

Operational Services

ADMINISTRATIVE ACCIDENT PROCEDURES POLICY

1. Warning Notice. If an Employee's actions, while operating District equipment, contribute to the cause of an accident in which bodily injury or property damage exceed the sum of \$500.00 (a "Substantial Accident") on more than one occasion within a twenty-four (24) month period, the Director of the Transportation Department will issue a Warning Notice to the Employee by certified mail at the Employee's most recently designated address. The Warning Notice shall enclose a complete copy of this Administrative Accident Procedure Policy.

Calculation of bodily injury and/or property damage under this Policy will be based upon the amount approved by the District's insurance carrier.

The Employee may appeal the finding to the School Superintendent within five (5) business days of the Warning Notice by providing the Superintendent written notice thereof. A hearing will be held before the Superintendent within three (3) business days of the Employee's Notice of Appeal, and the Employee may appear at the hearing personally and/or by a representative to challenge the School's evidence of fault and present any evidence that the Employee acted in a non-negligent manner.

2. Probationary Status. If an Employee is involved in a Substantial Accident within a twelve (12) month period of receiving the Warning Notice, the Director of the Transportation Department will notify the Employee by certified mail at the Employee's most recently designated address, that the Employee is placed on Probationary Status.

The Employee may appeal the finding to the School Superintendent within five (5) business days of the notice by providing the Superintendent written notice thereof. A hearing will be held before the Superintendent within three (3) business days of the Employee's Notice of Appeal, and the Employee may appear at the hearing, personally and/or by a representative to challenge the school's evidence of fault and present any evidence that the Employee acted in a non-negligent manner.

An employee who has been placed on Probationary Status may complete a remedial driver's training course approved by the Transportation Department. The criteria for approval of a remedial training course shall include:

- 1) a curriculum based on teaching recognized defensive driving techniques and accident prevention;
- 2) course length sufficient to teach these skills, not in excess of 2 weeks or shorter than 8 hours;
- 3) a reasonable fee for instruction, not in excess of \$100, at employees expense;

Upon receiving written evidence from the provider of the remedial driving course that the employee has satisfactorily completed the course, the Employee shall be removed from probation. If one year has not expired since receipt of the Warning Notice, the Employee will remain subject to the terms of Section 1 until the expiration of one year from the receipt of the Warning Notice.

- 3. Termination.** An employee will be terminated when:
- (a) The employee, is involved in a Substantial Accident within a twelve (12) month period of being placed on Probationary status; or
 - (b) The Employee is adjudicated of being grossly negligent or guilty of willful and wanton misconduct which was a material cause of an accident.
 - (c) A Substantial Accident occurs at any time which results in property damage or bodily injury liability is reserved by the School's claims adjustor and verified by the claims supervisor in the amount of \$1 million or more; or
 - (d) A Substantial Accident occurs at any time which results in the wrongful death of a person; or
 - (e) A Substantial Accident occurs at any time and the employee is subsequently convicted as driving under the influence as defined in Article V of te Illinois Rules of the Road 625 ILCS S/Art. V.

The Employee may appeal the termination to the School Superintendent within five (5) business days by providing the Superintendent written notice thereof. A hearing will be held before the Superintendent within three (3) business days of the Employee's Notice of Appeal, and the Employee may appear at the hearing personally and/or by a representative to challenge the School's evidence of fault and present any evidence that the Employee acted in a non-negligent manner.

FIRST READING: JULY 20, 2010

APPROVED: JULY 20, 2010