

Chapter 81: Transportation

Rule 81.1 Bids. When advertising and receiving bids for school buses, bus bodies, other school transportation equipment, sale of unneeded school transportation equipment, driver education and training equipment and visual and training aids and devices, the State Board of Education does hereby designate the Director of the Bureau of Administration and Finance, the Director of Pupil Transportation, Office of Safe and Orderly Schools, and a representative from the State Attorney General's Office (appointed by the State Attorney General) as its official agents to receive bids, to tabulate the bids in an open meeting as advertised by law and a recording secretary shall be in attendance to record the bid quotes. They shall file with the State Board of Education a full written report of their actions at the next regularly scheduled Board meeting.

Source: *Miss. Code Ann. § 37-1-3 (Adopted 3/2012)*

Rule 81.2 Drivers. The Instructor's Guide for Training School Bus Drivers provides regulations governing the training program for bus drivers. The purpose of this document is to ensure that the training program is consistent, thorough, and based on best practices. As evaluation data suggests the need for changes in the guide, staff is directed to make those changes and recommend them to the Mississippi Board of Education. Upon approval by the Mississippi Board of Education, those changes should be disseminated to the appropriate individuals in the educational community.

Source: *Miss. Code Ann. § 37-1-3 (Revised 3/2012)*

Rule 81.3 Driver Training/Motor Vehicle Record Check

SCHOOL BUS DRIVER SAFETY IN-SERVICE TRAINING AND REVIEW OF MOTOR VEHICLE DRIVER RECORD FOR BUS DRIVERS, AS AUTHORIZED BY SECTION 37-41-1, MISSISSIPPI CODE, 1972, AS AMENDED

School districts shall be required to conduct bus driver safety training with every school bus driver employed in the public schools of Mississippi. A minimum of four hours of bus driver safety training shall be conducted each semester. This training shall consist of, but not be limited to, the following:

1. Loading and unloading - at home and on campus
2. Compliance with all traffic laws
3. State/local policies
4. Proper care and use of the school bus
5. Proper discipline procedures
6. Railroad crossings
7. Proper bus evacuation drill procedures
8. Defensive Driving

The State Department of Education shall provide school districts as requested with ongoing technical assistance regarding training for school bus drivers.

In addition, school districts shall annually acquire from the Mississippi Department of Education, Division of Transportation, or the Mississippi Department of Public Safety, Driver Services Division, a certified copy of the motor vehicle record of all regular, substitute and replacement bus drivers. The school district shall maintain a current file of the motor vehicle record for all bus drivers. An individual driver record review shall be completed prior to any driver being assigned a school bus for the purpose of transporting pupils.

Source: *Miss. Code Ann. § 37-1-3 (Revised 3/2012)*

Rule 81.4 Basic Job Description and Responsibilities

It is the responsibility of the school bus driver to operate the school bus in a safe and efficient manner and to abide by all state traffic laws, SBE regulations and local school board regulations.

Job functions shall include but not be limited to the following:

1. Conduct a thorough pre-trip inspection of the school bus.
2. Keep exterior mirrors clean and adjusted at all times.
3. Perform a minimum of two school bus evacuation drills each school year utilizing appropriate emergency procedures.
3. Know, recognize and obey road signs and signals by meanings, shapes, sounds and colors.
5. Keep the interior of the bus clean.
6. Maintain routes and schedules as planned by the local school board.
7. Report any hazards along the existing route to appropriate school officials.
8. Exercise the effective defensive driving skills of self-control, alertness, foresight and good judgment at all times while operating the school bus.
9. Maintain discipline on the school bus without jeopardizing safety while driving.
10. Remain alert at all times to hazards, including but not limited to poor weather conditions, other vehicles, road conditions and trains at railroad crossings.
11. Complete all reports on bus discipline, bus maintenance and any other reports required by the local school board.
12. The driver shall not, at any time, permit pupils to stand in the step well or loading area or where the pupil would likely fall out of the bus, if the rear emergency door was opened, or where the driver's view is obscured.

13. Local school boards may supplement the minimum bus driver job description and responsibilities as deemed necessary for safe and efficient student transportation.

Source: *Miss. Code Ann. § 37-1-3 (Revised 5/1993)*

Rule 81.5 Employment Process. EMPLOYMENT OF SCHOOL BUS DRIVERS - DISTRICT RESPONSIBILITY Local school boards have the responsibility of providing safe and efficient transportation services for all entitled students. School districts that operate school bus fleets shall have a system for recruiting, screening and training school bus drivers. It is essential that acceptable school bus driver candidates be recruited as an initial step.

1. School districts shall complete the following procedures for the employment of bus drivers.
 1. All candidates for the position of bus driver shall complete an application providing background information. A sample application is provided in Appendix A. All applications used by school districts shall contain, at a minimum, the information included in the sample State Department of Education bus driver application.
 2. During the application process, the applicant must be informed of the SDE minimum qualifications and job description.
 3. If a vacancy exists, the district may extend an offer of employment contingent upon compliance with the SDE Minimum Qualifications for School Bus Drivers and any additional local school board requirements.
 4. The applicant should be informed that prior to employment the school district will acquire a copy of the applicant's driving record from the Mississippi Department of Education, Division of Transportation.
 5. The school district shall establish a complete record file on applicants and persons employed as bus drivers.
 6. In addition to acquiring the driving record history, school districts may complete a criminal history check on each applicant. Any history of criminal activity should be closely scrutinized prior to employment.
 7. Suggested procedures to follow in the bus driver employment process:
 - a. Review application, previous work history and consult with previous employer(s).
 - b. Obtain an official copy of the applicant's driving record from the Mississippi Department of Education, Division of Transportation.
 - c. If the applicant does not possess a CDL, provide training and assistance toward acquiring the CDL.
 - d. Schedule the applicant for SDE school bus driver certification.

- e. Provide the applicant with any additional preparation or training required by the local school board.
- f. Employ the applicant as a school bus driver, provided all requirements are met.

5. Have you ever been convicted of any sex offense? Yes _____ No _____

If "yes", Where? _____, _____ Date: _____
City State

6. Has your driver's license even been suspended or revoked? Yes _____ No _____

Explain: _____

SCHOOL BUS DRIVER APPLICATION

7. List the name and address of your current and previous employers:

Employer _____
Address _____
Dates _____
Reason for Leaving _____
Job Titles and Duties _____

Employer _____
Address _____
Dates _____
Reason for Leaving _____
Job Titles and Duties _____

Employer _____
Address _____

Dates _____
Reason for Leaving _____
Job Titles and Duties _____

Employer _____
Address _____
Dates _____
Reason for Leaving _____
Job Titles and Duties _____

If selected as a bus driver, I agree to keep informed at all times of traffic rules and state and district rules; to observe such rules; and to attend any school bus driver training course sponsored by the state of school district. I also understand the school board will conduct a driver record check and may complete a criminal background check on applicants to drive a school bus.

I hereby certify the above answers to be correct.

Signature of Applicant

Date of Signature

Source: *Miss. Code Ann. § 37-1-3 (Revised 3/2012)*

Rule 81.6 Minimum Qualification. Minimum Qualifications For School Bus Drivers.

The school bus driver is the most important element in the safe transportation of students. To ensure the safety of students transported on school buses, bus drivers must meet certain minimum qualifications.

To qualify as a school bus driver a person must:

1. Be at least 18 years of age.
2. Possess a valid Class A, B, or C CDL with a “P” and “S” endorsement.
3. Have at least 20/40 corrected or uncorrected visual acuity in each eye.
4. Demonstrate sufficient strength, agility, hearing and visual acuity to exercise safe control over the school bus and passengers at all times. All bus drivers must pass a pre-employment agility test administered as part of the SDE bus driver certification process. The agility test requirements are as follows:

- a. The student driver did climb and descend the front steps of a passenger bus without pausing.
- b. The student driver did open and close a manually operated full size bus entrance door without difficulty while seated in the driver's seat.
- c. The student driver did activate the brake pedal with the right foot in 3/4 of or less after removing the right foot from the throttle a second or less after removing the right foot from the throttle pedal.
- d. The student driver did move from a seated position in the driver's seat of a full size bus to the rear of the bus, open the emergency door and exit the bus all within 20 seconds.
- e. The student driver did operate the driving controls using both arms simultaneously and quickly. For example, activate master panel switches or shift gears while keeping one hand on the steering wheel of a full size bus traveling twenty-five (25) miles per hour.
- f. The student driver demonstrates ability to perform steering, shifting, maneuvering, braking, use of mirrors and negotiate each of the following:
 - i. Ninety degree (90°) left hand turns
 - ii. Ninety degree (90°) right hand turns
 - iii. Straight ahead
 - iv. Irregular surface maneuverability at appropriate speeds
 - v. Backing ability using mirrors only
 - vi. Spatial awareness

NOTE: Full size bus for ability testing purposes means a 59, 65 or 71 passenger school bus. Activities e. and f. are completed only after a-d. are successfully completed.

5. Have an acceptable driving record with no convictions deemed disqualifying under the MS Commercial Drivers License Law. Sections 63-1-73 through 63-1-90, MS Code as amended.
6. Receive SDE bus driver certification during a one-day training course which includes classroom instruction, agility testing and behind-the-wheel driving.
7. Not currently use illegal controlled substances or engage in the illegal use of prescription drugs.
8. The local school board may require additional qualifications, such as drug testing or a physical examination following an offer of employment.

Source: *Miss. Code Ann. § 37-1-3 (Revised 3/2012)*

Rule 81.7 Inspection of Buses (Emergency Removal). In the event a school district is found to be operating school buses determined to be in such defective condition as to constitute an emergency safety hazard and posing a threat to the health and safety of the pupils being transported in that district, then appropriate representatives of the Office of Safe and Orderly Schools, Division of Transportation shall be authorized to immediately condemn and remove from service any such school bus(es). Such bus(es) shall be properly repaired by the district and re-inspected and approved by representatives of the Office of Safe and Orderly Schools, Division of Transportation prior to the bus(es) being re-instated to service. The types of defects that may result in the condemnation and removal from service of any school bus are listed below.

Serious defects in the following mechanical and safety components of a school bus may result in that bus being condemned and removed from service:

1. Brake system
2. Steering and suspension systems
3. Fuel and exhaust systems
4. Ignition and electrical systems
5. Lubrication and cooling systems
6. Engine and power train
7. Tires and wheels
8. Body and chassis
9. Seat and mirror systems
10. Other defects posing a hazard to the safety of pupils transported.

Local school district staff must conduct at least four inspections of each school bus annually.

Source: *Miss. Code Ann. § 37-1-3 (Revised 3/2012)*

Rule 81.8 Transportation Management of Students with Disabilities. In the event a school district cannot meet the transportation needs of students with disabilities on a regular school bus route, the State Department of Education will provide funding to the district for transportation of

students with disabilities within the district or to the nearest adequate facility outside the district in order to provide appropriate educational services. Payment shall be based upon the following formula: $(1/2 \text{ of school district's annual per pupil transportation allotment} \times \text{number of students transported}) + (\text{round trip mileage transported} \times \text{total number of actual days transported} \times 20 \text{ cents per mile})$.

Payment for transporting children enrolled as resident students at the Mississippi School for the Blind or Mississippi School for the Deaf shall be based on the same formula defined above. School districts may reimburse parents, guardians, etc., for the round trip to the Mississippi School for the Blind or Mississippi School for the Deaf and back home at the beginning of the school year and at the close of the school year. Transportation may also be provided on the same basis any time during the school year when the dormitories at these institutions are closed. School districts providing transportation for eligible day students assigned to the Mississippi school for the Blind and Mississippi School for the Deaf shall be eligible for funding based on the formula defined above.

If a child enrolled in either the Mississippi School for the Blind or the Mississippi School for the Deaf resides in a school district where there is an appropriate program for that child or where there is an appropriate program within reasonable driving distance which the district will make available to the child, then the transportation cost will be the responsibility of the Mississippi School for the Blind or the Mississippi School for the Deaf (depending upon which school the child is enrolled).

In the event that a state-supported university or college provides a special education program for children from any school district that is unable to meet the educational needs of those children, then the university based program shall be eligible for funding based on the formula defined above. Any assessment of one-half the per pupil allotment shall be based on the child's resident district.

The maximum distance a student with disabilities may be transported or the maximum length of time for a special education transportation route will depend upon the Individualized Educational Program (IEP) for the respective child.

For the purpose of payment, a student with disabilities is defined as any child properly tested and found eligible for a special education program receiving appropriate educational services as stipulated in the Individualized Educational Program (IEP).

Funding for the transportation of students with disabilities will be determined using prior year transportation data submitted on forms provided by the Mississippi Department of Education and based on the formula defined above. No private contracts or use of vehicles other than school buses shall be submitted to the State Board of Education for approval.

Drivers transporting students other than members of the driver's immediate families must be trained and properly certified.

Source: *Miss. Code Ann. § 37-1-3 (Revised 12/2005)*

Rule 81.9 Inspection of Buses (Repealed 3/2012)

Rule 81.10 Leased Buses. The school board of any school district shall have authority to lease school buses as follows:

1. The terms of the lease shall be a mutual agreement between the lessee and lessor and shall conform to all state laws and State Board of Education regulations.
2. All school bus leases must comply with the general purchase laws.
3. Any school bus leases for the purpose of transporting pupils to and from school and related activities shall meet the minimum standards approved by the State Board of Education for the year in which the bus was manufactured.
4. A public school district may lease school buses from another public school district without advertising.
5. All school buses leased by a school district shall be operated according to the policies outlined in the state Department of Education's Pupil Transportation Guide.
6. A copy of the lease agreement shall be filed with the State Department of Education, Office of Safe and Orderly Schools, Division of Transportation.

Source: *Miss. Code Ann. § 37-1-3 (Revised 3/2012)*

Rule 81.11 Pupil Transportation Guide. State regulations governing the operation of the pupil transportation program are detailed in the document entitled Pupil Transportation Guide for School Superintendents. Staff is directed to review/revise that document as necessary and submit the proposed changes to the State Board of Education for approval. Upon approval by the Board, staff is directed to disseminate it to the appropriate members of the educational community.

Source: *Miss. Code Ann. § 37-1-3 (Revised 2/2012)*

Rule 81.12 Repair Shops. The school boards of two or more school districts are authorized to jointly establish, maintain and operate a school bus garage or repair shop for the servicing, repair and maintenance of district-owned buses. Prior to establishing a jointly operated school bus garage or repair shop, the respective school boards shall enter into a written agreement which shall include the following:

1. Mississippi Code Section 37-41-35 provides authority for such agreement.
2. Terms of the agreement must be cited by resolution of the board minutes of each school district and/or governing authority which is a party to the agreement.
3. Agreement must specify its purpose(s).
4. Agreement specifies the mechanics of day to day operations to include the following:

- a. The manner of financing, purchasing, staffing, supplying and budgeting for the joint operation.
 - b. The mechanism for processing of receipts and disbursements and accounting for the joint funds of the undertaking.
 - c. The administrative responsibilities of each party to the joint agreement.
5. Agreement must specify its duration.
 6. Agreement includes a mechanism for termination or amendment of the agreement.
 7. Agreement provides for the disposition of property upon termination or amendment of the agreement.
 8. Agreement is filed with the State Department of Education, Office of Safe and Orderly Schools.

Source: *Miss. Code Ann. § 37-1-3 (Revised 3/2012)*

***Rule 81.13 Seat Belts.* THE USE OF SEAT BELTS ON SCHOOL BUSES FOR THE PROTECTION OF PHYSICALLY DISABLED CHILDREN, AS AUTHORIZED BY SECTION 37-41-3, MISSISSIPPI CODE OF 1972, AS AMENDED**

Federal Motor Vehicle Safety Standards (FMVSS) currently require that school buses, with a gross vehicle weight rating (GVWR) of 10,000 lbs. or less, be equipped with either lap belts of lap/shoulder belts at all designated seating positions. The larger school buses, those with a GVWR exceeding 10,000 lbs., are not required to be equipped with seat belts.

The determination of the need for a seat belt seating position for a disabled student should be based upon the recommendation of:

1. The Individualized Education Program (IEP) Committee for those disabled students requiring an IEP
2. The District 504 Coordinator and/or ADA Coordinator
3. The District Transportation Director

School bus seats with seat belts must comply with Federal Motor Vehicle Safety Standards (FMVSS) No. 210 - Seat Belt Assembly Anchorages - Passenger Cars, Multipurpose Passenger Vehicles, Trucks, and Buses.

Source: *Miss. Code Ann. § 37-1-3 (Adopted 8/1987)*

Rule 81.14 Use of Buses/Special Events.

1. School buses are purchased for the specific purpose of providing safe and economical transportation for children entitled to transportation under the law. The school's special

events (activity programs) must not interfere with the regular program of transporting children. School buses are not to compete with common carriers.

- a. Before any school bus owned by a school district is used to transport children to or from any school special event as authorized by House Bill 6, Extraordinary Session of 1953, as amended, the local school board of education shall first adopt and record in its minutes an order authorizing the use of such bus or buses. The order shall specify the school events for which the bus or buses may be used, such as:
 - i. Future Farmers of America and Future Homemakers of America
 - ii. Athletic games or contests and state band contests
 - iii. Literary contests
 - iv. Local, district or state field trips
 - v. other events the local school board may consider *a part of the educational program*.
- b. Such order shall limit the use of buses to participating students, teachers, coaches, and sponsors in connection with special events which the local school board may consider *a part of the school district's educational program*. Buses shall be used for no purposes other than those specified in the order of the local school board of education. Pupils transported to or from events specified above must be enrolled in the public schools and be actual participants in such program or programs.
- c. The local school board of education shall fix an amount that shall be charged for the use of a publicly owned bus, which amount shall not be less than thirty cents (30¢) per mile, operational cost included. The principal making application for use of the bus shall see that the bus is used only for the purposes authorized and shall be responsible for collecting and turning over to the school the amount charged for each trip. The person making application for the bus shall arrange for payment of the driver.
- d. No pupils shall be transported as herein provided unless they are under the direction and supervision of the school superintendent, principal, or a faculty member designated by the superintendent or principal.
- e. Before any publicly owned school bus is used for the purpose of transporting participating students to any school event, the principal shall submit written application to the school superintendent stating the specific purpose for which the bus is to be used and giving the name of the faculty member who will be in charge of the trip. The superintendent, upon approval of the request for use of the bus, shall give the driver written instructions for making the authorized trip, specifying date, hour and place of departure, route to be followed, destination, approximate time within which the driver shall complete the trip, and name of the faculty member to be in charge of the trip. The school superintendent shall keep on file the application of the principal for the use of the bus and shall keep a signed copy of the permit authorizing the trip.
- f. Only a person holding a valid driver's training certificate issued by the State Department of Education shall be allowed to drive a school bus. The school bus shall not be driven to exceed the maximum speed limit allowed by law for trips (See Section 37-41-47,

Mississippi Code of 1972, as amended), and if the bus is to be used on night trips, it shall be equipped with the proper operating identification lights and flares.

- g. It shall be unlawful for any school superintendent to issue a permit for the use of a bus owned by a public school district until all the above provisions have been fully complied with.
- h. The State Board of Education reserves the right to revoke, modify, or amend these rules and regulations at such time or times as the majority of the members thereof may deem necessary.

2. EMERGENCIES

- a. Boards of education may permit publicly owned school buses to be used "for the transportation of citizens to evacuation shelters during natural or man-made emergencies, hurricanes, tornadoes, floods, and other acts of God."
- b. Local school boards may permit "the use of publicly owned school buses for the transportation of citizens for grand jury and other jury functions upon order of the court."

Source: *Miss. Code Ann. § 37-1-3 (Adopted 8/1987)*