

SCHOOL TRANSPORTATION ISSUES



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SCHOOL BUS DRIVER PERMIT & INSERVICE MANDATE--Time For A Change!

IN THE BEGINNING, as administrators and drivers initially requested, the DE created inservice "**choices**" from which school bus drivers and administrators could select driver inservice topic(s) that best suited local needs or preferences. These "**choices**" have included such programs as STOP-2, CDL Prep, Assertive Discipline, Situations & Solutions, CPR, First Aid, Operation Lifesaver, Body Fluid Clean-up, Child Abuse, Law Enforcement Review and Behavior Management Techniques. Inservice is certainly an appropriate tool for professional improvement, litigation reduction and information dissemination and the DE will continue to support the inservice mandate, however,.....

"**choice**" has turned out to be a monstrous record-keeping activity for both the DE and local schools, requiring considerable time and causing confusion over which drivers have taken which inservice topics, when the sessions were completed and whether the completion dates will fall within each driver's inservice anniversary dates. You don't like the process; we don't like the process and "**it's time for a change**".

The following are changes or revisions that will be or are being seriously considered for implementation. They include addressing problems associated with the school bus operator's permit application process and the driver inservice program. Before we do so, however, Sandy, Marilyn and I wanted to give you an opportunity for input and comment. If you have a comment, we would appreciate you sending or FAXing it to us in written form. Our FAX number is (515-242-5988).

(THE FOLLOWING ARE PROPOSED CHANGES FOR REVIEW AND COMMENT ONLY. THIS IS NOT YET IN EFFECT AND NO IMPLEMENTATION SCHEDULE HAS BEEN ESTABLISHED.)

The School Bus Operator's Permit Application Process

1. Change the application form to an 8.5 x 11, 3-copy NCR format. The district keeps one copy; the other two are returned to the DE. The original will be filed and maintained by the DE for two years. The second copy will be returned to the district only when there is missing or incomplete medical or district information on the application form. Corrections are made by the district or physician upon being returned by the DE and then sent back to the DE.
2. Revise the **"Physician's Report"** part of the form to include questions requiring a **"yes"** or **"no"** response from the physician. Questions answered **"no"** disqualify an applicant and will be readily discernable by the district. Non-qualifying applications need not be mailed to the DE saving time, postage and correspondence. We need to reduce or eliminate the need to continually be seeking additional information from physicians. Part of the problem has been the format of the application form and part is due to inaccurate completion by the physician.

The new format effectively will allow for and places the responsibility for an applicant's medical qualification with the attending physician, where it belongs. To obtain the medical communities support, we will be having the Iowa Medical Society review current administrative rules relating to school bus driver physical qualifications and make recommendations for change, in both the qualifications and the form, where appropriate.

3. Similarly, signature of the form by a school administrator will signify that compliance with Section 43.22, Iowa Administrative Code has been attained and demonstrated. This section states that **"No driver applicant shall be employed or allowed to transport students until the board determines that the applicant has an acceptable driving record (according to district policy), demonstrates the ability to safely operate the vehicle(s) representative of the vehicle(s) required to be operated during employment and is knowledgeable of traffic laws and regulations pertaining to the operation of a school bus."** This has been in effect for some time and represents no change other than it will become a part of the application form. Employee driving records may be obtained by districts through the Iowa DOT, Office of Driver Records, Park Fair Mall, 100 Euclid Ave., P.O. Box 9204, Des Moines, Iowa 50306-9204. According to the DOT there is no charge for this service as long as the request is made on district stationery and you list the driver's name and social security number.
4. School Bus Operator's Permits would all expire on June 30 each year. School bus permits would be valid for the period **beginning July 1st and ending June 30th** to be consistent with a time frame commonly being used within the education community.

Currently all school bus permits expire on 8/15 each year which is a rather out-of-the-ordinary date and is often misunderstood or misquoted. To compensate for an earlier permit expiration date (June 30th), the DE would begin accepting new permit applications containing physical exams dated no earlier than **April 1st** for the next school year's permit. This is one month earlier than the current May 1st acceptance date.

We are told that the reason for so many last minute permit applications in the fall is the unavailability of drivers once school is out and the drivers and teachers go on vacation. Accepting physicals beginning April 1st will give schools and drivers an additional month to get their permit applications processed **before** school lets out in the spring which would avoid that last minute panic in the fall to get permits processed.

School Bus Driver Inservice Mandate

1. **New drivers** (first time permit applicants) would still have to complete the entry level School Transportation Operator Program (STOP) within the first 6 months of employment as is presently in effect per Iowa Code. Completing the STOP requirement would satisfy an applicant's training obligation for the fiscal year in which the inservice was **begun**, as long as it was completed within the first 6-months of employment. The applicant's ongoing inservice obligation resumes on July 1st of the next fiscal year. **Currently** the date on which the STOP program is completed establishes a "**training anniversary date**" which is the basis for determining all future inservice compliance deadlines (see Item 2 below). The "training anniversary date" would no longer be necessary under the proposal described below and could be eliminated.

(A STOP Note) A complete revision of the 18-hour STOP course is underway. A contract is being prepared to revise the 18-hour STOP course including an evaluation of both content and length. We are proposing that the course be divided into two parts; **Part 1** would involve 6-hours of basic instruction for all new permit applicants who will transport children to and from school or related activities.

Drivers who will operate **only** 9-passenger capacity or less cars, wagons and vans on routes (no yellow school buses) will be given the option of taking only Part 1 and receive a restricted school bus permit. A driver could not operate a (yellow) school bus while under this restriction but could, at any time, complete Part 2 and remove the restriction. All first time permit applicants that will operate yellow school buses would need to complete both Parts 1 & 2. A pre-post test will be used for evaluation.

In addition to Part 1, **Part 2** would also need to be completed by (yellow) school bus operators. Part 2 would delve more deeply into a situational and problem-solving application of the general content areas of Part 1; particularly those areas relating to the operation of the yellow school bus. Part 2 is anticipated to involve 6-8 hours of instruction and may incorporate a pre-post test

2. Experienced drivers, according to 321.376 of The Code, are required to complete a DE approved course of instruction (currently 6-contact hours) every 24 months. However, we would propose an administrative rule requiring that one-half of the required inservice hours (3-hours) be completed within the first 12 months and the other half (3-hours) be completed during the second 12 months of the 24 month period.

In other words, every driver would complete 3-hours every fiscal year. That way everyone (drivers, supervisors, administrators) knows there is a 3-hour inservice obligation to be met between July 1st and June 30th each year and failure to complete the annual inservice session would prohibit the DE from issuing a school bus permit for the next fiscal year.

By doing this we can **eliminate driver anniversary dates** and the confusion for districts in keeping track of who took which inservice and when to avoid duplication and permit revocation. A master listing of courses taken by each driver to date as well as a record of the inservice topic(s) presented each year hence forth would be maintained by the DE in case of possible litigation requiring inservice documentation. Inservice would continue to be coordinated and certified to the DE by your Merged Area Community College Adult & Continuing Education Division.

3. 3-Hour Inservice Availability. Determination of the annual 3-hour inservice topic(s) will be the responsibility of the DE with input from driver and administrator groups. A continued effort will be made to make topics both interesting (which is not always possible) and pertinent to the safe and efficient operation of a school bus. Driver inservice program coordinators at each of the 15 merged area community colleges would be asked to work closely with local school administrator's to set up an inservice dates that best meet the needs of the area. With the knowledge that **every** driver in a given area will be participating each year, there should be absolutely no reason why an inservice schedule of dates and locations can't be established and distributed by the time school begins in the fall. With the number of drivers from each district known, there should also be no reason for having to cancel an inservice session due to lack of driver registration, which has happened on occasion under the present inservice set-up. If the inservice schedule is set up properly and assigns specific school districts to annually agreed upon inservice sites there would appear to be no problem. In addition, there should be no reason for having to conduct make-up sessions within any merged area as there will be several opportunities to complete the annual 3-hour inservice at several locations within your merged area or another merged area.

If the details can be worked out and we get the necessary support from schools, this revised permit application and inservice training process would accomplish the following:

1. **Reduce the turn-around time necessary to issue a school bus operator's permit.** Particularly by eliminating all unnecessary back-and-forth correspondence between school, physician and DE regarding physical qualifications. Hopefully, there would be no reason for notes from the doctor unless he/she wishes to attach them to the application.
2. **Simplify driver inservice requirements.** All drivers would attend one, 3-hour, DE approved inservice session each year held at several locations throughout a merged area. No more keeping track of who took what and when and by what date, including the elimination of "training anniversary dates".
3. **Reduce or eliminate the need to contact the DE for information relating to the processing of permits or the inservice status of driver.** You will know if and when a driver has completed the required 3-hour inservice for the fiscal year and thus eligible to obtain a school bus operator's permit for the next year. There would be no need for the DE to generate quarterly driver inservice status reports and the dreaded "Hit Letters" notifying the district that a driver's permit has been revoked.

"THE HOSTILE SCHOOL BUS" 3-HOUR HARASSMENT INSERVICE FOR BUS DRIVERS

In an effort to move toward implementing the above proposed changes in our school bus driver inservice program, we anticipate offering but **ONE NEW INSERVICE TOPIC/SESSION EACH YEAR.** Because of its impact on schools and school transportation throughout the nation, the annual inservice topic we have selected for the 1994-95 fiscal year is the issue of "harassment". Molly Wheeler of our Equity Staff has put together a special school bus driver curriculum focusing specifically on the area school transportation. She has titled the session, **"The Hostile School Bus, An Inservice for School Bus Drivers"**.

The title is by no means intended to be threatening to school bus drivers, but rather was intended to indicate that the school bus environment lends itself very well to the development of harassing situations between students, between student and driver and between drivers. Several of the major court cases involving harassment have occurred within the school bus environment and regardless of personal opinion regarding the issue, drivers need to know what harassment is and how it can and must be avoided.

Please cooperate with your local merged area community college coordinator and get those drivers still needing inservice hours within their "training anniversary dates", positioned to move into the revised inservice schedule when adopted. For example, if you have a driver needing 6 hours between November 1, 1993 and November 1, 1995 the driver should not wait until next fall anticipating completion of all 6-hours. There may only be 3-hours available next year so the driver should take the 3-hour harassment session this fiscal year. On the other hand, those drivers that have their training obligation fulfilled and don't need inservice for the next 2 years, their initiative will be honored. They will, however, have to keep track of when to jump back into the training cycle.

IOWA DRUG & ALCOHOL TESTING PROGRAM (A PROGRESS REPORT)

In a letter to IDATP task force members, dated September 30, 1994, from Keith Sasseen (Supt. Keota/Sigourney) General Task Force Chairman, M.J. Dolan (IASB) and Terry Voy (DE) the following was reported.

"The final Iowa Drug and Alcohol Testing RFP left IASB's office on Wednesday, September 7. The seven service providers attending the mandatory bidders' conference on August 23, 1994, received the final RFP. There were no significant changes from the original RFP after the mandatory bidders' conference.

On Thursday, September 29, we reviewed the four final bids. Three of those four will be asked to present to the (Task Force) Executive Committee either the week of October 3 or October 10. The Executive Committee will make a recommendation to IASB. The IASB board will act on the service provider contact at its November 18 meeting.

Following IASB board action, a meeting will be held with the service provider and the school districts which must comply January 1, 1995. We will notify you (Task Force Members) of the date. Please attend if your schedule allows. You will learn how the program works and you can share the information at your area meetings. During the 1995 calendar year the program will provide 15 area meetings for informing the January 1, 1996, school districts about the program."

AREA TRANSPORTATION SUPERVISOR MEETINGS-HELPING TO MEET THE NEEDS

Just a note to thank and congratulate those AEA and Merged Area coordinators who have been working hard to establish regular meeting schedules for area transportation supervisors and also to the transportation personnel participants. Areas 2, 7, 10 and 11 have established monthly or bi-monthly meeting schedules and the acquired or shared information that is coming from these meetings has been excellent. Communication is extremely important to school transportation programs today and the issues are not getting any easier to deal with. The meetings I have attended (and I have committed to meeting with these groups at least 2 times each year as my schedule permits) have been very productive and the agenda for other meetings have been quite varied.

The meetings are typically conducted from 10 a.m. to 12 noon or shortly thereafter at a mutually agreed upon site. Sometimes at the AEA facility, sometimes at a local district or a merged area community college site. I would certainly encourage you to support such a meeting structure in your area.

SCHOOL BUS RECALL NOTICES

Below is a listing of several recall notices that have been issued recently relating to school bus body and chassis components. I will do my best to keep you informed of these on a periodic basis, however, in many cases those districts having affected vehicles are contacted by the original equipment manufacturer.

SCHOOL BUS BODY & CHASSIS & COMPONENT ALERT/RECALL NOTICES

(Contact your dealer representative for more information about the following recall notices.)

1. (Alert) NHTSA Investigation #PE93-053. Thomas Built Buses conventional style models 1986 through 1994. Possible electrical ignition fire resulting from a wire passing into the electrical control panel causing an electrical short and fire.
2. (Recall) Thomas Built Buses has determined that the pushout emergency window assemblies installed in all Thomas buses manufactured between July 1993 and April 1994 may not comply with the force requirements specified in FMVSS 217. The latches may disengage when subjected to degree of force. District's are being notified by Thomas and the problem remedied at not cost.
3. (Recall) Ford Motor Co. Recall #94-V-118. Involves B600 and B700 school bus chassis, model years 1988 through 1993 to replace a steering gear that could fail and cause a progressive deterioration in the vehicle's ability to make extreme right turns.
4. (Recall) Q-Straint Recall #94E-004. NHTSA & Q-Straint has determined that a defect relating to a number of lap belts manufactured and included as a part of Q-Straint's wheelchair securement system, exists. Due to improper formation of the staple plate in the female portion of the buckle assembly, the hasp (male portion) disengages when certain dynamic load conditions are met. This can render the restraint system ineffective under certain conditions. Contact Q-Straint or the NHTSA's toll free Auto Safety Hotline (800) 424-9393.
5. (Recall) Thomas Built Buses Recall #94V120000. Involves school buses built on a Navistar chassis with T444E engines. Starter system problem involves a cable installed to temporarily bypass the neutral switch to enable the engine to be started was not removed at delivery. The cable allows the bus to be started while in a forward or reverse drive gear. Dealer will remove temporary cable and install a new relay at no charge.
6. (Recall) Wayne Wheeled Vehicles Recall #94V112000. 1993 school buses built on Wayne Wheeled chassis involves insufficient torquing of bolts on the clamps used to secure adjoining sections of the exhaust system which can cause the sections to separate from the clamps and allow exhaust gas to leak under the vehicle. Corrections made free of charge by authorized Wayne Wheeled Vehicle dealers.

YOUR ATTENTION AND ASSISTANCE REQUESTED

REQUEST FOR INFORMATION RELATED TO DISTRICT PURCHASES OF FUEL FOR STORAGE IN "DISTRICT-OWNED" UNDERGROUND FUEL STORAGE TANKS

The DE has been asked by the Iowa Association of School Boards for information relating to the number of district-owned underground fuel storage tanks and number of gallons of fuel purchased during the 1993-94 school year and placed in district-owned tanks. Unfortunately, the DE's Annual Transportation Report asks for only the total dollars spent on fuel and not the number of gallons or from whose tanks the fuel is drawn.

The data request was prompted as a result of IASB's preparation to respond to proposed Underground Storage Tank (UST) Administrative Rules relating to the definition of entities that would be eligible for reimbursement from the UST fund for underground fuel spills. According to IASB, the proposed rules prioritizing who is eligible to receive reimbursements, would exclude school districts.

According to the 1994 list of government entities receiving reimbursement from this fund there were 77 school districts having site clean-up costs ranging from just a few thousand dollars to over \$956,000 for the Woodbury-Central Community School District.

According to IASB, consideration is being given to increasing the current 1-cent per gallon diminution tax to 2-cents per gallon on fuel purchased and placed in district-owned fuel tanks. **This tax would still be levied even though school districts would no longer be eligible to receive reimbursements from the UST fund.** To determine the immediate and potential financial impact on schools should these rules go into effect IASB needs the answers to the questions below.

I don't know what the DE's official position on this issue will be, however, I feel compelled to ask your cooperation on this issue and provide the information requested below to help IASB respond to the rule making effort. To save time I would appreciate you returning by mail or FAX this page with your data to Mary Gannon at the IASB as soon as possible. Her FAX number is (515) 243-4992.

This could have a significant immediate and future financial impact on a district that would experience a fuel spill at some future period and I would ask your cooperation in responding to Mary as soon as possible. **Thanks!**

(Respond Only If the District Owns Active Underground Vehicle-Fuel Storage Tanks.)

- _____ 1. How many functioning underground vehicle-fuel storage tanks does the district now own?
- _____ 2. How many gallons of fuel were purchased and placed in the above underground fuel tanks during the 1993-94 school year?

Please mail or FAX this information to Mary Gannon at IASB.

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