

# ARTICLE 7. STUDENT TRANSPORTATION

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## ARTICLE 7. STUDENT TRANSPORTATION

### I. TRANSPORTATION

The health, safety and welfare of all students and staff shall be the primary concern in all transportation matters. All transportation-related duties shall be performed with this in mind. Other general policies to be considered relative to the subject of transportation are protection of the Salt River Pima-Maricopa Indian Community Education Division (Division) from liability, efficient service of the Division's transportation needs, protection of Division assets through proper maintenance and use and ensuring the staff is properly trained, licensed and certified to perform transportation functions. This policy solely addresses student transportation. Staff transportation, driver responsibility and driver accountability are not included in this policy. The Education Division and its employees are subject to the Community's Administrative Policy 1-7: Driver Responsibility and Accountability.

### II. DEFINITIONS

The following definitions apply to this policy.

- 1. Actual Authority.** The authority to conduct transportation, which is granted either by the express written conditions of a grant of that authority or by the express terms of the position description applicable to the duties of the employee conducting the transportation.
- 2. Authority.** The Authority, either actual or implied, to conduct transportation.
- 3. Employee.** For purposes of this policy, an employee shall be defined as any person employed by the Division under long-term or temporary contract of employment, as a consultant or independent contractor, or who is an officer or official of the Division.
- 4. Implied Authority.** The authority to conduct transportation which is a reasonable and necessary element of the function of the position or duties of the employee or an exigent circumstance involving the safety of a student where failure to transport that student would, in some way, violate the duty of the Division to that student.
- 5. Real and Immediate Emergency.** A condition or circumstance, involving a student as defined herein, in which the welfare of the student is immediately endangered by that condition or circumstance.

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- 6. **Student.** Any person who is enrolled as a student in the Division.
- 7. **Transportation.** The act of operating a vehicle on or away from the Division property under the actual or implied authority of the Division while conducting the business of the Division.

### III. LICENSING AND CERTIFICATION

No vehicle operated under the authority of the Division, whether a personal vehicle used for Division business or a vehicle under the control of the Division, shall be operated for purposes of transportation unless the operator thereof possesses all licenses and certification necessary to the operation of the vehicle in the manner and for the purposes intended by the authority granted.

- 1. Any person, whose primary duties of employment directly and substantially involve transportation purposes of the Division and whose required license or certification is revoked, suspended or expires without renewal, shall immediately notify his or her supervisor of such fact. The Supervisor shall notify the Superintendent/Director.
- 2. The Superintendent/Director may terminate the employment of any person whose primary duties of employment directly and substantially involve the transportation purposes of the Division and whose required license or certification is revoked, suspended or expires without renewal, pursuant to Article 3 – Personnel Policy.
- 3. In circumstances in which applicable SRP-MIC, federal or Arizona law require the operator of a vehicle to possess a current, valid Commercial Driver License (CDL), no person may operate a vehicle without such license.
- 4. For purposes of this policy and Education Transportation Department operations, all school bus drivers must comply with the Arizona Minimum Standards for Buses and School Bus Drivers. Current industry regulations and information can be located on the Arizona Department of Public Safety website <http://studenttransportation.azdps.gov/index.html>. This policy includes references to these minimum standards.

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## IV. VEHICLE OPERATION AND USE

1. No vehicle shall be used for the transportation purposes of the Division unless such vehicle shall be in a good and safe operating condition and shall have all safety equipment installed and operating as required by law.
2. Immediately upon commencing operation of the vehicle and during continuous operation, the operator of the vehicle shall give reasonable attention to the following:
  - a. Safe and adequate operation of the braking system for the vehicle.
  - b. Instrument indication of low oil pressure or excessive engine heat.
  - c. The continued proper operation of all safety equipment.
3. No vehicle shall be operated for the transportation purposes of the Division in any unlawful manner and shall, at all times when engaged in the transportation purposes of the Division, be operated in a safe, prudent and cautious manner.
4. Any person who is charged, convicted or enters a plea of guilty or no contest to a charge of operating a vehicle while said vehicle was engaged in the transportation purposes of the Division, shall report that fact to their immediate supervisor within twenty-four (24) hours after said charge, and again within twenty-four (24) hours after a plea or conviction. The Education Division and its employees are subject to the Community's Administrative Policy 1-7: Driver Responsibility and Accountability and Article 3 – Personnel Policy.
  - a. Such notice shall be in writing and shall include a copy of the original citation or charging instrument and a statement of the person describing the circumstances which resulted in the charge, including any exculpatory information which the employee may wish to include.
  - b. The immediate supervisor in consultation with their department head may, based upon said information, determine that the employee no longer be permitted to engage in the transportation purposes of the Division.

## V. PASSENGERS

Only individuals directly engaged in activities which are associated with official Division business may ride as passengers in a school bus.

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## VI. TRANSPORTATION INVOLVING STUDENTS

1. The transportation of any student, which is the result of the planned operation of the Division, shall be undertaken only upon the actual authority of the Division granted to an employee. Any employee may, with implied authority, transport a student when the reason requiring such transportation constitutes a real and immediate emergency.
2. No student enrolled in the Division will be transported, at any time or for any reason other than a reason constituting a real and immediate emergency, except in a vehicle designed, constructed and equipped to carry a passenger in safety and in full compliance with law. This may include transportation of student(s) in a community General Services Administration (GSA) vehicle and/or bus, depending on the nature of the emergency and vehicle availability.
3. The operator of a vehicle, including a school bus, engaged in the transportation of a student(s), is directly responsible for the discipline and control of the student(s) and is authorized to enforce such necessary and reasonable discipline and to report a violation of the discipline to the proper authority pursuant to the Division's Policies. See also section N. Bus Driver and Operation Policy and section O. Rules for Bus Riders within this policy.
4. The operator of a vehicle, including a school bus, engaged in the transportation of a minor student or students shall not permit any such student to disembark from the vehicle except:
  - a. To allow the student be delivered into the custody and supervision of a responsible adult, *as directed in advance by the parent/guardian*, unless one of the following factors is met:
    - i. When such student or students are directed to disembark at a Division building when Division or the services of that building are in session; or
    - ii. At the student's home when the operator has no reason to anticipate that such disembarkation will in any way compromise the safety of the student.

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5. It is the parent/guardian’s responsibility to keep their primary bus stop information up-to-date with the student’s school. It is also the parent/guardian’s responsibility to promptly pick-up their students at bus drop-off sites. Buses will not remain at drop-off sites after students have disembarked from the bus. Bus drivers are required to drop off students at designated sites only and to leave the drop-off site immediately after the students disembark from the bus. These rules apply for regular bus runs and activity runs. The exceptions are Early Childhood Education Center (ECEC) students only.
  
6. Activity bus runs (bus service associated with a school extra-curricular activity) will be conducted pursuant to this Transportation policy and in order of priority for the student’s educational needs. A block time (range of time) will be established for each activity bus service. If the bus should be late, it is the parent’s responsibility to wait for its arrival. In climate weather and other conditions may make it impossible to arrive at the site at the scheduled time. (Please provide the bus arrival within a 5 to 10 minute window. For example, for a scheduled arrival time of 8:00AM, please arrive 5 min before 8:00AM and wait until at least 8:10AM for bus arrival.)

## **VII. REPORTING ACCIDENTS**

Any type of accident shall be immediately reported to the employee’s immediate supervisor and department head. In the event of an accident, the driver must submit to an alcohol and drug test within one (1) hour of the accident. It shall be the driver’s responsibility to ensure that the test is administered. The Education Division and its employees are subject to the Community’s Administrative Policy 1-7: Driver Responsibility and Accountability and Article 3 – Personnel Policy.

## **VIII. ACCIDENTS INVOLVING PROPERTY DAMAGE OR PERSONAL INJURY**

1. Any accident occurring during the operation of a vehicle being used to accomplish the transportation purposes of the Division shall be reported, as soon as possible, to an authority of the Division (supervisor) and to an appropriate law enforcement agency where required by law.
  
2. In any accident occurring during the operation of a vehicle being used to accomplish the transportation purposes of the Division which involves personal injury, primary and immediate attention shall first be given to rendering or obtaining for those persons such aid, care or assistance as may be reasonable under the circumstances.

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3. In all accidents requiring the attention of a law enforcement authority, the scene of the accident shall be maintained as closely as practicable to its condition immediately after the accident. All employees present at the time of the accident shall cooperate fully with law enforcement authorities and the direction of authorities of the Division. A Division Accident Investigation Report form shall also be completed by the operator of the Division vehicle.

## IX. BUS DRIVER AND OPERATION POLICY

### 1. BUS DRIVER POLICY STATEMENT

The Division recognizes that the school bus driver is the first representative of the Division that most students meet each day. Bus drivers must have strong interpersonal and communication skills and demonstrate an attitude of respect and dignity on the school bus. An understanding of assertive discipline and behavior management techniques is important. The bus driver shall act as a reasonable and prudent person to ensure the safety of all students on the bus. When disciplinary action is necessary, the bus driver will follow the procedures outlined herein.

The school bus driver must adhere to all applicable Division, Arizona and Federal laws and regulations and Education Board policies governing the transportation of students, including all applicable speed limit laws.

The School Bus Driver is responsible to the Education Transportation Manager/Facilities Liaison, as the immediate supervisor, then the Superintendent/Director.

### 2. SUMMARY OF THE BUS DRIVER ROLE

- a. **Safety:** The bus driver shall inform students regarding regulations which affect their safety, stressing those which involve getting on and off the bus safely. It is the responsibility of the bus driver to allow students to get off the bus only when traffic conditions permit; that is, when the traffic is obviously going to obey the school bus red lights. A bus driver must not allow students to disembark when it is doubtful that traffic approaching from either the front or the rear is not going to obey the red lights.
- b. **Emergency/accident procedures:** The bus driver shall be familiar with school bus emergency and accident procedures and train student leaders and helpers early in the school term on the emergency procedures.
- c. **Maintaining order:** The driver of a school bus shall endeavor to maintain order among the students being transported and shall have authority to order a disorderly student to leave the vehicle, as set forth below, and shall report any misconduct by students and any disciplinary action imposed on a student by the bus driver to the appropriate school authorities on the Bus Behavior Referral form. The

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Driver shall turn the Bus Behavior Referral form into Principal as soon as is reasonably possible.

- d. **Loss of Bus-Riding Privileges for Infractions Documented in Writing:** Riding the bus is a privilege, not a right. Disciplinary action may result if a student misbehaves or fails to respond appropriately to reasonable requests.
  - i. **First Infraction** – The student will receive a warning, which will include a telephone call home to parent/guardian by the school personnel or bus driver.
  - ii. **Second Infraction** – The student will be suspended from bus privileges for one (1) school day.
  - iii. **Third Infraction** – The student will be suspended from bus privileges for (5) five school days.
  - iv. **Fourth Infraction** – The student will be suspended at least twenty (20) school days (approximately one month) or the remainder of the semester, whichever is longer.
- e. **Serious Infraction – an entire school year:** Only if the behavior is creating a great danger to the safety of the student or other students may a student ever be discharged at a place other than the school or home stop. It must be an extremely serious situation to do so. The driver must immediately radio or telephone the school and seek direction from the Student Transportation Coordinator and Principal or designee. The bus driver may call the Police Department if there is an immediate risk of danger to the student or to others.
- f. **Evacuation drills:** The bus driver will practice bus evacuation drills at the beginning of the school term and at least twice more during the school year. The bus driver should also train student monitors and helpers to conduct a bus evacuation independently. The evacuation drills outlined comply with Arizona Minimum Standards for Buses and School Bus Drivers R13-13-104 (31) (D).
- g. **Backing up:** The bus driver shall not back a school bus at any given time unless under the supervision of a designated person. The driver will sound the horn at all times before backing a school bus.
- h. **Seating plans:** The bus driver will prepare a seating plan, if there is damage occurring to school bus seats, a seating plan would be an asset in managing student behavior. The bus driver should inform students at the beginning of the school term that cost of intentional damage to school buses will be invoiced to the parent/guardian.
- i. **ECEC students:** Any students attending ECEC must ride in approved student safety seats and restraints at all times when on the bus.

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- j. **Unscheduled student passengers:** The bus driver may permit unscheduled student passengers to travel on a school bus, during the morning (A.M.) run only. A student needs parent permission to ride a different bus afterschool but only if sufficient notice is provided to Transportation and the School within 1 hour of the scheduled release time.
- k. **Designated bus stops' locations:** Designated bus stop locations will be a required minimum of 600 feet per each bus stop and surrounding school area, unless more frequent stops are needed for safety measures.
- l. **Designated bus stops:** Parent/Legal Guardians may take their student off the bus at their designated stops only.
- m. **Bus stops:** The bus driver will report any new stops to the manager of transportation immediately. The bus driver should not alter a bus stop or route in any way or assign a new stop without consulting with the Student Transportation Coordinator.
- n. **Communications systems:** The bus driver will ensure that communication systems (i.e. radios and/or cell phones) assigned to bus drivers are in working order.
- o. **Liquid/Food:** No food, sharp objects/toys, or medication is allowed at any time. Bottled water may be kept in back packs while on the bus. Prescription medication must be delivered by the parent/guardian directly to the School Nurse.
- p. **Walk-Through:** At completion of a bus run, the Bus Driver and Bus Monitor will individually walk through the bus, checking each seat, from the front to the rear of the bus to ensure all students and passengers have exited the bus.
- q. **Bus Driver Reports:** The bus driver will complete all required reports and forms, and submit them on time to the Student Transportation Coordinator.
- r. **On duty time:** On duty time means all time from the time a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work.
- s. **Field trips:** Drivers may only work a maximum of fifteen (15) hours of on duty time while on field trips and must have been off duty for eight (8) consecutive hours prior to working fifteen (15) hours. Ten (10) of these hours can be behind the wheel in control of the school bus. The field trip details outlined comply with Arizona Minimum Standards for Buses and School Bus Drivers R13-13-104 (1), ( 2) (C).
- t. **School Bus Log Book:** All bus drivers are required to keep a log book which must always be kept up to date. The log book shall accurately reflect the driver's record of duty status. Entries may be made by the driver only. All entries must be legibly written. The log book shall always be available for inspection by the

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Education Transportation Manager/Facilities Liaison or Student Transportation Coordinator.

- u. **Drug and Alcohol Use and Testing:** All bus drivers are drug tested prior to employment and are subject to random drug and alcohol testing per applicable Education Personnel policies. Bus drivers are subject to post-accident testing or testing upon reasonable suspicion. The lawful procedure for drug and alcohol testing for holders of commercial driver’s licenses will be followed in all cases. Violation of Article 3 - Personnel Policy is grounds for disciplinary action up to and including termination.
- v. This policy and the regulations, directions and prohibited conduct set forth herein are in addition to and not in place of other policies approved by the Education Board.

## **X. RULES FOR BUS RIDERS**

Students will have a safer trip if bus drivers can concentrate on driving, not discipline. Students under the authority of the bus driver are expected to observe these rules:

1. Students must follow all instructions and requests provided by the bus driver.
2. Students must follow all bus safety procedures.
3. Students must board and exit the bus properly and safely. Students must not go under the bus for any reason.
4. Students must take their assigned seats, if applicable, and remain in their seats. The bus driver reserves the right to move a student’s seat if that student is acting in a disruptive manner. Students will keep the aisles clear and keep entire body inside the bus.
5. There will be absolutely no tampering with bus equipment, doors, windows, gears, etc. at any time—especially when waiting for departure.
6. Students will keep their hands off others.
7. Students must be polite and courteous to one another. Bullying will not be tolerated (verbal, physical, cyber, etc). Students shall talk quietly, and not use vulgar or abusive language.
8. The following behavior will not be tolerated:
  - Throwing objects outside/inside the bus.
  - Eating any food or gum chewing.

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- Fighting, tripping, shoving, cursing, yelling or shouting.
9. Students are allowed to bring bottled water, which must be kept in their bag. No other types of drinks are allowed.
  10. Students must depart the bus at their designated bus stop unless a note is signed by parent/guardian, has been turned into the Student Transportation Department.
  11. Students are prohibited from carrying weapons, tobacco, alcohol, drugs or anything else prohibited by school on the bus. Students, who violate this rule, may be reported to the Police department.
  12. Students must follow all student code of conduct as described in the applicable Student Handbook and the Article 4 – Student Policy, the Article 7 – Student Transportation Policy, where all policies are located online at [www.srpmic-ed.org](http://www.srpmic-ed.org).
  13. **Student Liability:** Students who violate policies and rules of conduct may be denied bus-riding privileges. Students who harm persons or damage any school property may be suspended or expelled from school. Students may also be reported to the Police Department.
  14. **Parent Liability:** Students and bus riders who damage community property will be held liable for those damages, according to state/tribal law. In the case of minor children, their parents/guardians are liable. Parents/guardians may be billed for the cost of damage. SRO 5.5-101.

## XI. DUE PROCESS

Students, including bus riders, have the right to due process in the event the student’s bus riding privileges have been revoked. The due process rights are outlined in the Article IV – Students policy. The policy is located on the Education Division website: [www.srpmic-ed.org](http://www.srpmic-ed.org) under Education Board Approved Policies.

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