School Transportation

A Review of Current Issues Affecting the Safe Transportation of Students To and From Charter Schools in North Carolina

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DPI Transportation Services

- Allotment of Funds for Transportation Operations
- Statewide Computer Systems
 - TIMS
 - State Vehicle Fleet Management System
- Inspection of School Buses (10%)
- Policy Initiatives
- Replacement of School Buses/Service Vehicles



Why Ride the Bus?

Help the Environment

Reduced Pollution & Costs
Reduced Traffic

Gateway to Education

Equal Access
Parental Needs

Keep Kids Safe

Safest Vehicles

Dedicated Professionals



Safe Transportation

U.S. Department of Transportation statistics confirm that school buses are the safest form of transportation for getting children to and from school In particular, students are 44 times more likely to arrive at school alive if they take the bus rather than if they drive or ride with friends





Reference: Special Report 269, The Relative Risks of School Travel" published by the Transportation Research Board of the National Academies of Science, 2002



Safe Vehicles

School buses are designed specifically to protect students on and off the bus with special safety features not <u>available</u> on any other vehicle

Safety features of school by

- Color
- Size and height
- Reinforced sides
- Flashing red lights
- Cross view mirrors
- Crossing arm/stop sign



The School Bus - It's big, yellow and SAFE!

- Students sit high above the impact zone
- Many Federal Motor Vehicle Safety
 Standards that are applicable only to school buses
- Passive occupant protection system known as compartmentalization
- Special equipment that is safety specific: Stop sign, warning lights, roof hatches, crossing arms, padded seats, and more

Important Web Sites

- WWW.NCBUSSAFETY.ORG
 - pupil transportation in North Carolina
- WWW.NASDPTS.ORG
 - National Association of State Directors of Pupil Transportation Services
 - position papers
- WWW.NHTSA.GOV/SCHOOL-BUSES

NC Laws and Policies on the Web

Getting to Laws and Policies Is Easy

- www.ncbussafety.org
 - Pupil Transportation Link
- Pupil Transportation Home Page
 - NC Laws and Policies

www.NCBusSafety.org

NORTH CAROLINA
SCHOOL BUS SAFETY WEB

A journey of a 1000 miles begins with a single step

ncbussafety.org

North Carolina Department of Public Instruction-Raleigh, North Carolina

SAFETY NC RESOURCES VEHICLES LIBRARY CALENDAR TRAINING MAILING LIST ARCHIVED NEWS CONTACT SAFETY CENTER SEARCH

HIGHLIGHTS School Bus Drivers NC Reports and Forms TM5 School Bus Routing Simulator 2014: Buget Rating Information Laws Contracts and Specifications Manuals Used Vehicles for Sale \mathbf{M} Laws & Policies of North Carolina **BSIP** Business Systems Information Portal Transportation Manuals **Bus Inspector Certification**

SCHOOL BUS SAFETY CENTER

PARENTS & CHILDREN

FAQs | Safety Tips | Safety Games | DANGER ZONE Handrails

HIGHWAY SAFETY

StopArm Violation Camera | Illegal Passing | StopArm Law Safety Statistics | Seat Belt Issues

TEACHERS & SCHOOLS

Safety Tips | Games | DANGER ZONE | Video | Stickers Buster Robot

PUBLIC SERVICE ANNOUNCEMENT



The Bus Stops Here.. And So Should You!

Click play icon to request a copy in BETA format for TV

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North Carolina Department of Public Instruction-Raleigh, North Carolina

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SEARCH



NC Laws & Policies

Public School Laws Governing Pupil Transportation

Requirement for Transportation to/from At-Risk Programs

School Bus Drivers - Cell Phone Use Prohibited

School Calendar and School Weather Closings

Policies of the NC State Board of Education Regarding Pupil Transportation

<u>School Attendance and Student Accounting Manual</u> (Inclement Weather Closing After Buses are Rolling, Chapter 5)

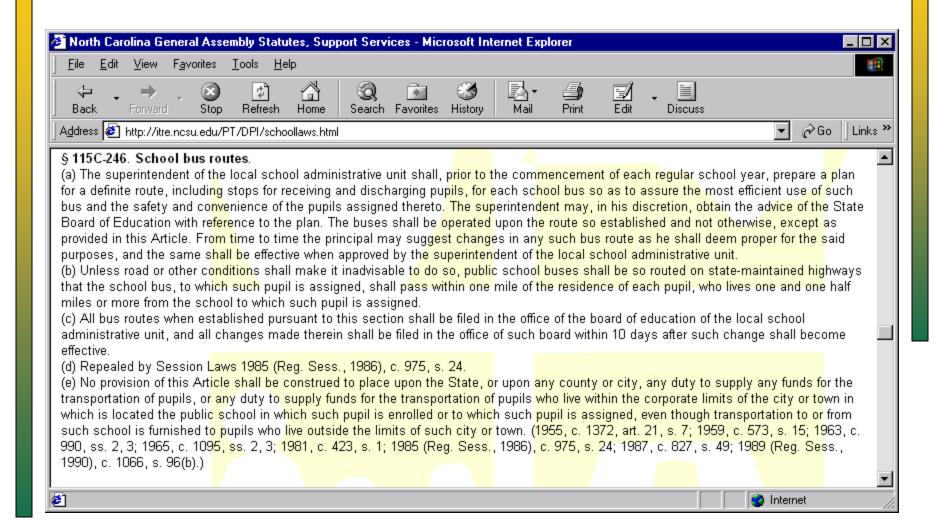
<u>DPI Office of Financial and Business Services Allotment Policy Manual - Transportation</u> (Including Idling Reduction Requirements)

Services by Governmental Units G.S. 66-58 section c(9b) (The Umstead Act)

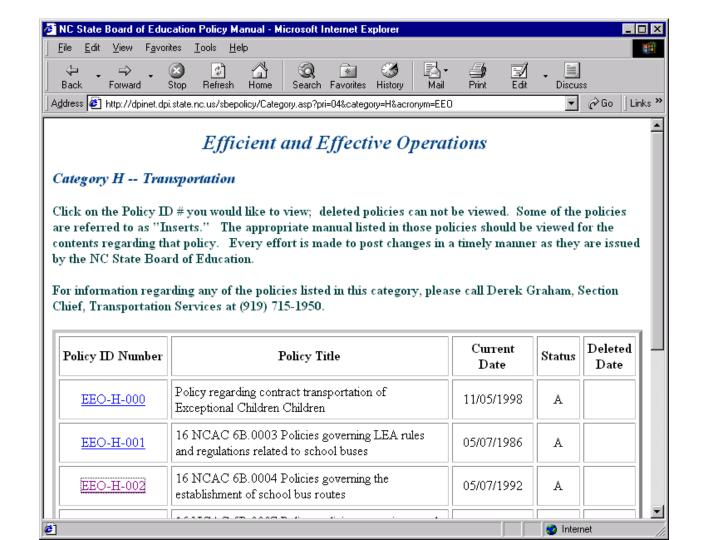
Stipulates allowable use of activity buses by outside groups (non-profits transporting children)

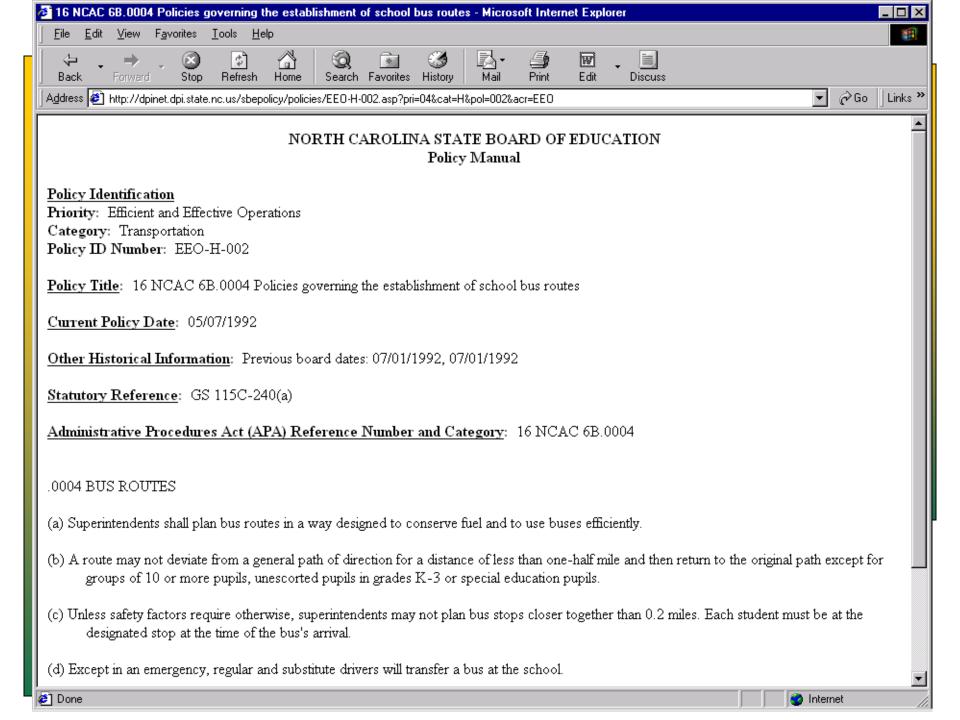
Law governing sale of tax-free fuel

Scroll Through Laws



Or Select a State Policy





Transportation of Charter School Students in NC

- Some School Buses
 - For 2014-2015, of 147 schools, about 64
 operated (or contracted for) school buses
 - 1-20 buses
 - 368 buses owned by charter schools
- Most opt for car pools or parent transportation

§ 115C-238.29F. Charter School General requirements.

• (h) Transportation. – The charter school **may** provide transportation for students enrolled at the school. The charter school shall develop a transportation plan so that transportation is not a barrier to any student who resides in the local school administrative unit in which the school is located. The

charter school is not required to provide transportation to any student who lives within one and one-half miles of the school. At the request of the charter school and if the local board of the local school administrative unit in which the charter school is located operates a school bus system, then

that local board may contract with the charter school to provide transportation in accordance with the charter school's transportation plan to

students who reside in the local school administrative unit and who reside at least one and one-half miles of the charter school. A local board may charge the charter school a reasonable charge that is sufficient to cover the cost of

providing this transportation. Furthermore, **a local board may refuse** to provide transportation under this subsection if it demonstrates there is no available space on buses it intends to operate during the term of the contract or it would not be practically feasible to provide this transportation.

§ 115C-238.29E. Charter school operation.

• (f) Except as provided in this Part and pursuant to the provisions of its charter, a charter school is **exempt** from statutes and rules applicable to a local board of education or local school administrative unit. (1995 (Reg. Sess., 1996), c. 731, s. 2; 1997-430, s. 4.)

Charter School Law

- G.S. 115C-238.29(f)
 - A charter school shall meet the same health and safety requirements required of a local administrative unit
- How does this apply to transportation?
 - Driver training and certification
 - 30 Day Inspection of School Buses
 - Preventive Maintenance of Buses
 - Configuration of Buses

- Cost of a NEW school bus:
 - \$80,000 LEASE/PURCHASE
- Used school buses \$500 discount
 - www.ncbussafety.org = → Used Vehicles for
 Sale

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 Sale

- North Carolina LEAs purchase the initial school bus and are allowed to use school buses only for instructional trips – going to and from school.
 - Any instructional trip such as a field trip to the museum that is not to-from school requires a reimbursement from the LEA to the state on a per-mile basis.
- After 250,000 miles or 20 years whichever comes first the bus is eligible for replacement by a new bus at state expense.
- A charter school that purchases a new bus and wants to have it placed on the state replacement program under these conditions should contact DPI Transportation Services for additional information.

- Cost of a NEW school bus:
 - \$80,000 LEASE/PURCHASE
- Used school buses \$500 discount
 - www.ncbussafety.org = → Used Vehicles for
 Sale

- School buses are listed for sale at www.ncbussafety.org under Used Vehicles for Sale.
- Quantity discounts are often available when purchasing two or more buses. Information on quantity discounts can be seen at www.ncbussafety.org/QuantityDiscounts.html.
- When purchasing a single school bus, charter schools receive a \$500 discount.
- Any purchase should be made only after consulting a trusted diesel mechanic.
- Any purchase should be made only after consulting the transportation staff at the LEA where the bus was previously in service.
- All surplus school bus sales are as-is, no warranty.

School Bus Drivers

- Driving a school bus or activity bus with capacity of 16 or more (including the driver) requires a Commercial Driver's License and a P (passenger) and S (school bus) endorsement.
- These can be obtained by going through training offered by the Division of Motor Vehicles, School Bus and Traffic Safety section. Classes are usually held at the LEA transportation facility or central office. All school bus drivers (whether public, private or charter school) must obtain this license and a school bus driver's certificate.
- More information is available at http://www.ncbussafety.org/BusDrivers.html

To go to and from school, kids are safest when in a school bus!

- NON-CONFORMING VEHICLES
 - Federal law requires that any new SCHOOL BUS (a vehicle built to transport 11 or more passengers including the driver and used to transport students to school or school-related events) sold or leased by a dealer meet all FMVSS's applicable to school buses. Also illegal to buy or lease a new non-conforming vehicle
- In most places, there is no legal prohibition on USING such a vehicle

VANS IN SCHOOL TRANSPORTATION

- Vehicle 11+ including the driver is a BUS
- A BUS used to transport students to school or school-related events is a SCHOOL BUS
- A new SCHOOL BUS must meet Federal Motor Vehicle Safety Standards

...under "Vehicles"

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North Carolina Department of Public Instruction-Raleigh, North Carolina

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Why Not to Use Vans for School Transportation

Federal law prohibits buying, selling, or leasing a new school bus that does not meet all Federal Motor Vehicle Safety Standards applicable to school buses. A 12-15 PASSENGER VAN IS A SCHOOL BUS WHEN IT IS USED TO TRANSPORT STUDENTS TO OR FROM SCHOOL OR SCHOOL-RELATED EVENTS. Even though USE is not prohibited in North Carolina, nor is buying, selling or leasing a USED vehicle, the existence of this federal law places a tremendous liability exposure to buyers, sellers and users.

Definitions of Vehicles and Vehicle Types

Federal Law

North Carolina State Law

Buying, Selling and Using Vans

Federal Law

North Carolina Law







§ 115C-238.29F.

- (a) Health and Safety Standards. A charter school shall meet the same health and safety requirements required of a local school administrative unit. The Department of Public Instruction shall ensure that charter schools provide parents and guardians with information about meningococcal meningitis and influenza and their vaccines at the beginning of every school year. This information shall include the causes, symptoms, and how meningococcal meningitis and influenza are spread and the places where parents and guardians may obtain additional information and vaccinations for their children.
- The Department of Public Instruction shall also ensure that charter schools provide parents and guardians with information about cervical cancer, cervical dysplasia, human papillomavirus, and the vaccines available to prevent these diseases. This information shall be provided at the beginning of the school year to parents of children entering grades five though [through] 12. This information shall include the causes and symptoms of these diseases, how they are transmitted, how they may be prevented by vaccination, including the benefits and possible side effects of vaccination, and the places where parents and guardians may obtain additional information and vaccinations for their children.
- The Department of Public Instruction shall also ensure that charter schools provide students in grades nine through 12 with information annually on the manner in which a parent may lawfully abandon a newborn baby with a responsible person, in accordance with G.S. 7B-500.
- The Department of Public Instruction shall also ensure that the guidelines for individual diabetes care plans adopted by the State Board of Education under G.S. 115C-12(31) are implemented in charter schools in which students with diabetes are enrolled and that charter schools otherwise comply with the provisions of G.S. 115C-375.3.

School Bus Safety and Charter Schools

- Public school law and SBE policies dealing with school bus safety have never been applied to Charter Schools
- Because Charter Schools are exempt from statutes and rules applicable to a local board of education

Public School Laws and SBE Policy Dealing with School Bus Safety

School Bus / Activity Bus Inspections

§ 115C-248. Inspection of school buses and activity buses;

report of defects by drivers; discontinuing use until defects remedied.

The superintendent of each local (a) school administrative unit, shall cause each school bus owned or operated by such local school administrative unit to be inspected at least once each 30 days during the school year for mechanical defects, or other defects which may affect the **safe** operation of such bus.

§ 115C-248. Inspection of school buses and activity buses;

It shall be the duty of the driver of each school bus to report promptly to the principal of the school, to which such bus is assigned, any mechanical defect or other defect which may affect the **safe** operation of the bus when such defect comes to the attention of the driver, and the principal shall thereupon report such defect to the superintendent of the local school administrative unit. It shall be the duty of the superintendent of the local school administrative unit to cause any and all such defects to be corrected promptly.

§ 115C-248. Inspection of school buses and activity buses;

report of defects by drivers; discontinuing use until defects remedied.

(c) If any school bus is found by the principal of the school, to which it is assigned, or by the superintendent of the local school administrative unit, to be so defective that the bus may not be operated with reasonable **Safety**, it shall be the duty of such principal or superintendent to cause the use of such bus to be discontinued until such defect is remedied, in which event the principal of the school, to which such bus is assigned, may permit the use of a different bus assigned to such school in the transportation of the pupils and employees assigned to the bus found to be defective.

§ 115C-248. Inspection of school buses and activity buses;

report of defects by drivers; discontinuing use until defects remedied.

The superintendent of each local school administrative unit, shall cause each activity bus which is used for the transportation of students by such local school administrative unit or any public school system therein to be inspected for mechanical defects, or other defects which may affect the **Safe** operation of such activity bus, at the same time and in the same way and manner as the regular public school buses for the normal transportation of public school pupils are inspected....."

SBE Policy TCS-H-005

Policy regarding Preventive Maintenance and Vehicle Replacement Manual

Policy regarding Preventive Maintenance and Vehicle Replacement Manual

Inspection of:

- school bus components directly related to safety (e.g. lights, stop sign, seats, tires)
- school bus components impacting the longevity of the bus, protecting the state's investment (oil leaks, body damage)

SBE Policy TCS-H-011

Policies governing School Bus and Activity Bus

Inspections

LEAs shall require each 30-day inspection required under G.S. 115C-248 to be conducted by an individual who has completed the training and certification requirements administered by the Department of Public Instruction.

Bus Inspections - Impact

- Because many charter schools can only afford to buy public school buses that have been retired from service, it is harder to maintain them in a condition where they will pass inspection
 - Prohibitively expensive to achieve in the short run?
- Most charter schools operating buses do not have personnel that are trained in the inspection and maintenance of these buses to the extent that an LEA bus garage does

2013-2015 – DPI Charter School Bus Inspections

Bus #12: 2008 - 72 Pass Freightliner Inspected: 6/14/2013

Problem	Defect Points
Emergency Exits: Window/Roof Hatch Buzzer Inoperable - window	5
Steering: Reservoir Leaking	5
Brakes: Slacks need cleaning	5
Emergency Exits: Rear Door Hold Open Mechanism Missing/Damaged/Loose - lower window blocked	2
Total Defect Points:	17

0 Defect Points – Perfect ScoreLEA Average – about 40

....not so perfect

Bus #5: 1985 - 60 Pass International Inspected: 6/14/2013

Problem	Defect Points
Engine: Needs Cleaning	10
Dash/Instrument Panel: Low Air Warning Buzzer/Light Inoperative - buzzer n/o	15
Bus Parked: MULTIPLE SAFETY ISSUES (4+)	100
Passenger Seats: Frame Mounting Bolts Missing/Damaged	5
Lights: Repair Brake Lights (1)	5
Floor Covering: Entrance Step Covering Worn/Missing/Loose - bottom step support rusted	10
Engine: Oil Leak	10
Exhaust: Oil/Fluid on Exhaust System	15
Steering: King Pin Bearing worn or loose	10
Passenger Seats: Cushion/Back Foam Damage (1-4 Seats)	10
Total Defect Points:	190

Other SBE Policies - Safety

Policy ID #: TCS-H-006 Policy governing school bus passengers

.0002 SCHOOL BUS AND ACTIVITY BUS PASSENGER SAFETY

- (a) LEAs shall provide instruction in school bus safety to all children during the first five days of school and at least once during each semester thereafter. LEAs shall also provide safety instruction to students taking trips on activity buses or commercial buses as needed. This instruction shall include but not be limited to:
 - (1) basic skills and knowledge vital to safety in school bus transportation;
 - (2) proper loading techniques, including street crossing at the bus stop; and
 - (3) instruction as needed to ensure that passengers are familiar with location and operation of emergency exits for the vehicle on which they are riding for any specific trip.

Policy ID #: TCS-H-006 Policy governing school bus passengers (Cont'd)

- (b) LEAs shall adhere to the following when assigning pupils to school buses, activity buses, commercial buses, or other contracted vehicles.
 - (1) LEAs shall not allow the number of passengers being transported to exceed the official rated capacity for the specific vehicle being used.
 - (2) LEAs shall ensure that all riders are seated completely within the seating compartment, when any bus or other vehicle is in motion.
 - (3) LEAs shall ensure that no person is standing or sitting in the aisle or stepwell when any bus or other vehicle is in motion.

Policy ID #: TCS-H-006 Policy governing school bus passengers (Cont'd)

- (c) LEAs shall require school bus drivers to utilize the North Carolina crossing signal to communicate to students when it is safe to cross the street to board the bus and when it is safet to cross the street after exiting the bus. The Department of Public Instruction shall develop and make available training materials desribing the crossing signal for students and school bus drivers.
- (d) LEAs shall also provide safety instruction to students taking trips on activity buses or commercial buses as needed, including but not limited to instruction and demonstration or emergency exit operation for the vehicle on which they are riding for any specific trip.

SBE Policy TCS-H-010 Policy governing activity bus drivers

- 3. Beginning July 1, 2010, LEAs shall require individuals being initially licensed with a CDL-P/S, who transport students to or from a school-related activity in a CDL Activity Bus, to also hold a school bus driver's certificate.
- 4. Beginning July 1, 2015, LEAs shall not permit any individual to transport students in a CDL Activity Bus unless he or she holds both a CDL-P/S license and valid school bus driver's certificate.

SBE Policy TCS-H-010 Policy governing activity bus drivers

Impact on Charter School Compliance:

Time required for school bus training

- ~ 1 week class room
- ~ 1 week behind the wheel

SBE Policy TCS-H-009

Policies governing LEA rules and regulations related to charter (contracted) transportation for schoolrelated events and activities.

- 1. LEAs shall adopt safety standards for contracted transportation services to assure the safety of students being transported to or from school-related activities.
- 2. LEAs shall maintain a list (Approved List) of companies or individuals that meet its safety standards for transportation services for school-related activities.
- 3. LEAs shall contract for transportation services for school-related activities only with companies or individuals on the Approved List.
- 4. When adopting safety standards pursuant to this rule, LEAs shall consider the Recommended Guidelines and Procedures developed by the School Charter Transportation Safety Committee.

SBE Policy TCS-H-009

Policies governing LEA rules and regulations related to charter (contracted) transportation for schoolrelated events and activities.

Impact on Charter School Compliance:

TCS-H-009 was brought about to provide some central LEA guidance to the charter motorcoach contracts, since individual schools did not have the knowledge or background.

Working with county LEA would be best

Policies governing LEA rules and regulations related to charter transportation for school-related events and activities.

Policy Identification

Priority: Twenty-First Century Systems

Category: Transportation

Policy ID Number: TCS-H-009

- a) LEAs shall adopt safety standards for contracted transportation services to assure the safety of students being transported to or from school-related activities.
- b) LEAs shall maintain a list (Approved List) of companies or individuals that meet its safety standards for transportation services for school-related activities.
- c) LEAs shall contract for transportation services for school-related activities only with companies or individuals on the Approved List.
- d) When adopting safety standards pursuant to this rule, LEAs shall consider the Recommended Guidelines and Procedures developed by the School Charter Transportation Safety Committee.

Charter transportation for school-related events and activities (Cont'd)

- e) The LEA's safety standards shall include the following procedures:
 - 1. Procedures for development of the Approved List of transportation providers;
 - 2. Procedures for ensuring that a contract for any trip is made only with companies on the Approved List;
 - 3. Procedures to assure that the number of vehicles and drivers for the trip is sufficient to assure the safety of the students being transported;
 - 4. Procedures to provide safety and evacuation training to all students prior to any trip; and
 - 5. Any other procedures that the LEA deems reasonable to assure the safety of students being transported to or from school related activities.
- f) If an LEA adopts safety standards that conflict with or are less stringent than the Recommended Guidelines and Procedures developed by the School Charter Transportation Safety Committee, the LEA's standards shall note those differences and state the reasons the LEA is adopting the different standard.
- g) LEAs may enter into interlocal cooperation agreements under Chapter 160A, Article 20, to develop the required safety standards or lists of companies or individuals approved to provide transportation services or to contract for transportation services for school related activities.

Policies governing activity bus drivers

• **Priority:** Twenty-First Century Systems

Category: Transportation

Policy ID Number: TCS-H-010

• **Policy Title:** Policies governing activity bus drivers

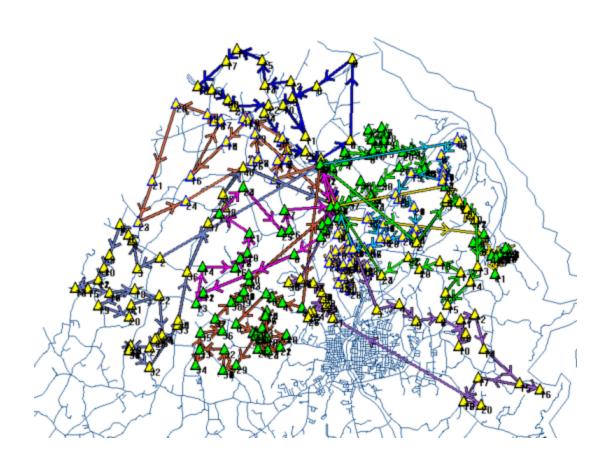
• Current Policy Date: 04/01/2010

Policies governing activity bus drivers

- (a) Definitions:
- 1. CDL means a Commercial Drivers License, which is a licens issued by the state that authorizes an individual to drive a commercial motor vehicle (G.S. 20-4.01)
- 2. "CDL Activity Bus" means a school activity bus (G.S. 20-4.01) built to transport 16 or more passengers including the driver.
- 3. "School bus driver's certificate" means a certificate issued by a duly designated representative of the Commissioner of Motor Vehicles and the Director of Transportation, or a designee of the Director in charge of school buses in the county which shows that he or she has been examined and has been certified fit and competent to drive a school bus over the highways and public vehicular areas of the State. (G.S. 20-218)
- (b) LEAs shall require individuals who transport students to or from a school-related activity in a CDL Activity Bus to hold a valid Commercial Drivers License with a Passenger (P) and School Bus (S) endorsement (CDL-P/S) as required by the Division of Motor Vehicles.
- (c) Beginning July 1, 2010, LEAs shall require individuals being initially licensed with a CDL-P/S, who transport students to or from a school-related activity in a CDL Activity Bus, to also hold a school bus driver's certificate.
- (d) Beginning July 1, 2015, LEAs shall not permit any individual to transport students in a CDL Activity Bus unless he or she holds both a CDL-P/S license and valid school bus driver's certificate.

TIMS

Transportation Information Management System



TIMS

- Available to charter schools \$1000 license
- Training can be purchased from UNC Charlotte
- School would be the one to USE the system
- Works best drawing from one county and not too far beyond because maps already exists from the LEA

Charter Schools and Transportation Safety

§115C-248. Inspection of school buses and activity buses; report of defects by drivers; discontinuing use until defects remedied.

- Superintendent shall cause each bus to be inspected every 30 days; findings documented and filed
- Driver must report defects promptly
- Principal or superintendent must remove from service if not safe
- Same applies to Activity Buses