

FALL RIVER JOINT UNIFIED SCHOOL DISTRICT

Regulation 3543

BUSINESS AND NONINSTRUCTIONAL OPERATIONS

Transportation Safety and Emergencies

Safety Equipment

Each school bus shall be equipped with at least one fire extinguisher located in the driver's compartment which meets the standards specified in law. (Education Code 39838; 13 CCR 1242)

The Superintendent or designee shall ensure that any school bus which is purchased or leased by the district is equipped with a combination pelvic and upper torso passenger restraint system at all designated seating positions if that bus: (Vehicle Code 27316, 27316.5; 13 CCR 1201)

1. Is a Type 1 school bus designed for carrying more than 16 passengers and the driver and is manufactured on or after July 1, 2005
2. Is a Type 2 school bus or student activity bus designed for carrying 16 or fewer passengers and the driver, or designed for carrying 20 or fewer passengers and the driver and having a manufacturer's vehicle weight rating of 10,000 pounds or less, and is manufactured on or after July 1, 2004

A driver shall not use a wireless telephone while driving a school bus, student activity bus, or other motor vehicle, except under the following conditions: (Vehicle Code 23123, 23125)

1. For emergency purposes, including, but not limited to, an emergency call to a law enforcement agency, health care provider, fire department, or other emergency service agency or entity
2. For work-related purposes
3. When he/she uses a wireless telephone that is specifically designed and configured to allow hands-free listening and talking, provided it is used in that manner while driving

Transportation Safety Plan

The Superintendent or designee shall develop a transportation safety plan which includes all of the following: (Education Code 39831.3)

1. Procedures for determining if students in grades pre-kindergarten through 8 require escort to cross a private road or highway at a bus stop pursuant to Vehicle Code 22112
2. Procedures for all students in grades pre-kindergarten through 8 to follow as they board and exit the bus at their bus stops
3. Procedures for boarding and exiting a school bus at a school or other trip destination

A copy of the plan shall be kept at each school site and made available upon request to the California Highway Patrol. (Education Code 39831.3)

Safe Bus Operations

School bus operations shall be limited when atmospheric conditions reduce visibility on the roadway to 200 feet or less during regular home-to-school transportation service. Bus drivers for school activity trips shall have the authority to discontinue bus operation whenever they determine that it is unsafe to continue operation because of reduced visibility. (Vehicle Code 34501.6)

School buses and school student activity buses shall not be operated whenever the number of passengers exceeds bus seating capacity, except when necessary in emergency situations which require that students be moved immediately to ensure their safety.

When a school bus or student activity bus is equipped with a passenger restraint system, all passengers shall be required to be properly restrained by that system while the bus is in motion.

Bus drivers shall be informed of procedures to be followed to reasonably ensure that all passengers are so restrained.

The Superintendent or designee may place a notice at bus entrances that warns against unauthorized entry. The driver or another school official may order any person to disembark if that person enters a bus without prior authorization and has intent to commit a crime. (Education Code 39842; 13 CCR 1256.5)

Transportation Safety Plan Requirements

Each school district's transportation safety plan will include procedures to ensure that a pupil is not left unattended on a school bus, school pupil activity bus (**SPAB**), or youth bus as well as procedures and standards for designating an adult chaperone, other than the driver, to accompany pupils on a student pupil activity bus. (Child Safety Check Procedure Form-last page in packet)

Bus Driver Training

The in-service training required of school bus drivers under Education Code 40085 must include instruction covering the inspection procedures contained in the district's transportation safety plan to ensure that a pupil is not left unattended on a school bus, SPAB, or youth bus.

Consequences for Bus Driver Gross Negligence

Public school superintendents and private school owners/operators that provide transportation to or from school or school activities must notify the DMV within five (5) calendar days after ordering and upholding disciplinary action against a driver who was found to have left the immediate vicinity of his or her assigned vehicle with an unsupervised pupil onboard in a manner that constitutes "gross negligence" (defined as the want of even scant care or an extreme

departure from the ordinary standard of conduct.) Being reported will be grounds for the DMV to refuse to issue or to revoke a bus driver's certificate.

Child Safety Alert Systems

The new law requires the California Highway Patrol (CHP) to adopt regulation governing the specifications, installation, and use of child safety alert systems before January 1, 2018. A child safety alert system is a device located at the interior rear of a vehicle that requires the driver to manually contact the device before exiting the vehicle. The intent of such a device is to prompt the driver to inspect the entirety of the interior of the vehicle before exiting. The new law requires that each school bus, SPAB, youth bus and child care motor vehicle be equipped with a child safety alarm system on or before the beginning of the 2018-2019 school year.

Exceptions for SPABs under Limited Circumstances: The law does not require a SPAB to be equipped with a child safety alert system if **all** of the following conditions apply:

- The SPAB is not used exclusively to transport pupils.
- When the SPAB is used to transport pupils, the pupils are accompanied by at least one adult chaperone selected by a school official.
- One adult chaperone has a list of every pupil and adult chaperone who is on the SPAB at the time of departure.
- The driver has reviewed all safety and emergency procedures before departure and the driver and chaperone have signed a form acknowledging that the safety plan and procedures were followed.
- Immediately before departure from any location, the chaperone shall account for each pupil on the list, verify the number of pupils to the driver, and sign a form indicating all pupils were present and accounted for.
- After pupils have exited a SPAB and before driving away, the driver checks all areas of the bus, including overhead compartments and bathrooms.
- The driver signs a form with the time and date verifying all required procedures have been followed.

Effective Dates: The provisions regarding school district transportation plans, driver training and consequences for the bus driver's gross negligence went into effect on January 1, 2017. The child safety alert system requirement will go into effect for the 2018-2019 school year.

The Superintendent or designee shall review all investigations of bus incidents and accidents to develop preventative measures.

Student Instruction

All students who are transported in a school bus or student activity bus shall receive instruction in school bus emergency procedures and passenger safety. (Education Code 39831.5)

The instruction shall include the following:

1. Each school year, the Superintendent or designee shall provide appropriate instruction in safe riding practices and emergency evacuation drills. Each student who receives home-to-school transportation in a school bus shall be required to receive this instruction. (5 CCR 14102)
2. At least once each school year, all students in grades prekindergarten through 8 who receive home-to-school transportation shall receive safety instruction which includes, but is not limited to: (Education Code 39831.5)
 - a. Proper loading and unloading procedures, including escorting by the driver
 - b. How to safely cross the street, highway or private road
 - c. When passenger restraint systems are installed in school buses, instruction in the use of such systems, including but not limited to the proper fastening and release of the passenger restraint system, acceptable placement of passenger restraint systems on students, times at which the passenger restraint systems should be fastened and released, and acceptable placement of the passenger restraint systems when not in use
 - d. Proper passenger conduct
 - e. Bus evacuation
 - f. Location of emergency equipment

As part of this instruction, students shall evacuate the school bus through emergency exit doors. Instruction also may include responsibilities of passengers seated next to an emergency exit. (Education Code 39831.5)

Each time the above instruction is given, the following information shall be documented: (Education Code 39831.5)

- a. District name
- b. School name and location
- c. Date of instruction
- d. Names of supervising adults
- e. Number of students participating
- f. Grade levels of students
- g. Subjects covered in instruction
- h. Amount of time taken for instruction
- i. Bus driver's name
- j. Bus number
- k. Additional remarks

This documentation shall be kept on file at the district office or the school for one year and shall be available for inspection by the California Highway Patrol. (Education Code 39831.5)

3. Before departing on a school activity trip, all students riding on a school bus or student activity bus shall receive safety instruction which includes, but is not limited to: (Education Code 39831.5)
 - a. Location of emergency exits
 - b. Location and use of emergency equipment

This instruction also may include responsibilities of passengers seated next to an emergency exit. (Education Code 39831.5)

Notifications

The Superintendent or designee shall provide written safety information to the parents/guardians of all students in grades pre-kindergarten through 6 who have not previously been transported in a school bus or student activity bus. This information shall be provided upon registration and shall include: (Education Code 39831.5)

1. A list of school bus stops near each student's home
2. General rules of conduct at school bus loading zones
3. Red light crossing instructions
4. School bus danger zone
5. Walking to and from school bus stops

Legal Reference:

EDUCATION CODE

39830-39842 Transportation, school buses

51202 Instruction in personal and public health and safety

PENAL CODE

241.3 Assault against school bus driver

243.3 Battery against school bus driver

VEHICLE CODE

545-546 Definition of school bus and school pupil activity bus

22112 Loading and unloading passengers

23123 Use of wireless telephone prohibited while driving motor vehicle

23125 Use of wireless telephone prohibited while driving school bus

27316 Passenger restraint systems

34500 California Highway Patrol responsibility to regulate safe operation of school buses

34501.5 California Highway Patrol responsibility to adopt rules re: safe operation of school buses

34501.6 School buses; reduced visibility

34508 California Highway Patrol responsibility to adopt rules re: equipment and operations of school buses

CODE OF REGULATIONS, TITLE 5

14100-14105 School buses and student activity buses

CODE OF REGULATIONS, TITLE 13

1200-1293 Motor carrier safety

CODE OF FEDERAL REGULATIONS, TITLE 49

571.1-571.500 Motor vehicle standards, including school buses

Management Resources:

WEB SITES

California Association of School Business Officials: <http://www.casbo.org>

California Association of School Transportation Officials: <http://www.castoways.org>

California Department of Education, Office of School Transportation: <http://www.cde.ca.gov/ls/tn>

California Highway Patrol: <http://www.chp.ca.gov>

National Coalition for School Bus Safety: <http://www.ncsbs.org>

National Transportation Safety Board: <http://www.nts.gov>

U.S. Department of Transportation, National Highway Traffic Safety Administration: <http://www.nhtsa.dot.gov>

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Regulation revised: 6/25/08

Child Safety Check Procedure

Training Procedure prior to the installation of alarms

1. When dropping students off at a school site the driver shall walk to the back of the bus to ensure no student that should have gotten off at that school is left on board before proceeding on the route.
2. When on a field trip, all trip drivers shall walk to the back of the bus after dropping students at the trip destination to ensure no students are left on board the bus. Before leaving the bus at the trip location, the driver shall walk to the back of the bus and hang the "Child Check Clear" sign in the rear window. When dropping students back at the school site after the trip, the driver shall walk to the back of the bus to ensure no student is left on the bus.
3. When arriving back at the yard between ALL runs and/or field trips, the driver shall walk to the back of the bus to ensure no student is left on board and hang the "Child Check Clear" sign in the rear window. (This is to be done after all morning, midday, and afternoon routes)
4. If a student was found on the bus, the driver shall escort the student into the school and/or transportation office, whichever is appropriate, and immediately report this to the Transportation Supervisor. All instances shall be documented by the driver and supervisor.
5. Failure to follow the procedures as outlined will result in disciplinary action, up to and including termination from employment.
6. In the event a child is left on the bus and substantiated by an investigation, the driver will be immediately dismissed from employment.

I have received training on the Child Safety Check Procedures and understand my responsibility to ensure no student is left unattended on my bus and the consequences for failure to follow the procedure.

Signature: _____ Date: _____