

STANDARDS

6-4-10 Utah State School Board Approval for school districts.

As of 11-15-10, these standards are awaiting UDOT approval for all school bus entities in Utah.

FOR

UTAH SCHOOL BUSES AND OPERATIONS

2010 EDITION

APPENDIX

UTAH SPECIFIC – GLOSSARY

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APPENDIX, UTAH SPECIFIC – GLOSSARY

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APPENDIX

EQUIPMENT, UTAH SPECIFIC

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53-8-211. Safety inspection of school buses and other vehicles.

- (1) (a) The **Highway Patrol** shall:
- (i) perform safety inspections at least twice each **school** year on all **school buses** operated by each **school** district and each private **school** in the state for the transportation of students, except as otherwise provided in Subsection (1)(b); and
 - (ii) cause to be removed from the public **highways** any vehicle found to have mechanical or other defects under Subsection (1)(a) endangering the safety of passengers and the public until the defects have been corrected.
- (b) (i) A **school** district or private **school** may perform the safety inspections of a **school bus** that it operates in accordance with rules made by the division under Title 63G, Chapter 3, Utah Administrative Rule Making Act, and after consultation with the State Board of Education.
- (ii) The rules under Subsection (1)(b)(i) shall include provisions for:
 - (A) maintaining **school bus** drivers' hours of service records;
 - (B) requiring **school bus** drivers to maintain vehicle condition reports;
 - (C) maintaining **school bus** maintenance and repair records; and
 - (D) validating that defects discovered during the inspection process have been corrected prior to returning a **school bus** to service.
 - (iii) (A) The division shall audit **school bus** safety operations of each **school** district and private **school** performing inspections under Subsection (1)(b)(i) to ensure compliance with the rules made under that subsection.
 - (B) The audit may include both a formal examination of the district's or school's inspection records and a random physical inspection of **buses** that have been safety inspected by the district or the **school**.
 - (iv) A **school** district or **school** must have a comprehensive **school bus** maintenance plan approved by the division in order to participate in the safety inspection program.
 - (v) A **school** district or private **school** may not operate any vehicle found to have mechanical or other defects that would endanger the safety of passengers and the public until the defects have been corrected.
- (2) Motor vehicles operated by private **schools** or **school** districts, and not used for the transportation of students, are subject to Section **53-8-205**.

Amended by Chapter 382, 2008 General Session

53-8-211.5. School bus safety standards – Exceptions.

- (1) Beginning July 1, 2003, a school district or private school may not use a vehicle with a seating capacity of 11 or more, including the driver, for the transportation of its students unless the vehicle meets federal school bus safety standards under 49 U.S.C. Sec. 30101, et seq.
- (2) Subsection (1) does not apply to a vehicle operated by a common carrier, as defined in Section **59-12-102**, if the common carrier is not exclusively engaged in the transportation of students.

Enacted by Chapter 154, 2001 General Session

APPENDIX

OPERATIONS, UTAH SPECIFIC

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76-9-107. Unauthorized entry of school bus – Posting of warning on school buses.

- (1) As used in this section:
 - (a) “Driver” means the driver of the school bus.
 - (b) “School bus” means every publicly or privately owned motor vehicle designed for transporting 10 or more passengers and operated for the transportation of children to or from school or school activities.
- (2) A person is guilty of a class B misdemeanor if the person:
 - (a) enters a school bus with the intent to commit a criminal offense;
 - (b) enters a school bus and disrupts or interferes with the driver; or
 - (c) enters a school bus and refuses to leave the bus after being ordered to leave by the driver and the person:
 - (i) is not a peace officer acting within the scope of his or her authority as a peace officer;
 - (ii) is not authorized by the school district to board the bus as a student or as an individual employed by the school district or volunteering as a participant in a school activity;
 - (iii) causes or attempts to cause a disruption or an annoyance to any passenger on the bus; or
 - (iv) is reckless as to whether the person’s presence or behavior will cause fear on the part of any passenger on the bus.
- (3) Each school district shall ensure that clearly legible signs be placed on each school bus, next to each entrance to the bus, warning that unauthorized entry of a school bus is a violation of state law.

41-6a-1308. School bus idling standards. (Enacted by Chapter 68, 2008 General Session)

The State Board of Education shall, in consultation with local school districts and the air Quality Board:

- (1) Implement an idling reduction program for all school bus drivers in the state; and
- (2) Adopt idling reduction standards in the Utah Standards for Utah School Buses and Operations.

Utah School Bus Idling and Emissions Reduction Standard

Applicability:

This standard applies to the operation of every school bus in the State of Utah.

Rationale:

Diesel exhaust from idling school buses can accumulate in and around the bus and pose a health risk to children, drivers, and the community at large. Exposure to diesel exhaust can cause lung damage and respiratory problems. Diesel exhaust exacerbates asthma and existing allergies, and long-term exposure is thought to increase the risk of lung cancer. Idling buses also waste fuel and financial resources.

Purpose:

Eliminate all unnecessary idling by school buses so that idling time is minimized in all aspects of school bus operation.

Processes to Be Followed:

1. When school bus drivers arrive at loading or unloading areas to drop off or pick up passengers, they shall turn off their buses as soon as possible to eliminate idling time and reduce harmful emissions. The school bus shall not be restarted until it is time to depart and there is a clear path to exit the pick-up area. Exceptions include conditions that would compromise passenger safety, including:
 - A. Extreme weather conditions.
 - B. Idling in traffic.
2. At school bus depots, limit the idling time during early morning pre-trip and warm-up to what is recommended by the manufacturer (generally 3-5 minutes) in all but the coldest weather.
3. Buses shall not be idled while waiting for students during field trips, extracurricular activities or other events where students are transported off school grounds.
4. In colder weather, schools are directed, where possible, to provide a space inside the school where bus drivers who arrive early can wait.
5. In colder weather, if the warmth of the bus is an issue, idling is to be kept to the very minimum and occur outside the school zone. The "warmed" bus is to enter the school zone as close to pick-up time as possible to maintain warmth, and then shut down.
6. Transportation Operations staff are directed to revise bus schedules so that school bus caravanning can be avoided and the cleanest buses are assigned to the longest routes.
7. All drivers shall receive a copy of this standard at the beginning of every school year.
8. The cool-down needed for the Turbo must be addressed in a way that will protect the equipment from damage. Where possible, a slow, idled-down approach to the loading zone should be used to provide the cool-down needed for the turbo. Where sufficient idle-down is not obtained in the approach to the loading zone, a maximum of three minutes of idle-down is permissible.
9. Each driver shall receive a minimum of 30 minutes of idling reduction instruction.

R277. Education, Administration.

R277-516. Education Employee Required Reports of Arrests and Required Background Check Policies for Non-licensed Employees.

R277-516-1. Definitions.

- A. "Board" means the Utah State Board of Education.
- B. "Licensed educator" means an individual who holds a valid Utah educator license and has satisfied all requirements to be a licensed educator in the Utah public school system (examples are traditional public school teachers, charter school teachers, school administrators, USOE and school district specialists). A licensed educator may or may not be employed in a position that requires an educator license. Licensed educators include individuals who are student teaching, who are in alternative routes to licensing programs or positions and individuals who hold district- or charter school-specific licenses.
- C. "Public education employer" means the education entity that hires and employs an individual, including public school districts, the Utah State Office of Education, Regional Service Centers, and charter schools.
- D. "USOE" means the Utah State Office of Education.

R277-516-2. Authority and Purpose.

- A. This rule is authorized by Utah Constitution Article X, Section 3 which vests the general control and supervision of the public schools in the Board, by Sections 53A-1-301(3)(a) and 53A-1-301(3)(d)(x) which instructs the State Superintendent of Public Instruction (Superintendent) to perform duties assigned by the Board that include presenting to the Governor and the Legislature each December a report of the public school system for the preceding year that includes investigation of all matters pertaining to the public schools, and statistical and financial information about the school system which the Superintendent considers pertinent; and by Sections 53A-1-402(1)(a)(i) and (iii) which direct the Board to establish rules and minimum standards for the public schools regarding the qualification and certification of educators and ancillary personnel who provide direct student services, and the evaluation of instructional personnel.
- B. The purpose of this rule is ensure that all students who are compelled by law to attend public schools, subject to release from school attendance consistent with Section 53A-11-102, are instructed and served by public school teachers and employees who have not violated laws that would endanger students in any way.

R277-516-3. Licensed Public Education Employee Personal Reporting of Arrests.

- A. A licensed educator who is arrested for the following alleged offenses shall report the arrest within 48 hours or as soon as possible to the licensed educator's district superintendent, charter school director or designee:
 - (1) any matters involving arrests for alleged sex offenses;
 - (2) any matters involving arrests for alleged drug-related offenses;
 - (3) any matters involving arrests for alleged alcohol-related offenses; and
 - (4) any matters involving arrests for alleged offenses against the person under Title 76, Chapter 5, Offenses Against the Person.
- B. A licensed educator shall report convictions, including pleas in abeyance and diversion agreements within 48 hours or as soon as possible upon receipt of notice of the conviction, plea in abeyance or diversion agreement.
- C. The district superintendent, charter school director or designee shall report conviction, arrest or offense information received from licensed educators to the USOE within 48 hours of receipt of information from licensed educators. The USOE shall develop an electronic reporting process on the USOE website.
- D. The licensed educator shall report for work following the arrest and notice to the employer unless directed not to report for work by the employer, consistent with school district or charter school policy.

R277-516-4. Non-licensed Public Education Employee Background Check Policies.

- A. School districts and charter schools shall adopt policies for non-licensed public education employee background checks that include at least the following components:
 - (1) periodic background checks of non-licensed employees;
 - (2) non-licensed employees shall submit to criminal background checks at least every six years;
- B. School district and charter school policies shall determine the background check process necessary based on the non-licensed employee's assignment.
- C. School districts and charter schools shall submit to the Utah Department of Public Safety a complete list of non-licensed employees including names, dates of birth, and social security numbers.

R277-516-5. Non-licensed Public Education Employee Arrest Reporting Policy Required from School Districts and Charter Schools.

- A. School districts/charter schools shall have a policy requiring reporting of designated offenses by non-licensed public employees and all employees who drive motor vehicles as an employment responsibility.
- B. School districts/charter schools shall have an employee reporting policy for non-licensed employees adopted in an open board meeting no later than September 15, 2009. The policy shall be available on the school district/charter school website or provided to the USOE or both.
- C. The policy shall include the following minimum components:
 - (1) reporting of the following:
 - (a) convictions, including pleas in abeyance and diversion agreements;
 - (b) any matters involving arrests for alleged sex offenses;
 - (c) any matters involving arrests for alleged drug-related offenses;
 - (d) any matters involving arrests for alleged alcohol-related offenses; and
 - (e) any matters involving arrests for alleged offenses against the person under Title 76, Chapter 5, Offenses Against the Person.
 - (2) a timeline for receiving reports required under R277-516-3B from licensed educators who drive as an employment assignment and from other non-licensed public education employees;
 - (3) immediate suspension from student supervision responsibilities for alleged sex offenses and other alleged offenses which may endanger students during the period of investigation;
 - (4) immediate suspension from transporting students or public education vehicle operation or maintenance for alleged offenses involving alcohol or drugs during the period of investigation;
 - (5) adequate due process for the accused employee consistent with Section 53A-3-410(10);
 - (6) a process to review arrest information and make employment decisions that protect both the safety of students and the confidentiality and due process rights of employees;
 - (7) timelines and procedures for maintaining records of arrests and convictions of non-licensed public education employees. Records shall:
 - (a) include final administrative determinations and actions following investigation; and
 - (b) be maintained only as necessary to protect the safety of students and with strict requirements for the protection of confidential employment information.

R277-516-6. Public Education Employer Responsibilities Upon Receipt of Arrest Information from Employees.

- A. A public education employer that receives arrest information about a licensed public education employee shall review arrest information and assess the employment status consistent with Section 53A-6-501, R277-515, and the school district/charter school's policy.
- B. A public education employer that receives arrest information about a non-licensed public education employee shall review arrest information and assess the employee's employment status considering the

- non-licensed public education employee's assignment and consistent with a local board-approved policy for ethical behavior of non-licensed employees.
- C. A local board shall provide appropriate training to non-licensed public education employees about the provisions of the local board's policy for self-reporting and ethical behavior of non-licensed public education employees.
 - D. A public education employer shall cooperate with the USOE in investigations of licensed educators.

R277-516-7. USOE Responsibility for Review of Arrest/Conviction Information from Licensed Educators.

- A. The USOE shall review reports from licensed educators in a timely manner.
- B. The USOE shall investigate information received from educators under this rule consistent with procedures under Section 53A-6-401 and R686-100.
- C. The USOE shall cooperate with school districts/charter schools in the investigative and disciplinary process.

KEY: school employees, self-reporting

Date of Enactment or Last Substantive Amendment: August 7, 2009

Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1-301(3)(a); 53A-1-301(3)(d)(x); 53A-1-402(1)(a)(i); 53A-1-402(1)(a)(iii)

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**SCHOOL BUS OPERATIONS
UNIFORM SCHOOL BUS COLLISION REPORT FORM**

Send report to USOE if any of the following applies:

- **Damage exceeds \$1,500**
- **The bus driver receives a citation**
- **Any vehicle is towed**
- **Any injury requiring medical assistance is incurred**

School District _____ Driver's Name _____

Driver's License Number _____

Bus Body Make _____ Bus Chassis Make _____ Bus Type _____

Year _____ Model _____

Vehicle Identification Number _____ GVWR _____

Capacity _____

Wheelchair Equipped? Yes _____ No _____

Number of passengers on the bus at the time of the collision (excluding driver) _____

Date and Time of Collision _____ Location of Collision _____

Person Filling out Report (please print) _____

Supervisor's Signature _____

PART I: SCHOOL BUS PHYSICALLY INVOLVED

1. Type of Collision:

Motor vehicle _____ Fixed object _____ Non-collision pedestrian _____

Railroad train _____ Pedal cycle _____ Other collision _____

2. Complete if Fixed Object Collision:

Embankment _____ Utility pole _____ Sign _____

Guardrail _____ Bridge rail _____ Fence _____

Curb or wall _____ Culvert or head wall _____ Fire hydrant _____

Parked vehicle _____ Other (describe) _____

3. Did Collision Result In...?

Fatality _____ Non-incapacitating Injury (moderate) _____ Non-incapacitating injury (serious) _____

Possible injury (minor) _____ Property damage of \$1,500 or more _____ Citation issued _____

4. Manner of Collision:

Angle _____ Head-on _____ Rear-end _____

Broadside _____ Other _____

5. Bus Direction Analysis

Collision with pedestrian:

Intersection: Bus going straight _____ Bus turning right _____ Bus turning left _____

Bus backing up _____ Other action _____

Non-Intersection: Bus going straight _____ Bus turning right _____ Bus turning left _____

Bus backing up _____ Other action _____

Collision with Other Vehicle:

Intersection: Entering at an angle, both moving _____ Same direction, both moving _____

Opposite directions, both moving _____

Non-intersection: Same direction, both moving _____

Opposite directions, both moving _____ One vehicle stopped _____

All Other Collisions:

Intersection: Fixed object _____ Other motor vehicle _____

Train, pedal cycle _____ Animal _____ Other object _____

Non-intersection: Fixed object _____ Other motor vehicle _____ Train, pedal cycle _____

Non Collision:

Intersection: Overturn _____ Other non-collision _____

Non-intersection: Overturn _____ Other non-collision _____

6. Contributing Circumstances:

BUS DRIVER:

Speed _____ Failure to yield _____ Ran stop sign _____ Disregarded signal _____ Improper overtaking _____

Improper turn _____ Followed too closely _____ Backing _____ Sudden Movement _____

Improper distance judgment _____ Defective tires _____ Defective brakes _____

Defective lights on vehicle _____ Defective steering _____ Drove left of center _____

OTHER DRIVER:

Speed _____ Failure to yield _____ Ran stop sign _____ Disregarded signal _____ Improper overtaking _____

Improper turn _____ Followed too closely _____ Backing _____ Sudden Movement _____

Improper distance judgment _____ Defective tires _____ Defective brakes _____

Defective lights on vehicle _____ Defective steering _____ Drove left of center _____

7. Other Factors:

Defective road surface _____ Slippery road _____ Inoperative signal _____ Obstructed view _____

8. Posted speed limit: _____ **9. Number of lanes on roadway:** _____ **10. Approximate speed of bus:** _____

11. Was bus driver's safety belt fastened at the time of the collision? Yes _____ No _____

12. School Bus Use at Time of the Collision:

Regular route _____ Field trip/activity trip _____ Special ed. route _____ Other _____

13. Road Condition: Dry _____ Icy _____ Holes/ruts _____ Wet _____

Under repair _____ Snow-packed _____ Muddy _____ Other _____

14. Light Conditions: Dawn _____ Daylight _____ Dusk _____ Dark (lighted) _____ Dark (not lighted) _____

15. Weather Conditions: Clear _____ Sleet _____ Snowing _____ Smog _____ Raining _____ Dusty _____

Fog _____ Other _____

PART II: LOADING/UNLOADING COLLISIONS

1. At the time of the collision, where was the bus?

Approaching loading zone _____ Stopped in the zone _____ Leaving the zone _____ Not in sight _____

2. Was a pupil: Hit by the bus _____ Hit by another vehicle _____

3. Number injured: _____

4. Location of injured: On side of road _____ On sidewalk _____ In roadway _____ Other _____

5. Description of Collision: _____

DIAGRAM OF COLLISION

Attach a diagram showing direction and position of vehicles involved, and clearly designating the point of impact. (Indicate NORTH by an arrow.)

Commercial Vehicle Safety Act of 1986

Utah Addition to 2005 National Specifications:

On October 26, 1986, Congress passed the Commercial Motor Vehicle Safety Act of 1986. This law requires each State to meet the same minimum standards for commercial driver licensing. The standards require commercial motor vehicle drivers to get a Commercial Drivers' License (CDL). You must have a CDL to operate any of the following Commercial Motor Vehicles (CMVs):

- a) A single vehicle with a gross vehicle weight rating of more than 26,000 pounds.
- b) A trailer with a gross vehicle weight rating of more than 10,000 pounds if the combination weight rating of a vehicle is more than 26,000 pounds.
- c) A vehicle which requires hazardous materials placards.
- d) Any size vehicle used as a school bus.

To get a CDL to drive a school bus in Utah, you must pass knowledge and skill tests. You will be required to pass a general knowledge written test and any written endorsement tests that your vehicle may require, including an air brake endorsement test, a passenger endorsement test, and a school bus endorsement test. You must pass all written tests before you will be allowed to take any of the performance tests, which include a pre-trip inspection, a skills test, and a road test. All tests must be taken in a school bus that is appropriate to the class of CDL you wish to obtain.

There are other rules that affect CDL drivers:

- You cannot have more than one license. If you break this rule, a court may fine you up to \$5,000 or put you in jail.
- You must notify your employer within 30 days of a conviction for any traffic violation (except parking).
- You must notify your employer if your license is suspended or revoked, or if you are disqualified from driving.
- You must give your employer information on all driving jobs you have held in the last 10 years when applying for any CDL-related job.
- Your employer cannot let you drive a CMV if you do not have a CDL, or if your license has been revoked or suspended. A court can fine your employer up to \$5,000 or put him/her in jail for breaking this rule.

Once you have taken all the tests and received a CDL license, you will not have to retake the tests unless your license is suspended or revoked, or you let it expire. You will have to fill out a form and pay the usual fees for your license and its endorsements. You cannot renew your CDL by mail.

Insulin-Dependent Diabetic Waiver

Utah Addition to 2005 National Specifications:

Note: If the driver meets the following requirements AND is otherwise deemed by the undersigned medical examiner as physically able to perform the required functions required as a school bus driver, this waiver **MUST** be attached to the Medical Examination Report.

1. **DRIVER'S INFORMATION:** (Must be completed by driver for waiver to be valid)

- Name:
- Social Security Number:
- Date of Birth:
- Phone Number:
- Driver License #:

2. **INSULIN DEPENDENT DIABETES INFORMATION:**

NOTE to medical examiner: If the answer to **ANY** of the following questions is "**NO**," **DO NOT** sign this waiver.

- | | Yes | No | |
|----|--------------------------|--------------------------|--|
| a. | ☐ | ☐ | Do the results of this driver's glycosylated hemoglobin test indicate values between 6.0% and 9.5% inclusive, on other than an incidental basis and not as a result of a failure to control glucose levels? |
| b. | ☐ | ☐ | Within the past three (3) years, has this driver completed instruction to address all of the following: diabetes management and driving safety; signs and symptoms of hypoglycemia and hyperglycemia; and what procedures must be followed if complications arise? |

3. **Medical Examiner's Comments on School Bus Driver's Control of His/Her Diabetes:**

SIGNATURE OF MEDICAL EXAMINER AND TITLE:

(Must be the same examiner who performed all aspects of the regular physical examination.)

TITLE: _____

DATE: _____

SIGNATURE: _____

PHONE NUMBER: _____

ADDRESS: _____

Physical Assessment Standard for Utah School Bus Attendants

Applicability:

This standard applies to all school bus attendants in the state of Utah.

Rationale:

School bus attendants must be physically capable to assist children who ride a school bus and evacuate students in an emergency. A performance assessment test is required to evaluate the physical ability of each bus attendant to perform the essential functions of his/her job and to safely evacuate students in an emergency.

Purpose:

The purpose of the performance assessment test is to help ensure the safety of children by requiring all bus attendants to meet or exceed the state physical ability standard when assisting children who ride a school bus.

Procedures to Be Followed:

Public and private entities must develop and implement a performance assessment test to evaluate the physical ability of a school bus attendant to adequately perform the essential functions of his/her job and to safely evacuate students in an emergency. Individuals who fail to pass the performance assessment test shall not work as an attendant on a school bus. The performance assessment test must meet or exceed the state testing standards listed below:

1. Testing must be administered by a USOE-certified instructor or department supervisor utilizing a full-size, 40-foot school bus, or simulated by a third party health care facility in a controlled environment.
2. New hires must safely pass the test prior to performing their duties as school bus attendants.
3. Bus attendants are not required to pass DOT physicals; therefore, they must safely pass the test a minimum of once every year.
4. Components of the test must measure the physical ability of the individual to perform the following minimum functions consecutively, without a rest break:
 - a. Climb and descend bus stairs three times within 30 seconds.
 - b. Kneel down and properly secure a wheel chair to the school bus, then return to a standing position within 60 seconds.
 - c. From seat height (16 inches), pick up and carry a 50-pound object 35 feet within 20 seconds.
 - d. Drag a 125-pound object on the ground 50 feet within 30 seconds.

Physical Assessment Standard for Utah School Bus Drivers

Applicability:

This standard applies to all school bus drivers in the State of Utah.

Rationale:

School bus drivers must be physically capable to drive a school bus and evacuate students in an emergency. A performance assessment test is required to evaluate the physical ability of each driver to perform the essential functions of his/her job and to safely evacuate students in an emergency.

Purpose:

The purpose of the performance assessment test is to help ensure the safety of children by requiring all drivers to meet or exceed the state physical ability standard when operating a school bus.

Procedures to Be Followed:

Public and private entities must develop and implement a performance assessment test to evaluate the physical ability of a school bus driver to adequately perform the essential functions of his/her job and to safely evacuate students in an emergency. Individuals who fail to pass the performance assessment test shall not drive a school bus. The performance assessment test must meet or exceed the state testing standards listed below:

5. Testing must be administered by a USOE-certified instructor or department supervisor utilizing a full-size, 40-foot school bus, or simulated by a third party health care facility in a controlled environment.
6. New hires must safely pass the test prior to performing their duties as school bus drivers.
7. Bus drivers must safely pass the test a minimum of once every two years.
8. Components of the test must measure the physical ability of the individual to perform the following minimum functions consecutively, without a rest break:
 - a. Climb and descend bus stairs three times within 30 seconds.
 - b. While sitting and looking forward, move right foot back and forth between throttle and brake 5 times within 10 seconds.
 - c. While sitting and looking forward, sequentially open and close the bus door, activate the four-way hazard lights, and activate the right/left turn signals within 15 seconds.
 - d. Kneel down for 10 seconds, turn head to look under a school bus, and then return to a standing position within 5 seconds (perform two times within 60 seconds).
 - e. From seat height (16 inches), pick up and carry a 50-pound object 35 feet within 20 seconds.
 - f. Drag a 125-pound object on the ground 50 feet within 30 seconds.

Utah School Bus Driver MVR Point System

Reckless Driving	80
Careless Driving	50
Speeding	
1-10 MPH Over	35
11-20 MPH Over	55
21 MPH Over or more	75
Failure to Yield Right-of-Way	60
Following Too Closely	60
Wrong Way on a One-Way Street	60
Impeding Traffic	50
Red Light	50
Stop Sign	50
Failure to Observe Signs and Signals	50
Improper Lane (HOV)	40
Improper Lookout	50
Improper Passing	50
Improper Turn	50
Negligent Collision	50
Other Moving Violations	40

Drivers driving one full year without a moving traffic violation conviction will have one-half the points acquired deleted.
Two years without a conviction will result in all points being deleted.

Utah School Bus Driver Instruction and Certification Standard

A. Instruction and Certification of Bus Drivers

A program of instruction shall be offered by the State Office of Education to permit pupil transportation personnel the opportunity to attain a high degree of competence and knowledge of their duties. The goal is to instruct all personnel so that the performance of their duties results in a safer trip for the students who are transported. Since January 1, 1997, the position of Utah Certified Pupil Transportation Instructor (State, district or local level) has existed. A certified instructor must successfully complete the Utah Pupil Transportation Instructor Certification Program.

B. Pupil Transportation Instructors

1. School districts, charter schools, private schools, Head Start, and all other pupil transportation providers who operate school buses in the state of Utah (with the approval of these standards by the Utah Department of Transportation) shall have or contract with one of the following:
 - a. A Utah State Certified Pupil Transportation Instructor (state level)
 - b. A Pupil Transportation District Instructor (district or local level)
 - c. A delegated behind-the-wheel Instructor (delegated by the district or pupil transportation provider)(Note: Each district or pupil transportation provider shall have, or contract with, at least one delegated behind-the-wheel instructor.)
2. A suggested ratio would be one instructor for every 25 drivers.
3. District/local-level instructors shall be certified by the state-level instructors.
4. A delegated behind-the-wheel instructor shall be certified by a state, district or local-level instructor.
5. Driver instruction (pre-service, behind-the-wheel, basic course, and state-required portions of the driver's in-service) shall be taught by a certified instructor annually at the state and district levels.

C. School Bus Driver Recertification

School bus drivers in the state of Utah, in order to operate a school bus in the state, shall satisfactorily complete required annual in-service, recertification instruction and thorough testing by a state or district/local-level instructor.

(Note: School bus drivers must be approved for service each year between May 1 and November 15 by a certified state, district, or local-level instructor.)

1. School bus drivers shall complete a cumulative of six (6) hours of recertification for each one-year period during recertification.
2. Drivers who discontinue driving duties, upon returning to duty, shall become current with recertification requirements before transporting students. Returning drivers must show competency in all behind-the-wheel instruction.
3. New drivers who already hold a CDL and apply for a school bus endorsement may have a license expiration date of less than five years.

- a. New drivers may have a transition period before re-licensing and recertification dates match. If this transition period is less than 12 months, drivers are not required to begin recertification until license renewal.
- b. New drivers who have 13 months or more until license renewal shall complete a minimum of six (6) hours of recertification for each one-year period.
- c. Drivers who have a full five-year recertification period must complete the full 30 hours of recertification.

D. Behind-the-Wheel Instruction

School bus operators in the State of Utah shall be taught behind-the-wheel techniques on a school bus by one of three individuals:

1. A state-certified Instructor
2. A district/local level Instructor
3. A delegated behind-the-wheel instructor

State-level instructors are certified to instruct statewide. District/local-level instructors are certified to instruct in their district or local area or, if accompanied by a state-level instructor, to teach in other districts. Delegated behind-the-wheel instructors are certified to instruct in their district or local area. All behind-the-wheel, road appraisal and safety skills instruction shall be given by a state-level certified instructor, district-level certified instructor, or a delegated behind-the-wheel instructor.

E. State-Level Instructors

The Utah State Office of Education recommends that state-level instructors attend the state transportation conference for the purpose of developing the state annual in-service program. The Utah State Certified Pupil Transportation Instructor (USCPTI) committee has the responsibility to provide a superior instructional program designed to ensure statewide consistency and promote professionalism among all school bus drivers. (Note: This committee works under the direction of the USOE and by-laws as adopted by the USCPTI.)

F. Beginning Bus Driver Instruction

1. Minimum pre-service. This required course will include the following classes before driving a school bus:
 - a. District Procedures 60 mins.
 - b. Drug and Alcohol 60 mins.
 - c. Blood-Borne Pathogen Information 60 mins.
 - d. Behind-the-Wheel Driving & Skills Appraisal 720 mins.
 - e. Classroom Instruction
 - i. Unit 2—Vehicle Components 60 mins.
 - ii. Unit 3—Loading/Unloading 90 mins.
 - iii. Unit 4—Emergency Procedures 60 mins.
 - iv. Unit 5—Behavior Management 120 mins.
 - v. Unit 6—Defensive Driving 120 mins.
 - vi. Unit 7—Activity/Field Trips 60 mins.

vii.	Unit 8—Public Relations	30 mins.
viii.	Unit 9—Special Education	<u>90 mins.</u>
		1530 mins.

2. The following required instruction may be completed during pre-service or within the first 90 working days of employment.

a.	Operation Lifesaver	60 mins.
b.	Sexual Harassment Information	60 mins.
c.	Defensive Driving (approved by the USOE)	360 mins.
d.	First Aid/CPR (approved by the USOE)	360 mins.
e.	Standards for Utah School Buses	<u>30 mins.</u>
		870 mins.

Total: 2400 mins.

G. Bus Driver Recertification Instruction

1. Recertification with CDL license renewal is required, at minimum, every five years. The following are to be completed by experienced drivers within a five-year period before license renewal.

a.	First Aid/ CPR (approved by the USOE)	360 mins.
b.	Defensive Driving (approved by the USOE)	360 mins.
c.	Operation Lifesaver	60 mins.
d.	Standards for Utah School Buses	<u>30 mins.</u>
		810 mins.

2. Classroom Instruction

a.	Unit 2—Vehicle Components	60 mins.
b.	Unit 3—Loading/Unloading	90 mins.
c.	Unit 4—Emergency Procedures	90 mins.
d.	Unit 5—Behavior Management	120 mins.
e.	Unit 6—Defensive Driving	120 mins.
f.	Unit 7—Activity /Field trips	60 mins.
g.	Unit 8—Public Relations	60 mins.
h.	Unit 9—Special Education	<u>90 mins.</u>
		690 mins.

3. Road Performance Appraisal/Safety Skills Course **300 mins.**

Total: 1800 mins.

4. For every 60 minutes of instruction credit, a minimum of 50 minutes of actual instruction/discussion time is required. Drivers completing recertification may meet the above classroom requirements by attending courses taught at a network of certified statewide classroom sites, allowing for greater flexibility and less duplication of effort. These classes may

include both pre-service and recertification drivers. **Drivers failing to recertify according to these standards will be disqualified from service.**

H. Annual In-service Instruction

1. All employees holding a CDL with passenger and school bus endorsements who may transport students as part of their job duties shall recertify annually according to these standards.
2. The state eight-hour in-service instruction is required annually. Returning drivers who fail to attend an annual in-service by November 15 will be disqualified from service until an annual in-service is attended. New drivers hired after their pupil transportation providers annual in-service who are unable to attend any remaining in-service will not be required to attend an annual in-service until the next calendar year in-service is offered.
 - a. Annual in-service instruction each year shall include drug and alcohol awareness training and blood-borne pathogens training as mandated by federal standards.
 - b. Other topics such as updates on federal, state, and local laws and regulations and current issues of concern for school busing shall be discussed under the guidance of the Pupil Transportation Specialist of the Utah State Office of Education.

I. Recertification for Supervisors, Shop Technicians, and/or Office Personnel

Supervisors, shop technicians and/or office personnel must meet recertification requirements to transport school children in Utah. If supervisors, shop technicians, and/or office personnel will not transport school children, they are not required to maintain recertification; if not assigned to a route, they are not required to complete a road performance appraisal.

J. Recertification for District-Level Instructors

1. District-level instructors shall attend an annual professional development recertification class.
 - a. In the event an instructor does not attend professional development recertification, they will become a provisional instructor and the district will be notified of the provisional status.
 - b. In the event an instructor does not attend for a second year, the district will be notified that they are no longer authorized to facilitate the instruction using USOE curriculum and documentation forms.
 - c. To renew certification an instructor must complete a professional development recertification class.
2. District-level instructors shall conduct at least 10 hours of instruction annually. This may include behind-the-wheel, classroom, and annual in-service instruction.

K. Recertification for Behind-the-Wheel Instructors

Behind-the-wheel instructors shall attend an annual in-service instruction, and shall conduct at least 10 hours of behind-the-wheel and/or road performance and skills appraisal of drivers annually.

L. Annual In-service Certification

State- and district-level instructors are required to attend the annual in-service instruction certification to be eligible to facilitate/instruct during the current year of in-service.

M. Drug and Alcohol Awareness Program

1. Instructors who present the 60 minutes of drug and alcohol awareness instruction as part of original certification of new drivers or annual in-service for drivers are required to certify in the two-hour certification for supervisors and instructors.
2. Instructors who facilitate 60 minutes of annual drug and alcohol awareness instruction as part of annual in-service for drivers or original certification of new drivers are required to attend the annual recertification for supervisors and instructors, or present under the direct oversight of a supervisor who has attended the annual recertification for supervisors and instructors.

Stopping for School Bus and School Bus Headlights – Utah Requirements

Utah Addition to 2005 National Specifications:

Utah Code Annotated 1953, Section 41-76-100.10:

1. (a) Every school bus, when operated for the transportation of school children, shall bear upon the front and rear of the bus a plainly visible sign containing the words “school bus” in letters not less than eight inches in height, which shall be removed or covered when the vehicle is not in use for the transportation of school children.
- (b) Every school bus, when operated for the transportation of school children, shall be equipped with alternating flashing amber and red light signals visible from the front and rear, of a type approved and mounted as prescribed by the department.
2. The operator of any vehicle upon a highway, upon meeting or overtaking any school bus equipped with signals required under this section which is displaying alternating flashing amber warning light signals, shall slow his vehicle, but may proceed past the school bus using due care and caution at a speed not greater than specified in subsection 41-6-46 (2) for school zones for the safety of the school children that may be in the vicinity. If a school bus is displaying alternately flashing red light signals visible from the front or rear, all approaching or overtaking vehicles on the same roadway shall stop immediately before reaching the bus and may not proceed until the flashing red light signals cease operation. The operator of a vehicle need not stop upon meeting or passing a school bus traveling in the opposite direction when:
 - (a) Traveling upon a divided highway;
 - (b) The bus is stopped at an intersection or other place controlled by an official traffic control device or peace officer; or
 - (c) Upon a highway of five or more lanes, which may include a left-turn lane or a two-way left-turn lane.
3. (a) The operator of a school bus shall operate (these) alternating flashing red light signals at all times when children are unloading from a school bus to cross a highway, or when a school bus is stopped for the purpose of loading children who must cross a highway to board the bus, or at any other time when it would be hazardous for vehicles to proceed past the stopped school bus.
- (b) The alternating flashing red light signals may not be operated except when the school bus is stopped for loading or unloading school children or for any emergency purpose.
4. Utah Code Annotated 1953, Section 41-76-100.10 (amended May 1, 2000)
The operator of a school bus being operated on a highway shall have the headlights of the school bus lighted.

Training of Maintenance and Service Personnel

Utah Addition to 2005 National Specifications:

A. Technicians' Annual In-service Training

A school bus that operates properly is more responsive to the driver's command and enables the driver to devote attention to the driving task. Continuous safe operation characteristics of school buses are vital to a district's pupil transportation system. An untrained bus shop technician is a poor investment of state and/or a pupil transportation provider's funds. Therefore, it is required that all school bus technicians receive eight hours of annual in-service instruction from the recommended training list under "D" below.

B. Pupil Transportation Provider Requirements

Pupil transportation providers must determine how to ensure that properly certified (ASE-recommended) shop technicians are available to cover all the needed areas to ensure the safety of the school buses in their fleet. In the event that a pupil transportation provider does not have contracted shop technician employees, the pupil transportation provider shall have a service contract with a neighboring school district, school busing entity, or a private mechanic shop with technicians who are certified to cover all the needed areas to ensure the safety of the school buses in its fleet.

C. Specialized Training

All technicians shall maintain air brake and safety inspection certification.

D. Recommended Training List

1. Body systems and special equipment
2. Diesel engines
3. Drive train
4. Brakes
5. Suspension and steering
6. Electric/electronic systems
7. Air conditioning systems and controls

E. Other Requirements

Technicians shall be subject to the drug and alcohol testing requirements for school bus drivers, including 60 minutes of annual drug awareness instruction. If a technician will be required to be available to transport students in a school bus as a part of his/her job duties, he/she is required to meet the instruction and certification requirements for Utah school bus drivers.



TO: School Transportation Directors

FROM: Lt. Bruce R. Pollei

DATE: March 29, 2009

SUBJECT: **Use of Overhead Red/Yellow Loading Lights on School Buses.**

Recently, questions have been raised in regards to the appropriate use of a school buses red/yellow loading lights. Utah State Statute 41-6a-1302 states:

- (2) The operator of a vehicle on a highway, upon meeting or overtaking a school bus equipped with signals required under this section which is displaying alternating flashing:
- (a) amber warning light signals, shall slow the vehicle, but may proceed past the school bus using due care and caution at a speed not greater than specified in Subsection 41-6a-601(2) for school zones for the safety of the children that may be in the vicinity; or
 - (b) red light signals visible from the front or rear, shall stop immediately before reaching the bus and may not proceed until the flashing red light signals cease operating.
- (3) The operator of a vehicle need not stop upon meeting or passing a school bus displaying alternating flashing red light signals if the school bus is traveling in the opposite direction when:
- (a) traveling on a divided highway;
 - (b) the bus is stopped at an intersection or other place controlled by a traffic-control signal or by a peace officer; or
 - (c) on a highway of five or more lanes, which may include a left-turn lane or two-way left turn lane.
- (4)
- (a) The operator of a school bus shall operate alternating flashing red light signals at all times when:
 - (i) children are unloading from a school bus to cross a highway;
 - (ii) a school bus is stopped for the purpose of loading children who must cross a highway to board the bus; or
 - (iii) it would be hazardous for vehicles to proceed past the stopped school bus.
 - (b) The alternating flashing red light signals may not be operated except:
 - (i) when the school bus is stopped for loading or unloading school children; or
 - (ii) for an emergency purpose.

The operator of the school bus must consider the potential hazards to the children as they approach or exit the bus and create the best possible safety zone. This would include the use of the red/yellow loading lights, if necessary, as allowed by law under paragraph (4)(a) above.

Several points need to be considered when determining using the red/yellow loading lights.

- Actual location of the school bus stop is the location the safest spot possible not only for the student but for other traffic operating in the area. Safety, not convenience, should be the top priority in locating the stop. Moving stops off of main arteries should be a priority, if possible.
- Use of the red/yellow loading lights creates confusion among motorists. Not all motorists know and follow the law regarding operator duties when lights are flashing. This is compounded on multi-lane highways and can create unsafe conditions for students as they prepare to enter or exit the bus.
- Proper training of school bus operators. Use of the red/yellow loading lights creates great responsibilities to the operator not only for the students but for traffic operating around the bus. Care must be taken to only use the lights when absolutely necessary for safety and only when the criteria in paragraph (4)(1) are met. Use at other times leads to vehicle operators learning to ignore the lights.
- Factors involving the stop itself. If the bus must stop in the lane of travel then the lights would be appropriate. Considerable advanced warning with the yellow lights should be considered. If the bus is able to pull to the shoulder out of traffic, and the students were not crossing, then the yellow four way flashers would be appropriate. If the bus is able to pull completely off the road the appropriate turn signal would be sufficient.

Ultimately, the most important aspect to be considered is the safety of the student. Vehicle operators bear the responsibility to obey the law when approaching a school bus with flashing loading lights. School bus operators should use extreme caution when deciding to use those lights and should follow state law.

Nothing prohibits a school bus operator from utilizing the loading lights when loading or unloading students who must cross a highway or when it would be hazardous for vehicles to proceed past a stopped bus.

Motor vehicle operators are not required to stop for buses traveling in the opposite direction on a divided highway. A divided highway is defined by statute 41-6a-102:

- 12) "Divided highway" means a highway divided into two or more roadways by:
- (a) an unpaved intervening space;
 - (b) a physical barrier; or
 - (c) a clearly indicated dividing section constructed to impede vehicular traffic.

If you have any further questions please contact me at 801-596-9248.

APPENDIX

School Bus

Special Needs Transportation

Utah Specific

To: Transportation Personnel, Special Education Directors, September 15, 2008

Transporting Students with Special Needs

Special education school teams and transportation personnel are encouraged to communicate information about students that will enhance a successful bus experience. Transportation at the beginning and ending of each day has the potential of setting the stage for learning and providing an opportunity to generalize skills in other settings. Transportation personnel responsible for transporting students with disabilities should be provided necessary information in order to ensure a successful and safe environment. In addition, transportation personnel should provide school teams with information that will help the team to develop and implement individual education programs, behavior plans, and transition activities. Confidential information that may be shared between school and transportation personnel should be handled in a professional manner. Transportation personnel are required to sign an agreement to maintain the confidentiality of information regarding a student.

Information that may be useful to transportation personnel includes the following:

- IEP goals as appropriate, behavior plan and reinforcement schedules
- Medical needs (i.e., seizures, medications, accommodations)
- Escalation levels and calming activities (i.e., social stories, stress manipulatives, favorite activities)
- Changes in routine
- Other information

Information that may be useful to education teams includes the following:

- Specific disruptive behaviors on the bus
- Difficulty with loading and unloading routines
- Emergency evacuation procedures, bus rules and disciplinary process
- Changes in route schedules, drivers, aides, bus equipment
- Other information

Additional considerations:

- Consider inviting transportation personnel to professional development activities.
- Establish a communication process to promote ongoing communication regarding questions, concerns, challenging behavior, emergency situations, health care plans, and providing input into the IEP planning meeting.
- It is recommended that each school district establish a contact person from both the education and transportation departments with whom to communicate regarding special education or transportation concerns.

For further questions, please contact:

Murrell Martin, Pupil Transportation Specialist
Utah State Office of Education (801) 538-7666

Lisa Arbogast, Compliance Coordinator, Special Ed.
Utah State Office of Education (801) 538-7568

APPENDIX

Finance

School District Specific

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53-A-17a-127. Eligibility for state-supported transportation – Approved bus routes – Additional local tax.

- (1) A student eligible for state-supported transportation means:
 - (a) a student enrolled in kindergarten through grade six who lives at least 1½ miles from **school**;
 - (b) a student enrolled in grades seven through 12 who lives at least two miles from **school**; and
 - (c) a student enrolled in a special program offered by a **school** district and approved by the State Board of Education for trainable, motor, multiple-disabled, or other students with severe disabilities who are incapable of walking to **school** or where it is unsafe for students to walk because of their disabling condition, without reference to distance from **school**.
- (2) If a **school** district implements double sessions as an alternative to new building construction, with the approval of the State Board of Education, those affected elementary **school** students residing less than 1½ miles from **school** may be transported one way to or from **school** because of safety factors relating to darkness or other hazardous conditions as determined by the local **school** board.
- (3) (a) The State Board of Education shall distribute transportation monies to **school** districts based on:
 - (i) an allowance per mile for approved **bus** routes;
 - (ii) an allowance per hour for approved **bus** routes;
 - (iii) an annual allowance for equipment and overhead costs based on approved **bus** routes and the age of the equipment; and
 - (iv) a minimum allocation for each **school** district eligible for transportation funding.
 - (b) The State Board of Education shall distribute appropriated transportation funds based on the prior year's eligible transportation costs as legally reported under Subsection 53A-17a-126(3).
 - (c) In order for a **bus** to be considered for the equipment allowance under Subsection (3)(a)(iii), it must meet federal and state regulations and standards for **school buses**.
 - (d) The State Board of Education shall annually review the allowance per mile, the allowance per hour, and the annual equipment and overhead allowance and adjust the allowance to reflect current economic conditions.
- (4) (a) Approved **bus** routes for funding purposes shall be determined on fall data collected by October 1.
(b) Approved route funding shall be determined on the basis of the most efficient and economic routes.
- (5) A Transportation Advisory Committee with representation from local **school** superintendents, business officials, **school** district transportation supervisors, and the state superintendent's staff shall serve as a review committee for addressing **school** transportation needs, including recommended approved **bus** routes.
- (6) (a) A local **school** board may provide for the transportation of students who are not eligible under Subsection (1), regardless of the distance from **school**, from:
 - (i) general funds of the district; and
 - (ii) a tax rate not to exceed .0003 per dollar of taxable value imposed on the district.
 - (b) A local **school** board may use revenue from the tax to pay for transporting participating students to interscholastic activities, night activities, and educational field trips approved by the board and for the replacement of **school buses**.
 - (c) (i) If a local **school** board levies a tax under Subsection (6)(a)(ii) of at least .0002, the state may contribute an amount not to exceed 85% of the state average cost per mile, contingent upon the Legislature appropriating funds for a state contribution.
(ii) The state superintendent's staff shall distribute the state contribution according to rules enacted by the State Board of Education.

- (d) (i) The amount of state guarantee money which a **school** district would otherwise be entitled to receive under Subsection (6)(c) may not be reduced for the sole reason that the district's levy is reduced as a consequence of changes in the certified tax rate under Section 59-2-924 due to changes in property valuation.
- (ii) Subsection (6)(d)(i) applies for a period of two years following the change in the certified tax rate.

Amended by Chapter 397, 2008 General Session

R277. Education, Administration.

R277-600. Student Transportation Standards and Procedures.

R277-600-1. Definitions.

- A. "ADA" means average daily attendance.
- B. "ADM" means average daily membership.
- C. "AFR" means a school district's annual financial report, one component of which is the AFR for all pupil transportation costs.
- D. "Approved costs" means the Board approved costs of transporting eligible students from home to school to home once each day, after-school routes, approved routes for students with disabilities and vocational students attending school outside their regularly assigned attendance boundary, and a portion of the bus purchase prices. All approved costs are adjusted by the USOE consistent with a Board-approved formula per the annual legislative transportation appropriation.
- E. "APR" means the school district's annual program report, one component of which is for approved to and from school pupil transportation costs.
- F. "Board" means the Utah State Board of Education.
- G. "Bus route miles" means operating a bus with passengers.
- H. "Deadhead" means operating a bus when no passengers are on board.
- I. "Hazardous" means danger or potential danger which may result in injury or death.
- J. "IDEA" means the Individuals with Disabilities Education Act, Title 1, Part A, Section 602.
- K. "IEP" (individualized education program) means a written statement for a student with a disability that is developed and implemented under CFR Sections 300.340 through 300.347. The IEP serves as a communication vehicle between parents and school personnel and enables them as equal participants to decide jointly what the student's needs are, what services shall be provided to meet those needs, what the anticipated outcomes may be, and how the student's progress toward meeting the projected outcomes shall be evaluated.
- L. "Local board" means the local school board of education.
- M. "M.P.V." means multipurpose passenger vehicle: any motor vehicle with less than 10 passenger positions, including the driver, which cannot be certified as a bus.
- N. "Out-of-pocket expense" means gasoline, oil, and tire expenses.
- O. "USOE" means the Utah State Office of Education.

R277-600-2. Authority and Purpose.

- A. This rule is authorized under Utah Constitution Article X, Section 3 which vests general control and supervision over public schools in the Board, by Section 53A-1-402(1)(d) which directs the Board to establish rules for bus routes, bus safety and other transportation needs and by Section 53A-17a-126 and 127 which provides for distribution of funds for transportation of public school students and standards for eligibility.
- B. The purpose of this rule is to specify the standards under which school districts may qualify for state transportation funds.

R277-600-3. General Provisions.

- A. State transportation funds are used to reimburse school districts for the costs reasonably related to transporting students to and from school. The Board defines the limits of school district transportation costs reimbursable by state funds in a manner that encourages safety, economy, and efficiency.
- B. Allowable transportation costs are divided into two categories. Expenditures for regular bus routes established by the school district, and approved by the state, are A category costs. Other methods of

transporting students to and from school are B category costs. The Board devises a formula to determine the reimbursement rate for A category costs consistent with Section 53A-17a-127(3). B category costs are approved on a line-by-line basis by the USOE after comparing the costs submitted by a school district with the costs of alternative methods of performing the designated function(s) and subject to adjustment per legislative appropriation.

- C. The USOE shall develop a uniform accounting procedure for the financial reporting of transportation costs. The procedure shall specify the methods used to calculate allowable transportation costs. The USOE shall also develop uniform forms for the administration of the program.
- D. All student transportation costs are recorded. Accurate mileage, minute, and trip records are kept by program. Records and financial worksheets shall be maintained during the fiscal year for audit purposes.

R277-600-4. Eligibility.

- A. State transportation funds shall be used only for transporting eligible students.
- B. Transportation eligibility for elementary students (K-6) and secondary students (7-12) is determined in accordance with the mileage from home specified in Section 53A-17a-127(1) and (2) to the school attended by assignment of the local board.
- C. A student whose IEP identifies transportation as a necessary service is eligible for transportation regardless of distance from the school attended by assignment of the local board.
- D. Students who attend school for at least one-half day at an alternate location are expected to walk distances up to 1 and one half miles.
- E. A school district that implements double sessions as an alternative to new building construction may transport, one-way to or from school, with Board approval, affected elementary students residing less than one and one-half miles from school, if the local board determines the transportation would improve safety affected by darkness or other hazardous conditions.
- F. The distance from home to school is determined as follows: From the center of the public route (road, thoroughfare, walkway, or highway) open to public use, opposite the regular entrance of the one where the pupil is living, over the nearest public route (thoroughfare, road, walkway, or highway) open regularly for use by the public, to the center of the public route (thoroughfare, road, walkway, or highway) open to public use, opposite the nearest public entrance to the school grounds which the student is attending.

R277-600-5. Student with Disabilities Transportation.

- A. Students with disabilities are transported on regular buses and regular routes whenever possible. School districts may request approval, prior to providing transportation, for reimbursement for transporting students with disabilities who cannot be safely transported on regular school bus runs.
- B. School districts may be reimbursed for the costs of transporting or for alternative transportation for students with disabilities whose severity of disability, or combination of disabilities, necessitates special transportation.
- C. Transportation is provided by the Utah Schools for the Deaf and the Blind for students who are transported to its self-contained classes. Exceptions may be approved by the USOE.

R277-600-6. Bus Route Approval.

- A. Transportation is over routes proposed by local boards and approved by the USOE. Information requested by the USOE shall be provided prior to approval of a route. A route usually is not approved for reimbursement if an equitable student transportation allowance or a subsistence allowance accomplishes the needed transportation at less cost. A route shall:
 - (1) traverse the most direct public route;
 - (2) be reasonably cost effective related to other feasible alternatives;
 - (3) provide adequate safety;

- (4) traverse roads that are constructed and maintained in a manner that does not cause property damage; and
- (5) include an economically adequate number of students.
- B. The minimum number of general education students required to establish a route is ten; the minimum number of students with disabilities is five. A route may be established for fewer students upon special permission of the State Superintendent.
- C. The school district designates safe areas for bus stops.
 - (1) To promote efficiency, the USOE approved minimum distance between bus stops is 3/10 of a mile. The USOE may approve shorter distances between bus stops for student safety.
 - (2) Bus routes shall avoid, whenever possible, bus stops on dead-end roads.
 - (3) Students are responsible for their own transportation to bus stops up to one and one-half miles from home.
 - (4) Special education students are responsible for their own transportation to bus stops consistent with their IEPs.
- D. Changes made by school districts in existing routes or the addition of new routes shall be reported to the USOE as they occur. The USOE shall review and may refuse to fund route changes as applicable.
- E. Transporting eligible students home after school activities held at the students' school of regular attendance and within a reasonable time period after the close of the regular school day is approved route mileage.
- F. A route may be approved as an alternative to building construction upon special permission of the USOE if the route is needed to allow more efficient school district use of school facilities. Building construction alternatives include elementary double sessions, year-round school, and attendance across school district boundaries.
- H. (1) School districts may use State Guarantee Transportation Levy or local transportation funds to transport students across state lines or out-of-state for school sponsored activities or required field trips if:
 - (a) the local board has a policy that includes approval of trips at the appropriate administrative level;
 - (b) the school or school district has considered the purpose of the trip or activity and any competing risk or liability;
 - (c) given the distance, purpose and length of the trip, the school district has determined that the use of a publicly owned school bus is most appropriate for the trip or activity; and
 - (d) the local board has consulted with State Risk Management.
- (2) If school bus routes transport students across Utah state lines or outside of Utah for required to and from routes, routes are reimbursable providing school districts maintain documentation that the routes are necessary, or are more cost-effective, or provide greater safety for students than in-state routes.

R277-600-7. Alternative Transportation.

Bus routes that involve a large number of deadhead miles are analyzed for reduction or to determine if an alternative method of transporting students is more efficient. Approved alternatives include the following:

- A. The costs incurred in transporting eligible pupils in a school district M.P.V. are approved costs as long as the costs demonstrate efficiency.
- B. (1) The costs incurred in paying eligible students an allowance in lieu of school district-supplied transportation are an approved cost. A student is reimbursed for the mileage to the bus stop or school, whichever is closer, nearest the student's home. The allowance shall not be less than the standard mileage rate deduction permitted by the United States Internal Revenue Service for charitable contributions, nor greater than the reimbursement allowance permitted by the Utah Department of Administrative Services for use of privately owned vehicles set forth in the Utah Travel Regulations;
- (2) a student allowance is made to the student and not to the parent for transporting one's own child or other students. This does not restrict parents from pooling resources;

- (3) if a student or the student's parent is unable to provide private transportation, with prior state approval, an amount equivalent to the student allowance is payable to the school district to help pay the costs of school district transportation;
- (4) the student's mileage shall be measured and certified in school district records. The student's ADA, as entered in school records, is used to determine the student's attendance.
- C. (1) The cost incurred in providing a subsistence allowance is an approved cost. A parent is reimbursed for a student's room and board when a student lives at a site nearer to the assigned school, if the student does not have a school facility or bus service available within approximately 60 miles of the student's residence. Payment shall not exceed the Substitute Care Rate for Family Services for the current fiscal year. Adjustments for changes made in the rate during the year are included in the allowance. In addition to the reimbursement for room and board, the subsistence allowance includes the costs of two round trips per year.
- (2) A subsistence allowance is not applicable to a parent who maintains a separate home during the school year for the convenience of the family. A parent's residence during the school year is the residence of the child.
- D. Contracting or leasing for pupil transportation
- (1) The cost incurred in engaging in a contract or leasing for transportation is an approved cost at the prorated amount available to school districts.
- (2) Reimbursements for school districts using a leasing arrangement are determined in accordance with the comparable cost for the school district to operate its own transportation.
- (3) Under a contract or lease, the school district's transportation administrator's time shall not exceed one percent of the commercial contract cost.
- (4) Eligible student counts, bus route mileage, bus route minutes, and bus inventory data are required as if the school district operated its own transportation.

R277-600-8. Other Reimbursable Expenses.

State transportation funds at the USOE determined prorated amount may be used to reimburse a school district for the following costs:

- A. Salaries of clerks, secretaries, trainers, drivers, a supervisor, mechanics and other personnel necessary to operate the transportation program:
 - (1) a full time supervisor may be paid at the same rate as other professional directors in the school district. The supervisor's salary shall be commensurate with the number of buses, number of eligible students transported, and total responsibility relative to other school district supervisory functions. A school district may claim a percentage of the school district superintendent's or other supervisor's salary for reimbursement if the school district's eligibility count is less than 600 and a verifiable record of administrative time spent in the transportation operation is kept;
 - (2) The wage time for bus drivers includes to and from school time: ten minute pre-trip inspection, actual driving time, ten minute post-trip inspection and bus cleanup, and 10 minute bus servicing and fueling;
- B. Only a proportionate amount of a superintendent's or supervisor's employee benefits (health, accident, life insurance) may be paid from the school district's transportation fund;
- C. Purchased property services;
- D. Property, comprehensive, and liability insurance;
- E. Communication expenses and travel for supervisors to workshops or the national convention;
- F. Supplies and materials for vehicles, the school district transportation office and the garage;
- G. Depreciation: The USOE computes an annual formula for school bus depreciation;
- H. Training expenses to complete bus driver instruction and certification required by the Board; and
- I. Other related costs approved by the USOE which may include additional bus driver training.

R277-600-9. Non-reimbursable Expenses.

- A. AFR for all pupil transportation costs shall only include pupil transportation costs and other school district expenditures directly related to pupil transportation.
- B. Expenditures for uses of school district buses and equipment which are not approved APR to and from school pupil transportation costs shall be deleted when transportation costs are calculated. Bus and equipment costs shall be reduced on a pro rata basis for the miles not connected with approved costs.
- C. Expenses determined by the USOE to be not directly related to transportation of eligible students to and from school are not reimbursable.
- D. Local boards may determine appropriate non-school uses of school buses. Local boards may lease/rent public school buses to federal, state, county, or municipal entities, and those insured by State Risk Management or to non-government entities or to those not insured through State Risk Management. In making these determinations, local boards shall:
 - (1) require full cost reimbursement for any non-public school use including:
 - (a) cost per mile;
 - (b) cost per minute;
 - (c) bus depreciation.
 - (2) require documentation from the non-school user of insurance through State Risk Management or private insurance coverage and a fully executed agreement for full release of indemnification;
 - (3) require that any non-school use is revenue neutral; and
 - (4) consult with State Risk Management to determine adequacy of documentation of insurance and indemnity for any entity requesting use or rental of publicly owned school buses.
- E. If a non-governmental entity or an entity not insured through State Risk Management requests the use of school bus(es), the use shall be approved by a local board in an open board meeting.
- F. In the event of an emergency, local, regional, state or federal authorities may request the use of school buses or school bus drivers or both for the period of the emergency. The local board shall grant the request so long as the use can be accommodated consistent with continuing student safety and transportation requirements.

R277-600-10. Special Transportation Levy.

- A. Costs for school district transportation of students which are not reimbursable may be paid for from general funds of the school district or from the proceeds of a tax rate authorized for school districts. The tax rate authorized for transportation may not exceed .0003 tax rate. The revenue may be used:
 - (1) to transport ineligible students to and from school;
 - (2) for transportation to interscholastic activities;
 - (3) for transportation to night activities;
 - (4) for field trips; and
 - (5) for the replacement of school buses.
- B. Transportation of students in areas where walking constitutes a hazardous condition, as determined by the local board, may be provided from general funds from the school district or from the tax specified in R277-600-10A. Hazardous areas shall be determined by an analysis of the following factors:
 - (1) volume, type, and speed of vehicular traffic;
 - (2) age and condition of students traversing the area;
 - (3) condition of the roadway, sidewalks and applicable means of access in the area; and
 - (4) environmental conditions.
- C. (1) The cost of school bus operation for activity trips, field trips, and for the transportation of students to alleviate hazardous walking conditions may be met with state funds appropriated under Section 53A-17a-127(6) only to the extent of funds available to individual school districts for the specific purposes of Section 53A-17a-127(6)(b).

(2) Appropriated funds under Section 53A-17a-127(6) shall be distributed according to each school district's proportional share of its qualifying state contribution as defined under Section R277-600-10B(3) for activity, field trip, and hazardous route mileage.

(3) The qualifying state contribution for school districts shall be the difference between 85 percent of the average state cost per qualifying mile multiplied by the number of qualifying miles and the current funds raised per school district by a transportation levy of .0002.

R277-600-11. Exceptions.

- A. When undue hardships and inequities are created through exact application of these standards, school districts may request an exception to these rules from the State Superintendent on individual cases. Such hardships or inequities may include written evidence demonstrating that no significant increased costs (less than one percent of a school district's transportation budget) is incurred due to a waiver or that students cannot be provided services consistent with the law due to transportation restrictions. The State Superintendent may consult with the Pupil Transportation Advisory Committee, designated in Section 53A-17a-127(5), in considering the exemption.
- B. (1) a school district shall not be penalized in the computation of its state allocation for the presence on an approved to and from school route of an ineligible student who does not create an appreciable increase in the cost of the route;
(2) there is an appreciable increase in cost if, because of the presence of ineligible students, any of the following occurs:
 - (a) another route is required;
 - (b) a larger or additional bus is required;
 - (c) a route's mileage is increased;
 - (d) the number of pick-up points below the mileage limits for eligible students exceeds one;
 - (e) significant additional time is required to complete a route.
(3) ineligible students may ride buses on a space available basis. An eligible student may not be displaced or required to stand in order to make room for an ineligible student.

KEY: school buses, school transportation

Date of Enactment or Last Substantive Amendment: June 23, 2009

Notice of Continuation: January 8, 2008

Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1-402(1)(d); 53A-17a-126 and 127

R277. Education, Administration.

R277-601. Standards for Utah School Buses and Operations.

R277-601-1. Definitions.

- A. "Board" means the Utah State Board of Education.
- B. "Local board" means the local school board of education.

R277-601-2. Authority and Purpose.

- A. This rule is authorized by Utah Constitution Article X, Section 3 which vests general control and supervision of the public education in the Board, Section 53A-1-402(1) (d) which directs the Board to adopt rules for state reimbursed bus routes, bus safety and operational requirements, and other transportation needs and Section 53A-1-401(3) which allows the Board to adopt rules in accordance with its responsibilities.
- B. The purpose of this rule is to specify standards for state student transportation funds, school buses, and school bus drivers utilized by school districts.

R277-601-3. Standards.

- A. The local board and school district personnel shall act consistent with the manual entitled STANDARDS FOR UTAH SCHOOL BUSES AND OPERATIONS, 1999, which includes information received from Utah school districts, the Utah Transportation Commission, and the Utah Department of Public Safety and is available at each department or agency.
- B. STANDARDS FOR UTAH SCHOOL BUSES AND OPERATIONS, 1999, shall include:
 - (1) Electronic and telecommunications devices
 - (a) A school bus operator's primary responsibility, consistent with training and policy, is the safety of passengers and the safety of the public at all times.
 - (b) A school bus operator shall not use a cell phone, wireless electronic device, or any headset, earpiece, earphones or other equipment that might distract a driver from his responsibilities, whether hand held or not, while the school bus is in motion and not appropriately parked or secured. This prohibition does not apply to the safe and appropriate use of two-way radios. All school districts and public schools that regularly transport students shall maintain documentation of training for bus drivers and employees in the safe and appropriate use of two-way radios.
 - (c) Once the bus is stopped and safely parked, a school bus operator may use an electronic device for emergencies, to assist special needs students, for behavior management, for appropriate assistance for field/activity trips or for other business-related issues.
 - (d) A school bus operator may use an electronic device for personal use once a school bus is safely parked, appropriately secured and all passengers are safely off and at a safe distance from the bus, consistent with school district policy.
 - (e) Any violation of these provisions for emergency or compelling reasons may require documentation and will be addressed by the employing education entity.
 - (f) Violations of these provisions may result in personnel action(s) against the school bus operator consistent with school district/employer policies.
 - (g) Private contractors employed by school districts for student transportation shall also adhere strictly to these provisions in addition to the policies of the employer.
 - (2) End of bus route inspection
 - (a) At the end of a student delivery, both during the day and after the final route of

the day, a school bus operator shall complete the delivery, stop and park the bus, and insure that all students are off the bus.

- (b) Where possible, this inspection shall be completed at each school site when delivering students to school.
- (c) Following each from-school route of the day, the bus operator shall complete the same type of inspection at a safe location a short distance from where the final student(s) left the bus. If children are found on the bus, they shall be immediately returned to their assigned bus stop location or to an alternate location, consistent with district policy, with express permission from the parent(s).

KEY: school, buses, school transportation

Date of Enactment of Last Substantive Amendment: 2009

Notice of Continuation: February 13, 2009

Authorizing, and Implemented or Interpreted Law: 53A-1-402(1) (d); 53A-1-401(3)

A1 Reporting Planned Bus Capacity Utilization Chart

Bus Capacity	Kindergarten	K through 6	Middle School	7 through 9	9 through 12	k through 12
10	17	13	10	10	10	12
20	21	16	11	10	10	16
24	27	21	12	10	10	20
30	35	27	18	17	14	26
36	41	33	24	20	18	34
42	49	39	28	26	26	40
48	59	45	32	32	32	46
54	62	50	38	36	36	50
60	75	57	42	40	40	52
66	83	65	48	44	44	54
72	91	71	52	50	48	60
78	98	76	58	56	52	66
84	105	81	62	60	58	72
90	117	89	64	62	60	78

For purposes of Planned Bus Capacity Utilization, the chart above should be used as a “guideline” when planning capacity utilization, and when filling out the A1 report identifying Bus Design Capacity. It is understood that the actual “in use” capacity of the bus will vary according to factors that determine the size of the students being transported. The chart was created using the lower end of the capacity ratings used to determine Gross Volume Weight (GVW) of students and driver. For adjusting bus design capacities for special equipment needed for a child with disabilities, use the capacity listed divided by the original number of seats and adjust design capacity for the loss of each seat that is removed.

The following practical application information is from a position paper on “School Bus Seat Capacity” published by the National Association of State Directors of Pupil Transportation Services in October 1999.

...In practice, school buses transport students of various sizes, typically from pre-schoolers to 12th graders. While a 39-inch seat may safely accommodate three pre-schoolers and/or primary school-aged children, it may not safely accommodate the same number of older children. Since the size of growing children varies, the number of pupils that can safely occupy a school bus seat also changes. Consequently, the “in use” capacity of a school bus varies depending on the size of the pupils transported. The use of a child safety seat for an infant or toddler, or special equipment needed for a child with disabilities, may further impact the “in-use” capacity of a school bus...

The National Association of State Directors of Pupil Transportation Services believes all children riding in school buses, or other buses used to transport pupils to and from school or school-related activities, should be safely seated facing forward. In addition, the State Directors Association believes there should be adequate space on the seat for the child to be seated completely within the seating compartment...

District Pupil Transportation Operations Evaluation Criteria

Utah Addition to 2005 National Specification:

- A. It is a fundamental principle of management that, in the absence of control, any organization will degrade to the lowest level of productivity or efficiency and the highest level of disorder. There are four elements to the successful control of an organization. First, there should be a statement of the ultimate goal or objective of the organization. Second, there should be a measurement of the present performance of the organization. Third, the present performance of the organization should be compared to the goals and objectives of the organization. Finally, if the goal has not been achieved, action should be taken that enables the organization to move closer to its goals and objectives.
- B. In pupil transportation, the ultimate objective is to provide children with safe transportation to and from school in the most efficient and cost-effective manner possible. The data and records gathered during the normal course of business provide a part of the information necessary to determine the present status of the pupil transportation program. The following criteria are means of relating this administrative information together to establish just how effective the program is. The criteria are intended for self-evaluation purposes but should be carried out in as impartial a manner as possible. Remember, the evaluation is intended to lead to an improvement in the program, not justification of present practices. Perfection will probably never be achieved, but should be continuously pursued. Although a favorable comparison with the performance of other districts and records of improvement in recent years are commendable, they are not justification for complacency. For the evaluation to be worthwhile, it must result in either (a) recommendations that result in improved policies and procedures, or (b) a determination that no change is necessary.
- C. To be effective, a pupil transportation program should be safe, economical, and adequate. The evaluation criteria can be divided into these same three areas of consideration:
 - 1. Safety. A good method of analyzing the safety record of a school bus fleet is to prepare documented answers to the following questions:
 - (a). How many accidents (or injury-producing incidents) did the pupil transportation system experience during the last year? How many during the past three years?
 - (b). Were any fatalities or serious injuries sustained by transported pupils or others?
 - (c). What is the estimated cost of the accidents experienced during the year?
 - (d). What was the average number of bus miles per accident? How does your district's value compare with the state average?
 - (e). Has the district's accident record improved during the past three years?
 - (f). What do the accident investigations disclose as to the responsibility for pupil transportation accidents?
 - (g). How many drivers have perfect safety records? How many have more than one accident?
 - (h). How many drivers have citation-free driving records? How many have received more than one traffic citation?
 - (i). Are the bus driver recruitment policies effective in obtaining reliable and competent persons?
 - (j). Does bus driver training include sufficient emphasis on safe operation?
 - (k). Are bus riders adequately trained in safety practices when boarding, riding, and leaving the bus?
 - (l). Are the school buses adequately maintained?
 - (m). Are bus routes designed and periodically reviewed to avoid traffic hazards?

- (n). Are the bus loading and unloading facilities at the schools adequate?
 - (o). What are the frequency and nature of complaints received from parents, the motoring public, railroads, etc.
2. Economy. The answers to the following questions will furnish information on the efforts being expended and the achievements made in the area of economic pupil transportation:
- (a). What does pupil transportation cost per pupil, per year, per bus mile?
 - (b). How do transportation costs compare with other school expenditures?
 - (c). Is there a discernable trend in pupil transportation costs during the past three years?
 - (d). How do bus prices compare with those experienced by other districts?
 - (e). How many students are transported in comparison to the capacity of the bus, i.e., what percent of the bus capacity is utilized?
 - (f). How many miles are buses operated without passengers? What percentage of the route mileage is this?
 - (g). Are bus drivers and maintenance personnel kept aware of bus operating costs?
 - (h). Are competitive bidding and wholesale purchasing used in securing equipment and supplies?
 - (i). What cost-saving measures have been implemented during the past three years?
 - (j). What explanations are there for operating costs that appear too high or too low?
3. Adequacy of Service. The adequacy of the transportation services provided is another important aspect of the pupil transportation program that requires constant evaluation. The following questions should serve as a guide for examining the adequacy of a district's pupil transportation program:
- (a). What is the maximum time spent on a bus by a student in traveling to school in the morning? What is the average riding time for transported pupils? How many students must ride on a school bus for an hour or more to reach school or return home?
 - (b). Are educational experiences provided for the students while they are on a school bus?
 - (c). How long before classes start do students arrive at school and how long must they wait after school is out to board a school bus?
 - (d). What is the frequency with which trips are completed on schedule?
 - (e). What is the frequency and nature of road failures? How does this year's experience compare with that of the previous year?
 - (f). What is the frequency and nature of bus driver complaints of equipment difficulties and pupil-generated disturbances?
 - (g). How does the number and capacity of the district's pupil transportation vehicles compare with other districts on a geographical size or pupil population density basis?
 - (h). How does the number and length of bus routes compare with other districts on a geographical size or pupil population density basis?
 - (i). How many stops are there on each route and what is the average distance between stops? Is there a limit placed on the walking distance from a pupil's home to a bus stop? If yes, what is the basis for the limitation?
 - (j). Are pupils transported who do not meet state eligibility criteria? If yes, is there a written district policy setting forth which pupils are eligible for transportation at district expense? What factors other than distance are considered?
 - (k). What is the district policy concerning the transportation of extremely isolated pupils?

- (l). What were the frequency and nature of requests for additional pupil transportation services received during the past year and the last three years? What additional services were initiated as a result of these requests?
- (m). In what ways have pupil transportation services increased or improved during the past year and the last three years?

D. Summary

The proceeding questions are intended to elicit some of the information that a district pupil transportation supervisor will need to determine the quality or the shortcomings of the district's pupil transportation program. It is expected that the answers to these questions may elicit other questions and their answers, which will be useful to the evaluation. The success of the evaluation will ultimately depend on how creative the pupil transportation supervisor is at (a) recognizing the goals and objectives of the pupil transportation program, (b) identifying the areas where improvement is justified, and (c) developing the policies and procedures that will result in the needed improvements in the pupil transportation program. It should also be noted that the evaluation questions call for quantitative data that can only be obtained if complete and detailed records have been kept. It should be recognized that accurate data is the cornerstone of defensible conclusions and that improvements in the pupil transportation system that can be justified on the basis of factual information will more than offset the effort expended in accumulating and maintaining the required records.