



EEAF - USE OF BUSES BY NON-STUDENT GROUPS

The general philosophy of the Board of Education is that the District's transportation equipment is to be used primarily for District purposes, and that taxpayers shall not be expected to subsidize the cost of busing equipment or personnel for transportation unrelated to District purposes. The District shall not acquire new equipment or hire additional personnel to facilitate the transportation of individuals who are not District students.

However, it is the policy of the Board of Education to make existing District transportation equipment available for use by groups of at least five (5) persons, with special consideration being given to groups comprised of citizens 65 years of age and older in accordance with this policy and as required by law. Existing District transportation equipment may also be used to assist governmental agencies for emergency and/or overflow transportation services. Any non-student use of District transportation shall not impinge upon or impair use for District purposes.

As permitted by law, such groups and governmental agencies shall be billed for and expected to pay fees that cover the District's direct and indirect costs of providing the groups' and agencies' requested transportation. District transportation equipment shall only be operated by authorized District employees, as determined by the director of transportation services or his/her designee.

PROGRAM ADMINISTRATION RESPONSIBILITY

The director of transportation services shall be responsible for approving and scheduling the times District transportation equipment is available for non-student use.

SCHEDULING

The director of transportation services shall determine the hours and days when District transportation equipment may be used by non-student groups and governmental agencies. Non-student use of District transportation equipment shall not be combined with student transportation, nor shall it interfere with:

1. Student transportation to, from or between schools;
2. Student transportation for school activities and functions;
3. Emergency transportation for students;
4. Time requirement for maintenance and service of equipment; or

5. Availability of standby equipment for student transportation purposes.

LIMITATIONS ON USE

1. District transportation equipment shall not be used for activities that:
 - a. Advocate social or political change by violence.
 - b. Advocate or advance any doctrine or theory subversive to the Constitution of the United States, the Constitution of Colorado, or federal, state, or local laws and ordinances.
 - c. Organize or convene a secret organization for subversive purposes.
 - d. Assist in raising funds for any of the above purposes.
 - e. Violate any District policy or federal, state, or local law.
 - f. Are in conflict with a District program.
 - g. Jeopardize the safety, security, or supervision of individuals or District property.
2. Users shall comply with federal, state, and local laws and regulations related to discrimination. Use shall be approved only when the group requesting such use is open to all persons who are lawfully entitled to be included in the group.
3. No use by groups of less than five shall be approved.
4. Special consideration shall be given to groups comprised of a majority of persons 65 years of age or older.
5. No use shall be approved that involves travel outside of the state of Colorado or that involves travel over roads or distances that are unduly wearing or damaging, or for which equipment is inappropriate.
6. Use shall not be approved if the fuel consumption would adversely affect the availability of fuel for District purposes.
7. District transportation equipment shall not be available for use by non-student groups when days are designated as official paid holidays for District employees (e.g., Memorial Day, Fourth of July, Labor Day, Thanksgiving, Christmas, etc.) or on the weekends immediately preceding or following such paid holidays. A calendar designating "non use" days shall be published annually by the District's customer support center.

8. Use shall be subject to cancellation in the event of adverse road, weather or other conditions that could reasonably present a danger to passengers, the vehicle operator or the equipment, or in the event of unexpected or emergency needs. When cancellation is necessary, any advance payments made by the group shall be refunded.

APPLICATION FOR USE

1. Application for use must be submitted to the transportation department at least thirty (30) calendar days prior to the date requested.
2. A District "Bus Rental Agreement" must be executed by an authorized representative of the group and received by the District's transportation department at least ten (10) days prior to the scheduled trip.
3. Approval requires a representative of the group to assume the responsibility for payment of all relevant fees to the District.
4. Any group approved for use must agree to remit payments to the District for all relevant fees. The District may require advance payment. The total amount due shall be adjusted based on actual hours and/or miles.
5. Incidental costs including but not limited to alternative transportation in the event of a breakdown, feeding and housing of users, or other related costs shall be the responsibility of the group using the equipment.
6. Any cost above and beyond normal for repairs or cleaning required as a result of a group's use shall be reimbursed by the group.
7. The director of transportation services may require that appropriate District supervisory personnel accompany any group utilizing District transportation equipment.
8. Fees for non-student use shall be determined, consistent with the terms of this policy, by the District's director of transportation in consultation with the District's budget manager. The fee schedule shall be reviewed and adjusted as needed and shall be made available through the District's transportation department. In the case where a group is comprised of a majority of non-residents, the group shall be required to provide a certificate of insurance naming the District as an additional insured. The District's risk manager shall determine the required limits and conditions of such insurance. The insurance requirements shall be periodically reviewed and may be adjusted from time to time.

GUIDELINES FOR APPEAL

Any group may file a written appeal to the superintendent or designee if an application to use District transportation equipment has been denied by the director of transportation. Appeal of the designee's decision may be made to the superintendent. The decision of the superintendent shall be final.

Adopted by Board: April 1972
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LEGAL REFS:
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