

Rule 6A-3.0141 is amended to read:

6A-3.0141 Employment of School Bus Operators ~~Drivers~~.

(1) School bus operators ~~drivers~~ are defined as any persons employed or contracted to the school district to transport prekindergarten through grade 12 students in school buses as defined in Section 1006.25, Florida Statutes.

(2) At the time of initial employment the school board shall assure that the operator ~~driver~~ of a school bus meets the following requirements:

(a) Has five (5) years of licensed driving experience.

(b) Has submitted to the superintendent a written application for employment in a form prescribed by the school board.

(c) Has filed a set of fingerprints for the purpose of the required background check for determining criminal record.

(3) Form ESE 479, Florida School Bus Operators Medical ~~Physical Examination Report for Commercial Driver Fitness Determination for School Bus Driver and Medical Examiners Certificate~~ is hereby incorporated by reference and made a part of this rule to become effective November 2006 ~~June 2003~~. This form may be obtained from the Director ~~Administrator~~ of the School Transportation Management Section or the Bureau of Education Information and Accountability Services and Accountability, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

(4) Prior to transporting students on a school bus each operator ~~driver~~ shall meet the following requirements:

(a) Hold a valid commercial driver license with a passenger endorsement and a school bus endorsement.

(b) Successfully complete forty (40) hours of preservice training consisting of at least twenty (20) hours of classroom instruction and eight (8) hours of behind-the-wheel training based upon the Department's Basic School Bus Operator Driver Curriculum which is hereby incorporated by reference and made a part of this rule. This document may be obtained from the Bureau of Career Development, Department of Education, The Florida Education Center, Tallahassee, Florida 32399, at a cost not to exceed actual production and distribution costs.

(c) Demonstrate the ability to prepare required written reports.

(d) Be physically capable of operating the vehicle as determined by physical examination, Form ESE 479, prescribed by the Commissioner and given by a physician designated by the school board and as determined by a dexterity test administered by the school district.

(e) Demonstrate physical and mental capabilities required to carry out all assigned responsibilities as a school bus operator driver.

(5) A certification of training provided by the Commissioner shall be issued by the district to each operator driver successfully completing the forty (40) hours of preservice training.

(6) Each district school board shall obtain a driver's history record from the Department of Highway Safety and Motor Vehicles for each regular school bus operator driver, substitute operator driver, or any other individual certified to drive a school bus by the district. The schedule for reviewing these records shall be:

(a) Prior to initial employment;

(b) Prior to the first day of the fall semester.

(c) Thereafter, the district shall continuously screen operator driver records using the automated weekly updates, ensuring proper retrieval documentation for every week, ~~or~~

~~(d) In the event a continuous weekly update is not performed as described in paragraph (6)(c) of this rule, school districts will perform required driving record checks prior to the first day of each semester of the regular school year, and prior to the first day of summer school for any driver who will be transporting students during summer school.~~

(7) Driver history records shall be requested in a manner prescribed by the Department of Highway Safety and Motor Vehicles using the Automated School Bus Driver's License Record Check System through the Department's data base. All school districts shall obtain and review records for school bus operators drivers using the automated data base system. For any operator driver licensed in another state, the district shall obtain and review the driver's history record from the appropriate state.

(8) Each school district shall establish a school board policy that specifies which infractions of the traffic code deem an applicant unqualified for hire and which causes any employee to be subject to a prescribed follow-up action. At a minimum, this policy shall state that any district school bus operator or contracted operator employee who should have known that his or her license has expired or has been suspended or revoked shall be subject to prescribed disciplinary measures up to and including knowingly operates a school bus with a suspended or revoked license shall be subject to dismissal by the school board.

(9) At least annually, the school district shall assure that the operator driver of a

school bus meets the following requirements:

(a) The requirements of paragraph (4)(a) of this rule.

(b) Successfully complete a minimum of eight (8) hours of inservice training related to the operator's ~~driver's~~ responsibilities for transporting students.

(c) Successfully pass a dexterity test administered by the school district and maintain a valid Medical Examiners Certificate.

(10) At the time of reemployment, the school board shall assure that each school bus operator ~~driver~~ meets all of the requirements of subsections (2) and (3) and paragraph (4)(a) of this rule. If not more than a twelve continuous calendar month break in service has occurred, a operator ~~driver~~ shall be required to complete eight (8) hours of inservice training related to their responsibilities for transporting students prior to driving a school bus with students. If a period exceeding twelve (12) calendar months has occurred, the operator ~~driver~~ shall be required to successfully complete all of the requirements of subsections (2) through (5) of this rule.

(11) All school bus operators ~~drivers, including those drivers employed by school districts with fifty (50) or fewer covered employees under the authority provided in this rule,~~ shall be subject to the Federal requirements of 49 C.F.R., Parts 382 and 391 related to the substance abuse testing and alcohol detection program.

Specific Authority 316.615(3), 1001.02(1), 1006.22, 1012.45 FS. Law Implemented 112.044(3), 322.03(1), (3), 1006.22, 1012.32(2)(a), 1012.45 FS. History—New 8-1-86, Amended 7-5-89, 11-15-94, 4-18-96, 6-24-03,