

**CHAPTER 4**  
**COMPLAINT INVESTIGATION**  
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## CHAPTER 4

### COMPLAINT INVESTIGATION

1. POLICY. To provide pupils the greatest degree of safety possible, it is necessary to critically review all School Pupil and Farm Labor Transportation Safety Program (School Bus Program) complaints which include the actions of a driver of a school bus, youth bus, general public paratransit vehicle, school pupil activity bus, farm labor vehicle, and vehicle for developmentally disabled persons; instructor/delegated behind-the-wheel trainer; school district, private school or carrier; and any unsafe school bus stop or route. The Department's School Bus Program is designed to ensure all possible violations and complaints, brought to the Department's attention are properly investigated and, if applicable, appropriate action taken.

2. COMPLAINT ACCEPTANCE. School bus program complaints (as described above) received either verbally or in writing shall be accepted at any departmental office, properly documented by employees of this Department, and forwarded to the appropriate Area school bus officer for investigation. If the local California Highway Patrol (CHP) Area office has a school bus coordinator (nonuniformed), a copy of the complaint shall be forwarded to the coordinator for information only. Refer to the note below regarding a school bus coordinator's investigatory limitations.

a. Other California Highway Patrol Jurisdictions. Any complaint involving a driver (listed in paragraph 1), instructor, carrier, or unsafe school bus stop or route received regarding another CHP Area's jurisdiction shall be accepted, documented, and forwarded to the appropriate command for investigation/action.

NOTE: An Area school bus coordinator is not permitted to investigate certain complaints; therefore, when the school bus coordinator receives a complaint, the Area commander shall be notified to ensure the investigation is assigned to an officer. The investigator is strongly encouraged to consult the school bus coordinator for technical input when a complaint involving the school bus program is investigated. School bus coordinators are, however, permitted to evaluate school bus stops and routes. (Refer to Chapter 7, School Bus Stops and Routes, of this manual.)

3. INVESTIGATION PROCEDURES. An investigation is a systematic gathering of all facts and evidence concerning a specific event or violation of any law or regulation. All events, facts, and evidence must be verified and documented. All complaints received by the Department shall be investigated to the degree necessary to reach a logical conclusion, finding and/or criminal filing. Additionally, all persons involved in the investigation shall be treated professionally and with respect.

a. Notifications. Areas shall immediately notify by telephone, Research and Planning Section, at (916) 843-3340, and the respective field Division school bus officer by telephone, of all serious investigations involving a driver, instructor/delegated behind-the-wheel trainer, school district, private school or carrier; or any unsafe school bus stop or route.

(1) If the investigation is regarding the negligent operation or continued noncompliance of a school district, private school, or carrier with regard to pupil transportation vehicles, the Area shall also notify, by telephone, the Commercial Vehicle Section's (CVS) Motor Carrier Safety Unit at (916) 843-3400 and forward CVS a copy of the final report for any action deemed necessary by CVS.

b. Unsafe Stops and Routes. When an Area commander becomes aware of a potential unsafe school bus stop or route, the command shall immediately notify, in writing, the appropriate school district superintendent or principal or head of a private school; ensure the stop is inspected and evaluated by the Area School Bus Officer/Coordinator (SBO/C) to determine if the stop meets any of the criteria for a CHP approved stop pursuant to Sections 22112(e)(6) and 22504(c) of the California Vehicle Code, or Section 1238(c)(2) of Title 13 of the California Code of Regulations.

c. Scope, Direction, and Timeline. To ensure a timely investigation, the Area commander or the supervisor of the SBO/C shall determine the scope and direction of the investigation and establish a timeline for the completion of the report to be submitted for review. Due to supplemental information, availability of witnesses, court documents, etc., subsequent discussions may be necessary to re-evaluate the possible modification of the original timeline. Commanders should consider releasing the SBO/C from other routine assignments when conducting complex or sensitive investigations.

d. District Attorney. Investigations that may be criminal in nature, may require a preliminary meeting with the local district attorney to establish needed evidence for filing a criminal case.

e. Multidisciplinary Investigations. When an investigation involves drivers or companies from different commands, the appropriate Division chief or Assistant Commissioner will be advised and may designate one person to coordinate the investigation. Consulting with the Division school bus officer should be considered during the designation process.

f. Notification of Findings. Upon completion of a complaint investigation, the Area shall ensure the complainant, appropriate school district or head or principal of a private school are notified, in writing, of the findings. The notification letters shall be prepared on departmental letterhead and shall tactfully and diplomatically

address the issues, and reflect a genuine interest on the part of the person signing the letter.

4. RETENTION PERIOD. A copy of the completed investigation and letter to the complainant shall be retained together for a period of three years plus the current year.
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