

Rule 6A-3.0171 is amended to read:

6A-3.0171 Responsibilities of School Districts for Student Transportation. Each school district shall exercise specific powers and responsibilities, as follows:

(1) (a) - (b) No change.

(c) To recommend in writing to the school board for employment qualified bus operators ~~drivers~~, attendants and mechanics as may be necessary for efficient functioning of the service.

(d) To develop safety regulations and promote proper safety practices for all operators ~~drivers~~.

(e) – (h) No change.

(i) To recommend a medical examiner or medical examiners to give physical examinations to bus operators ~~drivers~~ and to ascertain and ensure that all examinations are carried out as required. A medical examiner shall be defined as a medical physician or physician assistant licensed pursuant to Chapter 458, Florida Statutes; an osteopathic physician or physician assistant pursuant to Chapter 459, Florida Statutes, a chiropractic physician licensed pursuant to Chapter 460, Florida Statutes; and an Advanced Registered Nurse Practitioner licensed pursuant to Chapter 464, Florida Statutes.

(2) - (d) No Change.

(e) To adopt, after considering recommendations of the superintendent, a school board policy prohibiting the use of a cellular telephone by any school bus operator while actively driving the bus.

(f) To adopt after considering recommendations of the superintendent, a school

board policy that prohibits unnecessary idling of school buses while they are in the vicinity of students.

(g)(e) To adopt, after considering recommendations of the superintendent statements of policy in harmony with law and with rules of the State Board necessary for maintaining the requirements of adequate transportation. Such policies shall include at least the following responsibilities of the director or supervisor of transportation, the school principal or other designated staff and the bus operator ~~driver~~ for uniform school bus operating procedures:

1. Responsibilities of the director or supervisor of transportation:

a. To counsel with school bus operators ~~drivers~~ regarding safety and efficiency of service to schools and to make recommendations to them for improvement in service.

b. To confer with the superintendent or the superintendent's designee regarding bus operators ~~driver~~ and to recommend such personnel for employment.

c. To instruct school bus operators ~~drivers~~ in procedures to be followed in conducting school bus emergency evacuation drills and to confer with each school principal regarding scheduling, conducting and documenting school bus evacuation drills. These procedures shall include a requirement that all operators of school buses transporting students, teachers, or chaperones on field and activity trips instruct all passengers in the locations and proper use of school bus emergency exits prior to each such trip.

d. To counsel with bus operators ~~drivers~~ regarding operator ~~driver~~ responsibility and authority.

2. - 2. f. No change.

3. Responsibilities of the school bus operator driver:

a. To pass all required physical examinations and meet such requirements as may be prescribed by law or rules.

b. To be clean and neat in appearance, and to refrain from wearing shoes which are not securely held on the foot.

c. To refrain from use of tobacco while operating the bus, and to use no profane language in the presence of the students. Operators Drivers shall not use or be under the influence of alcohol, illicit drugs, or any substance which may impair the operator's driver's alertness or performance while on duty. Operators Drivers shall not carry firearms while on school board property.

d. To prescribe, in cooperation with the principals, the seating arrangements of students on all buses.

e. To report needed changes in school bus transportation to the director or supervisor of transportation including bus loads, bus deficiencies, road hazards, routes and schedules.

f. To study and observe all laws and rules of the State Board and the school board relating to the service of transportation.

g. To attend and participate in conferences and training classes for school bus operators drivers and to be prepared at any time to pass successfully a reasonable examination concerning traffic laws, state and local transportation rules and driving skills.

h. To ascertain and ensure that transported students observe all rules prescribed by law and by the state and local board.

i. To maintain order and discipline, under the direction of the school principal, on the part of every passenger.

j. To permit a student to leave the bus only at their assigned stop, except upon written authorization of the school principal or other district designee.

k. To observe all procedures incorporated in the Florida Department of Education Basic School Bus Operator's ~~Driver's~~ Curriculum, as incorporated by reference in paragraph 6A-3.0141(4)(b), F.A.C.

l. - s. No Change.

t. To inspect the bus at least daily prior to the beginning of the first daily trip or more often as required by the school district and to report any defect affecting safety or economy of operation immediately to authorized service personnel. The inspection shall include all items identified in the procedures related to the mandatory daily inspection in the Basic School Bus Operator ~~Driver~~ Curriculum.

u. - y. No Change.

[1] Misconduct on the part of any student while on bus or under the operator's ~~driver's~~ immediate supervision,

[2] Complaints requiring attention of school authorities,

[3] Any hazards arising which would offer either an actual or a potential threat to the safety of students in the operator's ~~driver's~~ care,

[4] Causes for failure to maintain school bus time schedule, and

[5] Overloaded conditions on the bus which exceed the rated capacity of the bus.

Z. To perform a complete interior inspection of each bus after each run and trip to ensure no students are left on board.

aa. z. To maintain as far as practicable by patient and considerate treatment of parents a feeling of security in the safety of students transported.

(3) Transportation personnel.

(a) To employ such assistants as may be recommended by the superintendent and as are necessary in the judgment of the board to supervise operation and maintenance of school buses and to provide records and maps for a continuous study of transportation routes and needs within the district.

(b) To employ or contract only for services of school bus operators ~~driver's~~ who meet the requirements of Rule 6A-3.0141, F.A.C., and who possess a valid Medical Examiner's Certificate.

(c) To officially maintain, after considering recommendations of the superintendent, an approved, current list of properly licensed physicians or medical facilities staffed by licensed physicians other than members of the school board or superintendent, eligible to examine all school bus operators ~~driver's~~ and operator ~~driver~~ applicants, in accordance with Form ESE 479, Florida School Bus Operators Medical Physical Examination Report for Commercial Driver Fitness Determination ~~for School Bus Drivers and Medical Examiners Certificate~~, and School Bus Driver Physical Standards: Medical Regulatory Criteria for Physical Examinations, as adopted by reference in Rule 6A-3.0151, F.A.C.

(4) - (8) No Change.

(9) Transportation records, reports and accounting.

(a) To ascertain and ensure that all prescribed records are kept and reports made which are required by law, rules or the Commissioner.

(b) To assure that all records and reports prescribed by the Commissioner are properly completed and are furnished on the dates due to those designated to receive them.

1. To file with the Deputy Commissioner for Finance and Operations school bus accident reports using the Department's Automated School Bus Accident Reporting System which may be accessed at <http://doeweb-prd.doe.state.fl.us/eds/BusAccident>. Districts shall complete a report on any school bus accident meeting the reporting requirements of the automated system. The Department's Automated School Bus Accident Reporting System (Form ESE 256) as noted above is hereby incorporated by reference to become effective November 2006. For viewing purposes only, hard copies of the reporting requirements in the Automated School Bus Accident Reporting System may be obtained by contacting the Director of the School Transportation Management Section, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

~~after each accident in which a school bus or a transported student is involved or in which total damages to property exceeds five hundred (500) dollars a report on Form ESE 256, School Bus Accident Report Form which is hereby incorporated by reference in this rule to become effective April 1996. This form may be obtained from the Administrator of School Transportation Management Section or Information Services and Accountability, Department of Education, The Florida Education Center, Tallahassee, Florida 32399.~~

2. To file with the Deputy Commissioner for Finance and Operations the Hazardous Walking Conditions Report for Elementary Students Within 2 Miles of

Assigned School (Form 422) using the Department's automated system which may be accessed at <http://data.fldoe.org/walking/>. ~~Form ESE 422, Hazardous Walking Conditions Report for K-6 Living Within 2 Miles of Assigned School which is hereby incorporated by reference and made a part of this rule to become effective April 1996. This form may be obtained from the Administrator of School Transportation Management Section or Information Services and Accountability, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399. The Hazardous Walking Conditions Report for Elementary Students Within 2 Miles of Assigned School is hereby incorporated by reference to become effective November 2006. For viewing purposes only, hard copies of the Hazardous Walking Conditions Report for Elementary Students Within 2 Miles of Assigned School may be obtained by contacting the Director of the School Transportation Management Section, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.~~

(c) Keep a current file of all Medical Examiner Certificates and required dexterity tests for school bus operators ~~approved physical examination forms for bus drivers, each showing the date of examination.~~

(d) To maintain records of inspection of each school bus in accordance with requirements of subsection (8) of this rule.

(e) To prepare maps of routes and attendance zones and conduct and carry on such studies of transportation as shall enable the superintendent to measure progress and recommend improvements in the transportation service.

(f) To prescribe and maintain, upon recommendation of the superintendent, such additional records, reports, accounts and accounting procedures as may be necessary

to provide complete information regarding the transportation service.

(10) Inter-agency relationships. To cooperate with municipal, county, state, and federal agencies to promote the safety of the transportation service through correction of remediable road hazards.

~~(11) Transportation by other means than school buses including passenger cars as defined by the National Highway Traffic Safety Administration, 49 C.F.R., Part 571, and which meet all applicable Federal Motor Vehicle Safety Standards.~~

~~(a) To share the expense, in unusual cases involving a small number of students living in isolated areas, or requiring specialized transportation services, of operating a vehicle of the type commonly called a passenger car or other conveyance for transporting eight (8) students or less to a public school:~~

~~1. Agreements to share the cost of operating such conveyance shall be set forth in the minutes of the board including the amount, mileage to bus route or school, names of students and school attended.~~

~~2. The board shall not expend funds to share in the expense of operating such vehicle to provide transportation to students whose houses are within a reasonable walking distance of the assigned school or bus routes.~~

~~3. Vehicles of the type commonly called passenger cars need not meet the requirements for specifications of school buses.~~

~~(b) To make such other arrangements, after considering recommendation of the superintendent, for the transportation of isolated, physically disabled or other students with special transportation needs as may be compatible with an adequate educational opportunity for such students and an economical administration of the service.~~

~~(c) To provide for transportation of students in vehicles owned or operated by a school board, other than school buses, when necessary or practical. Such transportation shall be provided in a passenger car or in a multipurpose passenger vehicle, as defined in 49 C.F.R., Part 571. Such multipurpose passenger vehicle shall meet all of the Federal Motor Vehicle Safety Standards in 49 C.F.R., Part 571 applicable to passenger cars on the date of manufacture, except that window tinting, if equipped, shall meet requirements applicable to multipurpose passenger vehicles.~~

Specific Authority 1003.31, 1006.21, 1006.22 FS. Law Implemented 316.183(3), 316.189, 1003.31, 1006.21(3), 1006.22 FS. History—Amended 9-4-64, 3-25-66, 1-17-72, Revised 7-20-74, Repromulgated 12-5-74, Amended 11-24-76, 10-1-81, Formerly 6A-3.17, Amended 9-30-87, 6-26-89, 11-15-94, 8-28-95, 4-18-96, Formerly 6-3.017, Amended 6-11-00, Formerly 6-3.017, Amended 4-21-03.