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MSBA/MASA Model Policy 709

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709 STUDENT TRANSPORTATION SAFETY POLICY

I. PURPOSE

The purpose of this policy is to provide safe transportation for students and to educate students on safety issues and the responsibilities of school vehicle ridership.

II. PLAN FOR STUDENT TRANSPORTATION SAFETY TRAINING

A. School Bus Safety Week

The school district may designate a school bus safety week. The National School Bus Safety Week is the third week in October.

B. Student Training

1. The school district shall provide students enrolled in grades 9 through 10 with age-appropriate school vehicle safety training of the following concepts:
 - a. transportation by school vehicle is a privilege, not a right;
 - b. school district policies for student conduct and school vehicle safety;
 - c. appropriate conduct while on the vehicle;
 - d. the danger zones surrounding a school vehicle;
 - e. procedures for safely boarding and leaving a school vehicle;
 - f. procedures for safe vehicle lane crossing; and
 - g. school vehicle evacuation and other emergency procedures.
2. All students in grades 9 through 10 and others as deemed necessary determined by the Executive Director who are transported by school vehicle and are enrolled during the first or second week of school must receive the school vehicle safety training by the end of the third week of school. All students in grades 7 through 10 who are transported by school vehicle and are enrolled during the first or second week of school must receive the school vehicle safety training by the end of the sixth week of school. Students in grades 9 through 10 who enroll in a school after the

second week of school, are transported by school vehicle, and have not received training in their previous school districts shall undergo school vehicle safety training or receive vehicle safety instructional materials within four weeks of their first day of attendance.

3. Students in grades 9 and 10 must receive training in the laws and proper procedures for operating a motor vehicle in the vicinity of a school vehicle.
4. The school district will make reasonable accommodations in training for students known to speak English as a second language and students with disabilities.
5. The school district shall adopt and make available for public review a curriculum for transportation safety education.
6. Nonpublic school students transported by the school district will receive school vehicle safety training by their nonpublic school. The nonpublic schools may use the school district's school transportation safety education curriculum. The nonpublic school must certify to the school district's school transportation safety director that all students enrolled in grades 9 through 10 have received the appropriate training.

III. CONDUCT ON SCHOOL BUSES AND CONSEQUENCES FOR MISBEHAVIOR

- A. Riding the school vehicles is a privilege, not a right. The school district's general student behavior rules are in effect for students on school vehicles.
- B. Consequences for school vehicle misconduct will be imposed by the school district under adopted administrative discipline procedures. In addition, all school vehicle misconduct will be reported to the school district's transportation safety director. Serious misconduct may be reported to local law enforcement.
 1. School Vehicle Rules. The school district school bus safety rules are to be posted on every bus. If these rules are broken, the school district's discipline procedures are to be followed. Consequences are progressive and may include suspension of bus privileges. It is the school bus driver's responsibility to report unacceptable behavior to the school district's Transportation Office/School Office.
 2. Rules at the Vehicle Stop
 - a. Get to your vehicle stop five minutes before your scheduled pick up time. The school vehicle driver will not wait for late students.
 - b. Respect the property of others while waiting at your vehicle stop.

- c. Keep your arms, legs and belongings to yourself.
- d. Use appropriate language.
- e. Stay away from the street, road or highway when waiting for the vehicle.
- f. Wait until the vehicle stops before approaching the vehicle.
- g. After getting off the vehicle, move away from the vehicle.
- h. If you must cross the street, always cross in front of the vehicle where the driver can see you. Wait for the driver to signal to you before crossing the street.
- i. No fighting, harassment, intimidation or horseplay.
- j. No use of alcohol, tobacco or drugs.

3. Rules on the Vehicle

- a. Immediately follow the directions of the driver.
- b. Sit in your seat facing forward.
- c. Talk quietly and use appropriate language.
- d. Keep all parts of your body inside the vehicle.
- e. Keep your arms, legs and belongings to yourself.
- f. No fighting, harassment, intimidation or horseplay.
- g. Do not throw any object.
- h. No eating, drinking or use of tobacco or drugs.
- i. Do not bring any weapons or dangerous objects on the school vehicle.
- j. Do not damage the school vehicle.

4. Consequences

- a. Consequences for school vehicle and/or vehicle stop misconduct will apply to all regular and late routes. Decisions regarding a student's ability to ride the vehicle in connection with cocurricular and extracurricular events (for example, field trips or competitions)

will be in the sole discretion of the school district. Parents or guardians will be notified of any suspension of vehicle privileges.

(1) Secondary (9-12)

- 1st offense – warning
- 2nd offense – 5 school-day suspension from riding the vehicle
- 3rd offense – 10 school-day suspension from riding the vehicle
- 4th offense – 20 school-day suspension from riding the vehicle/meeting with parent
- 5th offense – suspended from riding the vehicle for the remainder of the school year

Note: When any student goes 60 transportation days without a report, the student's consequences may start over at the first offense.

(3) Other Discipline

Based on the severity of a student's conduct, more serious consequences may be imposed at any time. Depending on the nature of the offense, consequences such as suspension or expulsion from school also may result from school vehicle/vehicle stop misconduct.

(4) Records

Records of school vehicle/vehicle stop misconduct will be forwarded to the individual school building and will be retained in the same manner as other student discipline records. Reports of student misbehavior on a school vehicle or in a vehicle-loading or unloading area that causes an immediate and substantial danger to the student or surrounding persons or property will be provided by the school district to the Department of Public Safety in accordance with state and federal law.

(5) Vandalism/Vehicle Damage

Students damaging school vehicles will be responsible for the damages. Failure to pay such damages (or make arrangements to pay) within two weeks may result in the loss of vehicle privileges until damages are paid.

(6) Notice

School vehicle and vehicle stop rules and consequences for

violations of these rules will be reviewed with students annually and copies of these rules will be made available to students. School vehicle rules are to be posted on each school vehicle.

(7) Criminal Conduct

In cases involving criminal conduct (for example, assault, weapons, possession or vandalism), the appropriate school district personnel and local law enforcement officials will be informed.

IV. PARENT AND GUARDIAN INVOLVEMENT

A. Parent and Guardian Notification

The school district school vehicle and vehicle stop rules will be provided to each family. Parents and guardians are asked to review the rules with their children.

B. Parents/Guardians Responsibilities for Transportation Safety

Parents/Guardians are responsible to:

1. Become familiar with school district rules, policies, regulations, and the principles of school vehicle safety, and thoroughly review them with their children;
2. Support safe riding and walking practices, and recognize that students are responsible for their actions;
3. Communicate safety concerns to their school administrators;
4. Monitor vehicle stops, if possible;
5. Have their children to the vehicle stop five minutes before the vehicle arrives;
6. Have their children properly dressed for the weather; and
7. Have a plan in case the vehicle is late.

V. SCHOOL VEHICLE DRIVER DUTIES AND RESPONSIBILITIES

- A. School vehicle drivers shall have a valid Class A, B, or C Minnesota driver's license with a school vehicle endorsement. A person possessing a valid driver's license, without a school vehicle endorsement, may drive a vehicle with a seating capacity of 10 or fewer persons used as a school vehicle, but not outwardly equipped or identified as a school vehicle as set forth in Section VII.B., below.

Drivers with a valid Class D driver's license, without a school vehicle endorsement, may operate a "Type A" school vehicle as set forth in Section VII.C., below.

- B. The school district shall conduct mandatory drug and alcohol testing of all school district vehicle drivers and vehicle driver applicants in accordance with state and federal law and school district policy.

VI. SCHOOL VEHICLE DRIVER TRAINING

A. Training

All new school vehicle drivers shall receive in-service training annually.

VII. OPERATING RULES AND PROCEDURES

A. Type III Vehicles

1. Type III vehicles are restricted to passenger cars, station wagons, vans, and buses having a maximum manufacturer's rated seating capacity of 10 or fewer people including the driver and a gross vehicle weight rating of 10,000 pounds or less. A van or bus converted to a seating capacity of 10 or fewer and placed in service on or after August 1, 1999, must have been originally manufactured to comply with the passenger safety standards.
2. Type III vehicles must be painted a color other than national school bus yellow.
3. Type III vehicles shall be state inspected in accordance with legal requirements.
4. A Type III vehicle cannot be older than 12 years old unless excepted by state and federal law.
5. If a Type III vehicle is school district owned, the school district name will be clearly marked on the side of the vehicle. The Type III vehicle must not have the words "school bus" in any location on the exterior of the vehicle or in any interior location visible to a motorist.
6. A "Type III school bus" and "Type III Head Start bus" must not be outwardly equipped and identified as a Type A, B, C, or D bus.
7. Eight-lamp warning systems and stop arms must not be installed or used on Type III vehicles.
8. Type III vehicles must be equipped with mirrors as required by law.
9. Any Type III vehicle may not stop traffic and may not load or unload

before making a complete stop and disengaging gears by shifting into neutral or park. Any Type III vehicle used to transport students must not load or unload so that a pupil has to cross the road, except where not possible or impractical, then the driver or assistant must escort a pupil across the road. If the driver escorts the student across the road, then the motor must be stopped, the ignition key removed, the brakes set, and the vehicle otherwise rendered immobile.

10. Any Type III vehicle used to transport students must carry emergency equipment including:
 - a. Fire extinguisher. A minimum of one 10BC rated dry chemical type fire extinguisher is required. The extinguisher must be mounted in a bracket, and must be located in the driver 's compartment and be readily accessible to the driver and passengers. A pressure indicator is required and must be easily read without removing the extinguisher from its mounted position.
 - b. First aid kit and body fluids cleanup kit. A minimum of a ten-unit first aid kit and a body fluids cleanup kit is required. They must be contained in removable, moisture- and dust-proof containers mounted in an accessible place within the driver's compartment and must be marked to indicate their identity and location.
 - c. A Type III bus must contain at least three red reflectorized triangle road warning devices. Liquid burning "pot type" flares are not allowed.
 - d. Passenger cars and station wagons may carry a fire extinguisher, a first aid kit, and warning triangles in the trunk or trunk area of the vehicle if a label in the driver and front passenger area clearly indicates the location of these items.
11. Students will not be regularly transported in private vehicles that are not state inspected as Type III vehicles. Only emergency, unscheduled transportation may be conducted in vehicles with a seating capacity of 10 or fewer without meeting the requirements for a Type III vehicle. The school district has no system of inspection for private vehicles.
12. All drivers of Type III vehicles will be licensed drivers and will be familiar with the use of required emergency equipment. The school district will not knowingly allow a person to operate a Type III vehicle if the person has been convicted of an offense that disqualifies the person from operating a school bus.

B. Type A-II "Activity" Buses Driven by Employees with Class D Driver's License

1. The holder of a Class D driver's license, without a school bus

endorsement, may operate a Type A-II school bus under the following conditions:

- a. The operator is an employee of the school district or an independent contractor with whom the school district contracts for the school bus and is not solely hired to provide transportation services under this paragraph.
 - b. The operator drives the school bus only from points of origin to points of destination, not including home-to-school trips to pick up or drop off students.
 - c. The operator is prohibited from using the eight-light system.
 - d. The operator has submitted to a background check and physical examination as required by Minn. Stat. § 171.321, Subd. 2.
 - e. The operator has a valid driver's license and has not sustained a conviction of a disqualifying offense as set forth in Minn. Stat. § 171.02, Subd. 2a(b).
 - f. The operator has been trained in the proper use of child safety restraints as set forth in the National Highway Traffic Safety Administration's "Guideline for the Safe Transportation of Pre-school Age Children in School Buses" in addition to the training required in Part VI., above.
2. The school district shall maintain annual certification of the requirements listed in this section for each Class D license operator.
 3. A school bus operated under this section must bear a current certificate of inspection.
 4. The word "School" on the front and rear of the bus must be covered by a sign that reads "Activities" when the bus is being operated under authority of this section.

VIII. SCHOOL DISTRICT EMERGENCY PROCEDURES

- A. If possible, school vehicle drivers or their supervisors shall call "911" or the local emergency phone number in the event of a serious emergency.
- B. School vehicle drivers shall meet the emergency training requirements contained in Unit III "Crash & Emergency Preparedness" of the Minnesota Department of Public Safety Model School Bus Driver Training Manual. This includes procedures in the event of a crash (accident).

- C. School vehicle drivers and vehicle assistants for special education students requiring special transportation service because of their handicapping condition shall be trained in basic first aid procedures, shall within one month after the effective date of assignment participate in a program of in-service training on the proper methods for dealing with the specific needs and problems of pupils with disabilities, assist pupils with disabilities on and off the vehicle when necessary for their safe ingress and egress from the vehicle; and ensure that protective safety devices are in use and fastened properly.
- D. Emergency Health Information shall be maintained on the school vehicle for students requiring special transportation service because of their handicapping condition. The information shall state:
 - 1. the pupil's name and address;
 - 2. the nature of the pupil's disabilities;
 - 3. emergency health care information; and
 - 4. the names and telephone numbers of the pupil's physician, parents, guardians, or custodians, and some person other than the pupil's parents or custodians who can be contacted in case of an emergency.

IX. SCHOOL DISTRICT VEHICLE MAINTENANCE STANDARDS

- A. All school vehicles shall be maintained in safe operating conditions through a systematic preventive maintenance and inspection program adopted or approved by the school district.
- B. All school vehicles shall be state inspected in accordance with legal requirements.
- C. A copy of the current daily pre-trip inspection report must be carried in the vehicle. Daily pre-trip inspections shall be maintained on file in accordance with the school district's record retention schedule. Prompt reports of defects to be immediately corrected will be submitted.
- D. Daily post-trip inspections shall be performed to check for any children or lost items remaining on the vehicle and for vandalism.

X. SCHOOL TRANSPORTATION SAFETY DIRECTOR

The school board has designated an individual to serve as the school district's school transportation safety director. The school transportation safety director shall have day-to-day responsibility for pupil transportation safety, including transportation of nonpublic school children when provided by the school district. The school transportation safety director will assure that this policy is periodically reviewed to ensure that it conforms to law. The school transportation safety director shall certify annually to the school board that each school vehicle driver meets the school vehicle driver training competencies

required by Minn. Stat. § 171.321, Subd. 4. The transportation safety director also shall annually verify or ensure that the private contractor utilized by the school has verified the validity of the driver's license of each person who transports students for the school district with the National Driver's Register or the Department of Public Safety. The school transportation safety director also shall confirm annually to the school board that students have received school vehicle safety training in accordance with state law. The name, address and telephone number of the school transportation safety director are on file in the school district office. Any questions regarding student transportation or this policy may be addressed to the school transportation safety director.

Legal References: Minn. Stat. § 123B.42 (Textbooks; Individual Instructor or Cooperative Learning Material; Standard Tests)
 Minn. Stat. § 123B.885 (Diesel School Buses; Operation of Engine; Parking)
 Minn. Stat. § 123B.90 (School Bus Safety Training)
 Minn. Stat. § 123B.91 (School District Bus Safety Responsibilities)
 Minn. Stat. § 169.01, Subd. 6(5) (Definitions)
 Minn. Stat. § 169.454 (Type III Vehicle Standards)
 Minn. Stat. § 169.4582 (Reportable Offense on School Buses)
 Minn. Stat. § 171.02, Subd 2a (Licenses; Types, Endorsements, Restrictions)
 Minn. Stat. § 171.321 (Qualifications of a School Bus Driver)
 Minn. Rules Part 7470.1000-7470.1700 (School Bus Inspection)

Cross References: MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)
 MSBA/MASA Model Policy 707 (Transportation of Public Students)
 MSBA/MASA Model Policy 708 (Transportation of Nonpublic Students)
 MSBA/MASA Model Policy 710 (Extracurricular Transportation)