

# NMSBA Policy Advisories 141 – 151

(6.41.4 NMAC, Standards for Providing Transportation for Eligible Students)

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141	EE-EA – Transportation Service Provider Requirements	3	Added A to EE-E since now there is an EE-EB
141	EE-EB – Chart of Changes to 6.41.4.8, Responsibilities of the Local Board of Education	4	Added Chart of Changes distributed by NMPED to ensure all changes addressed in Policy Manual
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## TRANSPORTATION SERVICES

In the budgeting process, the Board may grant appropriations for transportation.

Transportation ~~of students is a privilege extended~~ is provided to students in the District who are eligible for transportation pursuant to Section 22-16-2 and 22-16-4, NMSA 1978, ~~and is not a statutory requirement except for necessary transportation of~~ including students with disabilities as indicated in their respective individual education programs, certain children with health management plans, foster children and other at-risk students as required by New Mexico Statutes.

The responsibility for the operation of student transportation shall be vested in the Superintendent. Reasonable efforts shall be made to eliminate any particular hazards that might adversely affect the safety and welfare of any student.

Transportation services for students may be provided through use of school bus service contracts for up to five years approved by the School Board on forms approved by the Public Education Department (PED). The district shall follow the rules of PED pertaining to the parameters of such contracts including placing a lien on each contractor school bus. All contracts must require that all state and federal statutes and regulations, including department regulations are adhered to in the performance of the contract. The contract can only be terminated in accord with the state law and PED regulations.

Transportation service providers are to follow 6.41.4.10 NMAC titled "Requirements of Transportation Service Providers" and that regulation is incorporated into this policy by reference.

Community members, parents, and transportation service providers may be involved in the development of student transportation policies and procedures. This should be in accord with the procedures outlined in board policies relevant to community involvement and adoption of policy as cross referenced below. Complaints from parents, transportation providers, and others regarding school transportation may be made using the complaint forms found with policies KEB through KED as applicable.

Adult volunteers, district employees, supervisory personnel and others may be transported with students as determined necessary by the school administration.

The local education agency or school district, in providing student transportation as indicated by the PED, shall adhere to the requirements of 6.41.4.8 NMAC and 6.41.4.9 NMAC. These sections of the New Mexico Administrative Code are incorporated in this document by reference.

For a side-by-side comparison of the former language of 6.41.4 NMAC, Standard for Providing Transportation for Eligible Students, versus the adopted changes, see Exhibit EE-EB, compiled by the New Mexico Public Education Department.

Adopted: date of manual adoption

LEGAL REF.: 22-8-27 NMSA  
22-8-29 NMSA  
22-16-1 NMSA et seq. (1978)  
6.41.4 NMAC et. seq.

CROSS REF.: BG - School Board Policy Process  
BGB - Policy Adoption  
EEAE - Bus Safety Program  
JFABD - Admission of Homeless Students  
JGC - Assignment of at-risk students to classes and programs  
KEB - Public Concerns and Complaints  
KEC - Concerns / Complaints About Personnel  
KED - Concerns / Complaints about Facilities and Services

TRANSPORTATION SERVICES

( Transportation Service Provider Requirements )

6.41.4.10 NMAC provides the requirements for Transportation Service Providers and may be needed as a resource for districts that contract student transportation services for to and from school. Additionally, these districts may need to get the forms for agreements from the New Mexico Public Education Department Transportation division.

## EXHIBIT

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**Section 6.41.4.8 NMAC, RESPONSIBILITIES OF THE LOCAL BOARD OF EDUCATION**  
**Changes Effective March 27, 2018**

<b>Former language</b>	<b>New language</b>
Section 6.41.4.8 Subsection A. Paragraph (5) Subparagraph (f) NMAC stated, “when emergency removal of the student from a school bus is necessary, the student’s parent shall be notified immediately...”	Subsection A. Paragraph (6) Subparagraph (a) Item (i) (for regular ed students) and Subsection A. Paragraph (7) Subparagraph (b) Item (i) (for students with an IEP) – emergency removal or behaviors are “report to the transportation administrator within 24 hours of the incident;”
Section 6.41.4.8 Subsection A. Paragraph (5) Subparagraph (g) NMAC, the IEP committee reconvened if there is an emergency removal of a student with an IEP but no timeframe to give the notice to the IEP committee was stated.	Subsection A. Paragraph (7) Subparagraph (b) Item (ii) – Transportation Administrator must report the emergency removal or behavior of a student with an IEP to the LEA’s Special Education Director within 24 hours of receiving the driver’s report of the incident.
6.41.4.9 K. NMAC had minimal policy guidelines for school-sponsored activities.	Subsection D. Paragraph (4) – added the requirement of policy guidelines needed for the releasing of students on planned activity trips to parents or guardians.

**6.41.4.9 NMAC RESPONSIBILITIES OF THE LEA ADMINISTRATOR**

<b>Former language ...</b>	<b>New language ...</b>
Section “6.41.4.9 NMAC School Administration Responsibilities,” – the duties were not clear as to who was assigned the tasks.	Subsection A. Paragraph (1) states the LEA shall appoint a transportation administrator.
Section 6.41.4.13 Subsection A. Paragraph (2) specific topics and amount of training times were listed.	Subsection A. Paragraph (5) Subparagraph (b) states training shall be provided as outlined and on the appropriate pre-service training record as provided by the department.
Subsection C. Paragraph (2) NMAC stated, “Student emergency drills or adequate alternate instruction shall be conducted twice a year for school buses. ...”	Subsection A. Paragraph (11) states school bus evacuation drills shall be conducted “once per semester.”
Subsection K. and Section 6.41.4.13 Subsection F. NMAC stated school-owned activity vehicle drivers shall meet the requirements of 49 CFR part 382.	Subsection A. Paragraph (13) states transportation administrator shall maintain proof of contract for random drug and alcohol testing in compliance with 49 CFR Part 382 and two pools of names for random testing (CDL and non-CDL).

Former language ...	New language ...
<p>There was no language regarding the establishment of procedures for route times.</p>	<p>Subsection D. Paragraph (2) – language was added to require transportation administrator to establish written procedures regarding adherence to route times by both drivers and students.</p>
<p>Section 6.41.4.13 Subsection A. Paragraph (2) Subparagraph (b) stated, “...instruction shall be done in the same type and size bus the driver will operate.”</p>	<p>Subsection M. Paragraph (1) Subparagraph (e) Item (iii) states school bus driver pre-service training “...shall be administered in a 65-71 passenger type C school bus.”</p>
<p>There was no language that stated a previous CPR certificate would be allowable for training as long as it was current. No language existed that dis-allowed on-line courses.</p>	<p>Subsection M. Paragraph (1) Subparagraph (e) Item (vi) states if the school bus driver applicant has a current certificate for a department-approved first aid/CPR course, that will satisfy the training requirement; and on-line courses are not acceptable.</p>
<p>Section 6.41.4.11 Subsection F. Paragraph (1) Subparagraph (b) required documentation from a licensed counselor or physician of completion of an alcohol or drug abuse program for a conviction of a DWI beyond 3 years.</p>	<p>Subsection M. Paragraph (1) Subparagraph (f) Item (ii) states documentation from a licensed counselor or physician of completion of an alcohol or drug abuse program if the conviction for a DWI or DUI is between 3 and 20 years of date of application;</p>
<p>Section 6.41.4.13 Subsection B. Paragraph (1) required that, “A driver who had previous certification and employment experience as a school bus driver in New Mexico, but who has not been employed as a school bus driver for 2 or more years, shall take an 8 hour refresher course...” and a listing of time and topics were given. Paragraph (2) also required prior semester in-service training be received.</p>	<p>Subsection N. Paragraph (1) Subparagraph (b) Topics and times are no longer listed in the regulation. Language was changed to stipulate that topics and times are outlined in the New Mexico returning school bus driver pre-service training record per the SBDI manual provided by the department. Previous semester in-service training is no longer required.</p>
<p>Section 6.41.4.13 Subsection F. was not clear about the requirements for the physical for school-owned activity vehicle drivers.</p>	<p>Subsection O. Paragraph (1) Subparagraph (c) states that drivers of school-owned activity vehicles must have a current medical examiner’s certificate from a physical taken using the current DOT form.</p>
<p>Section 6.41.4.13 Subsection F. stated after four hours of pre-service training, a person was eligible to transport students in a school-owned activity vehicle and take up to a year to complete the remaining eight hours of training (defensive driving course and first aid/CPR).</p>	<p>Subsection O. Paragraph (1) Subparagraph (d) states school-owned activity vehicle drivers must have a completed pre-service training record before transporting students.</p>

Former language ...	New language ...
6.41.4.13 Subsection D. Paragraph (2) required bus assistants to “complete a course on providing transportation as a related service to students with disabilities and an approved first aid/CPR course.”	Subsection P. Paragraph (1) Subparagraph (d) states pre-service training according to the SBDI manual as provided by the department must be completed (requirements are now less specific in regulation and gives PED the ability to change them as needed); new language also requires an SBDI must provide the training.
Subsection J. Paragraph (1) Subparagraph (b) required “a check of the applicant’s driving record.” There was no language that required these driving records to be filed.	Subsection S. Paragraph (1) Subparagraph (c) added language that requires employee files to include “a driving record printed annually then verified for eligibility.”
Section 6.41.4.13 Subsection B. Paragraph (1) stated, “The driver shall complete the required (4 hours in-service training per semester)...” whereas Paragraph (2) stated, “a total of 8 hours in-service training per semester...” which was conflicting.	Subsection S. Paragraph (1) Subparagraph (d) Item (i) correctly defines quarter and Item (ii) correctly defines semesters.
Section 6.41.4.13 Subsection B. Paragraph (2) did not address documenting in-service trainings.	Subsection S. Paragraph (1) Subparagraph (d) Item (iii) states in-service training shall be documented, listing the specific information that is to be documented.
There was no language that addressed the use of trailers hitched to an activity vehicle.	Subsection T. Paragraph (2) Subparagraph (d) Item (v) states “trailers shall not be hitched to school-owned activity vehicles while the vehicle is transporting students.”
Even though Federal regulations address driving times and breaks these were not addressed in the previous regulation.	Subsection T. Paragraph (3) Subparagraph (c) states “a driver shall have eight consecutive off-duty hours before resuming on-duty time.”
Subsection K. Paragraph (5) and Section 6.41.4.12. Subsection I. Paragraph (6) did not require the trip ticket to be signed if a ticket was required.	Subsection T. Paragraph (4) states “An activity trip ticket ... shall be ... signed...”
Subsection C. Paragraph (2) required student emergency drills or adequate alternate instruction to be conducted prior to departure on school-owned vehicles used for activity trips however no documentation was required.	Subsection T. Paragraph (6) Subparagraph (d) requires evacuation drills or adequate alternate instruction be conducted and documented on an LEA-approved form for all activity trips whether on a school bus or activity vehicle.
There was no language that required sponsors to actively supervise students on a bus.	Subsection T. Paragraph (6) Subparagraph (n) states drivers shall ensure “sponsors are actively supervising students on the bus.”
Subsection K. Paragraph (3) lists the responsibilities of the sponsors.	Subsection T. Paragraph (7) states sponsors shall be notified of their responsibilities with regard to LEA-sponsored activity trips.

Former language ...	New language ...
Subsection K. Paragraph (4) stated, “school activity trips shall be paid from budgeted school activity funds, and not from to and from transportation funds.”	Subsection T. Paragraph (8) states, “Planned LEA-sponsored activity trips shall be paid from budgeted LEA-sponsored activity funds and not from current fiscal year to-and-from transportation funds; consistent with statute which allows 25% of prior year balances to be used for other transportation services which includes LEA-sponsored activity trips.

#### 6.41.4.10 NMAC, REQUIREMENTS OF TRANSPORTATION SERVICE PROVIDERS

Former language ...	New language ...
There was no language that required contractors to have written procedures to be followed during inclement weather.	Subsection A. Paragraph (6) added language that requires the transportation service provider to provide to drivers written procedures to be followed during inclement weather and school bus evacuation drills.
There was no language that required transportation service providers to provide to drivers an LEA-approved written plan of action to be followed in cases of emergencies	Subsection A. Paragraphs (7) added language that requires the transportation service provider to provide to drivers an LEA-approved written plan of action to be followed in cases of various emergencies,

#### 6.41.4.11 NMAC, RESPONSIBILITIES OF DRIVERS, SCHOOL BUS ASSISTANTS, AND SUBSTITUTE SCHOOL BUS ASSISTANTS

Former language ...	New language ...
Section 6.41.4.12 Subsection E. Paragraph (2) states that a driver shall not back a bus on school grounds unless they have assistance from “a responsible individual.”	Subsection E. Paragraph (5) states, “The driver shall not back up a school bus on school grounds unless ... with assistance from an adult of the driver’s choosing.”
Section 6.41.4.12 Subsection J. listed safety equipment that was current at the time; it did not direct drivers be familiar with use of all equipment.	Subsection K. requires the driver to be familiar with location and use of safety equipment; also, seat belt cutter added to list of safety equipment.
Subsection A. (2) (c) requires that the school bus driver protect the accident scene.	Subsection L. Paragraph (3) – lists driver responsibilities in case of an accident. Language was removed that required the school bus driver to protect the accident scene.
Section 6.41.4.12 Subsection G. Paragraph (1) required the school bus driver to perform the railroad crossing procedure only if students were on board.	Subsection G. requires the school bus driver to perform the railroad crossing procedure even if students are not on board.



**6.41.4.13 NMAC, CONTINUING REQUIREMENTS FOR DRIVERS, SUBSTITUTE DRIVERS, SCHOOL BUS ASSISTANTS, AND SUBSTITUTE SCHOOL BUS ASSISTANTS**

Former language ...	New language ...
6.41.4.13 D. (3) required that school bus assistants have a current first aid/CPR certification.	Subsection A. Paragraph (4) and Subsection B. Paragraph (4) requires school bus drivers, substitute school bus drivers, drivers of activity buses and school-owned activity vehicle drivers, respectively, maintain a current first aid and CPR certification.

**6.41.4.14 USING SPORTS UTILITY (SUVS) FOR TO-AND-FROM TRANSPORTATION**

No Previous Language – Brand New	New language ...
	Subsection A. Paragraph (2) – LEA shall “adopt a policy defining the replacement cycle for SUVs.”
	Subsection B. Paragraph (1) – the local superintendent or local charter school administrator must approve the application for an SUV route.
	Subsection B. Paragraph (2) Subparagraph (c) – requires students’ residence be shown on a map.
	Subsection B. Paragraph (4) – students will be counted and half of the miles will be counted through the funding formula.
	Subsection C. Paragraph (1) Subparagraph (g) – requires “SCHOOL VEHICLE” and the name of the LEA in reflective letters on the rear of the SUV.
	Subsection C. Paragraph (1) Subparagraph (i) – “be equipped with red LED strobe lights on the front and back...”
	Subsection C. Paragraph (2) Subparagraphs (a)-(e) – optional equipment: speed limiter set at 75 miles per hour, two-way radio, recording video camera, back-up camera and be painted national school bus glossy yellow.

## STUDENT TRANSPORTATION

The school district recognizes that transportation is an essential part of the school district services to students and parents, but the district further recognizes that transportation by school bus is a privilege and not a right for most students. The purpose of this policy is to provide guidance for safe transportation and to educate students, staff, parents, community members and transportation providers on safety issues and the responsibilities of school bus ridership.

All persons who ride school buses to and from school, for extra-class or co-curricular purpose or provide these services are to be aware and practice the established procedures indicated. The guidance provided in this policy should to be distributed to all students, parents, staff and transportation service providers in pre-school communications, handbooks or individually at registration if entering school or employment after the beginning of the school year. Parents are encouraged to go over these procedures with their children and caretakers to ensure that the procedures are followed for the safety and welfare of those students. Student complaints about transportation services may be made using the forms found in policy JII for Student Concerns, Complaints and Grievances. Adults may use established complaint procedures cross-referenced below.

### Adopted:

LEGAL REF.:            22-16-4 NMSA (1978)  
22-12-10 NMSA (1978)  
6.41.4.14 NMAC  
42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001

CROSS REF.:            EEAFB - Extracurricular Activity Event Driver Requirements  
JFABD - Admission of Homeless Students  
JGC - Assignment of at-risk students to classes and programs  
JIC - Student Conduct  
JII - Student Concerns, Complaints and Grievances  
JK - Student Discipline  
JKD - Student Suspension Expulsion  
JLCD - Administering Medicines to Students  
JLCG - Do Not Resuscitate  
KEB - Public Concerns and Complaints  
KEC - Concerns / Complaints About Personnel  
KED - Concerns / Complaints about Facilities and Services

## REGULATION

## REGULATION

## STUDENT TRANSPORTATION

**Student bus transportation procedures****Arriving at pickup point:**

- ② Be on time. Leave home in good time so that you will arrive at the pickup point before the school bus.
- ② If you have to walk along the road to reach the bus stop, walk on the left side facing oncoming traffic.
- ② Walk on the shoulder of the road where possible, and not on the traveled portion.
- ② If other students are waiting at the bus stop, get in line without pushing or crowding and stay off the roadway.
- ② Respect the property of others while waiting at your bus stop.
- ② Keep your arms, legs and belongings to yourself.
- ② Use appropriate language.
- ② Stay away from the street, road or highway when waiting for the bus. Wait until the bus stops before approaching the bus.

**Board the bus:**

- ② Line up in single file ~~parallel~~ perpendicular to the roadway, with younger students in front, so they can board first.
- ② Do not cross the roadway without the protection of the bus alternating red lights and upon verification that all motorists are stopped and driver signals it is safe to cross.
- ② Wait until the bus comes to a complete stop before attempting to get on board.
- ② Board the bus quickly but without crowding or pushing.
- ② Never run on the bus, as the steps or floor may be slippery, especially in wintertime. Place your foot squarely on the step, not on the edge, and use the handrail.
- ② Be particularly careful if you are carrying books or parcels, as it is difficult to see the steps and to hold the handrail.

? Go directly to your seat and sit straight, well to the back of the seat, and face the front of the bus.

Conduct on the bus:

? Follow driver's instructions.

? The bus will not move until all passengers are seated.

? Remain seated throughout the trip, and leave your seat only when the bus has reached its destination and comes to a complete stop.

? Keep your books and parcels on your lap or put them under the seat or on the luggage rack.

? Keep the aisle clear.

? Do not talk to the driver except in case of emergency.

? Avoid doing anything that might disturb or interfere with the driver. Refrain from loud or boisterous talking or yelling.

? Never stick hands, arms, head, or feet out of the windows of the bus.

? Do not open windows without the driver's permission.

? Do not throw anything within the bus or out of a window; you might injure a pedestrian or force a motorist to make a dangerous maneuver.

? Do not touch the emergency door or exit controls or any of the bus safety equipment.

? Do not discard refuse in the bus.

? Eat at home or school, but not on the bus.

? Obey promptly the directions and instructions of the school bus driver.

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

Prohibited items:

? Tobacco is not allowed in a school bus.

? Alcoholic beverages shall not be carried onto a school bus.

? Insects, reptiles, or other animals shall not be transported in a school bus with the exception of Service Animals.

? No weapon, explosive device, harmful drug, or chemical shall be transported in a school bus.

#### Exit from the bus:

? Remain seated until the bus has reached its destination and comes to a complete stop.

? Do not push or crowd when leaving the bus.

? No fighting, harassment, intimidation or horseplay.

? After getting off the bus, move away from the bus.

#### Crossing the highway:

? If you must cross the road, walk to a point about ten (10) feet in front of bus but do not cross until you can see that the driver has indicated that it is safe to do so.

? As you cross the road, look continuously to the right and left. At an intersection, look in all directions.

? Cross at right angles to the highway. Never cross the highway diagonally.

? Walk briskly across the road, but do not run.

? Never cross the road behind the bus.

#### Accident or other emergency:

? In case of an accident or emergency, older students should help the driver to maintain order and assist younger students.

? Stay in the bus unless otherwise directed by the driver.

? If you have to leave the bus, stay in a group and obey the driver's instructions.

? Do not expose yourself or others to needless hazard.

? Medical needs for students with disabilities are to be handled in accord with the individualized educational program (IEP).

? All medications required by disabled students will be carried and administered by the person and means designated by the IEP.

- ? All medication transportation shall be prearranged and be subject to a prior health management plan being prepared if for purposes of possible use on the transportation.

Consequences for misconduct:

Emergency removal of a student from the bus may occur if the student endangers or reasonably appears to endanger the health, welfare, or safety of themselves, any other person, student, teacher, or employee. The driver must contact the ~~school administration~~ transportation administrator or designee for approval of any emergency removal and file a written behavioral report within twenty four (24) hours with a copy sent to the parents of the removed child.

Consequences for bus misconduct are to be handled by the ~~Principal of the school~~ transportation administrator or designee of attendance in accord with the minimal due process procedure including an opportunity to be heard. Exception: Students with individual educational programs or 504 accommodation plans including transportation will be referred to the team responsible for preparing the program. Such plans or programs shall include procedures for discipline and emergency removal for violation of bus conduct rules. A student may use policy JII Student Concerns, Complaints, and Grievances to make a complaint regarding transportation.

*Procedures followed upon student misbehavior on school bus:*

- ? When a student misbehaves on a bus for the first time, the driver will explain to the offender the necessity for good behavior.
- ? If, after talks and warning, the rider continues to violate the rules, the driver will inform the student that the rule violation will be reported to the ~~principal~~ transportation administrator or designee who will contact the school principal when appropriate. This report will include the use of a written form that lists the offense and the action taken ~~by the principal~~.
- ? Upon receiving the complaint, the principal will then call the student to the office and warn the student that the parents must be notified that the student may be put off the bus or suffer other consequences if misbehavior reoccurs.
- ? If poor conduct continues, the driver will again report the incident to the ~~principal~~ transportation administrator or designee who will contact the school principal when appropriate. After discussion with the child the consequences will be determined.
- ? When a student is not allowed transportation by school bus, the principal or transportation administrator or designee will inform the parents of the penalty, the reason for it, and how long the penalty will last. In such cases, the parents become responsible for seeing that their child gets to and from school safely. Parents, community members, and others may submit complaints regarding transportation issues by completing the forms provided with Policies KE through KED. These can be obtained through the school Web site or from the school office.

? A student who is put off one (1) bus will be refused transportation by all drivers for the specified period of time.

Possible reporting outcomes:

? 1st report: Student will be placed on probation and the parent/guardian will be notified that further behavior infractions may result in disciplinary action up to or including loss of ridership privileges.

? 2nd report: Student may be suspended from the bus for a minimum of 1 day or suffer other consequences dependent upon the seriousness of the offenses reported.

? 3rd report: Meeting with parent/guardian. Possible loss of bus ridership privileges for an extended period.

Other Discipline:

Depending on the nature and number of the offenses, consequences such as loss of transportation privilege, suspension or expulsion from school also may result from school bus stop misconduct.

Records:

Records of school bus stop misconduct will be forwarded to the individual school building and will be retained in the same manner as other student discipline records. Reports of serious misconduct may be provided to law enforcement.

Vandalism/Bus Damage:

Students damaging school buses will be responsible for the damages. Failure to pay such damages (or make arrangements to pay) may result in the loss of bus privileges or other disciplinary sanctions until damages are paid.

Notice:

Students will be given a copy and parents will be given notice of school bus rules and the responsibilities and behavior standards for bus riders through the Student Handbook before the end of the first full week of school or when a child enrolls, if this occurs during the school year. The rules will also be posted on each bus.

Criminal Conduct:

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

**Parent/Guardian Responsibilities for Transportation Safety**

- ☐ Provide the school office with proper student information including the home address, the home telephone number, and the telephone number at which the parent/guardian may be reached in the event of an emergency.
- ☐ Provide the school office and the transportation office with accurate information regarding student name, address, phone number, emergency information and day care information. Remember to immediately notify the school office of any changes.
- ☐ Instruct children to be at the school bus stop at least 5 minutes before the scheduled pick-up time and not to arrive at the bus stop substantially more than 10 minutes prior to the scheduled pick-up time.
- ☐ Remain alert to impending weather patterns and have your child properly clothed for the current weather conditions.
- ☐ Consider in advance how long your child should wait at pick-up locations during conditions of extreme cold or extreme wind- chill conditions.
- ☐ Both parents and students should know the school name and the route number of the bus. Students in K-2 should have a "bus tag" fastened to their book bag or backpack containing the route, stop and child's name and contact information.
- ☐ Provide the child with a book bag or backpack for books and loose papers, pencils, etc.

### **Parent and Guardian Notification:**

A copy of the school district school 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.

### **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 shall include:

- ☐ Operating the vehicle in a safe and efficient manner.
  - ☐ Wearing driver's seat belt whenever the bus is in motion.
  - ☐ 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.
  - ☐ 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.



- ☐ Driving Adjustments. Winter and wet weather conditions require adjusting speed and normal driving practices to compensate for road conditions.
- ☐ Emergency Doors. Emergency doors must be free and operable. Under no circumstances may the doors be obstructed to prevent easy access.
- ☐ Service Door. The service door of the bus must be closed at all times while the bus is in motion. (Refer to Subsection G of 6.41.4 for Railroad Crossing Procedures.)
- ☐ Overloads. The registration card in all vehicles designates the maximum number of passengers allowed. This limit cannot be exceeded. A driver should call the dispatch office for instructions should a vehicle become overloaded.
- ☐ Railroad Crossings. All vehicles must stop at railroad crossings, using required procedures, whether they are loaded or empty. Drivers shall not activate the eight-way lights. Four-way hazard lights are to be used before stopping and when crossing the tracks.(Refer to Subsection G of 6.41.4 for Railroad Crossing Procedures.)
- ☐ 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.
- ☐ Smoking Prohibited. Smoking by either the driver or the passengers is prohibited on any school bus or on school property.
- ☐ Conducting thorough pre-trip and post-trip inspections of the vehicle and special equipment.
  - ☐ 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.
  - ☐ 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, flashlight, reflectorized emergency warning device, and any additional items required by the district. Drivers of vehicles for disabled students will ensure all student health information cards are on board the bus.

- ② Bus Cleaning. Drivers are required to keep the interior of their buses swept and free of trash at all times.
- ② 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. It is against the law to fuel with passengers aboard.
- ② Ensuring the safety, welfare and orderly conduct of passengers while on the bus.
- ② Meeting emergency situations in accordance with operating procedures.
- ② Communicating effectively with school staff, students, parents, law enforcement officials and the motoring public.
  - ② 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.
  - ② Relations with the Public. It is important to remember that to the general public, the driver represents the school district. 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.
  - ② 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 governed by school district policy. 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 can come only from the school authorities or Transportation Administrator or designee.
  - ② Route Changes. Drivers may not make changes in the pick-up or drop-off schedule for his or her route without prior authorization. Bus stops may not be added, deleted or moved without approval. Drivers may not deviate from the established route without prior permission except as required by an emergency or temporary road conditions.

- ☒ Route Problems. Any problems, of whatever kind, encountered by a driver on the routes or trips should be brought to the attention of the Dispatch Office or the transportation supervisor as soon as possible.
- ☒ Unauthorized Passengers. Only authorized passengers may be transported in a bus. Any other passenger must be specifically approved by a school administrator or Transportation Administrator or designee.
- ☒ Notices. It is the responsibility of the driver to check for notices each day and to check with his or her supervisor regularly.
- ☒ Completing required reports.
  - ☒ It is the responsibility of the driver to completely fill out and 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.
- ☒ Completing required training programs successfully.
- ☒ Providing maximum safety for passengers during loading and unloading.
  - ☒ Standeers Prohibited. Standeers 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.
  - ☒ 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. Service animals are allowed.



EXHIBIT

EXHIBIT

**STUDENT TRANSPORTATION**

**SCHOOL BUS INCIDENT REPORT**

See attached School Bus Incident Report.

<b>SCHOOL BUS INCIDENT REPORT</b>  <b>BOONE TRANSPORTATION, INC.</b> <b>2102 West Washington</b> <b>Anthony, NM 88021</b> <b>(575) 882-3613</b>	Name		Guardian	
	School	Grade	Phone No.	
	Driver		Address	
	Bus No.	TRIP AM PM	City	
	Date of Incident		Driver Info	
	Date Reported		D.L.M.	D.P.C.

**Dear Parents:**  
 All students in our School System who ride a bus to school are subject to regulations until the student unloads at his/her assigned school or the assigned bus stop near their home. Any misbehavior that distracts the driver is a very serious hazard to the safe operation of the vehicle, and as such, jeopardizes the safety of all passengers.

- Your child has been cited for the following infractions of school bus riding rules and/or regulations.
- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Behavior unsafe or distracting to the driver | <input type="checkbox"/> Loosening / Unloading at non-assigned bus stop | <input type="checkbox"/> Profanity / Obscene gestures    |
| <input type="checkbox"/> Refusing to cooperate or follow bus rules    | <input type="checkbox"/> Not at the assigned bus stop on time           | <input type="checkbox"/> Wrestling / Horseplay           |
| <input type="checkbox"/> Not properly seated / Changing seats         | <input type="checkbox"/> Playing in the street / Chasing school bus     | <input type="checkbox"/> Attempting to instigate a fight |
| <input type="checkbox"/> Loud / Boisterous / Disruptive               | <input type="checkbox"/> Throwing objects at the driver or aide         | <input type="checkbox"/> Fighting                        |
| <input type="checkbox"/> Rude or vulgar comments to others / Driver   | <input type="checkbox"/> Throwing objects outside / Inside the bus      | <input type="checkbox"/> Possession of weapons           |
|   | <input type="checkbox"/> Vandalism / Tampering with bus                 | <input type="checkbox"/> Possession of drugs             |

Comments: \_\_\_\_\_

- YOUR CHILD HAS RECEIVED:**     Previous verbal warnings             Two written reports             Previous suspensions  
     One written report                     Three written reports

**DISCIPLINARY ACTION TAKEN:**

Must ride in assigned seat until further notice. Seat No. \_\_\_\_\_

Further misconduct may / will result in denial of all school bus riding privileges. **Days Suspended** \_\_\_\_\_

Your child has been denied riding privileges on **ALL SCHOOL BUSES**. **BEGINNING** \_\_\_\_\_ **RETURN** \_\_\_\_\_

Your child is responsible for the damages in the amount of \$\_\_\_\_\_ Payment is due on or before \_\_\_\_\_

Your child has been denied riding privileges until a parent conference is held. Please call 882-3613 for an appointment.

**Queridos Padres:**  
 Todos los estudiantes en nuestro sistema de escuelas quienes usan el servicio del camión estan sujetos a regulaciones hasta que el estudiante bajo del camión a su escuela designada o a la parada designada cerca de su hogar. Cualquier malcomportamiento que distraiga al chofer es muy peligroso para la operación segura del camión, y tales como, pone en peligro la seguridad de todos los pasajeros.

- Su hijo ha sido citado por una infracción de las reglas y regulaciones del servicio del camión.
- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Comportamiento peligroso/distraer al conductor       | <input type="checkbox"/> No esta subiendo / bajando en la parada asignada        | <input type="checkbox"/> Profanidad / gestos profanos |
| <input type="checkbox"/> Refusa seguir reglas y cooperar con el conductor     | <input type="checkbox"/> Llegando tarde al la parada                             | <input type="checkbox"/> Luchando                     |
| <input type="checkbox"/> Cambiandose de asiento y no estar sentado            | <input type="checkbox"/> Jugando en el ramine / cambiando de asientos del camión | <input type="checkbox"/> Tratando de instigar peñes   |
| <input type="checkbox"/> Ruidoso / Distraivo                                  | <input type="checkbox"/> Arrojando objetos al conductor / asistente              | <input type="checkbox"/> Peleando                     |
| <input type="checkbox"/> Maltrato y / o rugar comentarios a otros / conductor | <input type="checkbox"/> Arrojando objetos adentro / afuera del camión           | <input type="checkbox"/> Posesion de armas            |
|   | <input type="checkbox"/> Vandalismo  | <input type="checkbox"/> Posesion de drogas           |

Otro: \_\_\_\_\_

- SU HIJO HA RECIBIDO:**     Previamente aviso verbal             Dos avisos escritos             Previamente suspensiones  
     Un aviso escrito                             Tres avisos escritos

**LA ACCION DE DISCIPLINA TOMADA:**

Su hiju(hija) se va sentar en asiento numero \_\_\_\_\_ que va ser asignado hasta nuevo aviso.

Si sigue el malcomportamiento de su hijo, lo resultado va ser perder el privilegio de servicio del camión. **Days Suspended** \_\_\_\_\_

Su hijo ha sido negado el privilegio del servicio de **TODOS LOS CAMIONES**. **COMIENZO** \_\_\_\_\_ **REGRESO** \_\_\_\_\_

Su hijo sera responsable por el daño. El costo es \$\_\_\_\_\_ ago llena que estar remido el dia o antes que el dia \_\_\_\_\_

Su hijo sera negado el privilegio del servicio del camión hasta que halga una conferencia. Por favor, llama el numero 882-3613 para hacer una cita.

Driver Signature \_\_\_\_\_ Parent Signature \_\_\_\_\_ BTI Signature \_\_\_\_\_  
 White - School Yellow - School Pink - BTI Office School Bus Incident Report

## WALKERS AND RIDERS

The Board authorizes the administration to provide regular school bus transportation to and from school for the following categories:

- Students with disabilities who require transportation, as indicated in their respective individual education programs (IEPs) or Section 504 Plans, including three (3) and four (4) year-old ~~developmentally disabled~~ children with disabilities.
- Students living within a two (2) mile radius of the school where hazardous or difficult routes exist and where other arrangements cannot be provided.
- Students who are residents within a school attendance area and:
  - If students in grades kindergarten through six (6), live more than one (1) mile from the school.
  - If students in grades seven (7) through nine (9), live more than a mile and a half (1 1/2) from the school.
  - If students in grades ten (10) through twelve (12), live more than two (2) miles from the school.
- Transportation for homeless students and foster children to their school of enrollment, if it is the school of origin, will be arranged as needed by the school liaison or contact person for those students.

Upon proof of need by the Superintendent and as specified in statute 22-16-4 NMSA, up to six (6) students whose residences are five (5) or more miles from their school or schools of enrollment, may be transported to and from school by means of a school-owned sport-utility vehicle, driven by a school employed certified activity driver, in accord with the safety rules of the Public Education Department. If an SUV is proven necessary, reference procedures in Paragraph (3) of Subsection C of 6.41.4.9 ~~C3~~ NMAC and Subsections A through K in 6.41.4.14 NMAC ~~A through K~~ for General Requirements before establishment of the route.

### Transportation Zones

The following stipulations will define bus transportation zones and other items that may affect students in open enrollment.

Student(s) who select the freedom of choice alternative in school attendance, and commute from one zone to another must provide individual means of transportation. The District assumes no responsibility in freedom of choice transportation endeavors nor will the District provide transportation for the students.

Transfers must be made at the beginning of a semester. If an emergency arises or reasonable justification can be provided, the school principal will review the request. In the event the principal negates the request, the matter may be presented to the Superintendent and ultimately to the Board for a decision. Transfer students will be expected to remain in the school of their choice until the close of the semester in which they are enrolled.

Students may be denied enrollment in a school out of their attendance boundary if the school of their choice is overcrowded.

*Adopted:* date of manual adoption

LEGAL REF.: 22-16-4 NMSA (1978)  
42 U.S.C. 11301, McKinney-Vento Homeless Assistance  
Act of 2001

CROSS REF.: JFABD - Admission of Homeless Students



**SPECIAL EDUCATION STUDENT TRANSPORTATION**  
**(Students with Special Transportation Needs)**

If a student with special needs is capable of using the same transportation services as nondisabled students, special education law does not require transportation to be listed as a related service in the Individual Educational Program (IEP).

It must be decided on an individualized basis whether or not a special education student or one with a disability requires transportation as a related service in order to receive a free appropriate public education (FAPE). If a student with a disability requires transportation as a related service, the school district must provide it.

Homeless children, those in foster care and those with a disruption in their education as defined in New Mexico statute shall be afforded transportation as indicated in related policies. Transportation for homeless students and foster children to their school of enrollment, if it is the school of origin, will be arranged as needed by the school liaison or contact person for those students. If additional costs are incurred for this service reference 6.41.4.9 I NMAC for alternative sources of funding.

A representative of the district's transportation services or the transportation provider shall be afforded the opportunity to participate in the development of the transportation service required as a part of any of the following student groups:

- Those with an Individual Educational Program (IEP) stipulating the requirement of transportation services,
- Those with health management plans in need of special transportation,
- Those with 504 accommodation plans,
- Homeless students, foster care students and those with disruption in their education to their school of origin or enrollment as necessary.

A plan for implementation of any and all transportation related needs will be prepared and approved for each student to receive such services.

Transportation time to and from school for a student with an IEP shall be comparable to transportation time provided to neighborhood students as a part of the required services. Any variance from the comparable travel time policy shall be determined on a case-by case basis by the IEP team and shall be clearly stated in the IEP. The transportation services to be provided shall be spelled out in the student's IEP or transportation plan including who and how will any required student medication be transported and if necessary applied during transport.

Misconduct on student transportation will be in accord with standard procedures unless a change in transportation arrangements (removal of transportation for more than an aggregate of ten (10) days for a student with an IEP) is contemplated. At that time, matters will be referred to the team responsible for determination of transportation. Disciplinary procedures for a student with an IEP shall be specified in the student's IEP. The procedures shall include the process for emergency removal of a student with an IEP from a school bus. If emergency removal of a student with an IEP is necessary, the driver shall report the incident or behavior to the transportation administrator within 24 hours of the incident and the transportation administrator shall report each incident or behavior in writing to the district's special education director within 24 hours of receiving the driver's report. Suspension of transportation service for a student with an IEP for more than ten cumulative days requires a change in transportation service in that student's IEP.

See related policies cross referenced below for additional policy issues referent to special needs students.

Adopted: date of manual adoption

LEGAL REF.: 6.41.4.8 NMAC  
6.41.4.9 NMAC  
6.41.4.11NMAC  
6.41.4.13 NMAC  
6.41.4.14 NMAC  
34 C.F.R. § 300.34  
34 C.F.R. § 300.104  
34 C.F.R. § 300.107

CROSS REF.: EE - Transportation Services  
EEA - Student Transportation  
EEAE - Bus Safety Program  
IHB - Special Instructional Programs  
IHBA - Special Instructional and Accommodation Programs for Disabled Students  
IMG - Animals in the Schools  
JFABD - Admission of Homeless Students  
JGC - Assignment of at-risk students to classes and programs  
JLCD - Administering Medicines to Students  
JIC - Student Conduct  
JK - Student Discipline

**BUS SAFETY PROGRAM**

The safety and welfare of student riders is to be the first consideration in all matters pertaining to transportation. Toward that end, all District transportation department personnel, bus operators, and bus passengers shall comply with the applicable regulations and shall immediately report to the Superintendent any violation of rules or state statutes that threatens the safety of a passenger. A roster of students shall be maintained and updated with information provided by the school office. Bus drivers are to track the students daily and keep and enforce a seating roster in case of emergencies.

Bus evacuation drills shall be conducted and documented at least ~~twice every school year~~ once each semester at the school in accord with 6.41.4.9 C2 Paragraph (2) of Subsection (C) of 6.41.4.9 NMAC and shall include every passenger, driver or support person who rides a school bus and is in school on the day of the evacuation drill.

All vehicles used to transport students shall be maintained in such condition as to provide safe and efficient transportation service with a minimum of delays and disruption of such service due to mechanical or equipment failure. Buses shall be replaced at such intervals as will provide good equipment at all times.

Students shall not be put off the bus until reaching their destination without proper administrative authorization.

~~In addition to~~ Notwithstanding the regular state inspections, each school bus shall be inspected by the driver daily, before and after each use, to ascertain that it is in safe condition and equipped as required by all provisions of law, and that all equipment is in good working order. Additionally, the drivers, bus assistants, substitute assistants and activity vehicle drivers shall perform the responsibilities as numerated in 6.41.11 NMAC and 6.41.4.14 NMAC.

~~Each school bus owned by, or contracted to, the District will conform to all applicable federal and state requirements as provided by the Commercial Motor Vehicle Safety Act of 1986. All school buses used to transport students on school bus routes and LEA-sponsored activities shall meet requirements pursuant to 6.40.2 NMAC and the state of New Mexico guide for school bus maintenance and safety audit program, and school bus inspection guide. Regulation 6.41.4.12 NMAC shall, as it relates to safety and equipment, become a part of this policy by reference.~~

Each driver of a District-owned or District-contracted school bus, as defined by and covered by the Commercial Motor Vehicle Safety Act of 1986, will conform to all requirements of said act and such statutes and regulations as may govern the operation and maintenance of the vehicle including the New Mexico guide for school vehicle maintenance and safety audit program.

*Adopted:* date of manual adoption

LEGAL REF.: 6.41.4.8 NMAC  
6.41.4.9 NMAC

**REGULATION****REGULATION****BUS SAFETY PROGRAM**

~~Student behavior on a school bus should be the same as that in a well-ordered classroom with the exception that students are free to talk, but with no screaming or shouting.~~

**(Emergency Plan of Action)**

To be provided to each driver.

**Fire**

In the event of a fire, the first priority is to evacuate the bus. Drivers will make certain passengers are safe and accounted for before attempting to put out the fire using on-board safety equipment.

**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.

**Tornado**

If there is likelihood that a tornado or similar wind event 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 or 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 rollover on them. Instruct the students 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 and roster of students 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.

**Evacuation**

Drivers should evacuate buses only when there is a danger of fire, collision or other potential hazard. Drivers should inform passengers that there is an emergency, and 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 on the bus only when the driver has determined it is safe to do so.

**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 school district and law

enforcement of any school bus accidents immediately.

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

- In cooperation with police officer and/or ambulance service, assist with the care of students.
- See that all injured students receive proper care.
- Determine facts pertaining to the accident.
- Call transportation/district staff to give a list of names of students and circumstances to they can begin calling parents.
- Discuss the accident only with police and school district officials.
- Record all students' names.
- 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.

### **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 relying 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.

### **Dangerous Weapons**

If a driver observes or learns that a passenger may have a dangerous weapon on the bus, he or she 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. Follow the directions of those providing assistance as to when and where to stop and what to do next.

### **Lights**

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

### **Obtaining Assistance**

The driver should use the communications system to obtain 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 contact the dispatcher, he/she should ask a passerby or other motorist to do so from the nearest telephone. The driver should record the number and location of the school bus, the nature of the emergency, and the status of the passengers for the person providing the communication.

## **BUS DRIVER REQUIREMENTS, TRAINING, AND RESPONSIBILITIES**

### **(INCLUDES BUS ASSISTANTS AND SUBSTITUTES)**

Bus drivers and support staff employed by the District or employed by contractors who provide transportation services to the District shall comply with applicable provisions of the Commercial Motor Vehicle Safety Act of 1986 and all applicable requirements of the state of New Mexico. Additionally, bus drivers and bus support personnel, where appropriate, shall perform their duties in a safe and efficient manner in accord with federal, state, and local statutes and regulations, department regulations, and district policies. Regulations 6.41.4.11 NMAC through 6.41.4.13 NMAC are made a part of this policy by reference as a means of emphasizing safety, records requirements, and safety equipment as they apply to all drivers and assistants.

Bus drivers and substitutes shall also maintain and provide their employer with a copy of the following:

- a current CDL with appropriate class and endorsements;
- a current DOT medical examiner's certificate in compliance with federal and state CDL licensing requirements;
- a driving record obtained through the New Mexico motor vehicle division or the national driver register or other states' motor vehicle division and printed annually; and
- a current first aid and CPR certificate which has been obtained from a course approved by the department.

School bus assistants and substitute assistants shall maintain and provide their employer with a copy of the following:

- a current first aid and CPR certificate pursuant to the requirements in **Paragraph Subsection A** of 6.41.4.13 NMAC; and
- a physical examination renewed every 24 months from the date of the last examination or before as specified by a licensed medical professional.

Inservice Training: To remain qualified, school bus drivers, substitute school bus drivers, school bus assistants, and substitute school bus assistants shall complete a total of eight hours per semester of in-service training that has been approved by the transportation administrator.

Persons who do not complete the required hours of in-service training are disqualified from duty until those hours of in-service training are completed.

*Adopted:* date of manual adoption

LEGAL REF.: 6.41.4.11 NMAC  
6.41.4.12 NMAC  
6.41.4.13 NMAC

CROSS REF.: EE – Transportation Services  
EEA – Student Transportation  
EEAE – Bus Safety Program

**BUS PURCHASING AND MAINTENANCE**

The District and all contractors who provide transportation services to the District shall comply with applicable provisions of the Commercial Motor Vehicle Safety Act of 1986 and all applicable requirements of the state of New Mexico guide for school vehicle maintenance and safety audit program that pertain to vehicle standards, periodic inspection, and maintenance of school buses.

*Adopted:* date of manual adoption

LEGAL REF.: 22-16-1 NMSA *et. seq.* (1978)



## STUDENT CONDUCT ON SCHOOL BUSES

See Policy EEA and Regulation EEA-R

~~Students are required to conduct themselves in the bus, prior to boarding the bus, and subsequent to leaving the bus in a manner consistent with established standards for classroom behavior.~~

~~When a student fails to practice proper conduct, the bus driver will inform the principal of the misconduct, which may then be brought to the attention of the parents.~~

~~Students who become serious disciplinary problems related to school transportation may have their riding privileges suspended. In such cases, the parents of the students involved become responsible for seeing that their children get to and from school safely. The principal is the only person authorized to suspend riding privileges.~~

~~Students riding on special activity buses are under the direct supervision of the bus driver in cooperation with sponsor(s). Students who do not conduct themselves properly will be denied the privilege of riding on special activity buses.~~

*Adopted:* date of manual adoption

LEGAL REF.: 6.41.4.9 NMAC

CROSS REF.: EEAE - Bus Safety Program  
JIC - Student Conduct JK -  
Student Discipline

**TRANSPORTATION TO STUDENT ACTIVITIES**  
**EXTRACURRICULAR ACTIVITY BUSES / SPECIAL EVENTS**

~~The Director of Transportation will ensure that the activity buses receive proper care. District mechanics will provide routine maintenance on activity buses.~~

~~Scheduling of buses will be the responsibility of the Director of Transportation or designee. School personnel will adhere to the established guidelines on requesting transportation service.~~

~~Buses will not travel beyond a radius of five hundred (500) miles without Board approval.~~

Planned District sponsored activity trips including co-curricular and extra-curricular activities will be arranged through the transportation department. All such trips outside of the district boundaries using school buses or commercial common carriers shall require a signed authorization for the activity trip to be presented to the bus drivers. Commercial common carrier buses may be used for activity trips as needed per the determination of the transportation department and available funding. Prior to and during work periods all drivers, school bus assistants and substitute school bus assistants shall not have used and will not use alcoholic beverages, illegal substances, or legal substances which would impair the driver's or the assistant's ability to perform required duties.

Activities of special nature including co-curricular and extra-curricular activities shall be conducted in accord with **Subsection D** of 6.41.4.8 NMAC **D** and **Subsection T** of 6.41.4.9 NMAC **T**. By reference these sections of the New Mexico Administrative Code shall be considered incorporated into this policy in their entirety.

Students are required to ride to and from school-sponsored activities in District-provided transportation unless other arrangements have been approved by the Superintendent. An exception may be granted for a student to be released to a parent or legal guardian at the completion of the activity if a written request is received and approved by the principal prior to the trip. Students will only be released to persons specified in the request form after provision of satisfactory identification to the person in charge of supervision of the student.

No activity travel will be scheduled between 1:30 a.m. and 5:00 a.m. without Board Administrative approval and a plan to incorporate opportunities for rest and relaxation for students, support personnel and drivers. All activity travel must conform to current Department of Transportation (DOT) Regulations regarding on duty, continuous, and total driving time.

**School owned activity vehicle driver**

This policy shall be interpreted in a manner which is consistent with applicable statutes and regulations adopted by the federal and state governments. In the event of inconsistency, the federal or state-adopted requirements shall prevail.

Drivers of school vehicles, including activity drivers, are not required to obtain a Commercial Driver's License (CDL) unless they operate a vehicle that is designed to carry ten (10) or more passengers, including the driver.

The employer shall make available to each driver applicant at the time of hiring a current copy of 6.41.4 NMAC and any applicable district handbooks.

School-owned activity vehicle drivers shall maintain and provide to the employer a copy of the following:

- a current driver's license;
- a current medical examiner's certificate from a physical recorded on the DOT form;
- a driving record pursuant to requirements in Paragraph (3) of Subsection A of 6.41.4.13 NMAC; and
- a current first aid and CPR certificate pursuant to the requirements in Paragraph (4) of Subsection A of 6.41.4.13 NMAC

The District shall verify the following documentation is in each driver applicant's file:

- a completed employment application form that meets or exceeds federal, state and department requirements, unless the applicant is currently employed by the LEA;
- documentation pursuant to requirements listed in Subparagraphs (b), (c) and (f) of Paragraph (1) of Subsection M of 6.41.4.9 NMAC;
- a current medical examiner's certificate indicating that a physical examination was passed using the DOT physical examination form that is current as of the date of the examination. The transportation administrator or the department may require a physical examination be performed at any time. The medical examiner's certificate shall be provided to all appropriate parties;
- a completed New Mexico school-owned activity vehicle driver pre-service training record per the current SBDI manual provided by the department;
  - training shall be provided by an SBDI with activity vehicle (AV) certification by the department or an activity vehicle instructor (AVI) certified by the department using the current SBDI manual provided by the department;
  - as part of the pre-service training, the driver applicant must complete a defensive driving course (DDC) that is nationally recognized and approved by the department. In lieu of AV-certified SBDI or AVI DDC training, a certificate of completion of a DDC course that is approved by the department may be accepted. The certificate of completion shall be dated within four (4) years of the driver applicant's date of application; and

All drivers and assistants are to comply with the list of responsibilities indicated in 6.41.4.11 NMAC.

Adopted: date of manual adoption

LEGAL REF.: 6.41.4.8 NMAC  
6.41.4.9 NMAC  
6.41.4.11 NMAC  
6.41.4.13 NMAC  
6.41.4.14 NMAC

CROSS REF.: EEAE - Bus Safety Program  
JIC - Student Conduct  
JK - Student Discipline

**TRANSPORTATION TO STUDENT ACTIVITIES**

**(Responsibilities)**

6.41.4.11 NMAC provides the responsibilities for any and all drivers whether bus or activity vehicle is driven and may be taken intact from the New Mexico Administrative Code or made into a check list form. Regardless of the form, the district should make sure each driver has a copy of 6.41.4 NMAC and that they are aware of 6.41.4.11 NMAC.

### STUDENT TRANSPORTATION IN PRIVATE VEHICLES

During school or school-sponsored functions, students may be transported only in school-approved vehicles operated by District-authorized personnel unless specific approval by the Superintendent has been obtained.

The Board specifically forbids any employee to transport students for school purposes without prior authorization by the Superintendent.

The Board may, subject to regulations adopted by the public education department, provide per capita or per mile reimbursement to a parent or guardian in cases where regular school bus transportation is impractical because of distance, road conditions or sparseness of population or in cases where the local school board has authorized a parent to receive reimbursement for travel costs incurred by having a child attend a school outside the child's attendance zone.

The Superintendent may develop regulations to govern the use of private vehicles for transporting students.

*Adopted:* date of manual adoption

LEGAL REF.:        22-16-4 NMSA (1978)