

## **POLICY**

### **SOMERSET COUNTY BOARD OF EDUCATION**

**Date Submitted:**

June 15, 1982

**Date Reviewed:**

May, 1989, May 25, 1999

August 21, 2001, July 20, 2004,  
May 16, 2006, February 16, 2010

June 15, 2010, July 19, 2011

November 1, 2011,

December 13, 2011

May 15, 2012, March 18, 2014

December 16, 2014

November 17, 2015

February 16, 2016

July 19, 2016, October 30, 2017

March 20, 2018, April 17, 2018,

July 24, 2018, July 25, 2018

August 21, 2018

**Number:**

**200-18**

**Subject:**

Student Transportation

**Date Approved:**

March 15, 1983, January 20, 2004,

May 16, 2006, August 17, 2010,

September 20, 2011, January 17,

2012, October 16, 2012

May 20, 2014, February 19, 2015

December 15, 2015

March 15, 2016, August 16, 2016

September 18, 2018

**Effective Date:**

July 1, 1999, October 16, 2001

May 27, 2003, July 20, 2004,

May 16, 2006, August 17, 2010

September 20, 2011,

January 17, 2012,

October 16, 2012,

June 1, 2014, February 19, 2015

December 15, 2015,

March 15, 2016, August 16, 2016

April 17, 2018, September 18, 2018

**1. PURPOSE**

The purpose of the Student Transportation Policy is to establish policy for the operation of the Somerset County Public Schools' Transportation System.

**2. DESCRIPTION**

**A. Student Transportation Operations**

The Superintendent of Schools or through his/her designee shall be responsible to the Board for the operation of a transportation system for public school students legally enrolled in Somerset County Public Schools, according to specific procedures and guidelines of the State Department of Education and the policies and procedures of the Somerset County Board of Education.

**B.** Student Transportation Services shall transport all students in a safe and economical manner to and from school and school-related activities.

**3. ADMINISTRATION**

**A. Supervisor of Transportation**

The Superintendent shall designate a person to be responsible for the administration of the student transportation system. The person assigned this responsibility shall have sufficient time in his/her schedule to carry out his/her duties.

**B. Others**

- (1) School Bus Driver Instructor - The school bus driver instructor shall meet all requirements of COMAR and not hold a current bus contract with Somerset County Public Schools excluding the current driver trainer until such time when the position is vacated and a new person is hired.
- (2) School Bus Contractor – The school bus contractor shall meet all requirements of COMAR for a driver and all criteria established by SCPS at the time of the awarding of contract.
- (3) School Bus Driver: - The school bus driver shall meet all requirements of COMAR.
- (4) Boat Captains shall meet all Coast Guard Federal Regulations and requirements outlined in CFR Subchapter T 166-199.
- (5) The Bus Aide shall meet all requirements of COMAR.

**C. Method of Operation**

- (1) The Board reserves the right to operate its transportation system under contract to local school bus contractors and boat captains to transport students attending Somerset County Public Schools.
- (2) Transportation to and from school and school related activities shall be provided by the Somerset County Board of Education at no expense to eligible students. Safety, efficiency and economy shall be the prime concerns of the Board in determining its method of operation.

**4. SCHOOL BUS/BOAT CONTRACTORS**

- A.** School buses/boats may be operated on a private contract basis. The bus/boat contract is an agreement for service between Somerset County Public Schools and the contractor. Contracts are non-transferable, except as outlined in 4D below. However, for the convenience and security of the contract holder, the contract may be held in the name of an entity wholly owned by the individual and/or individual and their spouse. Buses/boats shall be operated in accordance with the terms of the written contract. All equipment, drivers, boat captains, and contractors shall comply with standards, requirements and regulations established by the State Board of Education, the Laws of Maryland, regulations of U. S. Coast Guard and the Somerset County Board of Education. All school bus drivers must be approved by the SCPS Supervisor of Transportation and shall possess a commercial driver's license (CDL) with an S and P endorsement or if applicable, the appropriate Coast Guard licensure. A contractor is required to have alternate drivers from the approved SCPS driver list who are knowledgeable of the route. All contracts shall be signed and submitted to the Supervisor of Transportation prior to June 15. Contracts for subsequent school years will be included in the mailing with the Contractor's May payment. Contracts are renewed at the sole discretion of the Board. Contractor shall own the bus and equipment (except as set forth in paragraph 8G) but shall not own rights to the route itself.
- B.** The Supervisor of Transportation or his/her designee shall advertise for bus/boat contracts, prepare application forms, receive and review applications, conduct interviews. Upon the recommendation of the Superintendent, the Board shall approve or deny all contracts.
- C.** Any contractor desiring to non-renew his/her contract shall advise the Board of his/her intentions in writing, at least 60 days prior to expiration, as specified in his/her contract.
- D.** A replacement contractor shall be selected using the process established in the Administrative Procedures of Policy #200-18. Prior to the purchase of a new bus, the Supervisor of Transportation shall inform the Contractor as to the specifications of the

bus. The purchase approval shall be at the sole discretion of the Board. For Specifications – See Policy Procedures- Appendix F

- E.** A school bus/boat contract can only be transferred to a parent, spouse or child of the existing contractor. This person must meet all established requirements listed under 3B2. The Supervisor of Transportation shall conduct a review of each request and submit his/her recommendation to the Superintendent. The decision to allow the contract to be transferred shall be at the sole discretion of the Board.
- F.** The contractor, any driver, and/or substitute designated driver are required to notify the Supervisor of Transportation immediately whenever charged with a crime or traffic violation, involved in an bus/boat accident as defined by the National Highway Traffic Safety Administration (NHTSA), or whenever any points are assessed on the driving record for moving violations. Failure to report such incidents may result in termination of the contract or disqualification of the driver as per the requirements of COMAR 13A.06.07.07 A-F. See Policy Procedures - Appendix B
- G.** The contract between the contractor and the Board may be terminated at any time at the sole discretion of the Board with sixty days (60) notice and in accordance with the terms and conditions of the written contract.
- H.** A contractor, any driver, or bus aide is prohibited from using a cell phone, using or wearing a blue tooth device or any hands free device in anyway, while transporting students. Any violations of this policy may result in disqualification and/or termination of the offending bus contractor/driver or bus aide. Upon direction of the bus driver, there may be occasions when the bus aide will be allowed to use their device in an emergency. A bus driver may use their device for emergency situations once the bus is completely stopped and parked in a manner consistent with all procedures and safety guidelines.

## **5. INSURANCE**

- A.** The Board shall provide third party liability, property damage and personal injury insurance on contractor- owned school buses/boats when used under the terms of the contract.
- B.** Except for C, insurance coverage is determined by the Board and may be altered only by the Board.
- C.** Contractors are responsible for collision insurance on their equipment as well as Liability (for non-contracted use), property damage and personal injury insurance. Workers Compensation Insurance shall be provided for drivers and bus aides in accordance with Section 9-227 of the Labor and Employment Article. Copies of Collision and Workers Compensation Insurance shall be provided to the Supervisor of Transportation prior to the first student transportation date annually.

- D. Somerset County Public Schools does not provide liability insurance to cover non-school related trips. See Policy Procedures – Appendix G

**6. ABSENCE(S) OF BUS/BOAT CONTRACTORS**

- A. If a contractor is absent, his/her bus/boat shall be operated by a qualified driver/captain who possesses all necessary certifications.
- B. The contractor shall notify the Transportation Department with the name of the substitute driver anytime the principle driver is not operating the bus/boat.
- C. The Substitute Bus Driver/Boat Captain must meet SCPS Bus Driver/Boat Operator qualifications – See Policy Procedures

**7. CONTRACTOR PAYMENTS**

- A. The amount paid under the contract shall be determined by the Board annually on the basis of the approved Table of Rates. See Policy Procedures- Appendix C for Table of Rates; See Policy Procedures for Table of Rates Timeline.
- B. Contractors shall maintain a manifest which will be audited by the electronic GPS verification system. In the event that a discrepancy is discovered between the manifest data and GPS data, payment will be based on the data collected through the GPS system. Payment to the contractors shall be in ten monthly installments beginning in September and concluding by June 30th. Payments shall be made no later than the 15<sup>th</sup> day of the following month. Contractors will be given the option for electronic transfer.
- C. When a bus is removed from service (by the Supervisor of Transportation, the contractor, or MVA), for any reason associated with a safety violation for two weeks or more, the PVA (Per Vehicle Allotment) paid to the contractor shall be based on the PVA of the spare bus as per the approved Table of Rates. The PVA paid to the contractor will be the lower of the two PVAs between the contractor's bus and the identified spare bus. The contractor will provide a written timeline for the repair. A maximum length of time will be 30 days unless additional time is approved by the Supervisor of Transportation.
- D. When a bus/boat will be out of service for more than two weeks due to a mechanical repair, the contractor will provide written timelines for the repair. The PVA may be reduced to the PVA of the spare bus used based upon the recommendation of the Supervisor of Transportation. A maximum length of time will be 30 days unless additional time is approved by the Supervisor of Transportation.
- E. A spare bus shall not be used for a regular contracted route except for emergencies or in the event of C or D above.

**8. GENERAL STANDARDS**

- A.** School vehicles (vans, buses, or boats) used to transport Maryland Public School Students shall meet applicable regulations as listed in 49 CFR Part 571; the U.S. Department of Transportation; National Highway Traffic Safety Administration; Federal Motor Vehicle Safety Standards; applicable COMAR guidelines; Code of Federal Regulations; and any specifications adopted by Somerset County Public Schools. Any school bus item not specifically addressed or prohibited shall comply with the "Standards for School Buses and Operations: National Minimum Standards Guidelines for School Operations" (2005 Revised Edition) which is incorporated by reference. A "Vehicle Acceptance Sheet" shall be completed and kept on file with the Supervisor of Transportation for each vehicle contracted with the Somerset County Public School System.
- B.** School bus evacuation drills shall be conducted twice per year. School boat evacuation drills/training will be conducted twice per year with the assistance of the U. S. Coast Guard. See Policy Procedures.
- C.** All route buses contracted by the Board for the purpose of transporting students shall bear the words "Somerset County Schools" on both sides of the bus. See Vehicle Acceptance Procedures in Policy Procedures.
- D.** When a school bus is used for non- SCPS related activities, the "Somerset County Schools" lettering shall be covered and the flashing warning lights and stop arm shall be disengaged or made inoperable. Charter authorized MVA registration shall be displayed on the vehicle during non-SCPS authorized use.
- E.** The Board shall comply with legislation permitting school buses to be used over a 12-15 year service period unless otherwise stated in current legislation. However, the Board reserves the right to terminate the use of a vehicle prior to the completion of 12-15 years of service if the equipment does not meet the inspection standards.
- F.** School buses carrying passengers shall travel at the posted speed limit. Regardless of the posted speed limit – buses are not to exceed 55 m.p.h. Boat speed will be dependent on weather, visibility and condition of seas.
- G.** Equipment installed by the Board of Education on a Contractor's bus may include, but not limited to electronic communication and surveillance devices such as audio and visual recorders, GPS or tracking devices, data storage media etc. Said equipment shall not be tampered with or disconnected by the contractor without written approval by the Supervisor of Transportation. Contractors are responsible to inform service centers to reconnect any electronic devices disconnected to conduct repairs or general service and should confirm correct operation of the SCPS installed devices.

**9. VEHICLE INSPECTIONS**

- A. A minimum of three Type B safety inspections and a preventive maintenance Type A inspection shall be conducted on each contracted school vehicle annually. These inspections shall be conducted in accordance with COMAR regulations, Motor Vehicle Administration and the State Department of Education regulations. Buses older than 12 years must undergo a fourth Type B Safety Inspection annually. Buses older than 15 years may not be used to transport students.
- B. A daily pre and post -trip operational check of each vehicle shall be required and shall be completed using the electronic GPS handheld device and maintained by each driver per COMAR regulations. See Policy Procedures.
- B. All school buses/boats shall be kept clean and in proper operating condition at all times.

**10. ROUTING AND SCHEDULING**

- A. Routing and scheduling of school buses shall be done in accordance with COMAR, and Board of Education policies and procedures.
- B. Every reasonable effort shall be made to eliminate the necessity for a school bus carrying passengers to traverse a grade-level railroad crossing and/or to complete backing-up maneuvers.

**11. ELIGIBILITY FOR RIDERSHIP**

- A. Any public school student shall be eligible for student transportation services based on the following:
  - Pre-k/K students living more than ½ mile from their school
  - Grade 1-5 students living more than (1) mile from their school
  - Grades 6-12 students living more than one and a half (1 ½) miles from their schoolThe Board may make the following exceptions to this policy:
  - 1) To accommodate physically handicapped children.
  - 2) To eliminate a hazard to the safety of children.
- B. Students transferring or registering in schools outside of their attendance area shall provide their own transportation to that school. This does not apply to students attending county-wide schools.
- C. **Exceptional Conditions** - Requests for transportation of students who live less than the prescribed distance from their assigned school shall not be approved unless in the judgment of the Superintendent or his/her designee, unsafe walking conditions exist. For Unsafe Conditions, See Policy Procedures.

- D. School Trips and Volunteers** – Only authorized students are eligible to be transported by a SCPS Bus. Parents, guardians and authorized volunteers shall submit to a system-sponsored background check prior to being allowed to ride on buses for SCPS sponsored trips. (See Policy 200-22; Volunteer Services)

**12. SPARE BUSES (PAID AND/OR UNPAID)**

- A.** A spare bus is a bus used temporarily to replace a contracted bus/regular route bus.
- B.** Spare buses shall be available during the time that route vehicles are in operation.
- C.** The number of approved spare buses shall be limited to the number necessary to operate an effective system as determined by the Supervisor of Transportation and approved by the Board.
- D.** The primary purpose for maintaining a spare bus fleet is to replace a regular route vehicle that is out of service for repairs or preventive maintenance. As a secondary purpose the spare buses can be used to provide a bus for athletic events or field trips. If there is a conflict between replacing a regular route vehicle being used for an athletic event or a field trip, the spare bus shall be used to replace the regular route vehicle.
- E.** Prior to the purchase of a spare bus, the Supervisor of Transportation shall inform the contractor of the Specifications of the Spare Bus. The purchase approval shall be at the sole discretion of the Board. For Specifications – See Policy Procedures-Appendix F
- F.** Any replacement spare bus must have a minimum of three years of service life remaining and meet the Bus Specifications as required. For Specifications – See Policy Procedures-Appendix F
- G.** Contractors shall submit to the Supervisor of Transportation, a request for a new/used spare bus at a minimum of six months prior to the 15 year expiration (life cycle) of their current bus.



**13. NEW BUS PURCHASES (CONTRACTED/REGULAR ROUTE BUSES) For Existing Contractors**

- A.** Contractors shall submit to the Supervisor of Transportation, a request for a new/used bus at a minimum of six months prior to the 15 year expiration (life cycle) of their current bus.
- B.** The contractors' identified replacement bus shall have a minimum of five years of service life remaining and meet the Bus Specifications as required. For Specifications – See Policy Procedures - Appendix F
- C.** The Board of Education shall approve all contractors' bus replacements.
- D.** Somerset County Public Schools will not be involved in the financing of a bus.