

HAGERMAN MUNICIPAL SCHOOLS

PUPIL TRANSPORTATION

POLICY / PROCEDURE

MANUAL



Emergency	911
Road Conditions	511
State Police, Roswell Office	622-7200
County Sheriff, Chaves	624-6500
Hagerman Police	752-3205
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TABLE OF CONTENTS

	PAGE
PREAMBLE	1
SECTION 1	
School Bus Driver Qualifications and Training	
1.1 Job Description	2
1.2 Primary Job Functions	3
1.3 Working Conditions	3
1.4 Driver Selection	4
1.5 Personal background	4
1.6 Physical Qualifications	5
1.7 Instructional Programs for School Bus Drivers, Substitute Drivers & Assistants	6
1.8 Substance Abuse Policy	7
1.9 Prohibitions	10
SECTION 2	
Regulations Governing the School Bus Operator	
2.1 Responsibilities	11
2.2 Pupil Management	12
2.3 Pre-trip and Post-trip Inspection	12
2.4 Emergency resuscitation	13
SECTION 3	
Procedural Regulations Governing the Operation of the School Bus	
3.1 Vehicle Operation	13
3.2 Cell Phones	14
3.3 Cell Phones in School-Owned Vehicles	14
SECTION 4	
Special Procedures in the Operation of the School Bus	
4.1 Accidents	14
4.2 Emergencies	16
4.3 Procedures When Approached by Authorized Emergency Vehicles	18
4.4 School Buses Operation on Interstate Highways	19
SECTION 5	
Per Capita Feeder Policy	

5.1	Reimbursement	20
5.2	Requirements	20
SECTION 6		
	Federal Register 49 CFR Part 40	21
	Federal Register 49 CFR Part 382	23
SECTION 7		
	Transportation as an IEP “Related Services”	
7.1	Travel Time policy	26
7.2	Eligible/Ineligible School Bus Riders	26
7.3	Special Personnel	27
7.4	Transportation of Special Need Animals	27
7.5	Transportation of Medication	27
7.6	Transportation under Section 504	27
7.7	Re-configuring School Bus Routes	27
7.8	Delivery of Students Receiving Modified Transportation Services	28
SECTION 8		
	Termination of Bus Contract	29
	Grievance Procedure	29
SECTION 9		
	Student Discipline Policy for School Transportation	
9.1	Discipline of Special Education Student	30
9.2	Emergency Removal of Students	31
SECTION 10		
	Activity Trips	
10.1	Activity Buses	31
10.2	Activity Group Responsibilities	32
10.3	Maximum Driving Time	32
10.4	Responsibilities of Sponsors	32
10.5	Activity Trip Tickets	33
10.6	School Activity Vehicles	33
FORMS		34

**HAGERMAN MUNICIPAL SCHOOLS
Pupil Transportation Policy/Procedure Manual**

PREAMBLE

This Hagerman Municipal Schools Transportation Policy has been developed in accordance with the New Mexico State Transportation Division rules and regulations.

The purpose of this policy is to provide school bus drivers, transportation personnel, school officials, and parents with rules, regulations and operating procedures for Hagerman Municipal Schools Transportation.

All policies and standards contained herein are subject to change. In the event a State or Federal mandate is more extreme than the standards contained herein, the State or Federal policy will take precedence.

SECTION 1

SCHOOL BUS DRIVER QUALIFICATIONS AND TRAINING

1.0 School Bus Driver Qualifications and Training

1.1 Job Description

1.1.1 There are certain duties that all school bus drivers are required to perform. These include:

- Safe and efficient operation of a school bus, transporting students to and from school as well as related activities in accordance with all statutes and regulations.
- Must conduct thorough pre-trip and post-trip inspections on school bus and special equipment.
- Must have interest in and empathy for children.
- Must possess comprehensive knowledge of driving safety and courtesy.
- Must know the federal, state and local school district rules, regulations, procedures and laws as they relate to the operation of a passenger vehicle.
- Must have a valid New Mexico commercial driver's license with "P" and "S" endorsements.
- Must have the ability to understand and carry out written and oral instructions.
- Must have the ability to maintain effective pupil behavior management control over groups of children.
- Must be able to meet or exceed the annual state required physical examination.
- Must be able to meet emergency situations in accordance with operating procedures.
- Must be willing and able to submit to and pass substance abuse testing as prescribed by local school board policy.
- Must have and maintain a satisfactory driving background that reflects a professional driver and which meets all school district, state and federal requirements.
- Must be able to communicate well with people including clear and verbal skills.
- Must have the writing and arithmetic skills to accurately complete the assigned forms and reports.
- Must be able to drive all district buses including full size buses and standard shift vehicles and to operate lift equipment and securement devices on special needs equipment.
- Must be at least twenty one (21) years of age.
- Must attend in-service training classes and safety meetings as required by the district and State or Federal Government.
- Must be able to read and interpret schedules and forms as well as read and use a map.
- Must be physically able to climb in and out of the school bus emergency door to evacuate the bus in an emergency.
- Must possess working knowledge of how to care for challenged students with diverse and special transportation needs.

1.2 Primary Job Functions

1.2.1 Operation of a school bus on an assigned route transporting children to and from school as well as related activities in a safe and timely manner will include the following functions and responsibilities.

- Maintain, read and understand route sheets, including time changes, and notify supervisor immediately of any deviations.
- Maintain scheduled route to established time and mileage as best possible.
- Exercise student management through correct use of communication and discipline, and report discipline problems through proper district procedures.
- Maintain good work habits through timeliness and low absenteeism for daily assignment and extra trips.
- Properly care for vehicle and its component parts as prescribed by the district to minimize wear and to extend its useful life.
- Operate the bus cellular phone correctly and according to district policy.
- Inspect each vehicle before and after each trip using the correct procedure and completing the pre and post trip inspection form.
- Operate the vehicle and stop to allow passengers to board and disembark using safe and responsible procedures.
- Operate adaptive transportation equipment to board and disembark using safe and responsible procedures.
- Keep the bus clean and orderly with daily cleaning after each route operated as well as check for lost items.
- Maintain a presentable appearance which includes being properly dressed according to district standards, neat grooming and good hygiene.
- Maintain a cooperative attitude with fellow employees, supervisors, parents and school personnel, always promoting district goodwill.
- Must be able to control emergency situations in a proper manner.
- Must complete bus evacuation drills to district and state government standards.
- Must be able and willing to complete and turn in all required documentation to the district terminal in a timely and accurate manner.
- Attend all required in-service training as well as any other required meetings.
- Must be able to comply with all contractual obligations as well as all local, state, and federal laws and regulations pertaining to the operation of a vehicle.
- Check the bus at the conclusion of each run to insure that no children have been left on the bus.
- Perform other duties as assigned.

1.3 Working Conditions

1.3.1 Conditions include operating in inclement weather, heat and cold (most buses are not air-conditioned), and exposure to possible injury due to traffic accidents. There is considerable

exposure to dust, traffic fumes and high noise level from both outside traffic as well as from passengers. On occasion psychological factors may include dealing with mentally challenged children and adults, dealing with life threatening emergencies as well as coping with screaming children. The above statements are intended to describe the general nature and level of work being performed by people assigned to this classification. They are not intended to be construed as a complete list of all responsibilities, duties and skills required.

1.3.2 All school buses shall be “no smoking” or “smoke free” areas.

1.4 Driver Selection

1.4.1 The selection of a school bus driver shall include the following procedures:

- Completion of a proper application form on which information of a personal and occupational history is requested. (This application will be kept on file during the employment of the individual).
- A check of applicant’s driving record shall be made through the New Mexico Motor Vehicle Division or the National Driver Register. This is essential. Such a check may be requested through the School Transportation Division on the record check form or by telephone. The applicant should have had at least one year’s driving experience.
- A background investigation should be made to determine if an applicant has a record or criminal convictions.
- Satisfactory completion of a school bus driver physical examination.
- Meeting Motor Vehicle Division licensing requirements for a school bus driver.

1.5 Personal Background

1.5.1 No person shall be employed, re-employed or retained as a school bus driver who has been convicted of any of the following offenses:

- Crime involving violence or threat of violence (assault and battery, etc.)
- Driving while under the influence of intoxication liquor or habit-forming drugs. A driver’s attendance at a DWI school shall be considered prima facie evidence of a DWI offense conviction.
- Leaving the scene of an injury accident or manslaughter with a motor vehicle.
- Crime involving the use of a motor vehicle in conjunction with a fatality and/or felony.
- Sex offense crime involving force or minors.

1.5.2 All drivers shall be of good moral character and conduct themselves in such a manner as to exercise positive influence over their passengers. The driver shall be clean and neat in appearance and shall not use undesirable language.

1.6 Physical Qualifications

- 1.6.1** A school bus driver shall be in good physical and mental health, be able-bodied and free from communicable diseases. As evidence of his/her physical fitness, a school bus driver is required to have a physical examination conducted by a licensed physician.
- 1.6.2** The physical examination form must be completed, signed and dated by the examining physician certifying that the individual is physically qualified to drive a school bus and must be on file at the district transportation office before students are transported by the driver. The examination form must be retained for a minimum of one year after expiration.
- 1.6.3** A physical examination is required for all drivers every twelve (12) months from the date of their last school bus physical examination. Additional examinations may be required at another time as per the request of the school district or the State Transportation Director as a condition of employment.
- 1.6.4** The examination shall include but not be limited to, all items shown on the physical examination form provided by the School Transportation Division.
- 1.6.5** Physical requirements shall include but not be limited to the following tasks:
- Climbing - Getting on and off bus to assist challenged riders.
 - Walking - Walk to the vehicle in parking lot, walk in aisles onboard bus, walk around for inspections.
 - Pushing - Closing door, pushing wheelchairs, opening emergency door.
 - Reaching - Opening and closing door.
 - Repetitive Motions - Turning the steering wheel, shifting the transmission.
 - Sitting - Driving the vehicle, attending meetings.
 - Talking - Announcing streets/stops, talking with passengers, talking on the cellular phone.
 - Seeing - Keeping aware of general traffic conditions, stopped vehicles, traffic signals, viewing color of traffic lights, inspecting vehicle, monitoring passengers.
 - Hearing - Listening to traffic sounds, for emergency vehicles, passenger inquiries, detect mechanical problems.
 - Stooping/Stretching - Picking up and securing young or challenged passengers, securing wheelchairs, inspecting under the bus.
 - Lifting - Handling and assisting challenged passengers into their seats, wheel chairs, securement devices.

1.6.6 One or more of the following deficiencies, if by medical determination that the individual is not capable of safe and competent driving, shall disqualify a person as a school bus driver unless a waiver is obtained:

- Visual acuity (either without glasses or by correction) of less than 20/20 in one eye and 20/40 in the other eye; peripheral vision, horizontal field of less than 150. Individual shall have normal vertical balance, horizontal balance, depth perception and the ability to recognize and differentiate the colors red, green, yellow and blue.
- A speech reception threshold, corrected or uncorrected, in the better ear outside of the hearing range of - 10dBHL to 20dBHL.
- Addiction by medical determination to use of narcotics, habit-forming drugs, or the excessive use of alcohol.
- Any indication of coronary or heart ailment likely to interfere with safe driving (electrocardiogram is required when other findings indicate desirability).
- Loss of foot, leg, hand, arm or other defect or limitation of movement likely to interfere with safe driving.
- Any mental, nervous, organic or functional disease likely to interfere with safe driving, such as paralysis, diabetes, abnormal blood pressure.
- Epilepsy or other episodic (paroxysmal) periods of unconsciousness, unless the condition is arrested.
- Use of medication which the examining physician determines is likely to interfere with safe driving.
- Poor general health as determined by a physician.

1.7 Instructional Programs for School Bus Drivers, Substitute Drivers and Assistants

1.7.1 Refer to New Mexico Standards For Providing Transportation For Eligible Students Manual, Sections 3.7, 3.8 & 3.9.

1.7.2 Each applicant for a CDL with P & S endorsements shall:

- Be a legal resident of the United States and/or currently processing for naturalization.
- Pass a CDL school bus driver written examination covering knowledge of school bus operation administered by the Motor Vehicle Division, as well as any other tests a prescribed by the Director of the Motor Vehicle Division.
- Pass a road test administered by a State Certified Commercial Drivers License Examiner. The road test must be given in the size vehicle the person will be operating.
- Pass a CDL pre-trip examination given by a State Certified Commercial Drivers License Examiner. The test must be given in the size vehicle the person will be operating.
- Completed the minimum requirements for instructional programs for School Bus Drivers (first aid, DDC, etc).

1.8 Substance Abuse Policy

1.8.1 All substance abuse/alcohol testing will be done in compliance with Federal Register 49 CFR part 40, 49 CFR Part 382 and 49 CFR Part 391. All employees who possess a Commercial Drivers License and are required by their job description to perform in a safety sensitive position are prohibited from being under the influence of controlled substances and/or alcohol while performing their job, and shall be subject to the drug and alcohol testing programs outlined below. The Transportation Supervisor will be the contact person for all substance abuse testing and questions.

1.8.2 Safety Sensitive Function as defined in 49 CFR Part 382.107:

- All time, from the time a driver begins to work, or is required to be in readiness to work, until the time he/she is relieved from work and all responsibility for performing work.
- All time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer.
- All time inspecting equipment as required by 392.7 and 392.8 of this subchapter or otherwise inspecting, servicing or conditioning any commercial motor vehicle at any time.
- All time spent at the driving controls of a commercial motor vehicle in operation.
- All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth (a berth conforming to the requirements of 393.76 of this subchapter).
- All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and
- All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

1.8.3 Prohibitions:

- No employee shall possess or carry beverage alcohol or a controlled substance in a commercial vehicle.
- No employee shall report for duty or remain on duty while under the influence of alcohol or a controlled substance.
- No employee shall use alcohol or a controlled substance while performing a safety sensitive function.
- No employee shall perform in a safety sensitive function within four hours of using alcohol or a controlled substance.
- No employee required to submit to a post-accident alcohol or controlled substance test shall use alcohol for eight hours following the accident, or until the driver undergoes the required post-accident test, whichever occurs first.
- No employee shall refuse to submit to a post-accident, random reasonable suspicion, or follow-up

alcohol or controlled substance test.

The following constitute refusal to submit:

- Failure to provide adequate breath for testing without a valid medical explanation by a medical doctor.
- Failure to provide adequate urine for testing within a reasonable time without a valid medical explanation from a medical doctor.
- Failure to sign the alcohol breath testing certification form and/or initial the log book entry for the screening and/or confirmation test.
- Engaging in conduct that clearly obstructs the testing process.

No employee shall report for duty or remain on duty while using any controlled substances unless used in accordance with the prescription of a medical doctor who has advised that the substance will not adversely affect the driver's ability to safely operate a commercial motor vehicle. Employees shall be required to report any prescribed drug use to their immediate supervisor

1.8.4 All testing procedures used to test for alcohol and controlled substances will be in accordance with Federal Register 49 CFR Part 40. All employees in, or applicants for, safety sensitive positions shall be tested for substance and/or alcohol use in accordance with the following (see section 6):

- Pre-employment testing - All applicants for safety sensitive positions shall be tested for controlled substance use prior to final consideration for hire.
- Post-accident testing - An employee who is operating a commercial vehicle involved in an accident that results in the loss of life or a moving violation for the operator shall submit to an alcohol and controlled substance test as soon as practicable after the accident. When reporting the accident, the employee is required to report whether the accident resulted in the loss of life or a moving violation. It is then the responsibility of the supervisor to arrange testing.

If the alcohol and/or substance use tests are not administered within eight hours following the accident, the district shall document the reasons the tests were not administered within that time. If the alcohol test is not administered within eight hours following the accident or the controlled substance test is not administered within 32 hours following the accident, no such tests shall be conducted. The district shall document the reasons the tests were not conducted within the required time frame.

Drivers who are subject to this post-accident testing shall remain readily available for the test or may be deemed to have refused the tests. Drivers shall not be prohibited from leaving the scene of the accident for the period of time necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

The results of alcohol or controlled substance tests administered by Federal, State or local officials having independent authority for the test may be used to satisfy this section, provided the tests comply with applicable Federal, State or local requirements, and the results of the test are obtained by the District.

- Reasonable suspicion testing - It will be the responsibility of supervisors to monitor employees in safety sensitive positions for alcohol and controlled substance use. When a supervisor has reasonable suspicion, based on the training provided, that an employee in a safety sensitive position is under the influence of alcohol or a controlled substance, the supervisor shall require reasonable suspicion testing of the employee. The required test(s) shall proceed as follows:
 - 1) The supervisor will inform the employee of the suspicion of influence of alcohol and/or controlled substance.
 - 2) The employee shall immediately stop performance of the safety sensitive position.
 - 3) The supervisor will contact the testing site to arrange testing of the employee during normal working hours (8:00 AM to 5:00 PM, Monday through Friday). Outside of normal working hours, the testing facility selected for hours other than normal working hours will be used.
 - 4) A person designated by the District shall transport the employee directly to the designated testing facility. After the appropriate testing has been completed, the employee shall be transported to his/her place of residence. The employee shall be required to use annual leave or compensatory time, or shall be in an unpaid status if the employee has no such leave available, to account for any time remaining on his/her shift. Such time shall be reimbursed if the results of the reasonable suspicion test are negative.
 - 5) A Reasonable Suspicion Testing Report must be completed by the supervisor who made the determination of reasonable suspicion within 24 hours of the observed behavior or before the results of the test are released, whichever is later. Such report shall be forwarded to the appropriate administrators.

- Random testing - On an annual basis, a minimum of 25% of the average number of CDL - required positions in the district will be administered random alcohol tests. Likewise, a minimum of 50% of the average number of CDL driving positions in the district shall be administered random controlled substances testing.

The selection of drivers for the random testing shall be made using a computer based program that will randomly select CDL drivers from the district's authorized driver list. Under this selection process, each driver shall have an equal chance of being tested each time selections are made.

The random alcohol and controlled substance tests are unannounced, and the dates and times of the testing shall be spread reasonably throughout the year. A sufficient number of these tests shall be conducted to meet the minimum number of tests required under the law.

A driver selected for random testing shall be notified, immediately relieved of any safety sensitive functions and sent or taken directly to the test site.

- Return to Duty - The district must ensure that before a driver returns to duty in a safety sensitive position after engaging in prohibited conduct, the driver shall undergo and pass a return to duty test.
- Follow up - Drivers who have been determined to be in need of assistance in resolving problems associated with alcohol misuse shall be subject to unannounced follow up testing as directed by the Substance Abuse Professional.

1.8.5 Disciplinary Action - An employee who violates any of the alcohol misuse or controlled substances use prohibitions shall be removed immediately from performing in their safety sensitive position. An employee whose test results indicate an alcohol concentration of .02% or greater but less than .04% shall be prohibited from returning to a safety sensitive position until the start of the employee's next regularly scheduled duty period but not less than 24 hours following the administration of the test. An employee whose test results indicate an alcohol concentration of .04% or greater shall not return to work until a return-to-duty test has been administered with a result of .02% or lower alcohol concentration. When test results indicate the use of alcohol or controlled substances by the employee, disciplinary action will include:

- Removal from a safety sensitive position.
- Referral to a substance abuse professional.
- Possible termination in accordance with district policy.

Supervisory personnel who administer this policy in a manner inconsistent with procedural guidelines shall be subject to disciplinary action.

1.9 Prohibitions

1.9.1 Any alcohol or controlled substance misuse that could affect the performance of driving a commercial motor vehicle will be prohibited. This includes but is not limited to:

- Any use on the job.
- Any use during the eight hours prior to performing a safety-sensitive function.
- Any use of alcohol or a controlled substance within eight hours following an accident.
- Possession of any alcohol product or controlled substance in a commercial motor vehicle.
- Refusal to take a required drug/alcohol test.

SECTION 2

REGULATIONS GOVERNING THE SCHOOL BUS OPERATOR

2.0 Administrative Regulation Governing the School Bus Operator

2.1 Responsibilities

- 2.1.1** The school bus driver and school administrator must observe all state laws, rules and regulations, and any local Board of Education policies. They must also follow instructions of the transportation director.
- 2.1.2** School bus drivers shall make all reports required by the State and District Transportation Director.
- 2.1.3** The School Bus Driver shall not modify a stop, time schedule or route without the approval of the transportation director.
- 2.1.4** The driver shall report to the transportation director any complaints which parents and/or students may make regarding transportation service which they are not in a position to rectify. They may also make recommendations to the transportation director for improvements of the school transportation program. All hazards, whether potential or existing, on the route and all causes for failure to operate on schedule should also be reported.
- 2.1.5** Any school bus driver who knowingly or willfully violates any transportation regulation shall be subject to discharge or suspension. The safety of students, efficient operation, and maximum realization of educational values demand that these regulations be carried out.
- 2.1.6** The driver shall not transport any students who are not school students assigned to their bus or a school employee while making regular routes. School employees or unassigned students must have prior written approval of the local superintendent or designee.
- 2.1.7** Only upon request of the transportation director of a school-owned operation and with explicit written permission of the local board of education and the district's liability insurance carrier and with adequate seating available may a driver transport his/her non-school enrolled children.
- 2.1.8** The driver shall not permit any unauthorized person to occupy the driver's seat or tamper with the vehicle in any way.
- 2.1.9** No advertisements or announcements of any description shall be exhibited either on the interior or exterior of the bus. However, safety regulations may be posted in compliance with these regulations.
- 2.1.10** A school bus shall not be used for hauling anything that would make it objectionable for school use

or unsafe for passengers.

2.1.11 The school bus driver shall report all accidents involving his/her school bus in accordance with accident reporting procedures.

2.1.12 The local board of education shall approve all regular, activity and substitute drivers.

2.2 Pupil Management

2.2.1 It is the duty of the school bus driver to enforce all regulations governing the conduct of students from the time the students enter the bus in the morning until they alight from it at the school building, and from the time they enter the bus at the school building until they alight at their regular assigned stop. A school bus driver should not knowingly permit a student off the bus at any point other than at their regular assigned stop without the permission of proper school authorities.

2.2.2 It is recommended that seats be assigned to pupils by the driver.

2.2.3 The driver shall report all serious discipline cases to the proper building administrator in accordance with the local school district policy. The school bus driver is in full charge of all passengers when they are riding the bus. All state and local disciplinary regulations shall be observed. The driver should not attempt to correct students while the bus is in motion and a student shall not be put off a bus while en-route for misconduct. Corporal punishment shall not be administered by the driver nor should the driver physically harm a student for disciplinary reasons.

2.2.4 The driver shall not permit any passenger to occupy any area in front of the passenger seating area while the bus is in motion. No one will be seated on the heater area to the left of the bus driver, and the driver will not carry on a conversation with students while driving. All students will be seated when the bus is in motion. Standing is not permitted.

2.3 Pre-trip and Post-trip Inspection

2.3.1 Every school bus shall be checked before placing bus in service and following each trip or tour of duty. All faulty or improperly functioning equipment shall be reported in writing, on a check sheet and signed by the driver, so that maintenance personnel are notified promptly and the condition can be rectified immediately, if necessary.

2.3.2 The driver shall make an operating brake test at a designated location before each trip or when departing from the storage location.

2.4 Emergency Resuscitation

- 2.4.1** Emergency resuscitation will be given to any student requiring it, regardless of Do Not Resuscitate order. The exception will be an approval court order received by the district, instructing otherwise.

SECTION 3

PROCEDURAL REGULATIONS GOVERNING THE OPERATION OF THE SCHOOL BUS

3.0 Procedural Regulations Governing the Operation of the School Bus

3.1 Vehicle Operation

- 3.1.1** The speed limit for a School Bus on any roadway will be the posted speed. Weather, road, traffic, light conditions, district/company policy, and/or the posted speed limit may require that the vehicle be driven at a slower rate of speed.

Speeding Citation Infractions in a School Bus

First speeding citation: Verbal & Written reprimand

Second speeding citation: Written reprimand and possible suspension without pay
(If within three years of first)

Third speeding citation: Written reprimand, suspension without pay and may result in the
recommendation for immediate termination

Any documented report from a citizen or verification from a school employee will result in a verbal & written reprimand.

A second report will result in a written reprimand and possible suspension without pay.

A third report will result in a written reprimand, suspension without pay and may result in the recommendation for immediate termination.

- 3.1.2** The school bus shall not be filled with fuel while the motor is running and/or while students are on the bus.

3.1.3 School Bus Alternating Flashers Shall Not Be Used:

- When the school bus is completely off the traveled portion of the roadway or on school grounds to load or unload students.

- When a school bus is being utilized as a private vehicle or for charter service and the school bus lettering is required to be covered.
- At railroad crossings, traffic lights, or at any other time the bus is required to stop except to load or unload students on the traveled portion of the roadway.

3.1.4 Directional Signals in the Hazard Mode:

- The hazard mode warning lights may be used when necessary to stop on the shoulder of the traveled portion of the roadway if the bus is temporarily disabled or if any emergency situation exists and it is necessary to stop on the roadway. They are also recommended to be used when loading or unloading special education students at the curb.
- It is recommended that the hazard mode warning lights be used when stopped at a railroad crossing in the traffic or pull-off lane.

3.1.5 Lighted Headlamps:

It is permissible for lighted headlamps (low beam) to be displayed during daylight hours when transporting students.

3.2 Cell Phones (2007):

School bus drivers shall not use cell phones, even those equipped with hands-free devices, while driving. School bus drivers and other personnel shall not use cellular phones while supervising the loading and unloading of students.

3.3 Cell phones in School-Owned Vehicles (2010):

Drivers of Hagerman Municipal School District-owned vehicles shall not use cell phones for talking or texting, even those equipped with hands-free devices, while driving.

SECTION 4

SPECIAL PROCEDURES IN THE OPERATION OF THE SCHOOL BUS

4.0 Special Procedures in the Operation of the School Bus

4.1 Accidents

In case of any accident involving a school transportation vehicle, the following procedures shall be observed:

- STOP the bus immediately.
- Protect accident scene so that it does not become worse.

- Remain at the scene of the accident. Do not move the vehicle.
- Render reasonable assistance to any person injured in the accident. Notify police and the transportation office.
- If necessary to evacuate students, make certain that all students are in a safe location away from traffic and that they are not permitted to leave the scene of the accident on their own.
- Flags, flares, and/or reflectors should be placed appropriately to warn traffic.
- If a school bus is involved in an accident which results in serious injury or hospitalization of any student passenger, bus driver, pedestrian, or other vehicle occupant, the transportation office shall notify the School Transportation Division office as soon as possible by telephone.
- If a school bus is involved in an accident in which a possible mechanical failure on the school bus is a contributing factor, the school transportation office will notify the School Transportation Office as soon as possible. The possible defective part(s) should be protected until directions are provided by the School Transportation Office.
- If a school bus is involved in an accident which results in the death of a student passenger, bus driver, pedestrian, or other vehicle occupant, the School Transportation Office shall be notified **immediately** by telephone.
- Information such as names, license numbers, registration numbers, location, time, road and weather conditions, and a listing of all student passengers (including their seating location) should be obtained. Make no admission of liability or assume responsibility for the accident.
- Provision for transporting students to their home or to school should be made through the use of another school bus.
- In accidents involving a school transportation vehicle, the driver is required to fill out a school bus accident report form and send it to the School Transportation Division of the State Department of Education within five days.
- All school bus accidents must be reported, regardless of how minor, including on-board accidents and accidents involving students approaching or leaving the school bus as observed by the driver.
- In addition to the school bus accident report and pursuant to State Statute 66-7-207, the driver of a vehicle involved in an accident resulting in bodily injury to or death of any person or total property damage to an apparent extent of one hundred dollars (\$100) or more shall, within five days after such accident, forward a written report of such accident to the division.
- In accident cases involving serious injury or death, a complete investigation will be conducted by the School Transportation Division, and the vehicle will be impounded until the investigation is complete. If a pupil passenger is killed within the school bus, the United States Department of Transportation may also conduct an investigation.

4.1.1 Accidents involving a School Bus, in compliance with the State of New Mexico will be adjudicated at the local district level. The Hagerman Municipal Schools will have an accident review board to adjudicate the accident comprised of the following: The Superintendent or designee, the Maintenance Supervisor and two (2) of the driver's peers. The review board will determine the preventable or non-preventable adjudication of each accident.

If the accident is adjudicated to be a preventable accident it will be judged on a scale from 1 to 5 (5 being the worst), and the following discipline measures will be implemented:

First preventable accident grading and disciplinary actions scale:

- 1 Verbal reprimand and written reference
- 2-3 Written reprimand
- 4 Three (3) day suspension without pay and written reprimand
- 5 Five (5) day suspension without pay and written reprimand

A grading of 5 may also result in the recommendation for immediate termination.

Disciplinary actions on all grades may also include a requirement for attendance at all or part of the Driver Training Program, to be decided by the Supervisor and/or driver review board.

The 1-5 grade will be determined by the board. Information used to grade an accident will include, but is not limited to:

- 1 - Driving Environment
- 2 - Cause
- 3 - Law Enforcement Action
- 4 - Driver Negligence
- 5 - Other Contributing Factors

If a driver is involved in a second preventable accident within a three (3) year period, it may result in a recommendation for immediate termination.

4.2 Emergencies

4.2.1 Plan of Action for Emergencies

Each school bus driver will have a plan of action in case of an emergency. This plan should include both breakdowns and accidents and should incorporate procedures for evacuation of the bus, using the emergency door and other exits. Practice of evacuation drills, on school property, will help to avoid panic in case an emergency does arise and must be done at least twice per year.

4.2.2 Instructions for Conducting Emergency Exit Drills

Types of drills:

- Everyone exits through the rear emergency door.
- Everyone exits through the front service door.

- Front half exits through the front door and rear half exits through the rear door.
- Side door if bus is equipped with one.

NOTE: There is a possible danger in drills that when a child jumps from the rear emergency door he/she may sprain an ankle or break a leg. Gym mats or resilient pad should be used if these exercises are practiced along with adult assistance at the emergency door. District may submit alternative instructional plans to the State Transportation Director for approval. Examples are use of simulated classroom or video instruction.

4.2.3 Reasons for actual emergency evacuation:

- Fire or danger of fire. A bus will be stopped and evacuated immediately if the engine or any other portion of the bus is on fire. Passengers should move a distance of 100 feet or more away from the bus and remain there until the driver of the bus has determined that no danger remains. A bus that is located near an existing fire and unable to move, or is near the presence of gasoline or other combustible material should be considered in “danger of fire”, and students should be evacuated immediately.
- Unsafe position. If a bus is stopped due to an accident, mechanical failure, road conditions, or human failure, the driver must determine immediately whether it is safe for passengers to remain in the bus or to evacuate.

The driver must evacuate if:

- The bus stops in the path of any train or adjacent to any railroad tracks.
- The stopping position of the bus is subject to change and thus increases the danger to passengers. For example, if a bus should come to rest near a body of water or precipice where it could still move and go into the water or over a cliff, it should be evacuated. The driver should be certain that the evacuation is carried out in a manner which affords maximum safety for the students.
- The stopping position of the bus is such that there is danger of collision. In normal traffic conditions, the bus should be visible for a distance of 300 feet or more in all directions. A position just over a hill or around a curve, where such visibility is limited, should be considered reason for evacuation.

Important factors pertaining to school bus evacuation drills:

- Safety of students is of the utmost importance and must be considered first.
- All drills should be supervised by the local transportation director or by persons authorized by the district administration to act in a supervisory capacity.
- The bus driver is responsible for the safety of the students; however, in an emergency, the driver might be incapacitated so that he/she would not be able to direct the student emergency evacuation. School patrol members, appointed students, or adult monitors should, therefore, direct these drills, and it is important to have regular substitutes available.

Student qualifications:

- More mature student.
- Good citizen.
- Live near end of bus route.

Student should know how to:

- Turn off ignition switch.
- Set emergency brake.
- Summon help when and where needed.
- Kick out windows.
- Set flags, flares and fuses.
- Open and close doors, account for all students passing his/her station.
- Help small students off the bus.
- Perform other assignments.

Written consent from parents should be obtained before assigning a student as an emergency evacuation drill leader.

- Emergency drill for school buses should be organized in a manner similar to the fire drills held regularly in schools. School bus drills should be held more often during the fall and spring months, preferably when the bus arrives at the school building with the students.
- School bus drills should be held on school property and not on the bus route.
- The type of bus drills held should be varied.
- The driver should be the last one off the bus during emergency evacuation drills. Be sure that the emergency brake is set, ignition is off, and the transmission is in gear.
- Do not permit the students to take lunch boxes, books, etc., with them when they leave the bus. Getting the student off the bus safely in the shortest time possible and in an orderly fashion is the objective of a school bus evacuation drill.
- The students should move a distance of at least 100 feet away from the bus in an emergency drill and remain there in a group until given further directions. The driver, aide or sponsor shall stay with the students.
- All students should be given an opportunity to participate, including those students who only ride a bus on special trips.
- Each student should be instructed in the proper safety precautions while riding the bus and in the drill procedure. This can be accomplished by assembly, classroom activities, or video presentations.
- Students should be instructed in how and where to get help. Instructions and telephone numbers should be posted or carried in the school buses.

4.3 Procedures When Approached by Authorized Emergency Vehicles

4.3.1 The following procedure is developed to eliminate possible accidents involving school buses and emergency vehicles. In order to protect all parties concerned, it is necessary for everyone to exercise due caution. Children generally become very excited when emergency vehicles approach and many do things they normally would not do.

When a school bus driver observes an emergency vehicle approaching, with equipment in operation, the following action should be taken:

- As required by statute 66-7-332, when the school bus is in motion the driver should yield the right of way and immediately drive to a position parallel to, and as close as possible to, the right hand edge or curb of the roadway, clear of any intersection and shall stop and remain in such position until the emergency vehicle has safely passed, except when otherwise directed by a police officer. In the case of a school bus operating on a narrow road, the driver must make sure he does not pull off in an area that would constitute a hazard to his vehicle or passengers, such as an unstable shoulder. In the case of a volunteer fire department, if the bus is in a safe spot, it should remain there until the driver is reasonably sure that all volunteer vehicles have passed before pulling back into the roadway.

If a school bus is stopped in the roadway, pursuant to 66-7-347, to load or unload pupils, the following procedure should be used:

- If stopped in the roadway with school bus flashers in operation to unload pupils and they have not started to depart from the bus, the service door should be kept closed, the school bus flashers turned off and the emergency equipment waved by. If pupils are already out of the bus, keep the flashers in operation until they have safely crossed the roadway. The emergency vehicles should not pass the stopped bus until safe to do so.
- If the bus is stopped to load pupils and the flashers are in operation and pupils have started to cross the road or highway, leave the flashers on and get pupils loaded as quickly as possible. When you are sure that there are no pupils running toward the bus, turn off flashers and wave by the emergency equipment. In your instructions to pupils on safe loading and unloading, you should caution them about emergency vehicles and to stay on the roadway so they can pass safely.
- At no time should the driver leave the seat of the bus.

4.4 School Buses Operating on Interstate Highways

4.4.1 The design of the Interstate System precludes access to such highways at all points other than interchanges. In order that school buses operate in conformance with these requirements, the following procedures shall be followed in all cases:

- The bus shall not make any stop except in an emergency nor shall any pupil board or alight from a school bus while said bus is on the interstate Highway. All loading or unloading shall be done at points off the Interstate System, either at an interchange or on a service or frontage road.
- No school bus shall cross over to the opposite roadway or make any other similar maneuver excepting at interchanges and shall do so in the manner consistent with the proper procedure at any given interchange.
- School buses using portions of the Interstate Highway System must operate as “express” buses between two given points.

SECTION 5 PER CAPITA FEEDER POLICY

5.0 Per Capita Feed Policy:

5.1 Reimbursement

The Hagerman Municipal School Board may provide per capita or per mile reimbursement to a parent or guardian in cases where regular school bus transportation is impractical because of distance, road conditions or sparseness of population. The Hagerman Municipal Schools mileage for reimbursement will be checked by the Transportation Supervisor for verification. The actual attendance of each child will be checked by the school they attend.

Total reimbursement mileage will include the necessary mileage from the home to the bus stop or school (whichever is the lesser distance), the return mileage from the bus stop or school to the home during the day, and the reverse, to pick up the student in the afternoon. The reimbursement amount is 35 cents per mile.

In most cases where the student is transported to school by the parent and the parent remains in the community or goes to another job, the reimbursement would not apply other than one round trip per day. Or, in the case where a student drives a vehicle to a point and then leaves the vehicle parked, only for necessary mileage.

5.2 Requirements

The person providing the transportation shall provide proof of insurance coverage when signing the per capita feeder agreement and when picking up reimbursement checks.

To be eligible for per capita feeder reimbursement, a pupil lives outside the legal walking distance to the

nearest school bus route or to school, whichever the case may be. The minimum distance one-way to qualify for reimbursement are:

- One (1) mile for grades Kindergarten through 6th
- One and a half (1 ½) miles for grades 7th through 9th
- Two (2) miles for grades 10th through 12th

The person providing the transportation is responsible for turning in their mileage log and dates for reimbursement.

SECTION 6

FEDERAL REGISTER 49 CFR PART 40

FEDERAL REGISTER 49 CFR PART 382

AN OVERVIEW FOR 49 CPR PART 40 CONTROLLED SUBSTANCES TESTING (CST)

40.1 APPLICABILITY. Applies to any employer that is covered by FHWA Federal Highway Alcohol and Controlled Substance testing rules Part 382.

40.3 DEFINITIONS. This section defines such things as Medical Review Officers (MRO); Screen test; Confirmatory test; DOT agency. Review closely.

40.21 THE DRUGS. Marijuana, Cocaine, Opiates, Amphetamines, Phencyclidine. Other drugs to be tested must have DOT approval. Urine samples collected under DOT rules cannot be used for anything other than DOT tests.

40.23 PREPARATION FOR TESTING. Custody and Control form in appendix must be used, no one can modify this form and it cannot be used for other than DOT tests. This section also explains the type of containers to be used.

40.23(d) WRITTEN PROCEDURES: Training and instructions must be provided. All collectors must be trained and records kept. Written procedures and instructions must be provided to collectors and donors.

40.23(d)(4) DIRECT OBSERVATION: Must be done by same gender. Collector supervisors and designated management officials may approve direct observation collections. [see 40.25(e) (2)]

40.25 SPECIMEN COLLECTION PROCEDURES. This section discusses the required procedures to provide a specimen and collect the specimen.

40.25(f)(10)(ii) Split Sample Method required under FHWA & How to collect.

40.25(i) Failure to cooperate & documentation. This constitutes a refusal.

40.29 LABORATORY PROCEDURES. If the primary is negative then the split may be discarded. If the primary is positive then the split must be kept at least 60 days and the primary is to be kept one year, both in frozen storage. Split samples on testing will be tested for presence only.

40.29(e) & (f) Cutoff Levels for (e) Initial and (f) Confirmatory test

40.29(g)(6) Quarterly Summary Reports - these must be kept by carrier.

40.33 MRO Report & Review of Results - all results must be confirmed by the Medical Review Officer (MRO). This section lays out the specific requirements of the MRO. The MRO shall discuss results with the driver before reporting unless the driver fails to contact the MRO. If the driver requests a split sample test it must be within 72 hours of being notified by the MRO of positive results.

40.39 All Laboratories must be DHHS certified laboratories.

40.51 The Breath Alcohol Technician (BAT)

Must be trained to proficiency using a DOT model or approved course. Maintain Documentation of training (see 40.83).

40.53 Devices to be used for Breath Alcohol Tests

Screening must use Evidential Breath testing devices (EBT's), Log book form must be used. [40.93 discusses use of non evidential breath testing device].

Confirmation tests must use an EBT with capability of (1) printing in triplicate; (2) sequentially numbered; (3) Print Manufacturer's name; (4) Alcohol reading at .02 level; & (5) test air blank and external calibration.

40.55 Quality Assurance Plans (QAP) — All EBT's Must Have a QAP developed by the manufacturer.

40.57 Locations: Test sites must insure privacy to prevent unauthorized persons from seeing or hearing tests that are being conducted.

40.59 The Breath Alcohol Testing Form and Log Book - This triplicate form must be used to keep a record and report results: copy 1 to Employer; copy 2 to employee; copy 3 BAT keeps.

40.61 Preparation for testing - Employee must show picture Identification.

40.63 Screening Tests [also explained in proposed rule for non—evidential testing devices] BAT'S must use the Breath Alcohol Testing form and follow the procedures outlined. If screen test is at or above .02 a confirmation test is required.

40.65 Confirmation test. This is the final result after a screen test. It must be done within 15-20 minutes of the screen test.

40.67 Refusals and Uncompleted Tests - All refusals and uncompleted tests must be documented and reported to the employer.

40.69 Inability to provide Adequate Breath requires substantiation by a medical doctor. If the MD cannot substantiate good medical reasons it is a refusal to test.

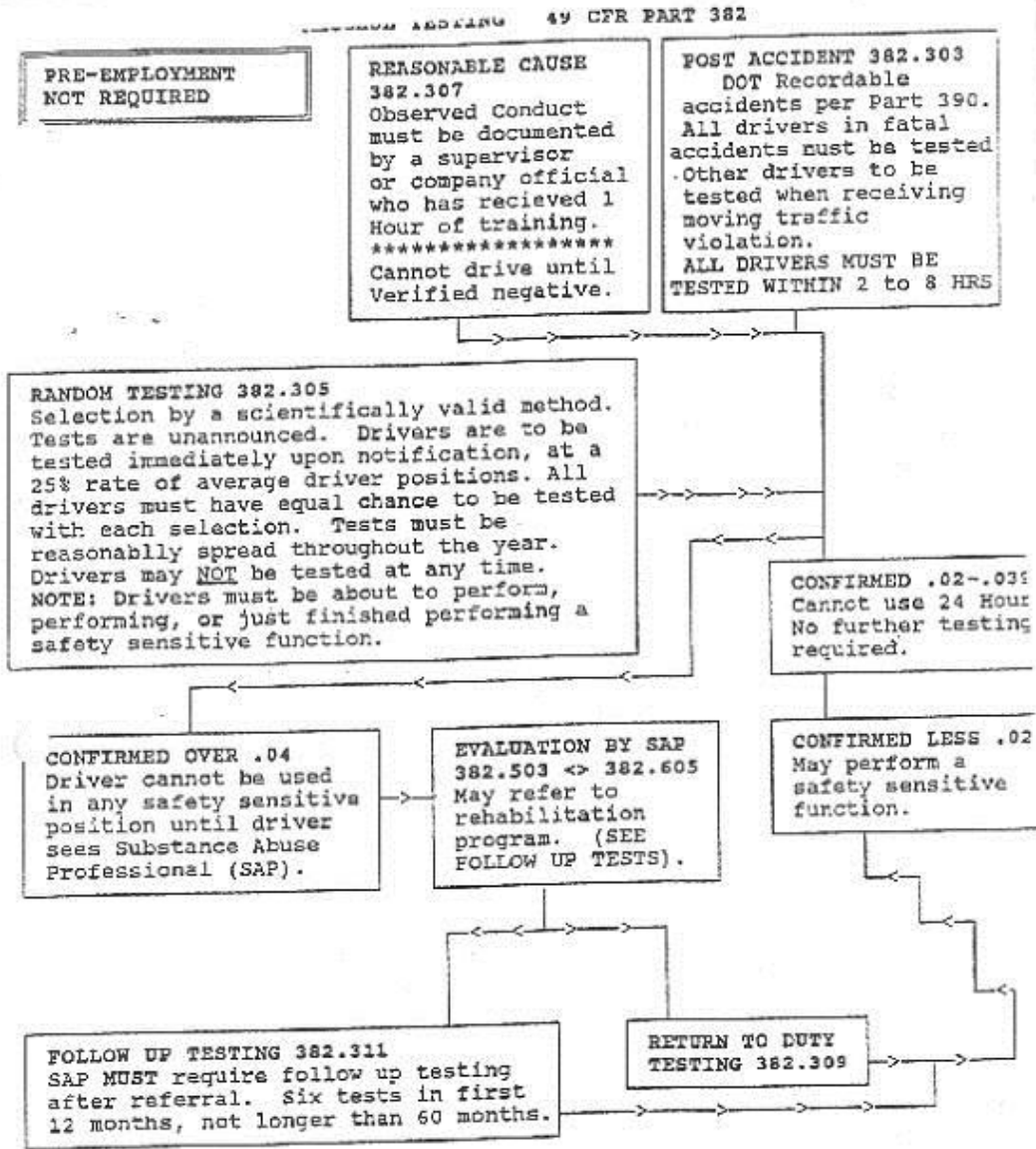
40.79 Invalid Tests. If the next external calibration check of an EBT shows a result that differs from the tolerances in the QAP all tests back to the prior calibration are considered invalid.

There are other reasons for invalid tests: the 15 minute waiting period was not observed; air blank shows more than 0.00; the BAT does not sign the form; EBT fails to print confirmation results; the displayed sequential test numbers do not match the printed result.

40.81 Disclosure of results. The DOT (FHWA) has authority to inspect records and facilities. The employee always has access to their own records.

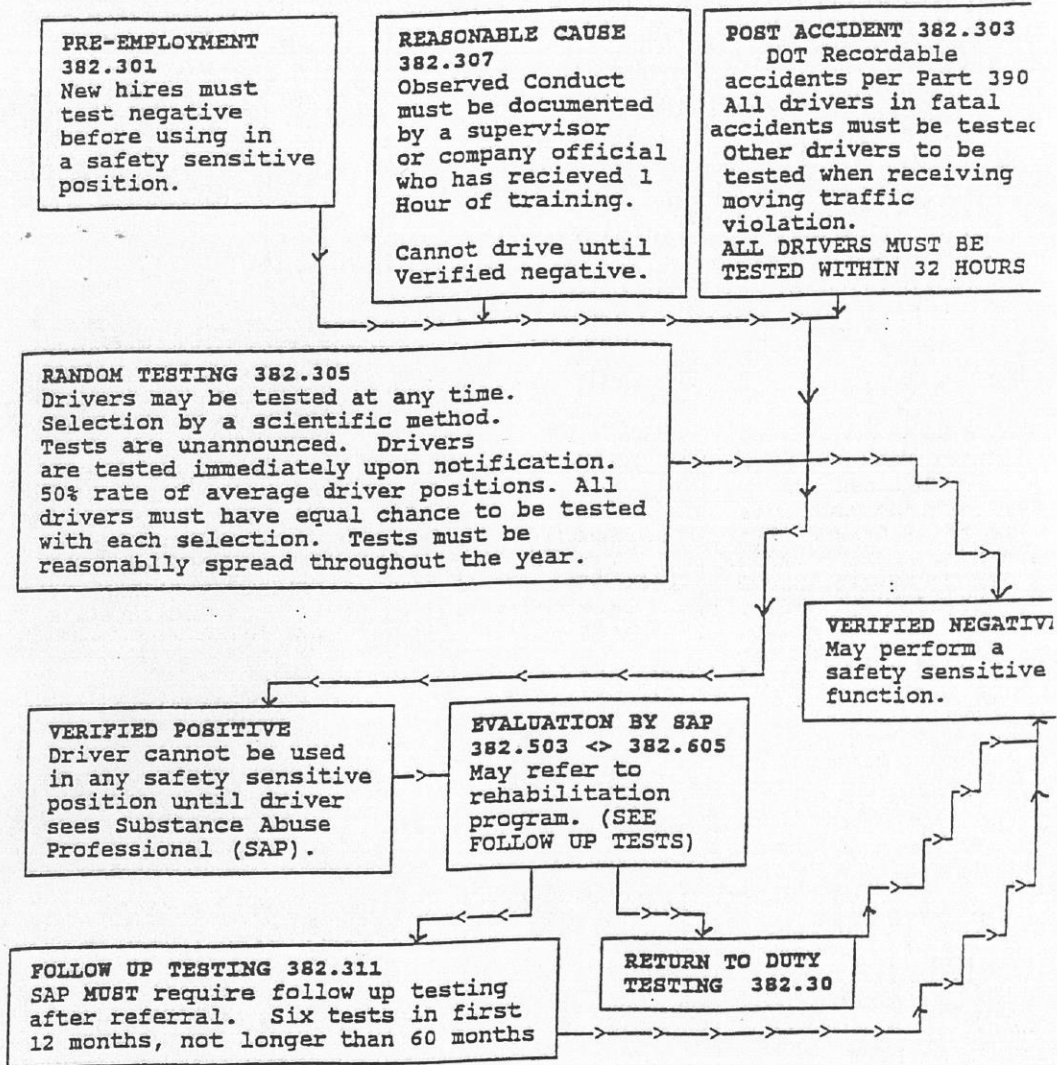
40.83 Records to be maintained. For two years: Records of maintenance, QAP compliance, BAT training, Log books.
For five years: calibration records including external calibration checks.

ALCOHOL TESTING 49 CFR PART 382



CONTROLLED SUBSTANCES TESTING 49 CFR PART 382

CONTROLLED SUBSTANCES TESTING 49 CFR PART 382



AN OVERVIEW FOR 49 CFR PART 382 ALCOHOL AND CONTROLLED SUBSTANCES TESTING (CST)

382.105: All testing must be done per 49 CFR Part 40.

382.301 PRE-EMPLOYMENT: Must have DRUG negative before use.
ALCOHOL TESTING IS NOT REQUIRED

382.303 POST ACCIDENT: Accidents defined in 390. Must test drivers involved in all fatal accidents. <>When driver is involved in an injury accident, or when the vehicle has been disabled and driver receives a moving traffic violation. Alcohol within 2 hours not later than 8 hrs. CST within 32 hours.

382.305 RANDOM: Alcohol 25 % <> CST 50% of average driver positions. All drivers eligible to be tested at each selection. Must be reasonably spread throughout the year. Tests are to be unannounced and driver is to be tested immediately upon notification. Must use scientifically valid method.

382.307 REASONABLE SUSPICION: Trained Supervisor must document specific, contemporaneous, articulable observations based on appearance, behavior, speech, or body odors of the driver. Immediate testing and cannot use until negative results.

382.309 RETURN-TO-DUTY: Violations of Sub-Part B require negative results.

382.311 FOLLOW UP: After rehabilitation must have at least 6 tests in first 12 months. Not longer than 60 months. SAP must oversee Tests.

CONTROLLED SUBSTANCES: Tests at any time. Negatives & Positives reported by the MRO in writing.
POSITIVES: for cocaine, marijuana, opiates, amphetamines, & phencyclidine. Cannot use in safety sensitive position. Positive requires referral to SAP and Return to Duty testing.

ALCOHOL: Tests are to be done Pre-duty; Post-duty; During duty.
ALCOHOL .02 to .0399 cannot perform safety sensitive function for 24 hours; no more testing required (382.505).
ALCOHOL .04 and above requires referral to SAP and Return to Duty testing.

382.401 RECORD RETENTION: <> FIVE YEARS: Alcohol above .02 and refusals. CST positives and refusals. <>
TWO YEARS: Collection & training. <> ONE YEAR: CST Negatives and Alcohol results below .02.

382.413 PRIOR EMPLOYER CHECKS: All employers must check previous employers for past two years and keep a record of positives along with SAP Evaluation. Prior employer must report to new employer 382.405(f). Subsequent employer cannot use driver to perform safety sensitive functions after first use, if the information is not obtained within 14 days.

382.601 EMPLOYER POLICY: Motor Carrier must have written policy on misuse of Alcohol and use of controlled substances. Must be given to employees.

382.603 TRAINING: 120 minutes for supervisors; 60 on drugs & 60 on Alcohol.

382. 605 SUBSTANCE ABUSE PROFESSIONAL (SAP): All drivers who violate 49 CFR Sub-Part B must be evaluated by SAP. Valid rehabilitation (if needed) ordered and reviewed by SAP. Follow-Up-Testing must be supervised by SAP.

SECTION 7 STUDENT RIDERS

7.0 Student Riders

Student transportation is a privilege to students who are eligible for transportation pursuant to State Statute 22-16-2 and 22-16-4, N.M.S.A., 1978. Students who do not obey the State and Local Regulations governing student transportation may have their transportation privileges revoked by the School District.

7.1 Travel Time Policy

All student shall be transported in a timely manner. Special needs students being transported within their attendance area shall have a travel time comparable to that of their peers. Students being transported outside of their attendance area shall have as minimal a travel time as possible depending on available equipment and the attendance location.

7.2 Eligible/Ineligible School Bus Riders

A Hagerman Municipal School District student will be provided transportation to his/her assigned school under the following criteria:

Grades K-5, Elementary

A student whose registered address is one-mile or more one-way from his/her assigned school will be eligible for school bus transportation.

Grades 6-8, Middle School

A student whose registered address is one and one-half miles or more one-way from his/her assigned school will be eligible for school transportation.

Grades 9-12, High School

A student whose registered address is two miles or more one-way from his/her assigned school will be eligible for school bus transportation. A student will not be afforded transportation if attending a school outside his/her residence school, unless specified by an Individual Education Plan (IEP).

Transportation of students on an approved transfer is the responsibility of the parents/guardians unless specified by an IEP.

Transportation will not be afforded to students who reside outside district boundaries.

7.3 Transportation of Special personnel

Transportation of Special Personnel i.e.; medical/nursing assistants, shall be authorized by the director/coordinator of Special Education. The need for such shall be justified in writing by qualified medical personnel and will be deemed necessary in the students IEP.

7.4 Transportation of Animals to Accompany Students w/Disabilities

The transportation of Canine Companions shall be authorized by the Coordinator of Special Education. The need for such shall be justified in writing by qualified medical personnel and will be deemed necessary in the students IEP. School personnel shall determine that all passengers who will be affected by the transportation of the companion animal are free from allergies or fears of such animals. Should this occur, alternate means of transportation will be reviewed by the IEP Committee. In the event that a companion animal is approved for transportation, the student's parent/guardian must provide the following documentation:

- The owner's ID card or the special plate on the dog's collar.
- Current veterinary vaccination verification.
- A release from responsibility for any injury or damage caused by the animal

The documentation must be renewed annually and will be due at the start of each school year.

7.5 Transportation of Medication

All medication must be given to the driver by the parent for transportation to the school. Students will not be allowed to transport their own medication. Medication will only be administered by qualified school staff. All orders for the administration of medication will be in writing from the student's doctor and the information will be included in the student's IEP.

7.6 Transportation for Students Eligible Under Section 504 of the Rehabilitation Act

Students who qualify for transportation under Section 504 of the Rehabilitation Act of 1973 will be required to provide medical documentation supporting their need for transportation. A transportation form must be completed and turned into the Administration Office prior to the start of the start of transportation.

7.7 Re-Configuring School Bus Routes

Late registration or placement of a student into a different program after the beginning of the school year can affect routing and time schedules. Under normal circumstances and if required equipment is available,

changes will be implemented within five (5) days of written notification to the Superintendent or his/her designee. The need for transportation as a related service is determined on a case by case basis by the Individualized Education Program (IEP) committee. The IEP committee considers evaluative information from a variety of sources, including, but not limited to parent information, assistive technology assessments, and other information from the student's multidisciplinary assessment team. The need for transportation as a related service is determined based on the needs of the individual, not the particular disability. When transportation is being considered as a related service, the following steps must be taken:

The child's special education case manager will contact the transportation department a minimum of five (5) school days prior to the IEP meeting and provide the date and time of the IEP as well as the child's physical address.

The transportation department will investigate access to the student's bus stop prior to the IEP meeting.

At the IEP meeting, the following will be determined and documented:

1. The need, if any, for specialized equipment or vehicle such as wheel chair lift, car seat, vests to provide torso support, etc.
2. Significant medical problems, such as seizure disorders, respiratory problems, etc.
3. Alternative emergency drop off points and telephone numbers.
4. Behavior contingency plan if needed.
5. Location of pick up and drop off point.

7.8 Delivery of Students Receiving Modified Transportation Services

When delivering a student receiving modified transportation service and the parent/guardians are not present to receive the student, local transportation providers will refer to the student's Confidential Emergency Information form as follows:

1. If the parents/guardians have authorized that the student can be left unattended, the local transportation provider may leave the student at the delivery location.
2. If the parent/guardians have not authorized that the student can be left unattended, the local transportation provider will not leave the student unattended.
 - A. The local transportation provider will attempt to contact the student's parents/guardians at work or at other phone numbers provided, and if necessary, call the alternate contacts listed on the form.
 - B. While attempting to make contact with the students' parent/guardians or alternate contacts listed on the form, the local transportation provider may proceed on the designated route to deliver other passengers on board to their destinations and then return to the students' delivery location.
 - C. If the transportation provider is still unable to make contact with parents/guardians

or with emergency contact listed on the form, the provider will make an effort to transport the student back to the school. Staff will accept the student and continue to contact parents/guardians or alternate contacts.

3. If the Hagerman Municipal School District is unable to contact parents/guardians or emergency contacts, the student may be referred to the appropriate personnel for child protective services.
4. Notes and/or calls from parents/guardians requesting that their student be picked up or dropped off at a stop other than his/her regular stop will not be allowed unless for emergency day-care reasons. These requests must be received and approved by the transportation department. Parents and/or guardians of students who have been approved for modified transportation services shall:
 - A. Provide information required, from parents/guardians, on the Modified Transportation Form.
 - B. Allow three (3) to five (5) working days after the Transportation Office receives the Modified Transportation Form from the IEP committee to reconfigure the route and begin transportation services.
 - C. Any changes in the student's assigned school, hours of attendance, and/or specific equipment constitute a change in program and must go through the IEP committee.
 - D. Any changes in the pickup and/or drop-off locations shall be submitted to the Transportation Department. Allow three (3) to five (5) day for the reconfiguring of the route by the transportation provider.
 - E. Have the student ready to board the bus at the assigned pickup time. The bus will wait three (3) minutes for a student receiving curb to curb service before continuing on the route.
 - F. Parent/guardian shall ensure that a responsible person meets the bus when it is indicated on the Modified Transportation Form that a student cannot be left unattended.
 - G. Parent/guardian shall notify the transportation provider, in advance, if the student does not plan to attend school on any specific day (a full day notice if possible or by 6:00 a.m. of the current day).
 - H. Parent/guardian shall transport their student in the event of bus suspension.

SECTION 8

CONTRACT TERMINATION & GRIEVANCE PROCEDURE

8.1 Termination of Bus Contract

Refer to SBR Regulation 95-4 adopted by reference.

8.2 Grievance Procedures

Refer to HUMAN RESOURCE section of Hagerman Municipal Schools Board Policy

Manual.

SECTION 9

STUDENT DISCIPLINE POLICY FOR SCHOOL TRANSPORTATION

Student transportation is a privilege extended to students who qualify for transportation service under state law. Students who do not obey state and local regulations governing student transportation may have their transportation privileges revoked by the School District.

All officials, employees and authorized agents of the public schools whose responsibilities include supervision of students shall have comprehensive authority within legal and constitutional bounds to maintain order and discipline during school activities, including school transportation, and at any time the responsibility of supervision exists. This authority applies whenever students are lawfully subject to the schools' control, regardless of the place. During such periods, public school authorities shall have the right to supervise, direct, and control the conduct of students, and students shall have the duty to submit to the schools' authority.

A student may appropriately be disciplined by administrative authorities for violating rules of student conduct established by the local School Board or by an administrative authority to which the Board has delegated rule-making authority. This includes, but is not limited to, the commission of any act which endangers the health or safety of students, school personnel, school bus contractors, or others, or for conduct which reasonably appears to threaten such danger if not restrained. Serious or repeat infractions shall be reported by the bus driver to the principal who will determine the appropriate punishment.

Consequences for improper behavior may range from a warning to a permanent ban from riding the bus. The school principal may impose disciplinary consequences, including suspension or revocation of bus privileges, in accordance with the procedure for suspension or revocation of school privileges specified by the student handbook or code of conduct in effect for the Hagerman Municipal School District.

Parents/Guardians shall require their children to exhibit proper behavior while on the bus. Parents/guardians may be held responsible for property damage to the bus or for injuries to bus drivers or others, in accordance with state law.

9.1 Discipline of Special Education Students Receiving Transportation as a Related Service

In order to provide appropriate transportation services to eligible students with disabilities, personnel involved in transportation shall become familiar with federal and state laws. The Individuals with Disabilities Education Act (IDEA), 20 U.S.C. ~ 1401 et seq. and its implementing regulations 34 C.F.R. Part 300, assures students with disabilities the right to a free appropriate public education, including transportation personnel understand compliance mandates with regard to discipline of students with disabilities.

Disciplinary procedures or behavior plans for students with disabilities specified in the student's Individualized Education Plan (I.E.P.) shall address the behavioral needs of the student while on the bus, including the student's capacity to understand and follow transportation rules. If the student's disabilities or behavioral needs require alternative intervention strategies, support services or other disciplinary methods while the student is riding the bus, the individual discipline or behavior plan incorporated in the student's I.E.P. shall address such needs as to transportation services.

Violations of student's codes of conduct relating to school transportation by a student with a disability, which may result in long-term suspension or revocation of transportation services, shall be referred to the I.E.P. Committee. The I.E.P. Committee shall determine if the student's behavior was a manifestation of the student's disability. Appropriate school transportation personnel shall be invited to attend such I.E.P. meeting. The School District shall follow the procedures specified by State Board of Education Regulation on Rights and Responsibilities of Public Schools and Public School Students, 6 NMAC 1.4, Section 11, entitled "Procedures for Long-Term Suspension or Expulsion of Students with Disabilities", if long term suspension or revocation of transportation as a related service is under consideration.

9.2 Emergency Removal of Students

Nothing contained herein shall prevent the emergency removal of any student, including a student with a disability from a school bus if the student endangers or reasonably appears likely to endanger the health, welfare, or safety of himself or herself, any other student, teacher, or school personnel, or others using transportation services.

- When emergency removal of the student from a school bus is necessary, the student's parents shall be notified immediately of the action. A written behavioral report shall be filed with the school principal and a copy provided to the parents.
- If an I.E.P. committee reconvenes after an emergency removal to determine if a student's conduct results from his or her disability, it shall follow the appropriate disciplinary procedures specified herein and may recommend appropriate modifications or alternative transportation services.

SECTION 10 ACTIVITY TRIPS

10.1 Activity Buses

- Transportation for all school-sponsored Activity trips will be provided by school-owned activity buses whenever feasible.
- When school-owned activity buses are unavailable, local private contractors will be solicited.

- When individual groups opt to be transported by commercial carrier or others, prior School Board approval is required.

10.2 Activity Group Responsibilities

School sponsored groups requiring transportation on activity buses, will be held responsible for the following:

- Activity Bus Drivers Lodging (overnight).
- Activity Drivers Meals.
- Activity Drivers Salary. (driving & waiting time)
- Fuel for Activity Bus.

10.3 Maximum Driving Time

The following maximum driving and on-duty time shall apply to drivers of school-sponsored activity vehicles:

- A driver operating a motor vehicle for the purpose of transporting students to or from a school-sponsored activity shall not have more than 10 hours total driving time, or more than 8 hours continuous driving time. A driver shall not be permitted to be on-duty a total of more than 15 hours in a 24 hours prior or following 8 consecutive hours off duty.

The following conditions shall be met in order for a driver to be considered “off duty”:

- The driver is relieved of duty and all responsibilities for the care and custody of the vehicle, its accessories, or any cargo or passengers.
- The duration of the driver’s relief from duty is a specified, adequate period of time to allow the driver to rest and to pursue activities of his/her choosing off the premises when the vehicle is situated.

10.4 Responsibilities of Sponsors

Activity sponsors shall be responsible for students on and off the vehicle and for the following:

- Preparation and submission of trip requests in accordance with the Hagerman Municipal School District’s Board of Education Policies.
- Notification to the School Transportation Supervisor of any schedule changes.
- Assurance that students are at the departure point(s) at the appointed time.
- Supervision of the loading and unloading of the vehicle.
- **Assurance of the orderly conduct and discipline of students during the trip.**
- In an evacuation of the vehicle, supervision of students and keeping them together.

- All arrangements on overnight trips for meals and lodging, including the driver with his own room.
- Provision for adequate rest stops.
- Maintenance of a student roster and taking roll each time students disembark and return to the vehicle.

10.5 Activity Trip Tickets

- Any vehicle used to transport pupils on school-sponsored activity trips outside the school district's boundaries shall carry an Activity Trip Ticket.
- The activity driver shall, upon request, show a properly signed Activity Trip ticket to any State Police Officer, Department of Transportation Officer, or Staff Member of the State Department of Education.
- Any vehicle on an activity trip without an Activity Trip Ticket is under the jurisdiction of the State Corporation Commission.

10.6 School Activity Vehicles

- A school bus assigned to a regular bus route during route times shall not be diverted to provide transportation for activity purposes.
- Activity transportation shall be scheduled at times which shall not conflict with school buses fulfilling the primary obligation of providing transportation to and from school.
- Overcrowding of regular school buses shall not be permitted in order to free certain vehicles for activity trips.
- Vehicles purchases for the purpose of transporting students on school sponsored activities shall meet applicable United State Department of Transportation Federal Motor Vehicle Safety Standards.

PUPIL TRANSPORTATION FORMS