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Contact Person: Director of Operations

POLICY 707 TRANSPORTATION

I. PURPOSE

To provide guidelines for a safe and effective transportation system.

II. GENERAL STATEMENT OF POLICY

1. **Public School Students** - The District will provide student transportation consistent with the requirements of law.
2. **Non-Public Students** - The District recognizes the rights of nonpublic school students and will provide transportation to those students as required by law.
3. **Extra-Curricular** - The determination as to whether to provide transportation for students, spectators, or participants to and from extra-curricular activities shall be made solely by District Administration. This determination shall include, but is not limited to, the decision to provide transportation, the person to be transported, the type or method to be utilized, all transportation scheduling and coordination, charge fees and any other transportation arrangements or decisions.
4. **Safety** -The District will establish a safety program to ensure students are transported in a manner that protects their health, welfare, and safety. The Director of Operations shall be designated the District's School Transportation Safety and Compliance Manager.
5. The District recognizes that transportation is an essential part of the District services to students and parents, but further recognizes that transportation by school bus is a privilege and not a right for an eligible student.
6. **Video Recording** - The District will maintain an on-bus video recording system to encourage good behavior and, as a result, promote safety.
7. **Student Transportation Safety Committee** – The School Board may establish a Student Transportation Safety Committee. The chair of the Student Transportation Safety Committee is the District’s School Transportation Safety and Compliance Manager.

The School Board shall appoint the other members of the Student Transportation Safety Committee. Membership may include parents, school bus drivers, representatives of school bus companies, local law enforcement officials, other District administration, and representatives from other units of local government.

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REGULATION 707.1 TRANSPORTATION OF PUBLIC SCHOOL STUDENTS

I. DEFINITIONS

- A. **“Child with a disability”** includes every child identified under federal and state special education law as deaf or hard of hearing, blind or visually impaired, deaf blind, or having a speech or language impairment, a physical impairment, other health disability, developmental cognitive disability, an emotional or behavioral disorder, specific learning disability, autism spectrum disorder, traumatic brain injury, or severe multiple impairments, and who needs special education and related services, as determined by the rules of the Commissioner of Education. A licensed physician, an advanced practice nurse, or a licensed psychologist is qualified to make a diagnosis and determination of attention deficit disorder or attention deficit hyperactivity disorder for purposes of identifying a child with a disability. In addition, every child under age three, and at the District’s discretion from age three to seven, who needs special instruction and services, as determined by the rules of the Commissioner, because the child has a substantial delay or has an identifiable physical or mental condition known to hinder normal development is a child with a disability. A child with a short-term or temporary physical or emotional illness or disability, as determined by the rules of the Commissioner, is not a child with a disability. (Minn. Stat. § 125A.02.)
- B. **“Home”** is the legal residence of the child. In the discretion of the District, “home” also may be defined as a licensed day care facility, school day care, a respite care facility, the residence of a relative, or the residence of a person chosen by the student’s parent or guardian as the home of a student for part or all of the day, if requested by the student’s parent or guardian, or an afterschool program for children operated by a political subdivision of the state, if the facility, residence, or program is within the attendance area of the school the student attends. Unless otherwise specifically provided by law, a homeless student is a resident of the District if enrolled in the District. (Minn. Stat. § 123B92, subd.1 (b)(1); Minn. Stat. § 127A.47.Subd 2)
- C. **“Homeless student”** means a student, including a migratory student, who lacks a fixed, regular, and adequate nighttime residence and includes; students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; are awaiting foster care placement; have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping

accommodation for human beings; are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings, and migratory children who qualify as homeless because they are living in any of the preceding listed circumstances. (42 U.S.C. § 11434a)

- D. **“Nonpublic school”** means any school, church, or religious organization, or home school wherein a resident of Minnesota may legally fulfill the compulsory instruction requirements of Minnesota Statutes §120A.22, which is located within the state, and which meets the requirements of Title VI of the Civil Rights Act of 1964, (42 U.S.C. § 2000, *et seq.* (Minn. Stat. §123B.41, subd. 9.)
- E. **“Nonresident student”** is a student who attends school in the District and resides in another district, defined as the “nonresident district.” In those instances when the divorced or legally separated parents or parents residing separately share joint physical custody of a student and the divorced parents reside in different districts, the student shall be a resident of the district designated by the student’s parents. When parental rights have been terminated by court order, the legal residence of a student placed in a residential or foster facility for care and treatment is the district in which the student resides. (Minn. Stat. § 123B.88, subd.,6; Minn. Stat. § 125A.51; Minn. Stat. § 127A.47, subd. 3.)
- F. **“Pupil support services”** are health, counseling and guidance services provided by the public school in the same district where the nonpublic school is located. (Minn. Stat. § 123B.41, subd. 4.)
- G. **“Resident student”** is a student who resides and attends public school in the District.
- H. **“School of origin”** for purposes of determining the residence of a homeless student, is the school that the student attended when permanently housed or the school in which the student was last enrolled. (42 U.S.C. § 11432(g)(3)(G))
- I. **“Shared time basis”** is a program where students attend public school for part of the regular school day and who otherwise fulfill the requirements of Minnesota Statutes § 120A.22 by attendance at a nonpublic school. (Minn. Stat. § 126C.01, subd.8.)
- J. **“Student”** means any student or child attending or required to attend any school as provided in Minnesota law and who is a resident or child of a resident of Minnesota. (Minn. Stat. § 123B.41, subd.11.)

II. TRANSPORTATION OF RESIDENT STUDENTS

- A. Upon the request of a parent or guardian, the District shall provide transportation to and from school, at the expense of the District, for all resident students who reside two miles or more from the school and live in the attendance boundary, except for those students whose transportation privileges have been revoked or, in the case of a secondary student, have been voluntarily surrendered by the student’s parent or guardian.

A school district, at its discretion, may provide transportation to students that reside within the district of less than the statutory two miles at no cost to the parents. (Minn. Stat. §123B.88, subd.1.)

- B. The District may, in its discretion, also provide transportation to any student to and from school, at the expense of the District, outlined below within the guidelines for Walkers and Hazardous Crossings.
- C. In the discretion of the District, transportation along regular school bus routes may also be provided, where space is available, to any person where such use of a bus does not interfere with the transportation of students. The cost of providing such transportation must be paid by those individuals using these services or some third-party payor. Bus transportation also may be provided along school bus routes when space is available for participants in early childhood family education programs and school readiness programs if these services do not result in an increase in the District's expenditures for transportation. (Minn. Stat. § 123B.88, Subd. 10, 11, 12, and 13)
- D. For purposes of stabilizing enrollment and reducing mobility, the District may, in its discretion, establish a full-service school zone and may provide transportation for students attending a school in that full-service school zone. A full-service school zone may be established for a school that is located in an area with higher than average crime or other social and economic challenges and that provides education, health or human services, or other parental support in collaboration with a city, county, state, or nonprofit agency.
- E. Students are eligible for transportation service if any resident elementary (grades K-5) student(s) reside a walking distance of more than one half mile and any resident secondary (grades 6-12) resident student(s) reside a walking distance of more than one and one-fourth mile or more from a public school which they attend. The distance shall be measured and determined from the school to the middle of the road or street in front of the student's home. If this point is a mile or more (grades 6-12) or one-half mile or more (grades K-5) as measured on walks and roadways, the students shall be entitled to transportation. The distance for students that are living in multiple housing units shall be measured to the middle of the roadway or street that leads into the driveway of the complex or the parking area. The official method of measuring shall be the District owned GIS software.
- F. Resident students who are not eligible for student transportation to and from school as defined in section A & B above may apply for "pay to ride" services. "**Pay to Ride**" services are student transportation services to and from school being provided by the District for a fee. Students must reside in the walk boundary of their school of attendance and must apply in writing. Determination on providing "Pay to Ride" service shall be made by Administration based on time, space and equipment considerations. All contractual agreements between the District and parents/guardians of resident students shall comply with State laws and Regulations. "Pay to Ride" service will be contracted annually at a rate

established by the School Board. No student will be denied service because of an inability to pay. Criteria used for the USDA Free and Reduced Lunch program will be used to determine ability and amount to be paid for "Pay to Ride" service.

- G. Students enrolled in special district programming may be eligible, based on program criteria, for transportation to and from school of enrollment where program is housed. Program student siblings in rare cases may be approved for transportation. This approval may be denied as conditions change on the bus (e.g. seats are needed for qualified riders or if a sibling fails to follow the bus rules, policies, or procedures.) Siblings cannot displace any qualified riders. Once program student advances or is no longer enrolled in the program, the sibling may be eligible for "Pay to Ride" services until sibling advances or is no longer enrolled in the school where program is housed. Program is subject to transportation fees set forth by the District.

III. TRANSPORTATION OF NONRESIDENT STUDENTS

- A. If requested by the parent of a nonresident student, the District shall provide transportation to a nonresident student within its borders at the same level of service that is provided to resident students. The District may provide transportation to a nonresident student outside its borders only with the approval of the resident district. (Minn. Stat. § 124D.04, subd. 7; Minn. Stat. § 123B.92, Subd. 3; Minn. Stat. § 123B.88, subd. 6.)
- B. If the District decides to transport a nonresident student within the student's resident district, the District will notify the student's resident district of its decision, in writing, prior to providing transportation. (Minn. Stat. § 123B.88, subd. 6.)
- C. When divorced or legally separated parents or parents residing separately reside in different districts and share physical custody of a student, the parents shall be responsible for the transportation of the student to the border of the district during those times when the student is residing with the parent in the nonresident district. (Minn. Stat. § 127A.47, subd. 3(b).)
- D. The District may provide transportation to allow a student who attends a high-need English language learner program and who resides within the transportation attendance area of the program to continue in the program until the student completes the highest-grade level offered by the program. (Minn. Stat. § 123B.92, Subd. 3(b))

IV. TRANSPORTATION OF RESIDENT STUDENTS TO NONDISTRICT SCHOOLS

- A. In general, the District shall not provide transportation between a resident student's home and the border of a nonresident district where the student attends school under the Enrollment Options Program. A parent may be reimbursed by the nonresident district for the costs of transportation from the pupil's residence to the border of the nonresident district if the student is from a

family whose income is at or below the poverty level, as determined by the federal government. The reimbursement may not exceed the pupil's actual cost of transportation or 15 cents per mile traveled, whichever is less. Reimbursement may not be paid for more than 250 miles per week. (Minn. Stat. § 124D.03, subd. 8.)

- B. Resident students shall be eligible for transportation to and from a nonresident district at the expense of the district, if in the discretion of the district, inadequate room, distance to school, unfavorable road conditions, or other facts or conditions make attendance in the resident student's own district unreasonably difficult or impracticable. The District, in its discretion, may also provide for transportation of resident students to schools in other districts for grades and departments not maintained in the district, including high school, for the whole or a part of the year or for resident students who attend school in a building rented or leased by the District in an adjacent district. (Minn. Stat. § 123B.88, subs.1 and 4.)
- C. REIMBURSEMENT OF RESIDENT STUDENTS WHO ATTEND PRIVATE SCHOOLS OUTSIDE OF RESIDENT DISTRICT. Resident students shall be eligible for transportation reimbursement at a rate of 15 cents per mile or a maximum payment of \$300.00 annually, whichever is less. Mileage will be computed from resident's home address to the nearest District boundary. Reimbursement will be paid roundtrip for each day the student attends the private school. An attendance report must be submitted to the Transportation Department before payment is made. This payment will be paid only if a "like" school is not available within the District boundaries. Reimbursement may not be paid for more than 250 miles per week.
- D. In general, the District is not responsible for transportation for any resident student attending school in an adjoining state under a reciprocity agreement, but may provide such transportation services at its discretion. (Minn. Stat. § 124D.041)

V. TRANSPORTATION OF RESIDENT SPECIAL EDUCATION / STUDENTS WITH A DISABILITY AND STUDENTS WITH TEMPORARY DISABILITIES

- A. Upon a request of a parent or guardian, a resident student with a disability who is not yet enrolled in kindergarten, who requires special education services in a location other than the student's home, shall be provided transportation to and from the student's home at the expense of the District and shall not be subject to any distance requirement. (Minn. Stat. § 123B.88, Subd.1)
- B. Resident students with a disability whose handicapped conditions are such that the student cannot be safely transported on the regular school bus and/or school bus route and/or when the student is transported on a special route for the purpose of attending an approved special education program shall be entitled to special transportation at the expense of the District or the day training and habilitation program attended by the student. The District shall determine the type of vehicle used to transport students with a disability on the basis of the

handicapping condition and applicable laws. This provision shall not be applicable to parents who transport their own child under a contract with the District. (Minn. Stat. § 123B .88, Subd.19, Minn. Rules Part 7470.1600)

- C. Resident students with a disability who are boarded and lodged at Minnesota state academies for educational purposes, but who also are enrolled in a public school within the District, shall be provided transportation, by the District to and from said board and lodging facilities, at the expense of the District. (Minn. Stat. § 125A.65)
- D. If a resident student with a disability attends a public school located in a contiguous district and the District of attendance does not provide special instruction and services, the District shall provide necessary transportation for the student between the District boundary and the educational facility where special instruction and services are provided within the District. The District may provide necessary transportation of the student between its boundary and the school attended in the contiguous district, but shall not pay the cost of transportation provided outside the district boundary. (Minn. Stat. § 125A.12)
- E. When a student with a disability or a student with a short-term disability is temporarily placed for care and treatment in a day program located in another district and the student continues to live within the District during the care and treatment, the District shall provide the transportation, at the expense of the District, to that student. The District may establish reasonable restrictions on transportation, except if a Minnesota court or agency orders the child placed at a day care and treatment program and the District receives a copy of the order, then the District must provide transportation to and from the program unless the court or agency orders otherwise. Transportation shall only be provided by the District during regular operating hours of the District. (Minn. Stat. § 125A.15(b); Minn. Stat. § 125A.51(d))
- F. When a nonresident student with a disability or a student with a short-term or temporary disability is temporarily placed in a residential program within the District, including correctional facilities operated on a fee-for-service basis and state institutions, for care and treatment, the District shall provide the necessary transportation at the expense of the District. Where a joint powers entity enters into a contract with a privately owned and operated residential facility for the provision of education programs for special education students, the joint powers entity shall provide the necessary transportation. (Minn. Stat. § 125A.1515© and (cd); Minn. Stat. § 125A.5(e))
- G. Each driver and aide assigned to a vehicle transporting students with a disability will be provided with appropriate training for the students in their care, will assist students with their safe ingress and egress from the bus, will ensure the proper use of protective safety devices, and will be provided with access to emergency health care information as required by law. (Minn. Rules Part 7470.1700)

- H. Any parent of a student with a disability who believes that the transportation services provided for that child are not in compliance with the applicable law may utilize the alternative dispute resolution and due process procedures provided for in Minn. Stat. Ch. 125A. (Minn. Rules Part 7470.1600, Subd.2)

VI. HOMELESS STUDENTS

- A. Homeless students shall be provided with transportation services comparable to other students in the District. (42 U.S.C. § 11432(e)(3)(C)(i)(III)(cc) and (g)(4)(A))
- B. Upon request by the student's parent, guardian, or homeless education liaison, the District shall provide transportation for a homeless student as follows:
1. A resident student who becomes homeless and is residing in a public or private shelter location or has other non-shelter living arrangements within the District shall be provided transportation to and from the student's school of origin and the shelter or other non-shelter location if the shelter or non-shelter location is two or more miles from the school of origin and the student's transportation privileges have not been revoked. (42 U.S.C. § 11432(g)(I)(J)(iii)(I))
 2. A resident student who becomes homeless and is residing in a public or private shelter location or has other non-shelter living arrangements outside of the District shall be provided transportation to and from the student's school of origin and the shelter or other non-shelter location if the shelter or non-shelter location is two or more miles from the school of origin and the student's transportation privileges have not been revoked, unless the District and the district in which the student is temporarily placed agree that the district in which the student is temporarily placed shall provide transportation. (Minn. Stat. § 125A.51(f); 42 U.S.C. § 11432(g)(I)(J)(iii)(II))
 3. If a nonresident student is homeless and is residing in a public or private homeless shelter or has other non-shelter living arrangements within the District, the District may provide transportation services between the shelter or non-shelter location and the student's school of origin outside of the District upon agreement with the District in which the school of origin is located. (Minn. Stat. § 125A.51))
 4. A homeless nonresident student enrolled under Minn. Stat. § 124D.08, Subd. 2a, must be provided transportation from the student's district of residence to and from the school of enrollment. (Minn. Stat. § 123B.92, Subd. 3(c))

VII. AVAILABILITY OF SERVICES

Transportation shall only be provided on regularly scheduled school days or make-up days. Transportation will not be provided during the summer school break. Transportation may be provided for summer instructional programs for students with a

disability or in conjunction with a learning year program. Transportation between home and school may also be provided, in the discretion of the District, on staff development days. (Minn. Stat. § 123B.88, subd.21.)

VIII. TRANSPORTATION/OPERATIONS

The scheduling of routes, establishment of the location of bus stops, manner and method of transportation, control and discipline of school children and any other matter relating thereto shall be within the sole discretion, control and management of the school board. The District may, in its discretion, provide room and board, in lieu of transportation, to a student who may be more economically and conveniently provided for by that means. (Minn. Stat. § 123B.88, subd.1.)

A. Transportation Route Guidelines

1. No Student in Grades K-5 shall be picked up before 6:30 AM
2. Special Routes created for the needs of K-5 student may also include older siblings up to 8th Grade when there is space available. The available space shall be granted with preference to the youngest siblings.
3. Student time on the bus shall be no more than 65 minutes under normal driving conditions
4. Student wait time at any school shall not exceed 5 minutes.

IX. RESTRICTIONS

Transportation by the District is a privilege and not a right for an eligible student. A student's eligibility to ride a school bus may be revoked for a violation of school bus safety or conduct policies, or violation of any other law governing student conduct on a school bus pursuant to the District's discipline policy. Revocation of a student's bus riding privilege is not an exclusion, expulsion, or suspension under the Pupil Fair Dismissal Act. Revocation procedures for a student who is an individual with a disability under 20 U.S.C. §1415 (Individuals with Disabilities Act), 29 U.S.C. § 794 (the Rehabilitation Act), and 42 U.S.C. § 12132, (Americans with Disabilities Act) are governed by these provisions. (Minn. Stat. § 121A.59.)

X. FEES

- A. In its discretion, the District may charge fees for transportation of students to and from extra-curricular activities conducted at locations other than school, where attendance is optional. (Minn. Stat. § 123B.36, subd. 1(10).)
- B. The District may charge reasonable fees for transportation of students to and from post-secondary institutions for students enrolled under the post-secondary enrollment options program. Families who qualify for mileage reimbursement may use their state mileage reimbursement to pay this fee. (Minn. Stat. § 123B.36, subd. 1(13).)

- C. Where, in its discretion, the District provides transportation to and from an instructional community-based employment station that is part of an approved occupational experience vocational program, the District may require the payment of reasonable fees for transportation from students who receive remuneration for their participation in these programs. (Minn. Stat. § 123B.36, subd. 3.)

- D. The District may charge fees for transportation of students to and from school when authorized by law. If the District charges fees for transportation of students to and from school, guidelines shall be established for that transportation to ensure that no student is denied transportation solely because of inability to pay. The District also may waive fees for transportation if the student's parent is serving in, or within the past year has served in active military service as defined in Minn. Stat § 190.05. (Minn. Stat. § 123B.36, subd. 1(11).)

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REGULATION 707.2 TRANSPORTATION OF NONPUBLIC SCHOOL STUDENTS

I. TRANSPORTATION OF NONPUBLIC SCHOOL STUDENTS

- A. The District shall provide equal transportation within the District for all students to any school when transportation is deemed necessary by the District because of distance or traffic conditions in like manner and form as provided in Minnesota Statutes Sections 123B.88 and 123B.92 when applicable. (Minn. Stat. 123B.86, subd. 1.)
- B. Upon the request of a parent or guardian, the District shall provide school bus transportation to the District boundary for students residing in the District at least the same distance from a nonpublic school actually attended in another district as public school students are transported in the transporting district. Such transportation shall be provided whether there is or is not another nonpublic school within the transporting district, if the transportation is to schools maintaining grades or departments not maintained in the District or if the attendance of such students at school can more safely, economically, or conveniently be provided for by such means. (Minn. Stat. 123B.88, subd. 1; Minn. Stat. 123B.86, subd. 2(a).)
- C. The District may provide school bus transportation to a nonpublic school in another district for students residing in the District and attending that school, whether there is or is not another nonpublic school within the transporting district, if the transportation is to schools maintaining grades or departments not maintained in the District or if the attendance of such students at school can more safely, economically, or conveniently be provided for by such means. If the District transports students to a nonpublic school located in another district, the nonpublic school shall pay the cost of such transportation provided outside the District boundaries. (Minn. Stat. 123B.86, subd. 2(b).)
- D. The District shall provide the necessary transportation within District boundaries between the nonpublic school and a public school or neutral site for nonpublic school students who are provided pupil support services, if the District elects to provide pupil support services at a site other than a nonpublic school. (Minn. Stat. 123B.44, subd. 1.)
- E. When transportation is provided, the scheduling of routes, manner and method of transportation, control and discipline of students and any other matter relating thereto shall be within the sole discretion, control and management of the District. (Minn. Stat. 123B.86, subd. 3.)

- F. Additional transportation to and from a nonpublic school may be provided at the expense of the District where such services are provided is the discretion of the District.
- G. The maximum reimbursement should be equivalent to the state's reimbursement formula for that given school year in lieu of \$300 maximum payment.

II. TRANSPORTATION OF RESIDENT SPECIAL EDUCATION/STUDENTS WITH A DISABILITY

- A. If a resident student with a disability attends a nonpublic school located within the District, the District shall provide necessary transportation for the student within the District between the nonpublic school and the educational facility where special instruction and services are provided on a shared-time basis. If a resident student with a disability attends a nonpublic school located in another district and if no agreement exists for the provision of special instruction and services on a shared time basis to that student by the district of attendance and where the special instruction and services are provided within the District, the District shall provide necessary transportation for that student between the District boundary and the educational facility. The District may provide necessary transportation for that student between its boundary and the nonpublic school attended, but the nonpublic school shall pay the cost of transportation provided outside the District. Districts may make an agreement for who provides transportation. Parties serving students on a shared time basis have access as provided by law. (Minn. Stat. 125A.18.)
- B. Students with a disability whose conditions are such that the student cannot be safely transported on the regular school bus and/or school bus route shall be entitled to special transportation at the expense of the District. The District shall determine the type of vehicle used to transport students with a disability on the basis of the condition and applicable laws. This section shall not be applicable to parents who transport their own child under a contract with the District. (Minn. R. 3520.3300, subd. 1.)
- C. Any parent of a student with a disability who believes that the transportation services provided for that child are not in compliance with the applicable law may utilize alternate dispute and due process procedures provided for in Minn. Stat. 125A.09, subd. 6. (Minn. R. 3520.3300, subd. 2.)
- D. Each driver and aide assigned to a vehicle transporting students with a disability will be provided with appropriate training for the students in their care, will assist students with their safe ingress and egress from the bus, will ensure the proper use of protective safety devices, and will be provided with access to emergency health care information as required by law. (Minn. Rules Part 7470.1700)

III. APPLICATION OF GENERAL POLICY AND REGULATIONS

The provisions of the District's policy on transportation of public school students [Policy 707] shall apply to the transportation of nonpublic school students except as specifically provided herein.

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REGULATION 707.3 EXTRACURRICULAR TRANSPORTATION

I. ARRANGEMENT OF EXTRACURRICULAR TRANSPORTATION

District employees shall undertake independent arrangement, scheduling or coordination of transportation for extracurricular activities only when specifically directed or approved by the administration. District employees will notify a building administrator of all transportation arrangements made. If the District makes no arrangements for extracurricular transportation, students who wish to participate are responsible for arranging for or providing their own transportation.

II. EMPLOYEE TRANSPORTATION OF STUDENTS

An employee must not use a personal vehicle to transport one or more students except as provided herein. However, employees may make appropriate transportation arrangements for students as necessary in an emergency or other unforeseeable circumstance.

In a nonemergency situation, an employee must get prior, written approval from the administration before transporting a student in a personal vehicle. If a school vehicle is available, the employee will use the school vehicle. The administration has the sole discretion to make a final determination as to the appropriate use of a personal vehicle to transport one or more students.

If any emergency transportation arrangements are made by employees pursuant to this section, the relevant facts and circumstances shall be reported to the administration as soon thereafter as practicable.

All vehicles used to transport students shall be properly registered and insured.

III. FEES

In its discretion, the District may charge fees for transportation of students to and from extracurricular activities conducted at locations other than school, where attendance is optional.

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REGULATION 707.4 STUDENT TRANSPORTATION SAFETY

I. PLAN FOR STUDENT TRANSPORTATION SAFETY TRAINING

The fourth week of school is designated as school bus safety week.

A. Student Training

The school principal or designee shall provide students enrolled in grades kindergarten through 10 with age-appropriate school bus safety training. The training shall be results oriented and shall consist of both classroom instruction and practical training using a school bus. Upon completing the training, a student shall be able to demonstrate knowledge and understanding of at least the following competencies and concepts:

1. District policies and regulations for student conduct and school bus safety;
2. Appropriate conduct while on the bus;
3. The danger zones surrounding a school bus;
4. Procedures for safely boarding and leaving a school bus;
5. Procedures for safe vehicle lane crossing;
6. School bus evacuation and other emergency procedures.
7. Transportation by school bus is a privilege, not a right.

B. All students in grades K-5 who are transported by school bus and are enrolled during the first or second week of school must demonstrate achievement of the school bus safety training competencies by the end of the third week of school. Students in grades 6-10 must demonstrate achievement of these competencies by the end of the sixth week of school. Students who enroll in a school after the second week of school and are transported by school bus shall undergo school bus safety training and demonstrate achievement of the school bus safety competencies within four weeks of the first day of attendance. The District may deny transportation to a student who fails to demonstrate the competencies, unless the student is unable to achieve the competencies due to a disability. Further, the District may deny transportation to a student who attends a nonpublic school that fails to provide appropriate student training.

C. The District and a nonpublic school with students transported by school bus at public expense must provide students enrolled in grades K-5 school bus safety training twice during school year.

- D. Students taking driver's training instructional classes must receive training in the laws and proper procedures for operating a motor vehicle in the vicinity of a school bus as required by Minn. Stat § 169.446, Subd. 2.
- E. The District and a nonpublic school with students transported by school bus at public expense must conduct a school bus evacuation drill at least once during the school year.
- F. The District will make reasonable accommodations in training for students known to speak English as a second language and students with disabilities.
- G. The district will, to the extent possible, provide kindergarten students with school bus safety training before the first day of school.
- H. The District also will provide student safety education for bicycling and pedestrian safety.
- I. The District's curriculum for student transportation safety is maintained and available for review.
- J. Nonpublic school students transported by the District will receive school bus safety training in their nonpublic school. The nonpublic school must certify to the District's school transportation Safety and Compliance Manager that all students have received the appropriate training.

II. CONDUCT ON SCHOOL BUSES AND CONSEQUENCES FOR MISBEHAVIOR

Riding the school bus is a privilege, not a right. Students are expected to follow the same behavioral standards while riding school buses as are expected on school property or at school activities, functions or events. All school rules are in effect while a student is riding the bus or is at the bus stop.

Consequences for school bus/bus stop misconduct will be imposed by the building principal or the principal's designee. In addition, all school bus/bus stop misconduct will be reported to the district's Transportation Safety and Compliance Manager. Serious misconduct may be reported to local law enforcement.

A. School Bus and Bus Stop Rules

The District school bus safety rules are to be posted on every bus. If these rules are broken, the District's discipline procedures are to be followed. Consequences are progressive and may include suspension of bus privileges. It is the school bus drivers' responsibility to report unacceptable behavior to the District's Transportation Office/School Office

1. Rules at the Bus Stop

- a. Get to your bus stop five minutes before your scheduled pick up time. The school bus driver will not wait for late students.

- b. Respect the property of others while waiting at your bus 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 bus. Wait until the bus stops before approaching the bus.
- f. After getting off the bus, move away from the bus.
- g. If you must cross the street, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.
- h. No fighting, harassment, intimidation or horseplay.
- i. No use of alcohol, tobacco including e-cigarettes or drugs.

2. Rules on the Bus

- 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 bus.
- 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, use of tobacco, drugs or flammables.
- i. Do not bring any weapon (real or imitation) or dangerous objects on the school bus.
- j. Do not damage the school bus.

B. Consequences

Consequences for school bus/bus stop misconduct will apply to all routes. Decisions regarding a student's ability to ride the bus in connection with co-curricular and extracurricular events (for example, field trips or competitions) will be in the sole discretion of the District. Parents or guardians will be notified of any suspension of bus privileges.

1. Elementary (K-5)

1st offense – warning

2nd offense – 1-3 school-day suspension from riding the bus

3rd offense – 3-5 school-day suspension from riding the bus

4th offense – 5-10 school day suspension from riding the bus/meeting with parent

Further offenses – individually considered. Students may be suspended for longer periods of time, including the remainder of the school year.

2. Secondary (6-12)

1st offense – warning

2nd offense – 3-5 school-day suspension from riding the bus

3rd offense – 5-10 school-day suspension from riding the bus

4th offense – 10-20 school day suspension from riding the bus / meeting with parent

5th offense – suspended from riding the bus 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. A principal or their designee has the discretion to revise an individual Bus Conduct Report, to give lesser punishment to increase the school bus suspension and/or to include suspension, after reviewing each student's Bus Conduct Report.

C. 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 bus/bus stop misconduct.

D. Records

Records of school bus/bus stop misconduct will be forwarded to the individual school building and will be retained in the same manner as other student discipline records. Records also will be maintained in the transportation office.

E. Vandalism/Bus Damage

Students damaging school buses 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 bus privileges until damages are paid.

F. Notice

Students will be given a copy of school bus and bus stop rules during school bus safety training. Rules are to be posted on each bus and the driver will periodically review both rules and consequences with students.

G. Criminal Conduct

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

III. PARENT AND GUARDIAN INVOLVEMENT

A. Parent/Guardian Responsibilities for Transportation Safety:

1. Become familiar with District rules and policies, regulations and principles of school bus safety.

2. Assist students in understanding safety rules and encourage them to abide by them.
3. Recognize their responsibilities for the actions of their students.
4. Support safe riding practices and reasonable discipline efforts.
5. When appropriate assist students in safely crossing local streets before boarding and after leaving the bus.
6. Support procedures for emergency evacuation, and procedures in emergencies as set up by the District.
7. Respect the rights and privileges of others.
8. Communicate safety concerns to school administrators.
9. Monitor bus stops, if possible.
10. Support all efforts to improve school bus safety.

B. Parent and Guardian Notification:

A copy of the District school bus and bus stop rules will be provided to each family at the beginning of the school year or when a child enrolls, if this occurs during the school year. Parents and guardians are asked to review the rules with their students.

IV. SCHOOL BUS DRIVER DUTIES AND RESPONSIBILITIES

All school bus drivers shall be adequately prepared, both physically and mentally, each day to perform required duties. These duties shall include:

A. Operating the vehicle in a safe and efficient manner.

1. Safety

The primary concern of each driver is safety. Drivers will exercise extreme caution during the loading and unloading process as well as when driving.

2. Defensive Driving

All drivers are to drive defensively at all times. A definition of defensive driving is: driving in a manner to avoid accident involvement despite adverse conditions created by roads, weather, traffic, or errors of other drivers or pedestrians.

3. Driving Adjustments

Winter and wet weather driving may require adjusting speed and normal driving practices to compensate for road conditions.

4. Emergency Doors

Emergency doors must be free and operable. Under no circumstances may the doors be obstructed to prevent easy access.

5. Service Door

The service door of the bus must be closed at all times while the bus is in motion.

6. Overloads

The registration card in all vehicles designates the maximum number of passengers allowed to be carried. This limit cannot be exceeded. All riders must have a seat. A driver should call the designated individual for instructions should a vehicle become overloaded.

7. Railroad Crossings

All vehicles used to transport must stop at railroad crossings, using required procedures, whether they are loaded or empty. School buses shall not activate the eight-way lights; 4-way hazard lights are to be used before stopping and when crossing the tracks.

8. Speeding and Other Moving Violations

No bus will travel faster than road; traffic and weather conditions safely permit, regardless of the posted speed limit. Any driver convicted of a moving violation with a school bus will face disciplinary action. Other reports or warnings regarding speeding will result in suspension and/or termination.

9. Smoking including e-cigarettes is Prohibited

Smoking by either the driver or the passengers is prohibited on any school bus, Type III vehicle, or on school property.

B. Conducting thorough pre-trip and post-trip inspections of the vehicle and special equipment.

1. Bus Inspection

Drivers are required to make a pre-trip inspection of the bus before each trip. Failure to do so is a violation of state law. Defects are to be reported in writing. Drivers are required to check their buses for students, vandalism and articles left on the bus after each route segment.

2. Safety Equipment

All drivers are responsible for ensuring that the necessary safety equipment is aboard the bus, including fire extinguisher, first aid kit, bodily fluids clean-up kit, reflectorized emergency warning device, and any additional items required by the district.

Drivers of vehicles for students with a disability will ensure all student health information cards are on board the bus.

3. Bus Cleaning

Drivers are required to keep the interior of their buses swept and free of trash at all times.

4. Fueling

The driver is responsible for ensuring that his or her assigned vehicle is adequately fueled before leaving the yard. Smoking is prohibited in the fueling area. The engine shall be turned off while fueling. Drivers should never fuel with passengers aboard.

C. Ensuring the safety, welfare and orderly conduct of passengers while on the bus.

D. Meeting emergency situations in accordance with operating procedures.

E. Communicating effectively with school staff, students, parents, law enforcement officials and the motoring public.

1. Relations with Students

Bus drivers will treat students with respect and will refrain from any conduct, which is intended or could be perceived as demeaning, intimidating or harassing.

2. Relations with School Officials

School officials can and will be of considerable assistance to drivers. They are trained in the education of students and it is in their best interest that control and discipline be maintained on the bus. Therefore, it is very important drivers have good relationships with the school officials and give them full cooperation.

3. Relations with the Public

It is important to remember that to the general public, the driver represents the school. Buses are one of the most visible vehicles on the road. Drivers must deal with students, parents, and other motorists in a polite, professional and considerate manner.

4. Student Discipline

Although drivers are responsible for maintaining order on the bus, drivers must always remember that the types of actions they may use are

limited. Drivers must never, under any circumstances, use corporal punishment. Drivers have no authority to deny a child the privilege of riding the bus, or drop the student at other than the designated stop. Any denial of bus-riding privileges may come only from the school authorities.

5. Route Changes

No driver is to make changes in the pick-up or drop-off schedule for their route without prior authorization. No stops are to be added, deleted or moved without approval. No driver may deviate from the established route without prior permissions except as required by an emergency or by temporary road conditions.

6. Route Problems

Any problems, of whatever kind, encountered by a driver on the routes or trips should be brought to the attention of the designated individual as soon as possible.

7. Unauthorized Passengers

Only passengers authorized by the Transportation Department may be transported in a bus. Any other passenger must be specifically approved.

8. Notices

It is the responsibility of the driver to check for notices each day and to check with his or her supervisor regularly.

F. Completing required reports.

It is the responsibility of the driver to completely fill out timely turn in all reports, discipline referrals, time cards, and mechanical defect slips as required. This includes all requirements pertaining to pre-trip inspections and stop-arm violation reports.

G. Completing required training programs successfully.

H. Providing maximum safety for passengers during loading and unloading.

1. Standees Prohibited

Standees are not allowed on a moving school bus. Drivers must not move a bus from a stopped position until all passengers are seated. Students are to remain seated until the bus has stopped.

2. Dangerous Articles

No weapons, or articles that may be classified as dangerous, may be

transported on a school bus. This includes any and all weapons, gasoline cans, animals, and other dangerous or objectionable items. Possession of weapons on school property or the bus will not be tolerated. Companion dogs are allowed.

3. Seatbelts

The driver's seat belt should be worn whenever the bus is in motion.

Additional driver duties and responsibilities may be found in the driver handbook. (All bus driver dismissals that are for serious offenses will be reported to the Department of Public Safety pursuant to the Department of Public Safety directions.)

V. SCHOOL BUS DRIVER DUTIES AND RESPONSIBILITIES

The following topics shall be outlined in a driver handbook that is annually approved and reviewed by the School Board.

- A. School bus drivers shall have a valid Class A, B, or C Minnesota driver's license with a school bus endorsement. A person possessing a valid driver's license, without a school bus endorsement, may operate a "type A-1" school bus as set forth in Section VII.D, below.
- B. The District shall conduct mandatory drug and alcohol testing of all District bus drivers and bus driver applicants in accordance with the state and federal law and District Policy.
- C. A school bus driver, with the exception of a driver operating a type A-1 school bus or type III vehicle, who has a commercial driver's license and who is convicted of criminal offense, a serious traffic violation, or of violating any other state or local law relating to motor vehicle in a state jurisdiction other than Minnesota, shall notify the Minnesota Division of Driver and Vehicle Services (Division of the conviction within 30 days of the conviction). For purposes of this paragraph, a "serious traffic violation" means a conviction of any of the following offenses:
 - 1. excessive speeding, involving any single offense for any speed of 15 miles per hour or more above the posted speed limit;
 - 2. reckless driving;
 - 3. improper or erratic traffic lane changes;
 - 4. following the vehicle ahead too closely;
 - 5. a violation of state or local law, relating to motor vehicle traffic control, arising in connection with a fatal accident;
 - 6. driving a commercial vehicle without obtaining a commercial driver's license or without having a commercial driver's license in the driver's possession.

- D. A school bus driver, with the exception of a driver operating a type A-1 school bus or type III vehicle, who has a commercial driver's license and who is convicted of violating, in any type of motor vehicle, a Minnesota state or local law relating to motor vehicle traffic control, other than parking violation, shall notify the person's employer of the conviction within 30 days of the conviction. The notification shall be in writing and shall contain all information set forth in Attachment A accompanying this Policy.
- E. A school bus driver, with the exception of a driver operating type A-1 school bus or type III vehicle, who has a Minnesota commercial driver's license suspended, revoked, or cancelled by the state of Minnesota or any other state or jurisdiction and who loses the right to operate a commercial vehicle for any period or who is disqualified from operating a commercial motor vehicle for any period shall notify the person's employer of the suspension, revocation, cancellation, loss of privilege, or disqualification. Such notification shall be made before the end of the business day following the day the employee received notice of the suspension, revocation, cancellation, loss of privilege, or disqualification. The notification shall be in writing and shall contain all the information set forth in Attachment B accompanying this Policy.
- F. A person who operates a type III vehicle and who sustains a conviction as described in Section VII.C.1.h. (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor), or VII.C.1.i (multiple moving violations) while employed by the entity that owns, leases, or contracts for the school bus, shall report the conviction to the person's employer within ten days of the date of the conviction. The notification shall be in writing and shall contain all the information set forth in Attachment C accompanying this Policy. This provision does not apply to a District employee whose normal duties do not include operating a type III vehicle.

VI. OPERATING RULES AND PROCEDURES

A. General Operating Rules

1. All routes shall be on file with the District's school transportation Safety and Compliance Manager.
2. Only students assigned to the school bus by the district shall be transported. The number of students or other authorized passengers transported in or assigned to a school bus shall not be more than the legal capacity for the bus. No person shall be allowed to stand when the bus is in motion.
3. Drivers are to enforce the provisions of the school bus and bus stop rules as appropriate. Students in Grades K-5 may be released from the bus at only two points, the designated bus stop, or at school, except in case of an emergency or as otherwise authorized.

4. The parent/guardian may designate by a signed, written request, a day care facility, respite care facility, residence of a relative or the residence of a person chosen by the parent or guardian as the address of the student for transportation purposes. The address must be in the attendance area of the assigned school and meet other eligibility requirements.
 5. Students who misbehave severely may be returned to the school immediately and reported to the building principal or other designated individual, only after approval from dispatch.
 6. Safety evacuation drills for the student-passengers shall be conducted at least once a year and recommended twice a year if possible.
 7. There shall be no students in the bus while the fuel tank is being filled. Before leaving the vehicle when students are in the bus, the driver shall stop the bus, remove the ignition key, set the brakes and otherwise render the bus immobile.
 8. Buses shall not be run backwards on the school grounds, or any other point if it can be avoided. If it is necessary to run a bus backwards on school grounds, the driver shall have another responsible person act as a guard flagman in back of the bus to keep other persons out of the path and to issue warning to the driver of approaching traffic.
 9. When arriving or leaving the school grounds, the driver must not follow closer than 20 feet from the vehicle directly in front of the bus or closer than 500 feet when traveling on the highway.
 10. No school bus shall pull any trailer when students are being transported on regular routes to or from school.
 11. In case of an accident or breakdown of the bus, the driver shall contact the dispatcher using the two-way radio. If no radio contact is available, the driver shall not leave the bus but shall send two responsible students to the nearest house to summon help.
 12. The district may adopt such additional operating rules as are deemed necessary to meet local conditions and needs, provided they do not conflict with state laws and regulations.
- B. Use of Signals, Loading or Unloading
1. The driver shall activate the flashing 8-light system of the bus at least 300 feet before stopping to load or unload students when outside an incorporated municipality, and 100 feet when operating within an incorporated municipality, and shall not extinguish such lights until loading or unloading is completed and persons who must cross the roadway or highway are safely across.

2. Bring the vehicle to a complete stop in the right-hand lane of the roadway parallel to the centerline.
3. Prior to discharging students, open door, activate red flashing lights and extend the stop arm. Discharge students only after all traffic (front and rear) have come to a complete stop.
4. Keep door open and 8-light system operating until all students have been loaded or unloaded safely.
5. The driver should avoid loading or unloading students where the view is obstructed to other motorists for 200 feet in either direction.
6. The driver will not permit students to stand or get on or off the bus while it is in motion.
7. The driver will bring the bus to a full stop and disengage gears by shifting gear lever into neutral position or selector into neutral or park position before loading or unloading students.
8. Buses shall load and unload students only at designated locations.

C. Crossing Highways and Streets

1. Students shall pass approximately 10 feet in front of the school bus so as to be seen by the driver and cross the road only upon receiving a hand signal from the driver, or
2. The student shall pass approximately 10 feet in front of the bus so as to be seen by the driver and be conducted across the road by the school bus patrol, or
3. The driver shall personally conduct the students across the road after following required procedures for disabling the bus.
4. The driver shall visually ascertain that students getting off the bus who do not need to cross the road are a safe distance from the bus before moving the vehicle.

D. Type III Vehicles

1. Any vehicle designed to carry more than 10 passengers must meet all legal requirements for a school bus. Any Type III vehicle used to transport students must carry all emergency equipment including: fire extinguisher, first aid kit, bodily fluids, clean-up kit, reflectorized emergency warning device, and any additional items required by the District. If District owned, the District name will be clearly marked on the side of the vehicle.

All school-owned Type III vehicles will be properly licensed, insured, and inspected.

2. Students will not be regularly transported in private vehicles. 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 District has no system of inspection for private vehicles.
3. All drivers of Type III vehicles will be licensed and will be familiar with the use of required emergency equipment. The 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.

E. Special Education Operating Procedures

1. Special education students receiving regular transportation shall be subject to district bus conduct and safety rules. Should an infraction occur that requires suspension from transportation, the student's Child Study Team shall meet to determine if the student should be provided more restrictive transportation or if adjustments can be made on the regular bus.
2. The District shall determine the type of vehicle used, typical 77-84-passenger bus or special vehicle, to transport students on the basis of the handicapping conditions.
3. Specially adapted seats, support, and/or protective devices shall be provided for students who require such devices to insure their safe transportation. Such devices shall be selected by the District in consultation with the student's parents and on the basis of the specific needs of the individual student.
4. The Transportation Department and/or contractor shall assure that the assigned bus driver has a copy of the emergency information card provided by the parent and the special education department.

F. OPERATING RULES AND PROCEDURES

The following topics shall be outlined in a transportation handbook that is annually approved and reviewed by the School Board.

1. General Operating Rules
 - a. School buses shall be operated in accordance with state traffic and school bus safety laws and the procedures contained in the Minnesota Department of Public Safety Model School Bus Driver Training Manual.

- b. Only students assigned to the school bus by the District shall be transported. The number of students or other authorized passengers transported in a school bus shall not be more than the legal capacity for the bus. No person shall be allowed to stand when the bus is in motion.
 - c. The parent/guardian may designate, pursuant to District Policy, a day care facility, respite care facility, the residence of a relative, or the residence of person chosen by the parent or guardian as the address of the student for transportation purposes. The address must be in the attendance area of the assigned school and meet all other eligibility.
 - d. Bus drivers must minimize, to the extent practical, the idling of school bus engines and exposure of children to diesel exhaust fumes.
 - e. To the extent practical, the District will designate school bus loading/unloading zones at a sufficient distance from school air-intake systems to avoid diesel fumes from being drawn into the systems.
 - f. A bus driver may not operate a school bus while communicating over, or otherwise operating a cellular phone for personal reasons, whether hand-held or hands free, when the vehicle is in motion or a part of traffic. For purposes of the paragraph, "school bus" has the meaning given in Minn. Stat. § 169.011, Subd. 71. In addition, "school bus" also includes type III vehicles when driven by employees or agents of the District. "Cellular phone" means a cellular, analog, wireless, or digital telephone capable of sending or receiving telephone or text messages without an access line for service.
2. Type III Vehicles
- a. Type II 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.
 - b. Type III vehicles must be painted a color other than the national school bus yellow.
 - c. Type III vehicles shall be state inspected in accordance with legal requirements.

- d. A type III vehicle cannot be older than 12 years old unless excepted by state and federal law.
- e. If a type III vehicle is District owned, the 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 motorist.
- f. A "type III vehicle" must not be outwardly equipped and identified as a type A, B, C, or D bus.
- g. Eight-lamp warning systems and stop arms must not be installed or used on type III vehicles.
- h. Type III vehicles must be equipped with mirrors as required by law.
- i. 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 student has to cross the road, except where not possible or impractical, then the driver or assistant must escort a student 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.
- j. Any type III vehicle used to transport students must carry emergency equipment including:
 - i. 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.
 - ii. 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.
 - iii. A type III vehicle must contain at least three red reflectorized triangle road warning devices. Liquid burning "pot type" flares are not allowed.

- iv. Passenger cars and station wagons may carry a fire extinguisher, a first aid kit, and warning triangles in the trunk or truck area of the vehicle if a label in the driver and front passenger area clearly indicated the location of these items.
- k. 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. Also, parents may use a private vehicle to transport their own children under a contract with the District. The District has no system of inspection for private vehicles.
- l. All drivers of type III vehicles will be licensed drivers and will be familiar with the use of required emergency equipment. The 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.
- m. The type III vehicles will be equipped with child passenger restraints, and child passenger restraints will be utilized to the extent required by law.

G. TYPE III VEHICLE DRIVEN BY EMPLOYEES WITH A CLASS D DRIVER'S LICENSE

- 1. The holder of a Class A, B, C, or D driver's license, without a school bus endorsement, may operate a type III vehicle, described above, under the following conditions:
 - a. The operator is an employee of the entity that owns, leases, or contracts for the school bus, which may include the District.
 - b. The operator's employer, which may include the District, has adopted and implemented a Policy that provides for annual training and certification of the operator in:
 - i. Safe operation of a type III vehicle;
 - ii. Understanding student behavior, including issues relating to students with disabilities;
 - iii. Encouraging orderly conduct of students on the bus and handling incidents of misconduct appropriately;
 - iv. Knowing and understanding relevant laws, rules of the road, and local school bus safety policies;

- v. Handling emergency situations;
 - vi. Proper use of seat belts and child safety restraints;
 - vii. Performance of pre-trip vehicle inspections;
 - viii. Safe loading and unloading of students, including, but not limited to:
 - a. Utilizing a safe location for loading and unloading students at the curb, on the non-traffic side of the roadway, or at off-street loading areas, driveways, yards, and other areas to enable the student to avoid hazardous conditions.
 - b. Refraining from loading or unloading students in a vehicular traffic lane, on the shoulder, in the designated turn lane, or a lane adjacent to designated turn lane;
 - c. Avoiding a loading or unloading location that would require a student to cross a road, or ensuring that the driver or an aide personally escort the student across the road if it is not reasonably feasible to avoid such a location;
 - d. Placing the type III vehicle in “park” during loading and unloading; and
 - e. Escorting a student across the road under clause (c) only after the motor is stopped, the ignition key is removed, the brakes are set, and the vehicle is otherwise rendered immobile; and
 - ix. Compliance with paragraph V.F. concerning reporting convictions to the employer within ten days of the date of conviction.
- c. A background check or background investigation of the operator has been conducted that meets the requirement under Minn. Stat. § 122A.18, Subd. 8 or Minn. Stat. § 123B.03 for District employees; or Minn. Stat. § 144.057 or Minn. Stat. Ch. 245C for day care employees; or Minn. Stat. § 171.321, Subd. 3, for all other persons operating a type A or type III vehicle under this section.
 - d. Operators shall submit to a physical examination as required by Minn. Stat. § 171.321, Subd. 2.

- e. The operator's employer requires pre-employment drug and alcohol testing of applicants for operator positions. Current operators must comply with the employer's Policy under Minn. Stat. § 181.951, Subds. 2, 4 and 5.
 - f. The operator's driver's license is verified annually by the entity that owns, leases, or contracts for the school bus.
 - g. A person who sustains a conviction, as defined under Minn. Stat. § 609.02, of violating Minn. Stat. § 169A.25, § 169A.26, § 169A.27 (driving while impaired offenses), or § 169A.31 (alcohol-related school bus driver offenses), or whose driver's license is revoked under Minn. Stat. § 169A.50 to 169A.53 of the implied consent law, or who is convicted of violating or whose driver's license is revoked under a similar statute or ordinance of another state, is precluded from operating a type III vehicle for five years from the date of conviction.
 - h. A person who has ever been convicted of a disqualifying offense as defined in Minn. Stat. § 171.3215, Subd. 1(c), (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor) may not operate a type III vehicle.
 - i. A person who sustains a conviction, as defined under Minn. Stat. § 609.02, of a moving offense in violation of Minn. Stat. Ch. 169 within three years of the first of three other moving offenses is precluded from operating a type III vehicle for one year from the date of the last conviction.
 - j. Students riding the type III vehicle must have training required under Minn. Stat. § 123B.90, Subd. 2 (See Section II.B., above).
 - k. Documentation of meeting the requirements listed in this section must be maintained under separate file at the business location for each type III vehicle operator. The District or any other entity that owns, leases, or contracts for the type III vehicle operating under this section is responsible for maintaining these files for inspection.
- 2. The type III vehicle must bear a current certificate of inspection issued under Minn. Stat. § 169.451.
 - 3. An employee of the District who is not employed for the sole purpose of operating a type III vehicle may, in the discretion of the District, be exempt from paragraphs VII.C.1.d. (physical examination) and VII.C.1.e. (drug and alcohol testing), above.

H. TYPE A-I "ACTIVITY" BUSES DRIVEN BY EMPLOYEES WITH A DRIVER'S LICENSE WITHOUT A SCHOOL BUS ENDORSEMENT

1. The holder of a Class D driver's license, without a school bus endorsement, may operate a type A-I school bus or a Multi-function School Activity Bus (MFSAB) under the following conditions:
 - a. The operator is an employee of the District or an independent contractor with whom the 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 8-light system if the vehicle is so equipped.
 - 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(h) – 2a(j).
 - 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," if child safety restraints are used by passengers, in addition to the training required in Section VI., above.
 - g. The bus has a gross vehicle weight rating of 14,500 pounds or less and is designed to transport 15 or fewer passengers, including the driver.
2. The 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.

VII. SCHOOL BUS DRIVER TRAINING

The following topics shall be outlined in a driver handbook that is annually approved and reviewed by the School Board.

A. Training

All new school bus drivers shall be provided with pre-service training, including in-vehicle (actual driving) instructions, before transporting students and shall meet the competency testing specified in the Minnesota Department of Public Safety Model School Bus Driver Training Manual. All school bus drivers shall receive in-service training annually. For the purposes of this section, "annually" means at least once every 380 days from the initial or previous license verification. (*Note: This definition is effective July 1, 2010*). The District shall retain on file an annual individual school bus driver "evaluation certification" form for each District driver as contained in the Model School Bus Driver Training Manual.

All bus drivers operating a type III vehicle will be provided with annual training and certification as set forth in Section VII.C.1.b., below, by either the District or the entity from whom such services are contracted by the District.

1. Pre-Trip Inspection

Both new and experienced drivers must be familiar with the elements of the mandatory pre-trip inspection required under Minnesota law including:

- a. The engine compartment - belts, valves, fluid leaks
- b. Engine start, warning lights, gauges, horn
- c. Fuel level
- d. Brakes pedal reserve and air/vacuum gauges
- e. Interior seats, floor, lights
- f. Electrical charging systems
- g. Emergency door
 - smooth latch operation
 - alarm buzzer
- h. Entrance door operation
- i. Lift door operation and alarm
- j. Lift equipment for wheelchairs
- k. Exterior Lights headlight, brake lights, marker lights, turn signals
- l. Exhaust system
- m. Window, windshield, and inspection sticker
- n. Eight-light system and stop arm
- o. Emergency equipment first aid kit, bodily fluids clean-up kit, reflectors, two-way radio

2. Fundamentals and Techniques of School Driving

The driver-training program must include:

- a. Relevant laws
- b. Rules of the road and District safety policies
- c. Defensive driving
- d. Driving in inclement weather conditions
 - reduced visibility - rain, snow, fog
 - wet roads
 - icy roads
- e. Dealing with pedestrians and students in traffic
- f. Operation of the manual or automatic transmission
- g. The use of the drive train for stopping the school bus
- h. Situations where the hand brake will and will not stop a moving bus
- i. Steering and turning techniques
- j. Right and left turn maneuvers
- k. Gauging the speed of other vehicles on cross streets
- l. Use of mirrors
- m. Merging into traffic
- n. Visual perceptions
- o. Safe following distances
- p. Safe passing procedures
- q. Safe backing procedures
- r. Use of the eight-light system and District Policy regarding its use
- s. Loading and unloading procedures
- t. Knowledge of the danger zone concept
- u. Policies and procedures for grade level railroad crossings
- v. Emergency use of the public address system
- w. Response to an approaching emergency vehicle while unloading
- x. Procedures for leaving the bus unattended at school sites

3. Special Education Transportation

Special education transportation requires skills and abilities that exceed those required to provide normal school bus service. Drivers will be familiar with:

- a. What to do in a medical emergency
- b. Handling wheelchairs
- c. Operating lift equipment
- d. Proper use of wheelchair securement devices
- e. District policies on the use of seat belts on designated students
- f. Handicapping conditions

- g. Responsibilities of the bus driver and the bus aide
- h. District Policy in situations where a responsible person is not available to receive a student

4. Emergency Procedures

Drivers must be prepared to deal with emergency situations while operating on routes and field trips. Included in these emergency situations is mechanical breakdown, fire, accident, or passenger injury. Drivers are to receive training in:

- a. Identifying the degree of an emergency before beginning an evacuation
- b. Identifying a safe evacuation unloading area
- c. Pre-planning emergency evacuations for both conventional and lift buses
 - front, rear, and both door evacuations
 - evacuation of special education students
 - evacuation of physically disabled students and students using wheelchairs
 - placement of students in a safe location
- d. Cooperation in emergency evacuation drills
- e. Mechanical breakdowns
 - stop bus in safe locations
 - keep passengers in bus if safe to do so
 - take steps to warn motorists
 - radio or call for assistance
- f. How to secure the school bus and place emergency triangles
- g. Use of the two-way communication system in an emergency
- h. When it is appropriate to evacuate the school bus
- i. How to supervise an emergency evacuation
- j. Emergency evacuation of the disabled
- k. Special considerations when evacuating a lift bus
- l. Lifting techniques for handling students with a disability in an emergency situation
- m. Priorities when dealing with injured passengers
- n. How to use the school bus first aid kit
- o. Use and operation of the fire extinguisher
- p. Dealing with other motorists and the police
- q. Use of emergency reflectors and hazard lights
- r. Control of exposure to blood borne pathogens
- s. Use of body fluid clean-up kits
- t. District Policy on medical emergencies
- u. Recognition and handling of epileptic seizures
- v. How to respond if a passenger has a weapon on the bus

5. First Aid

All drivers must be trained in first aid, including the Heimlich maneuver, procedures for dealing with obstructed airways, shock, bleeding, and seizures.

6. Private or Confidential Student Information

All drivers should know the types of student data that are considered private or confidential under Minnesota Statutes.

7. Student Discipline

- a. Creating a positive attitude on the school bus
- b. Oral and visual communications skills between the driver and the passenger
- c. Dealing confidently with a disruptive student
- d. District discipline policy
- e. Developing and enforcing workable rules
- f. Incident report forms
- g. District policy on possession of weapons by a student
- h. District policy on sexual, racial and religious harassment/violence
- i. District policy on smoking

8. Human Relations

- a. Appropriate driver behavior
- b. Sensitivity to a diverse student population
- c. Sensitivity to handicapping conditions
- d. Relations with parents and school staff
- e. Working with a special education bus aide

9. Chemical Abuse

- a. How alcohol and/or drugs can affect driving skills
- b. Drug-testing programs
- c. State and federal requirements

B. Evaluation

All drivers will be evaluated for the following competencies at least once annually.

1. Safely operate the type of school bus the driver will be driving
2. Understand student behavior, including issues relating to students with disabilities
3. Ensure orderly conduct of student on the bus and handling incidents of misconduct appropriately

4. Know and understand relevant laws, rules of the road and local school bus safety policies
5. Handle emergency situations
6. Safely load and unload student

The evaluation must include completion of an individual "school bus driver evaluation form" (road test evaluation) as contained in the Model School Bus Driver Training Manual.

VIII. EMERGENCY PROCEDURES

A. Fire

In the event of a fire, the first priority is to evacuate the bus. Drivers will make certain passengers are safe before attempting to put out the fire.

B. Injuries/Medical Emergencies

Drivers will be familiar with first aid and CPR procedures. Drivers should first contact the dispatcher to call 911 in the case of serious injuries. Drivers should administer proper first aid in accordance with their training and level of ability. In the event an injured passenger is taken to the hospital, record the student's name and the name of the hospital where the student is sent.

C. Tornado

If there is as likelihood that a tornado will hit a vehicle, and there is no escape route available or no time to drive to a safe location, the driver should evacuate the bus, taking the first aid kit. The driver will take the students to the basement of a nearby building to the nearest depression or ditch upwind (toward the storm) of the bus far enough away from the bus so that the bus will not roll over on them and instruct them to cover their heads with their arms. If the students are wearing coats or jackets, these can be used to provide additional protection for their heads and bodies. Drivers should take only the first aid kit from the bus.

If drivers are on the road when they hear a tornado warning or spot a funnel, and there is no time to evacuate the students after stopping the bus, drivers should have the students assume the protective position, remaining in their seats, with their heads below window level.

D. Evacuation

Drivers should evacuate buses only when there is a danger of fire, collision or another potential hazard. Drivers should inform passengers that there is an emergency, an in very calm and precise terms, tell them exactly what they are to do. When safely possible, drivers will keep all evacuees a minimum of 100 feet from the bus. They should be loaded back onto the bus only when the driver has determined it is safe to do so.

E. Accident

In case of an accident, the driver should immediately assess students for injuries and begin any emergency first aid procedures if necessary. The driver must also notify the District and law enforcement of any school bus accidents immediately.

Upon providing emergency care and notifying the district, the driver shall:

1. In cooperation with police officer and/or ambulance service, assist with the care of students.
2. See that all injured students receive proper care.
3. Determine facts pertaining to the accident.
4. Call transportation/district staff to give a list of names and circumstances so that parents can be notified.
5. Discuss the accident only with police and District officials.
6. Record all students' names.
7. Not leave the scene of an accident until released by the driver's supervisor

Before leaving for the day, the driver shall fill out an accident report. All bus accidents resulting in death, personal injury, or apparent property damage of more than \$4,400 will be reported to the Department of Public Safety. A school bus involved in such an accident may not transport pupils until it has been inspected by or has received a waiver from the State Patrol.

F. Cold Weather Stop

If a driver is stuck or stalled in cold weather, the driver should call for assistance and wait for help. The driver should avoid relaying on the engine to provide heat for the driver and passengers as long as possible. If it is necessary to run the engine to provide heat, the driver will make sure the exhaust pipe is clear of snow, open windows for ventilation, and check passengers frequently for headaches or drowsiness.

G. Dangerous Weapons

If a driver observes or learns that a passenger may have a dangerous weapon on the bus, they should remain calm and call for assistance using a pre-determined code. The driver should give the location of the bus to the dispatcher, continue the route and wait for assistance. The driver should not inform the passenger suspected of having the weapon that he or she knows of the weapon.

H. Lights

In an emergency stop, the driver should turn on the four-way hazard warning lights, and running or clearance lights.

I. Getting Assistance

Use the two-way radio communications system to get assistance. Drivers should report the location and number of the bus, the nature of the problem, and the status of the passengers. If the driver cannot use a radio to contact the dispatcher, they should ask a passerby or other motorist to do so from the nearest telephone. The driver should write out the number and location of the school bus, the nature of the emergency, and the status of the passengers.

IX. 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 District.
- B. All school vehicles shall be inspected in accordance with legal requirements.
- C. Daily pre-trip inspections shall be required and prompt reports submitted of defects to be immediately corrected.
- D. A copy of the current daily pre-trip inspection report must be carried in the bus. Daily pre-trip inspections shall be maintained on file in accordance with the District's record retention schedule. Prompt reports of defects to be immediately corrected will be submitted.
- E. Daily post-trip inspections shall be performed to check for any children or lost items remaining on the bus and for vandalism.

X. SCHOOL TRANSPORTATION SAFETY AND COMPLIANCE MANAGER

The School Board has designated an individual to serve as the District's school transportation Safety and Compliance Manager. The school transportation Safety and Compliance Manager shall have day-to-day responsibility for student transportation safety, including transportation of nonpublic school children when provided by the District. The school transportation Safety and Compliance Manager will assure that this Policy is periodically reviewed to ensure that it conforms to law. The school transportation Safety and Compliance Manager shall certify annually to the School Board that each school bus driver meets the school bus driver training competencies required by Minn. Stat. § 171.321, Subd. 4. The transportation Safety and Compliance Manager 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 employee who regularly transports students for the District in a type A, B, C, or D school bus, type III vehicle, or MFSAB with the National Driver Register or the Department of Public Safety. Upon request of the District Superintendent or the superintendent of the District where nonpublic students are transported, the school transportation Safety and Compliance Manager also shall certify to the superintendent that students have received school bus safety training in accordance with state law.

The name, address, and telephone number of the school transportation Safety and Compliance Manager be on file in the District office. Any questions regarding student transportation or this Policy may be addressed to the school transportation Safety and Compliance Manager.

Board Review: December 13, 1994
February 12, 2001
April 9, 2001
May 31, 2002
November 9, 2015 [Routine Review]
February 27, 2017 [Routine Review, no change]
School Board Review: June 22, 2020 [Routine Review, Revised]
Contact Person: Director of Operations

REGULATION 707.5 VIDEO RECORDING ON SCHOOL BUSES

I. PLACEMENT OF CAMERA

- A. School buses may be equipped with audio video recording equipment and a conspicuous placed sign notifying riders that their conversations or actions may be recorded on tape.
- B. A video camera will not necessarily be installed in each and every school bus owned, leased, contracted and /or operated by the District, but cameras may be rotated from bus to bus without prior notice to students.
- C. Video cameras will be placed on a particular school bus, to the extent possible, when the District has received complaints of inappropriate behavior.

II. USE OF VIDEO RECORDER

- A. A video recording of the actions of student passengers may be used by the District as evidence in any disciplinary action brought against any student, arising out of the student's conduct on the bus.
- B. A video recording will be released to the public only in conformance with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13 and the Family Educational Rights and Privacy Act, 20 U.S.C.1232g and the rules and /or regulations promulgated there under.
- C. Video recordings will be viewed by District personnel on a random basis and /or when discipline problems on the bus have been brought to the attention of the District.
- D. A video recording will be retained by the District for a period of six (6) weeks, or until the conclusion of disciplinary proceedings when the videotape is used for evidence.

ATTACHMENT A

<p>Notification to Employer Of Moving Violation</p> <p>Commercial Drivers License 49 CFR 383.31 Minnesota Statute 171.168</p>	
<p>Upon conviction of any moving violation by any state or local jurisdiction the holder of a Minnesota Commercial Driver License must notify their employer(s) in writing within 30 days of such conviction.</p>	
DRIVER NAME (First Name, MI, Last Name)	STATE
COMMERCIAL DRIVER'S LICENSE NUMBER	DID THE VIOLATION HAPPEN IN A CMV? <input type="checkbox"/> YES <input type="checkbox"/> NO
DATE OF CONVICTION	
LOCATION OF OFFENSE	CITY
STATE	
DETAILS ABOUT THE OFFENSE, INCLUDING ANY RESULTING SUSPENSION, REVOCATION, OR CANCELLATION OF DRIVING PRIVILEGES:	DATE
SIGNATURE OF DRIVER	

ATTACHMENT B

Notification to Employer Of Suspension, Revocation, Cancellation or Disqualification Commercial Drivers License 49 CFR 383.33 Minnesota Statute 171.169	
The holder of a Minnesota Commercial Driver License shall notify their employer(s) in writing of any suspension, revocation, cancellation, loss of privilege or disqualification, before the end of the business day following the day the driver (employee) received notice of the suspension, revocation, cancellation, loss of privilege or disqualification.	
DRIVER NAME (First Name, MI, Last Name)	STATE
COMMERCIAL DRIVER'S LICENSE NUMBER	DID THE VIOLATION HAPPEN IN A CMV? <input type="checkbox"/> YES <input type="checkbox"/> NO
DATE OF CONVICTION	
LOCATION OF OFFENSE	CITY STATE
DETAILS ABOUT THE OFFENSE, INCLUDING ANY RESULTING SUSPENSION, REVOCATION, OR CANCELLATION OF DRIVING PRIVILEGES:	DATE
SIGNATURE OF DRIVER	

ATTACHMENT C

<p>Type III School Bus Driver Notification to Employer Of Violation</p> <p><u>Alcohol Related Offense (Minnesota Statute 169A)</u> <u>Disqualifying Offense (Minnesota Statute 171.3215 sub 1)</u> <u>Moving Violation (Minnesota Statute 169)</u></p> <p>Minnesota Statute 171.02 sub 2b</p>	
<p>An operator who sustains a conviction as described in 171.02 sub 2b paragraph (h), (i) or (j) while employed by the entity that owns, leases, or contracts for the school bus shall report the conviction to the employer(s) in writing within 10 days of such conviction.</p>	
DRIVER NAME (First Name, MI, Last Name)	STATE
DRIVER'S LICENSE NUMBER	DID THE VIOLATION HAPPEN IN A CMV? <input type="checkbox"/> YES <input type="checkbox"/> NO
DATE OF CONVICTION	
LOCATION OF OFFENSE	CITY STATE
DETAILS ABOUT THE OFFENSE, INCLUDING ANY RESULTING SUSPENSION, REVOCATION, OR CANCELLATION OF DRIVING PRIVILEGES:	DATE
SIGNATURE OF DRIVER	

This is the only form approved by the Minnesota State Patrol.