

# NORTH CAROLINA STATE BOARD OF EDUCATION

## Policy Manual

### Policy Identification

**Priority:** Effective and Efficient Operations

**Category:** Transportation

**Policy ID Number:** EEO-H-004

**Policy Title:** Policy adopted from the School Bus Taskforce, the Ernest and Young Trans. Study

**Current Policy Date:** 05/02/1991

### Other Historical Information:

### Statutory Reference:

### Administrative Procedures Act (APA) Reference Number and Category:

PUPIL TRANSPORTATION PROGRAM  
MAY 1991

### STATE BOARD OF EDUCATION

Shall inspect each activity bus and recommend to the board whether the bus should be replaced but replacements will be determined by the local board of education. Such replacement units for activity buses shall be financed with local funds.

Shall promulgate rules and regulations for the operation of a public school transportation system.

Shall be under no duty to supply transportation to any pupil or employee enrolled or employed in any school.

Shall from time to time adopt such rules and regulations with reference to the construction, equipment, color, and maintenance of school buses, the number of pupils who may be permitted to ride at the same time upon any bus, and the age and qualifications of drivers of school buses as it shall deem to be desirable for the purpose of promoting safety in the operation of school buses.

Shall assist local board of education by establishing guidelines and a framework through which local boards may establish, review and amend school bus routes.

Shall allocate to the respective local board of education funds appropriated from time to

time by the General Assembly for the purpose of providing transportation to the pupils enrolled in the public schools within the State.

Shall from time to time adopt such rules and regulations with regard to the qualifications of persons employed by local boards of education as chief mechanic or supervisor of transportation.

## LEGISLATIVE AND ADMINISTRATIVE CODE (SBE) CHANGES

### Legislative

- A. All drivers must have at least two years of driving experience as a licensed operator. **REQUIRED ACTION:** Amend G.S. 115C-245 to require that a driver must be at least 18 years old and have at least two years of driving experience.
- B. All school buses (yellow and activity buses) must come to a full stop within 50 feet but no closer than 10 feet of the nearest rail at rail-road crossings. **REQUIRED ACTION:** amend G.S. 20-143.1(a) to include activity buses.
- C. The maximum speed for special education school buses be 45 miles per hour. **REQUIRED ACTION:** Amend G.S. 20-128(b)(2) by deleting the under-lined "For school buses or special buses with a capacity of 16 pupils or less that are used to transport students who are children with special needs, it shall be unlawful to operate the buses at a greater rate of speed than 45 miles per hour."
- D. Amend G.S. 115C-47(24) to require the local board of education to inspect activity buses rather than the State Board of Education. (G.S. 114C-248 requires superintendents to inspect school buses but not activity buses.) **REQUIRED ACTION:** Amend G.S. 115C-47(24) as stated above.

### Administrative Code

- A. Drivers must repeat the bus drive training provided by Division of Motor Vehicles following an accident involving a school bus if a local review of the accident determines that the accident occurred as a result of driver negligence. **REQUIRED ACTION:** Amend APA-Sub. Ch. 6B (.0001)(b) by adding a new (5) "is involved in a school bus accident as a result of driver negligence, as determined by local review."
- B. All drivers may complete at least eight hours of inservice training per year to discuss topics such as first aid, emergency procedures, pupil management, assertive discipline, and driver evaluation. **REQUIRED ACTION:** Amend APA-Sub. Ch. 6B (.0001)(a)(4) by adding "to include at least eight (8) hours of inservice training to discuss: (a) first aid, (b) emergency procedures, (c) pupil management, (d) assertive discipline, and (e) driver evaluation."
- C. All drivers may submit to a controlled substance test and a criminal record check prior to initial employment and to random periodic testing thereafter. **REQUIRED ACTION:** Amend APA-Sub. Ch. 6B (.0001)(a) by adding "(5) submit to (a) criminal record check, (b) controlled substances tests prior to initial employment,

and (c) random periodic testing thereafter.

- D. All safety assistants/monitors, if employed by a local board of education, may complete a minimum of eight hours of annual staff development instruction to discuss topics such as first aid, emergency procedures, pupil management, and assertive discipline. **REQUIRED ACTION:**
- E. All safety assistant/monitors may submit to a controlled substance test prior to initial employment and to random testing thereafter. **REQUIRED ACTION:** Amend APA-Sub Ch. 6B (.0003) by adding "(9) controlled substances testing of safety assistants prior to initial employment and random periodic testing thereafter."
- F. Exceptional children transportation arrangements must be determined by a school-based committee, which includes the IEP committee and the transportation director, and approved by the LEA superintendent. **REQUIRED ACTION:** Amend APA-Sub. Ch. 6B (.0002) by adding "(C) LEA's (local Education Agencies) shall establish uniform procedures for transporting children with special needs to include: (1) recommendation by school-based committee; (2) written I.E.P.; and (3) approval by transportation director and superintendent."
- G. Amend the administrative code regulating standees on school buses to read as follows: "LEA's shall provide seating for all school bus passengers entitled to transportation according to the rated seating capacity for each specific bus. The LEA shall not allow the number of passengers being transported to exceed the official rated capacity for the type and model bus being used." **ALL RIDERS MUST BE SEATED BEFORE A BUS MAY LEAVE A STOP: OVERCROWDING AND STANDEES ARE PROHIBITED.**

**REQUIRED ACTION:** Amend APA-Sub. Ch. 6(.0002) as state above.