

## Transporting Students with Behavioral, Special Needs

The District Health & Safety Committee does not support anyone driving students who are identified with "Challenging Behaviour" (violence/harm to self or others) or have an Employee Safety Plan until a risk assessment is completed to determine if it is safe to drive.

If the student has an Employee Safety Plan, and is required to be transported as identified in their IEP/work experience; then please consult with the DST to assist in developing a risk assessment and a plan to ensure safe transportation of the student. If this student is receiving support from RSP, consult involved RSP staff to assist with risk assessment and plan to ensure safe transportation. The District Health & Safety Committee require a minimum of two adults be present when transporting a student to an event who has been identified with "Challenging Behaviour" (violence/harm to self or others) or has an Employee Safety Plan. One adult to drive and the other to ensure the student does not interfere with the operation of the vehicle.

### **Note:**

- There is no contractual requirement for staff to drive students.
- Transporting students in a personal vehicle is voluntary.
- All parties should be comfortable with the plan, including your District Support Teacher.
- The Committee also cautions employees increase their vulnerability any time they are alone in a vehicle with a student.
- If you are supporting a District sanctioned activity by driving and an incident occurs, you qualify for WorkSafeBC coverage.

In 2015 WorkSafeBC released a Bulletin on "Reducing the risk of violence when driving students".

When transporting a student with behavioral special needs, please review the enclosed WorkSafeBC's Bulletin and consider the following recommendations:

### WorkSafe BC Recommendations:

1. Does event support the student's IEP/educational programming?
2. Have you conducted a "risk assessment"?
3. Have you considered alternatives to driving?
4. Have all drivers complete and sign the applicable form(s) attainted at the school office?
5. Is a safe (engine, tires, doors ...), operational vehicle used to transport the student?
6. Are you confident it will be a trip with no incidents?
7. Did you plan for the unexpected or worst case scenario?
8. Does the student have 6 months of reported Incidents and/or changes?
9. Did you consider pupil/teacher ratios in "field trip requirements"?
  - For more information: Reference the "Field Trip Policy"
10. Have you added transportation under "other considerations" when completing the Safety Plan?

### Travel Allowance and Insurance Coverage

*Travel Allowance and Coverage is detailed in the:*

2014-2019 CUPE-RSB Collective Agreement, Article 23 - General Provisions, Section 2 Page 61

**Applicable Form:**

RSB SA61 - Volunteer Automobile Driver Authorization Registration and Approval Form

### Information from ICBC:

**3<sup>rd</sup> Party Insurance:** Minimum \$200,000, Maximum \$5,000,000. This is insurance to cover the occupants of the other car (not the one you are driving). The amount represents the total sum for all occupants of the other car.

**Accident Benefits:** This is a fixed rate and set at \$150,000 per occupant of your car. It cannot be increased or decreased.

**Excess Underinsured Motorist Protection:** This is set automatically at \$1,000,000. For \$25 per year, you can increase your coverage to \$2,000,000. The amount represents the total sum for all occupants of your vehicle. This is if the other vehicle is underinsured. This amount is to cover the lifetime medical costs, court costs and lost wages.

My question to ICBC: "What is considered adequate coverage"?  
ICBC's answer: "That is for the individual to decide".

**Other Insurance Coverage:**

Student Protection Plan (SPP) <https://www.incident-request.org>

WorkSafeBC

Coverage is dependent on the circumstances surrounding the issue(s).  
WorkSafeBC evaluates each claim on its own merit. Application of insurance can only apply one at a time and not concurrent with each other.

**WorkSafeBC's Recommendation is to Conduct a "Risk Assessment" when driving students with Challenging Behaviors**

Per WorkSafeBC's recommendation, before you consider driving a "Challenging Behaviour" (violence/harm to self or others) student, consider the following:

<http://www2.worksafebc.com/Publications/Multimedia/Videos.asp?ReportID=37594>  
[http://www2.worksafebc.com/i/posters/pdfs/2015/ws\\_2015\\_15.pdf](http://www2.worksafebc.com/i/posters/pdfs/2015/ws_2015_15.pdf)

## Reducing the risk of violence when driving students

Driving students to and from appointments and events in the community can expose workers to violence and other undesirable behaviours. Students have hit workers while they were driving, grabbed the steering wheel, or exited moving vehicles. Some of these incidents have resulted in injuries and crashes.

### Consider alternatives to driving

As with any workplace hazard, avoid driving where possible. Alternatives to driving students include the following:

- Arrange for parents to do the driving.
- Bring needed services to students (for example, schedule school visits).
- Use an alternative transportation service, such as a bus, taxi, or HandyDart, while a worker accompanies the students.

When arranging alternative transportation, any information needed to protect the safety of other workers must be shared.

If alternatives are not appropriate, the next step is to carry out a risk assessment.

### Assess the risk

A violence risk assessment helps determine whether or not a trip should be taken, the steps needed to protect the worker, and the

requirements for the vehicle. The assessment must cover the duration of the trip and should complement existing documents (for example, employee safety plans).

Both the driver and the student (where appropriate) should actively participate in the risk assessment process.

The first step in the risk assessment should consider the following:

- Any history of the student behaving in a way that has put others at risk of injury
- The student's potential reactions to trip-related stressors (for example, overstimulation, other people in the vehicle, or negative perception of the destination)

### In the Regulation

Violence is defined in section 4.27 of the Occupational Health and Safety Regulation as "the attempted or actual exercise by a person, other than a worker, of any physical force so as to cause injury to a worker, and includes any threatening statement or behaviour which gives a worker reasonable cause to believe that he or she is at risk of injury."

If the first step in the risk assessment determines that it might be safe to drive a student, then the second step is to examine student-centred factors such as the following:

- The student's status at the time of the trip, including his/her:
  - Current mental and emotional state
  - Recent changes in behaviour
  - Impulsivity
- The student's readiness to be a passenger, including his/her willingness to:
  - Follow the driver's instructions
  - Refrain from distracting the driver
  - Wear a seat belt
  - Keep the vehicle doors closed
- The student's needs during the trip (for example, food or toileting)

If the results of the risk assessment suggest that a safe trip is unlikely, postpone or cancel the trip in the interests of everyone's safety.

### Use an appropriate vehicle

- Select a reliable, roadworthy vehicle that is the right size and configuration for the student and any required equipment.
- Ideally, the driver should have control over door locks and windows.
- Remove objects that might be used as weapons (for example, loose items or hot drinks).
- Ensure the vehicle is equipped with emergency equipment, including a first aid kit.
- When needed, install a physical barrier between the driver and the student.

### When to make other arrangements

Make other arrangements to transport the student when any of the following apply:

- The student's health or safety is at risk. (Call 911.)
- The driver might need to carry out a task other than driving (for example, distracting the student).
- A second worker may be required to restrain the student.

### Plan for a successful trip

If the violence risk assessment determines that the trip can be completed safely, the next step is to plan for a successful trip.

Consider the following in your planning:

- Reducing risk during the trip
  - Ensure the driver is aware of your road safety policy and will operate the vehicle safely.
  - Determine the ideal time for travel (for example, based on the student's needs, traffic, and weather conditions).
  - Keep the number of people in the vehicle as low as possible.
  - Select the safest route possible (not necessarily the most direct route). Limit the number of stops.
  - Follow safe driving practices to avoid agitating the student (for example, do not speed, change lanes excessively, or drive aggressively).

- Implementing other administrative procedures
  - Document the destination, route, and estimated duration of the trip. And record the contact information of the driver and his/her supervisor.
  - Encourage the driver to store the phone number of the supervisor or school in his/her mobile phone for quick access in case of an emergency. The person receiving a call from the driver must know what actions to take to assist the driver.
  - Establish criteria for cancelling a planned trip.
  - Assign a second worker to the trip, but only if the additional worker's purpose is to calm the student (not to physically protect the driver).

All decisions to drive need to align with your policies on driving.

And despite all this planning, a last-minute change of circumstances may mean that the trip needs to be postponed or cancelled in the interests of everyone's safety. The driver needs to have the final decision about whether to go ahead with a trip.

While this document relates to the risk of violence and other undesirable behaviours, there are other considerations for worker health and safety while driving. These considerations include musculoskeletal injury, infection control, working alone, etc. Other risk assessments may be needed to address these situations.

### **When workers use their personal vehicles**

Employers are responsible for the safety of their workers while they drive students, and must take steps to minimize those risks. Those responsibilities do not change when workers use their own vehicles to drive students. There are insurance, liability, and professional practice issues that are beyond the scope of this document.

### **Plan for the unexpected**

Provide guidance to workers about when to stop a trip and actions to take if something goes wrong (including when to call 911). A few examples of unexpected occurrences include the following:

- Involvement in a motor vehicle incident
- Mechanical breakdown of the vehicle
- Student behavioural or medical issues that develop during the trip

### **Report incidents and changes**

Workers must report any incidents to their supervisor. They must also report any indications that the risk assessment or work practices need updating.

## Resources

- **Education Enews**

Sign up for regular health and safety updates through the Education Sector Enews. It covers regulation changes, new publications, upcoming events, and other relevant topics.

[www2.worksafebc.com/Portals/EducationSector/EducationSectorNews.asp?reportID=37070](http://www2.worksafebc.com/Portals/EducationSector/EducationSectorNews.asp?reportID=37070)

- **Safety at Work centre — Education sector**

The Safety at Work centre provides information and resources on topics specific to employers and workers in the education sector.

[worksafebc.com/education](http://worksafebc.com/education)

- **WorkSafeBC Prevention Information Line**

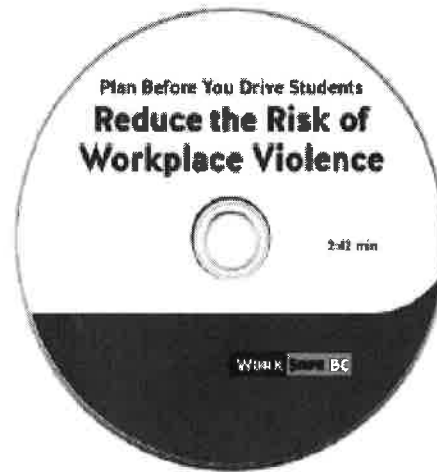
WorkSafeBC officers are available to answer questions about workplace health and safety, worker and employer responsibilities, and reporting a workplace accident or incident. Anonymous calls are accepted.

Phone 604.276.3100 in the Lower Mainland, or 1.888.621.7233 (621.SAFE) toll-free in Canada.

- **Plan Before You Drive Students:  
Reduce the Risk of Workplace Violence**

This three-minute video complements the bulletin. It is intended to generate discussion about some of the decisions you need to make before getting behind the wheel.

[www2.worksafebc.com/Publications/Multimedia/Videos.asp?ReportID=37594](http://www2.worksafebc.com/Publications/Multimedia/Videos.asp?ReportID=37594)



Video link: [Plan Before You Drive Students](https://www.worksafebc.com/en/resources/health-safety/videos/plan-before-you-drive-students?lang=en)

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