the results, and a DOT report will be completed with three (3) copies of the report. The test results will match and be verified by the employee. The three (3) copies of the results will be distributed as follows: top copy to the employer's representative as stated above, second copy to the employee, the third copy to the collector. In the event of a positive test of 0.02 or greater, a second confirming test will be given no sooner than fifteen (15) minutes and no longer than thirty (30) minutes unless unusual circumstances exist. This will be the test of record for the positive results. The confirming test results will be printed from the evidentiary device with three copies that are to be attached to each copy of the report in such manner that the results are secured and any alteration would be apparent.
- h. Any employee who is regulated as stated above is required by the DOT in 49 CFR Parts 382 and 40 to submit to drug and alcohol testing.
- i. A refusal to take an alcohol or drug screening test will be treated in the same manner as a test that is confirmed positive. A refusal will include a refusal to sign the required documentation, failure to provide identification or employer recognition, failure to provide an adequate sample, or failure to notify the appropriate persons for a post accident test unless injuries prevent you, in which case a release to have the appropriate medical facility release this information or conduct the appropriate tests will be required. Failure to provide a sample is as follows: failure to produce 45 ml of urine within three hours that has a temperature range of 90°-100° F, failure to provide an adequate breath sample as instructed by the BAT, unless the employee can provide from a qualified medical practitioner a reason the sample cannot be provided.
- j. An employee will be confirmed as being positive for the use of a controlled substance by the Medical Review Officer, based on results from a DOT-certified laboratory. An employee will be considered to be positive for alcohol in the event that the breath alcohol concentration is equal to or greater than 0.04 as found in the confirmation test. Any employee who has tested positive for either will immediately be removed from performing safety-sensitive duties, terminated and referred to a substance abuse professional for evaluation. The employee is responsible for following the return-to-duty process prior to returning to safety-sensitive work for another employer.
- k. In the event that an employee tests positive for an alcohol concentration greater than 0.02 but less than 0.04, the employee will be removed from performing any safety sensitive tasks for at least twenty-four (24) hours.

## GENERAL DRIVER RESPONSIBILITIES

1. The authorized driver of the vehicle will comply with all applicable state statutes and child-restraint recommendations from the National Highway Traffic Safety Administration (NHTSA).
2. The authorized driver of the vehicle will comply with all applicable vehicle warnings with regard to the seating of students in vehicles equipped with air-bag restraint systems, use and placement of child-safety seats.
3. For the purpose of transporting students to or from a school-sponsored activity, an authorized driver **will not drive for more than ten (10) hours of total driving time, nor more than eight (8) hours continuous driving time.** A driver will not be permitted to be on-duty a total of more than fifteen (15) hours in a twenty four (24)hour period.
4. An authorized driver to be considered “off duty” shall meet the following conditions:
  - a. The authorized driver is relieved of duty and all responsibility for the care and custody of the vehicle, its accessories, any cargo, supervision of student and other passengers.
  - b. The duration of the authorized driver’s relief from duty is a specified, adequate period to allow the driver to rest and to pursue activities of his/her choosing off the premises where the vehicle is located.

## EMERGENCY EVACUATION

1. Fire or danger of fire.
  - a. The vehicle will be stopped and evacuated immediately if any portion is on fire. Move a safe distance away from the vehicle and remain there until the driver determines that no danger remains.
2. Unsafe position.
  - a. If a vehicle is stopped, the driver will determine immediately whether it is safe for passengers to remain in the vehicle or to evacuate. The authorized driver and passengers will evacuate if:
    1. The vehicle is immobilized in the path of any train
    2. The stopping position of the vehicle is subject to change and thus increases the danger to passengers.
    3. The stopping position of the vehicle is such that there is danger of collision with other vehicles.

## ACCIDENTS

In the case of any accident involving a District-owned vehicle, the driver’s first responsibility is the safety of the passengers. In addition, the authorized driver will:

1. Stop immediately.
2. Maintain control of passengers.
3. Protect the accident scene.
4. Remain at the scene of the accident without moving the vehicle.
5. Assist any person injured in the accident.
6. Notify police and the Superintendent.

7. If it is necessary to evacuate passengers, make certain that all passengers relocate to a safe distance away from traffic and that they are not permitted to leave the scene of the accident.
8. Place reflectors appropriately to warn traffic.
9. Obtain information such as names, license numbers, registration numbers, insurance information, location, time, road and weather conditions, and a listing of all passengers including their seating locations.
10. Make no admission of liability or assume responsibility for the accident.
11. Comply with local policy and procedure in reporting the accident.
12. Adhere to any vital emergency medical information provided.
13. Report all school vehicle accidents in accordance with local District and state accident reporting procedures, applicable to school buses.

### **STUDENT SAFETY**

The authorized driver will:

1. Meet all needs identified in a student's IEP if a District-owned vehicle is used for transportation of a student with a disability.
2. Not permit passengers to occupy any area not designated for passenger seating, while the vehicle is in motion.
3. Not carry more than seating capacity. All students will be seated when the vehicle is in motion.
4. Not carry on any unnecessary conversations with student while driving.
5. Not permit the transportation of firearms, knives, explosives, breakable glass, or other dangerous objects, reptiles, or animals, except those animals authorized by a student's IEP.
6. Be responsible for the safety and orderly conduct of the passengers on an authorized trip.
7. Report all serious discipline cases to the Superintendent or designee in accordance with this policy and student conduct codes.

### **PRE/POST TRIP REQUIREMENTS**

All authorized drivers of District-owned vehicles are required to perform at a minimum, the following duties:

1. Safe and efficient operation of the District-owned vehicle in accordance with Federal/State, and Local Statutes and Regulations.
2. Daily pre-trip operational check of the District-owned vehicle and special equipment unless completed by other qualified personnel. For all Activity Vehicle Drivers, a documented pre-trip inspection will be conducted which includes a minimum of:
  - a. Wheels, tires, lug bolts, and nuts for serviceability.
  - b. All exterior lights for serviceability and operation.
  - c. All glass, mirrors, windshields (clean and unbroken and mirrors adjusted for the driver).
  - d. Exhaust system for leaks, looseness, etc.
  - e. Oil, water, and any other fluid leaks (power steering, power brakes, transmission, differential, etc.)
  - f. Hood and doors.

- g. Engine compartment for serviceability, battery, belts, wiring, and proper oil and water levels.
  - h. Fuel filler cap
  - i. All gauges, seats, and interior lights.
  - j. Horn and windshield wipers.
  - k. Emergency equipment
  - l. Parking brake and service brake.
  - m. Cleanliness of vehicle.
  - n. Heaters and defrosters.
3. The authorized driver will not operate any vehicle that does not meet the pre-trip inspection requirements. The Superintendent will establish written procedures for immediate replacement or repair of a vehicle that fails to meet pre/post trip inspection requirements.
  4. The authorized driver will, as part of each post-trip inspection, ensure that no student or student property remains on the vehicle at the conclusion of the trip.
  5. The authorized driver will report in writing on the appropriate forms signed by the driver all faulty or improperly functioning equipment to the appropriate school District administrator or his/her designee.
  6. The engine of any District-owned vehicle must be turned off and the park brake activated while students are loading/unloading. Should the driver be required to leave the driver's seat when transporting students, the keys will be removed from the ignition switch.

**CONTROLLED SUBSTANCE/TOBACCO RESTRICTIONS**

1. All District-owned vehicles are alcohol, drug and tobacco free areas.
2. The authorized driver or the authorized sponsor will not use alcoholic beverages and controlled substances prior to or during duty hours.

**DRIVER REQUIREMENTS:**

1. A monthly license check will be conducted through the New Mexico Public Schools Insurance Authority - SAMBA.
2. If driver does not have a New Mexico driver's license, he/she must submit a license check from their state MVD to the Transportation office at the end of each month.
3. Meet all current motor vehicle regulations for a license to drive the particular type of District-owned vehicle.
4. The District-owned vehicle will be used for District business only.
5. No authorized driver is allowed to use a District-owned vehicle for personal errands or to conduct personal business. Use of such vehicles for purposes inconsistent with authorized use may be considered an act of insubordination warranting employee discipline.
6. Nothing in this policy will be construed to prohibit the use or occupancy of a District-owned vehicle to render legitimate emergency aid or assistance to any person.
7. A school employee who permits a school vehicle to be driven by an unauthorized driver will have his or her driving privileges suspended or revoked. They may be held personally liable to the extent permitted by law, for any personal injury, death or property damage arising out of the unauthorized use.

8. The authorized driver may take a District-owned vehicle home only with the permission of the Superintendent or designee.
9. The authorized driver will obey all traffic laws, ordinances, and will not abuse a District-owned vehicle.
10. The authorized driver will not operate the District-owned vehicle in such a manner as to cause on-board accidents by jerking, stopping suddenly, or swerving unnecessarily.
11. The authorized driver will turn off the ignition, remove the keys, close all windows, and lock all the doors of a District-owned vehicle when the vehicle is left unattended.
12. The authorized driver may be assessed for the loss or damage of a school owned vehicle if the loss or damage was caused by:
  - a. Driving under the influence of alcohol or drugs.
  - b. Reckless driving.
13. Upon request, the authorized driver will show a properly signed Activity Trip Ticket to any officer of the State Police, official of the State Department of Education School Transportation Unit, or District administrator.
14. Each District-owned vehicle will carry a first aid kit with contents as specified in New Mexico School Bus Construction Standards.
15. In transporting musical instruments, shop projects, or other school projects, the items will be secured.

#### **SPONSOR RESPONSIBILITIES**

1. Activity sponsors will be responsible for the following:
  - a. Preparation and submission of trip requests in accordance with applicable procedures set forth by the Superintendent.
  - b. Notification to the Superintendent or designee of any scheduled and unscheduled changes in the activity.
  - c. Assurance that student(s) are at the departure points at the appointed time.
  - d. Supervision of the loading and unloading of the vehicle.
  - e. Assurance of the orderly conduct and discipline of students during the trip.
  - f. In case of an evacuation of the vehicle, supervise students and maintain control of students.
  - g. All arrangements on overnight trips for meals and lodging, including arrangements for the driver.
  - h. Provision for adequate rest stops.
  - i. Maintenance of a student roster and taking roll each time students return to the vehicle.
  - j. Securing musical instruments, shop projects, or other school projects, making sure the items are not obstructing the driver or students.
2. Any District-owned vehicle used to transport students on school-sponsored activity trips outside the District's boundaries will carry an Activity Trip Ticket. An Activity Trip Ticket is not required if a commercial common carrier is used to transport students on the activity trip however, the District will maintain a copy of the contract for the transportation services in connection with the school-sponsored activity.