

# OHIO ADMINISTRATIVE CODE

## **3301-83-01 Calculation of pupil transportation operation payments.**

(A) Authority – Pupil transportation operation payment amount for each school district may be determined as prescribed by the general assembly, in section 3317.022 of the Revised Code.

(B) Eligibility – Fiscal year payment for pupil transportation operation shall be made to all city, exempted village, and local school districts eligible for school foundation funding as provided for by Chapter 3317. of the Revised Code.

(C) Formula for calculation of regular education payment amounts.

(1) Type I (board-owned and operated school buses):

(a) Funding shall be computed and distributed as specified in section 3317.022 of the Revised Code.

(b) For purposes of making computations under division (J) of section 3317.02 of the Revised Code, transportation ADM means average daily number of eligible pupils actually riding pursuant to paragraph (E)(1) of this rule.

(c) Payment for extra service miles run on days public school is not in session may be made by multiplying the extra miles by a per mile amount approved by the state board of education.

(2) Type II (contractor-owned and operated school buses):

(a) Funding shall be computed and distributed as specified in section 3317.022 of the Revised Code.

(b) Payment for extra service miles run on days public school is not in session may be made by multiplying the extra miles by a per mile amount approved by the state board of education.

(3) Type III (public utility) – An amount for the number of eligible pupils transported, as determined by multiplying the number of eligible pupils by a per pupil amount approved by the state board of education.

(4) Type IV (payment to parent or guardian) – Payment shall be determined by multiplying the number of eligible pupils by a per pupil amount approved by the state board of education.

(5) Type V (board-owned vehicles other than school buses) – An amount for the approved total annual miles traveled, as determined by multiplying the total annual miles by a per mile amount approved by the state board of education.

(6) Type VI (privately owned vehicles other than school buses) – An amount for the approved total annual miles traveled, as determined by multiplying the total annual miles by a per mile amount approved by the state board of education.

(D) Reimbursement for special education transportation.

(1) Reimbursement for special transportation may be approved by the department's center for school finance for children with disabilities attending a special education program approved by the department's office of exceptional children and/or attending a regular class in a public school.

(2) For eligible children with disabilities, the department's center for school finance will approve reimbursement for the actual cost of special transportation up to six dollars per instructional day per child and one-half the actual cost in excess of six dollars per day. This amount may be adjusted by factors included in the budget bill, or to remain within the budgeted allocation for special education transportation.

(3) All vehicles used must be authorized vehicles as defined in rule 3301-83-19 of the Administrative Code. A privately owned vehicle utilized to transport a pupil of the family is not subject to regulation other than that required by state law.

(4) Eligible children with disabilities who ride on regular school buses on regular routes are not eligible for special education transportation reimbursement. They are to be counted on the department's T-1 and T-2 forms. However, if fifty per cent or more of the passengers on a regular school bus, on a regular route, are eligible children with disabilities, that cost can be prorated and reported to the department's center for school finance for reimbursement.

(5) Reimbursement claims for transportation of children with disabilities shall be reported on the appropriate form as required by the department's center for school finance.

(6) The amount reimbursed to the school district may not exceed the actual cost for transportation of eligible children with disabilities.

(E) Reporting and annual adjustments

(1) Each school district shall file annual reports of all pupils transported, miles traveled, actual costs, and other necessary information for the purposes of calculation and adjustments in amount due. Pupils transported and miles traveled shall be reported by vehicle as the average daily number of eligible pupils actually transported and miles traveled during the first full week of October that school is in session. Actual cost shall be reported by vehicle on or before the first day of August following the close of the fiscal year.

(2) All adjustments by transportation service type shall be made within the first quarter following the close of the fiscal year.

(F) Vehicles approved for use and operational payment

(1) Board-owned and operated school buses – A vehicle operated by a qualified driver meeting the definition of a school bus successfully passing the annual state highway patrol safety inspection assigned a school bus identification number and painted national school bus chrome with proper black lettering. Vehicle met or exceeded Ohio school bus minimum standards at the time of construction.

(2) Contractor-owned school buses – A vehicle meeting all the requirements of a board-owned school bus and requirement of licensing by the Ohio department of highway safety and bonding as required by law.

(3) Public transit vehicles – Vehicles owned and operated by regional transit authorities, community transit authorities, or privately owned, or taxis, under contract with a board of education and operated on routes designed for the purpose of transporting fare-paying passengers and eligible students simultaneously.

(4) Board-owned vehicles other than school buses – A vehicle, nine-passenger or less, not including driver, with no school bus identification other than school district name.

(5) Privately owned vehicles other than school buses used in compliance with rule 3301-83-19 of the Administrative Code.

(6) Privately owned vehicles may include ambulances and/or taxicabs for the purpose of transporting eligible children with disabilities.

(G) Operational regulations

(1) Only pupils eligible for payment may be included in the counts as reported in paragraph (E)(1) of this rule. An “eligible pupil” must meet the following criteria:

(a) Is one whose place of residence is one mile or more from the school of assignment for public school pupils and school of attendance in case of nonpublic pupils when measured in the following manner: “Measurement of distance originates at a point on the traveled portion of the roadway nearest the primary entrance to the place of residence and then along the most direct route traversable excluding interstate routes by motor vehicle to the school bus loading area nearest and opposite the entrance door used by pupils transported”; and

(b) Is transported from an approved a pick-up point near the residence, to a school of assignment in the case of public school pupils, and to the school of attendance in the case of nonpublic school pupils and who is returned from the school of assignment or attendance to the designated pick-up point; and

(c) Is enrolled in grades kindergarten through twelve and regularly transported to and from a public school; or

(d) Is enrolled in grades kindergarten through twelve and regularly transported to and from a nonpublic school chartered by the state board of education and eligible for transportation service.

(2) Nonresident non-open enrollment pupils regularly transported may be reported for payment purposes only when such pupils are released by the district of residence. Miles traveled to transport eligible pupils participating in an open enrollment program may be reported for payment purposes by the resident district from home to the designated border pick-up point and by the educating school district from the border pick-up point to the building of attendance in the educating district. If the educating district or the resident district provides all the open enrollment transportation for a student, the miles may be reported by the district providing the service.

(3) Miles traveled from bus storage location or school building to first student pick-up, all route miles, and return to storage both a.m. and p.m., including kindergarten miles, are approved for payment purposes.

(4) Miles traveled to and from storage locations outside the county or counties of the school district location are not approved miles for payment purposes. Miles traveled from county line to first pick-up and return to county line are approved miles.

(5) Total annual miles for payment purposes shall be calculated by multiplying total daily miles by one hundred eighty days.

(6) Recalculation of pupil transportation operation payment amount due may be approved when:

(a) Local board policy or routing is revised to provide transportation service for additional pupils or increased miles on or before the first of February, and providing such change in policy is to continue in effect for the remainder of the school year.

(b) A nonpublic school is chartered for operation subsequent to the initial reporting period.

(c) School district erroneously reports or Ohio department of education errs in actual calculation of amount due.

(7) School districts contracting with transit authorities for the purpose of transporting eligible pupils to and from school shall require the transit authority director to file with the board of education actual operational costs in excess of, or less than, reimbursement as provided for by paragraph (C)(3) of this rule. Such report shall be filed with the board of education at the close of each fiscal year. Each board of education shall file with the Ohio department of education all transit authority and local board costs on or before the twentieth day of July of each year.

(8) Type IV, payment to parent or guardian in lieu of transportation service for eligible pupils whose transportation is deemed impractical by school conveyance, must be declared as being impractical by board of education resolution. Payment under this type will not be made for pupils who live within two miles of their school of attendance. Post-secondary transportation shall be reported as type IV when pupils are eligible for such reimbursement under law and any rules adopted by the state board of education.

(9) For payment purposes, all school districts providing transportation service to nonpublic or vocational schools on days public schools are not in session and shuttle service to joint vocational schools may report on forms provided by the Ohio department of education such additional miles.

### **3301-83-03 Purpose.**

The purpose of Chapter 3301-83 of the Administrative Code is to reduce and prevent, to the greatest extent possible, death or injury to pupils and to ensure uniform, economical and efficient pupil transportation operations.

### **3301-83-04 Scope and definition.**

The rules in this chapter are designed to establish minimum requirements for a safe pupil transportation program, including management, general operation, maintenance of school buses and other transportation vehicles, training of personnel, pupil management, driver qualifications and emergency procedures.

The rules in this chapter shall apply to all student transportation operations pursuant to section 4511.76 of the Revised Code.

As contained in this chapter, "school bus owner" means the board of education of a city, local or exempted village school district, the governing board of an educational service center, county boards of mental retardation and developmental disabilities, and the governing authority of all non-public schools, community schools, private contractors and head start programs. The rules in this chapter shall not apply to parental transportation that is provided outside the authority of a school or education program, or by any parent for their own children.

### **3301-83-05 Administration.**

Responsibility for administration of pupil transportation operation and safety Rules

(A) The state agencies responsible for pupil transportation may assist in pupil transportation operation and safety by providing:

- (1) Leadership;
- (2) Management;
- (3) Safety programs;
- (4) Training programs.

(B) The state agencies responsible for pupil transportation shall assist in pupil transportation operation and safety by providing:

- (1) Disbursement of state funding;
- (2) Standards for school bus construction;
- (3) Rules for pupil transportation operations;
- (4) Forms and reports.

(C) All school bus owners may designate a transportation director/supervisor to administer the transportation program and shall be responsible for the management and supervision of:

- (1) Personnel;
- (2) Safety;
- (3) Training;
- (4) Operations;
- (5) Maintenance.

### **3301-83-06 Personnel qualifications.**

(A) **The transportation director/supervisor**

The pupil transportation director/supervisor shall have an understanding of the educational process and the role of transportation in this process. Qualifications shall include:

(1) A satisfactory driving record as verified through checks made by the employing agency.

(2) A satisfactory work history as verified through professional references.

(3) A report from the state bureau of criminal identification and investigation evaluated in accordance with rule 3301-20-01 of the Administrative Code.

(4) Post-high school education or work experience in education, business administration, management or transportation as determined by the school bus owner.

(5) The ability to work with a broad range of individuals and organizations.

(6) The ability to manage personnel and resources to achieve a desired objective.

(7) Annual participation in a minimum of four hours of inservice, in school transportation-related training.

**(B) The school bus driver**

The school bus driver shall have an understanding of the role of pupil transportation in the educational program and meet all the physical, mental and moral requirements established by federal rule, state laws and this chapter of the Administrative Code.

Qualifications shall include:

(1) Being of legal age with a minimum of two years driving experience.

(2) Being physically qualified (rule 3301-83-07 of the Administrative Code).

(3) Completion of semi-annual driver record checks through the Ohio department of education for which records shall be maintained by the employer and/or school district for a minimum of six years. School bus drivers with any of the following shall be disqualified from operating a school bus:

(a) More than six points during the past two years;

(b) A conviction of driving while under the influence of alcohol and/or a controlled substance during the past six years;

(c) Two (or more) serious traffic violations, as defined in divisions (D)(D)(1) to (D)(D)(7) of section 4506.01 of the Revised Code, during the past two years; or

(d) Any railroad crossing violation during the past year.

(e) For qualified bus drivers actively employed prior to August 1, 2007, convictions for offenses described in paragraph (B)(3)(b) of this rule prior to August 1, 2005, shall not be considered, and convictions for offenses described in paragraph (B)(3)(c) or (B)(3)(d) of this rule prior to August 1, 2007, shall not be considered.

(f) Nothing in paragraph (B) of this rule shall limit any district or employer from adopting more stringent qualifications.

- (4) Being licensed as a school bus operator.
- (5) Holding school bus driver certification by a city or exempted village superintendent or by a county educational service center or county board of mental retardation and developmental disabilities, head start program administrator, or non-public administrator.
- (6) Completing pre-service and inservice training (rule 3301-83-10 of the Administrative Code).
- (7) Physical capability of safely and appropriately lifting and managing preschool and special needs children when necessary.
- (8) Ability to cope with stressful situations.
- (9) Possessing or upgrading skills through formal and/or inservice training.
- (10) A satisfactory report from the state bureau of criminal identification and investigation that includes information from the federal bureau of investigation shall be required prior to the hiring of an individual as a school bus driver. A new report shall be required every six years with driver re-certification (rule 3301-83-10 of the Administrative Code). Records shall be maintained by the employer and/or school district for a minimum of six years.
- (11) A negative pre-employment drug test.
- (12) Participation in drug and alcohol testing as mandated by the federal motor carrier safety administration (FMCSA) pursuant to 49 C.F.R. 382 (January 2007). Individuals who refuse to participate in testing are disqualified from operating a school bus.

**(C) Maintenance personnel**

Personnel employed for vehicle maintenance duties shall be qualified to perform quality preventive and regular maintenance programs and shall understand the relationship of vehicle maintenance to a safe pupil transportation program. Qualifications as determined by the employer shall include:

- (1) Work history;
- (2) Education and training;
- (3) Inservice attendance;
- (4) Testing;
- (5) On-the-job performance evaluations.

**(D) Bus aides for preschool and special needs children**

Qualifications shall include:

- (1) Physical capability of safely and appropriately lifting and managing preschool and special needs children when necessary.
- (2) Ability to cope with stressful situations as related to preschool and special needs children.

(3) Possessing or upgrading skills through formal and/or inservice training related to transportation of preschool and special needs children.

(4) A satisfactory report from the state bureau of criminal identification and investigation that includes information from the federal bureau of investigation shall be required prior to the hiring of an individual as a bus aide. A new report shall be required every six years and the standard for evaluation of this report shall be as provided for in rule 3301-20-01 of the Administrative Code. Records shall be maintained by the employer and/or school district for a minimum of six years.

(5) A negative pre-employment drug test.

**(E) On-the-bus instructors**

Qualifications shall include:

(1) Meeting the requirements of rule 3301-83-10 of the Administrative Code inclusive, relating to on-the-bus instructor training.

(2) Meeting all the requirements of school bus driver as listed in paragraph (B) of this rule.

(3) Skills necessary to plan and organize instruction.

(4) Ability to communicate effectively.

(5) Capability of coordinating instruction for preschool and special needs transportation.

**(F) Drivers of board-owned or operated, or contracted vehicles other than school buses.**

Qualifications shall include:

(1) Being eighteen years of age with a minimum of two years driving experience.

(2) Completion of semi-annual driver record checks through the Ohio department of education for which records shall be maintained by the employer and/or school district for a minimum of six years. Drivers with any of the following shall be disqualified from operating a vehicle:

(a) More than six points during the past two years;

(b) A conviction of driving while under the influence of alcohol and/or a controlled substance during the past six years;

(c) Two (or more) serious traffic violations, as defined in divisions (D)(D)(1) to (D)(D)(7) of section 4506.01 of the Revised Code, during the past two years; or

(d) Any railroad crossing violation during the past year.

(e) For qualified drivers actively employed prior to August 1, 2007, convictions for offenses described in paragraph (F)(2)(b) of this rule prior to August 1, 2005, shall not be considered, and convictions for offenses described in paragraph (F)(2)(c) or (F)(2)(d) of this rule



prior to August 1, 2007, shall not be considered.

(f) Nothing in paragraph (B) of this rule shall limit any district or employer from adopting more stringent qualifications.

(3) Holding a valid driver's license.

(4) Proof of financial responsibility or insured by the school board.

(5) A satisfactory report from the state bureau of criminal identification and investigation that includes information from the federal bureau of investigation shall be required prior to the hiring of an individual as a driver. A new report shall be required every six years and the standard for evaluation of this report shall be as provided for in rule 3301-20-01 of the Administrative Code. Records shall be maintained by the employer and/or school district for a minimum of six years.

(6) Must be physically qualified (as determined by rule 3301-83-07 of the Administrative Code.)

(7) Complete preservice training requirements as follows:

(a) A four hour minimum Ohio preservice driver curriculum (or other course only as approved in advance by the pupil transportation section of the Ohio department of education.)

(b) A driving performance evaluation and review.

(c) Submit evidence of training to the regional preservice instructor.

(d) Have a certificate of acknowledgement of van driver training as issued by the Ohio preservice program.

(e) A current school bus driver certificate shall be considered as fulfilling these requirements.

(8) Complete two hours of annual inservice training as approved by the school district transportation department.

(9) The certificate of any person who has not completed the required annual inservice shall be revoked. That person must then successfully complete all of the certification requirements as listed in this rule.

### **3301-83-07 School bus driver physical qualifications rule.**

(A) A person who meets the physical qualifications set forth in this rule as certified by a proper medical authority may be authorized to operate a school bus, as defined by division (F) of section 4511.01 of the Revised Code, for the purpose of transporting pupils.

(B) One or more of the following will be appointed annually by all school bus owners to conduct the examinations in compliance with this rule:

(1) A person licensed under Chapter 4731 of the Revised Code or by another state to practice medicine and surgery or osteopathic medicine and surgery;

- (2) Physician assistant;
- (3) Certified nurse practitioner;
- (4) Clinical nurse specialist; or
- (5) Certified nurse-midwife.

(C) Physical examination time schedule.

- (1) School bus driver medical examinations will be scheduled after May first and must be accomplished before drivers will be qualified to operate a school bus with passengers on board for the next school year.
- (2) Persons employed as new drivers before January first must meet the physical qualifications as defined in paragraph (E) of this rule prior to operating a school bus with passengers on board and be re-examined if re-employed as a school bus driver for the next school year.
- (3) Persons employed as new drivers on or after January first must be examined prior to operating a school bus with passengers on board and the examination will remain valid throughout the following school year. Re-examination will be required if the driver is to be employed as a school bus driver for the second complete school year.

(D) A person may be certified by the appointed examiner as physically qualified to operate a school bus if the person:

- (1) Has no loss of a foot, a leg, a hand, or an arm. Upon request to the department of education, a driver applicant missing a foot, leg, hand, or arm, may request a performance evaluation to be conducted by the Ohio pre-service program instructor(s) to determine the person's ability to control and safely operate a school bus and satisfactorily perform other related duties.
- (2) Has no impairment of the use of a foot, a leg, a hand, fingers, or an arm, and no other structural defect or limitation which is likely to interfere with a person's ability to control and safely operate a school bus.
- (3) Has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control. The Ohio department of education may grant waivers to insulin-using individuals under the following conditions:
  - (a) The individual possesses a currently valid operator's driver license.
  - (b) The individual has had a driving record for a three-year period immediately preceding the date of application for a waiver which:
    - (i) Contains no suspensions or revocations of their drivers' licenses of the operation of any motor vehicle, including their personal vehicle except for suspensions or revocations due to nonpayment of fines;
    - (ii) Contains no involvement in a reportable accident for which a citation for a moving traffic violation

was issued; and

(iii) Contains no involvement in more than one serious traffic violation as defined in divisions (D)(D)(1) through (D)(D)(7) of section 4506.01 of the Revised Code.

(c) The individual has provided a licensed endocrinologist with a complete medical history including, but not limited to, the date insulin use began, all hospitalization reports, consultation notes for diagnostic examinations, special studies pertaining to the diabetes, and follow-up reports and reports of any hypoglycemic insulin reactions within the last three years;

(d) The individual has been examined by a licensed endocrinologist and a complete medical evaluation concerning their medical history and current status has been made, including, at a minimum:

(i) Fasting blood studies (glucose, glycosylated hemoglobin/HB A1c, including lab reference range) and urinalysis performed during the last six months; and

(ii) A detailed report of insulin dosages and types, diet utilized for control and any significant factors such as smoking, alcohol use, and other medications or drugs taken.

(e) The individual submits a signed statement prepared by the examining endocrinologist whose license status is indicated. The signed statement must include separate declarations indicating the following medical determinations:

(i) The endocrinologist is familiar with the applicant's medical history for the past three years either through actual treatment over that time or through consultation with a physician who has treated the applicant during that time;

(ii) The applicant has been using insulin to control his/her diabetes on the date of the application.

(iii) The applicant does not have severe hypoglycemia or episodes of altered consciousness requiring the assistance of another person to regain control;

(iv) The applicant does not have hypoglycemia unawareness or the inability to recognize the early symptoms of hypoglycemia such as sweating, anxiety, forceful heartbeat and light-headedness;

(v) Within the past three years, the applicant has not had a hypoglycemic reaction, at any time, that resulted in any change in mental status that would have been, in the endocrinologist's opinion, detrimental to safe driving;

(vi) The applicant's diabetic condition will not adversely affect his/her ability to operate a CMV or a school bus;

(vii) The applicant has been educated in diabetes and its management, thoroughly informed of and understands the procedures which must be followed to monitor and

manage his/her diabetes and what procedures should be followed if complications arise; and

(viii) The applicant has the ability and has demonstrated willingness to properly monitor and manage his/her diabetes.

(f) The individual submits a separate statement from an examining ophthalmologist that the applicant has been examined and that the applicant does not have unstable proliferative diabetic retinopathy or unstable advancing disease of blood vessels in the retina and has stable visual acuity (at least 20/40 (Snellen) in each eye separately, with or without corrective lenses.)

(g) The following special conditions are required for the issuance of any waiver to an insulin-using diabetic driver. Each driver must:

(i) Carry, use, and record, in a log, the readings from a portable self-monitoring blood glucose device (SMBG) that is equipped with a computerized memory. Blood glucose monitoring must be performed one hour prior to and approximately every four hours while on duty. Paper tapes generated by SMBGs having a printing capability may be used in lieu of a log prepared by the waived driver. Make log records of blood glucose values available to any authorized enforcement official upon request;

(ii) Carry upon your person and use, as necessary, a source of rapidly absorbable glucose;

(iii) Carry insulin and the equipment/materials necessary for administering the medication;

(iv) Report, in writing, any citation for a moving violation involving the operation of a CMV or a school bus to the Ohio department of education no later than fifteen days following the issuance of such citation. A photostatic copy of the citation issued must accompany the written report;

(v) Report, in writing, the judicial/administrative disposition of any citation for a moving violation involving the operation of a CMV or a school bus to the Ohio department of education no later than fifteen days following the notice of disposition;

(vi) Report, in writing, involvement in any accident whatsoever while operating a CMV or a school bus to the Ohio department of education no later than fifteen days following the accident (include state, insurance company, and/or motor carrier accident reports);

(vii) Report, in writing, any change of residence, address, or telephone number to the Ohio department of education no later than fifteen days after such change.

(viii) Report, in writing, any change of employer, including name, address, and telephone number, or type of vehicle operated to the Ohio department of education no later than fifteen days after such change.

(ix) Submit any medical information derived from medical assistance or treatment arising from any accident involvement to the Ohio department of education no later than fifteen days following the accident. A copy of the attending medical specialist's and laboratory reports will meet the reporting requirement.

(x) Submit log records of your blood glucose values for a twenty-four hour period immediately prior to any accident involvement to the Ohio department of education no later than fifteen days following the accident.

(xi) Submit a signed statement from the licensed endocrinologist who conducted the initial medical evaluation to the Ohio department of education no later than fifteen days before each six-month anniversary of the waiver issuance date, that you have been examined and your diabetic condition is currently stable and under control. This semiannual examination must be conducted within the six-week period immediately preceding each six-month anniversary of the waiver issuance date. You must make your log records of your blood glucose values for the preceding three months available to the examining endocrinologist at the time of the required examination;

(xii) Waived drivers who use a medical specialist, other than the specialist who conducted the initial medical evaluation, must be re-examined by an endocrinologist, using the criteria and procedures established for the pre-qualification examination and submit a signed statement from that licensed endocrinologist;

(xiii) Submit a signed statement from an ophthalmologist to the Ohio department of education, no later than fifteen days before each anniversary of the waiver issuance date, that you have been examined and that you do not have unstable proliferative diabetic retinopathy, and that you continue to have stable visual acuity (at least 20/40 (Snellen) in each eye, corrected or uncorrected). This annual examination must be conducted within the six-week period immediately preceding the anniversary of the waiver issuance date.

(h) All documentation described in paragraphs (E)(3)(g)(iv) to (E)(3)(g)(xiii) of this rule must be mailed to the Ohio department of education, division of school finance, pupil transportation section, 25 South Front Street, Columbus, Ohio 43215-4183. Failure to submit timely reports may be cause for revocation of the waiver.

(i) Any individual school bus driver granted a waiver under this rule remains subject to the provisions of section 3327.10 of the Revised Code, including the reporting requirements of division (D) of section 3327.10 of the Revised Code.

(j) Applicants for a waiver from the insulin-using diabetes mellitus qualification requirement are required to submit their applications on plain paper, include all supporting documents, and include the information set forth below.

Each information item must be completed by an appropriate answer or marked "none", if not applicable.

(i) Vital statistics

(a) Name of applicant (first name, middle initial, last name);

(b) Address (street number and name);

(c) City, state, and zip code;

(d) Telephone number (area code and number);

(e) Sex (male or female);

(f) Date of birth (month, day, and year);

(g) Age;

(h) State driver's license number (list all licenses held during the three-year period either immediately preceding the date of application to operate a CMV or a school bus);

(i) Issuing state;

(j) Driver's license expiration date; and

(k) Driver's license classification; and

(l) Your employers/prospective employers name, address and telephone number;

(ii) Experience

(a) Number of years driving buses, and approximate number of miles driving buses; and

(b) Approximate number of years driving a CMV other than a school bus, and the approximate number of miles driving such other CMV.

(iii) Experience factor

(a) Unless the Ohio department of education is satisfied otherwise, you must have accumulated at least three years experience operating a CMV on a regular basis and that experience must be recent enough to reflect your capabilities;

(b) To qualify for a waiver, you must have a clean driving record as described in paragraph (E)(3)(b) of this rule for the three years immediately preceding the date of your application.

(iv) Supporting documents

Your application must include supporting documents for the requirements set forth in paragraph (E)(3) of this rule and any other documents deemed necessary by the Ohio department of education.

(k) A waiver issued by the Ohio department of education is valid for three years from the date of issuance unless revoked by the department for cause or based on a change in statute or rules.

(l) All medical documentation submitted to the department of education as required by this rule may be reviewed by a panel of physicians appointed by the department of education. This panel of physicians will make a recommendation regarding whether or not a waiver should be issued, based upon medical documentation.

(m) The department of education will determine, based upon the recommendation of the panel of physicians and other information as required by this rule, whether or not a waiver will be issued.

(4) Annual urinalysis screening for glucose is required. If glucosuria is detected, a statement regarding the potential condition of diabetes mellitus and any required treatment is to be attached.

(5) Has no current clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency, thrombosis, or any other cardiovascular disease of a variety known to be accompanied by syncope, dyspnea, collapse, or congestive cardiac failure. A person with a history of cardiovascular surgery or abnormality shall be given a more stringent examination (example: stress testing, holter monitoring, angiography or other examinations) to determine whether or not the surgery or abnormality is likely to impair a person's ability to control, inspect, and safely operate a school bus. If it is determined that the surgery or abnormality is not likely to impair the ability, the examining physician will provide certification to that effect with the examination report.

(6) Has no history of transient ischemic attack (TIA), carotid insufficiency, cerebral vascular accidents (stroke) or other vascular abnormalities which are unstable or uncontrolled and/or likely to interfere with a person's ability to control and safely operate a school bus.

(7) Has no established medical history or clinical diagnosis of respiratory dysfunction likely to interfere with a person's ability to control and safely operate a school bus.

(8) Has blood pressure not higher than 160/90 mmHg. If the blood pressure is greater than 160/90 mmHg, a medical certificate must be attached referencing the hypertension. Said medical certificate must establish the nature of the treatment, that the blood pressure is now controlled at or below 160/90 mmHg, with treatment documented, and that the hypertension and treatment are not likely to interfere with a person's ability to control and safely operate a school bus. In all cases where blood pressure is initially greater than 160/90 mmHg, a six month follow-up certificate must be furnished by the driver's treating physician stating the blood pressure remains at or below 160/90 mmHg and under good control. If initial blood pressure systolic is 161-180 and/or diastolic is 91-104, a non-renewable temporary certificate may be issued for up to ninety days pending control of blood pressure at or below 160/90 mmHg.

(9) Has no established medical history or clinical diagnosis of rheumatic, arthritic, orthopedic, muscular, or neuromuscular, disease which is likely to interfere with a person's ability to control and safely operate a school bus.

(10) Has no established medical history or clinical diagnosis of epilepsy or any other seizure disorder and has no other condition which is likely to cause loss of consciousness or any loss of a person's ability to control and safely operate a school bus.

(11) Has no mental, emotional, nervous, organic, or functional disease or psychiatric disorder which is likely to interfere with a person's ability to control and safely operate a school bus.

(12) Has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at least seventy degrees in the horizontal meridian in each eye, and the ability to recognize the colors of traffic signals and devices showing standard red, green, and amber. Persons may use corrective lenses to attain these standards.

(13) Screening audiometer test does not indicate an average hearing loss in the better ear greater than forty decibels at five hundred Hz, one thousand Hz, and two thousand Hz with or without a hearing aid when the audiometric device is calibrated to "American National Standard" (formerly ASA standard) Z24.5. (Hearing in at least one ear must meet the preceding criteria).

(14) Has no current clinical evidence or clinical record of use of illegal substances and has no current clinical evidence or clinical record of use of legally prescribed medication which is likely to interfere with a person's ability to control and safely operate a school bus.

(15) Has no recent history of alcohol abuse and has no current clinical diagnosis of alcoholism.

(16) Has no neurologic deficit that would impair a person's ability to control and safely operate a school bus.

(17) Does not show clinical evidence of active pulmonary tuberculosis or other communicable diseases. Has taken the tuberculin test as required by rules of the Ohio Department of Health. (To be verified on page five, section B, item 15 of the school bus driver medical examination form.)

(18) Has speech capabilities to give clear and understandable directions or commands.

#### (E) Administration

(1) School bus drivers who have experienced a prolonged period of absence due to illness or injury or who have a significant change in their state of health may be required by the school bus owner to be re-examined in accordance with this rule.

(2) Currently employed school bus drivers disqualified by the appointed examining physician shall be notified by the school bus owner within fifteen days following receipt of the examination report. Currently employed school bus drivers desiring to appeal



a disqualification shall file the appeal in writing within fifteen days with the school bus owner.

(3) Upon receipt of an appeal, the school bus owner shall arrange for a medical re-examination. The re-examination may be conducted by a public health board or private physician. The re-examining physician shall not be the physician administering the original examination.

(4) All re-examinations shall be based on the school bus driver physical qualifications rule and shall be final.

(5) Physical qualification examination reports shall contain a release authorization to be signed by the examinee for purposes of evaluation by constituted authorities.

(6) Costs for examinations required to the extent of compliance with this rule shall be the responsibility of the school bus owner.

(7) Physical examination reports for persons certified by the examining physicians as meeting this rule shall be retained for a period of six years by the school bus owner. The employing school bus owner shall file the appropriate copy of the examination report with the department of education within thirty days following the examination.

Effective: August 1, 2007

### **3301-83-08 Pupil transportation management policies.**

Pupil transportation management policies should be developed cooperatively by administrators and transportation personnel. Policies should be designed to ensure the safety and welfare of all school bus passengers and shall include:

(A) The school bus driver's authority and/or responsibility to maintain control of the pupils.

(B) The pupil's right to "due process" as provided for by the policies and procedures of the educating agency.

(C) Pupil management and safety instruction policies shall include the following:

(1) Pupils shall arrive at the bus stop before the bus is scheduled to arrive.

(2) Pupils must wait in a location clear of traffic and away from the bus stops.

(3) Behavior at the school bus stop must not threaten life, limb or property of any individual.

(4) Pupils must go directly to an available or assigned seat so the bus may safely resume motion.

(5) Pupils must remain seated keeping aisles and exits clear.

(6) Pupils must observe classroom conduct and obey the driver promptly and respectfully.

(7) Pupils must not use profane language.

(8) Pupils must refrain from eating and drinking on the bus except as required for medical reasons.

(9) Pupils must not use tobacco on the bus.

(10) Pupils must not have alcohol or drugs in their possession on the bus except for prescription medication required for a student.

(11) Pupils must not throw or pass objects on, from or into the bus.

(12) Pupils may carry on the bus only objects that can be held in their laps (see paragraph (J) of Rule 3301-83-20 of the Administrative Code).

(13) Pupils must leave or board the bus at locations to which they have been assigned unless they have parental and administrative authorization to do otherwise.

(14) Pupils must not put head or arms out of the bus windows.

(15) Guidelines will be formulated for the use and storage of equipment and other means of assistance required by preschool and special needs children.

(16) Drivers and bus aides must have access to appropriate information about the child to the degree that such information might affect safe transportation and medical well-being. This information must be available in the vehicle or readily accessible in the transportation office. All such information is strictly confidential.

(D) Suspension, expulsion or immediate removal from bus.

(1) The superintendent or superintendent designees, or principals are authorized to suspend or remove pupils from school bus riding privileges.

(2) Immediate removal of a pupil from transportation is authorized. A pupil immediately removed from transportation must be given notice as soon as practicable of a hearing which must be held within seventy-two hours of the removal. The notice shall also include the reason for removal. Immediate removal is authorized when the pupil's presence poses a danger to persons or property or a threat to the safe operation of the school bus. Length of time removed from ridership shall be in accordance with policies of the school bus owner.

(3) School bus drivers shall report in writing to the appropriate administrator all rule violations or conduct that justify immediate removal, suspension or expulsion.

(4) Suspension or immediate removal of preschool and special needs children may require a modification of the above procedures and shall be accomplished in accordance with the law.

### **3301-83-09 Pupil instruction.**

(A) Safety instruction shall be given to all regularly transported pupils in grades kindergarten through three within two weeks after the commencement of classes each school year (see section 3327.16 of the Revised Code). The program shall include but not be limited to:

- (1) Safe walking practices to and from the bus stop.
- (2) Wearing of light-colored or reflective clothing when going to and from the bus stop in darkness.
- (3) How and where to wait safely for the bus including how to avoid personal risks involving strangers.
- (4) What to do if the bus is late or does not arrive.
- (5) How to enter and leave the bus safely. This instruction shall include the potential hazards regarding the snagging of clothing, backpacks, or other items, as well as items which may be dropped around or under the bus.
- (6) Safe riding practices (including instruction on rule 3301-83-08 of the Administrative Code, pupil transportation management policies).
- (7) Safely crossing the highway before boarding and after leaving the bus.
- (8) Respect for the rights and privileges of others.

(B) Pupils enrolled in kindergarten through grade three who may be transported on non-routine type trips only must be given a general orientation annually on school bus safety procedures.

(C) Pupils enrolled in grades four through twelve and regularly transported shall be properly instructed in safety procedures on and around the school bus.

(D) Passengers participating in nonroutine use of school buses shall receive safety instructions at the beginning of the bus trip. (The return portion of a round trip event is excluded from this requirement.) Instruction shall include identification of safety exits, the requirement to keep aisles clear, the requirement to remain seated while the bus is in motion, and other rules as adopted by local policy.

(E) The procedure in paragraphs (A), (B), (C), and (D) of this rule may require modification for preschool and special needs children.

### **3301-83-10 Personnel training program.**

#### **(A) Minimum school bus driver training requirements**

The Ohio pre-service school bus driver training program, as instituted by the Ohio department of education shall be successfully completed by each beginning driver. Upon completion of the following, a preservice certificate, which shall expire six years from the date of issuance, shall be issued to the driver.

- (1) On-the-bus instruction of twelve hours, or more as required to achieve an acceptable level of competence, shall be completed prior to a driver being assigned to operate a school bus with pupils on board. This instruction shall consist of:
  - (a) Pre-trip inspection and mirror adjustment;
  - (b) Identification of acceptable driving techniques;
  - (c) Starting the engine;

- (d) Position of hands for steering;
- (e) Shifting standard transmissions;
- (f) Shifting automatic transmissions;
- (g) Off road CDL maneuvers;
- (h) Starting into traffic and pulling to the curb;
- (i) Entering and leaving the freeway;
- (j) Stopping for emergencies;
- (k) Speed control;
- (l) Changing lanes;
- (m) Passing;
- (n) Intersections – stop and through;
- (o) Left and right turns;
- (p) Turn-arounds;
- (q) Loading and unloading pupils;
- (r) Railroad crossings;
- (s) Practice driving utilizing a detailed route sheet;
- (t) Miscellaneous items:
  - (i) Special driving situations;
  - (ii) Special trips;
  - (iii) Regular trip restrictions;
  - (iv) Route observation with an experienced driver.

(2) Fifteen hours minimum of pre-service classroom instruction shall be completed prior to operating a school bus with pupils on board. This instruction shall consist of the following:

- (a) School bus and commercial driver license requirements;
- (b) Public relations;
- (c) Pre-driving instructions;
- (d) Driving the bus;
- (e) Defensive driving;
- (f) Pupil management;
- (g) Safety and emergency procedures;
- (h) Use of first aid and blood borne pathogens equipment;
- (i) Transporting the preschool and special needs children,

including a practical overview of the characteristics and needs of those individuals;

(j) Fuel conservation and air quality;

(k) Radio/cellular phone communication;

(l) Motor vehicle laws and Ohio pupil transportation operation and safety rules;

(m) School district policies;

(n) Drug and alcohol requirements.

(3) Each school bus owner shall provide and require additional training for drivers and bus aides who transport preschool and special needs students. Such training shall be completed prior to operating a bus with preschool and special needs children on board and shall include:

(a) Appropriate behavior management;

(b) Physical handling;

(c) Effective communication;

(d) Use and operation of adaptive equipment;

(e) An understanding of related behaviors and/or the particular disabling conditions;

(f) Administer health care according to their qualifications and the needs of the student.

(4) In unusual circumstances, with the exception of safety and emergency procedures, pupil management and school bus owner policies, the fifteen hours of classroom instruction may be completed within the first three months of employment. A temporary certificate shall be issued for operation of a school bus during the training period. A satisfactory state and federal criminal background check must be completed prior to the issuance of the temporary certificate.

(5) Each school bus owner shall request and have received from the bureau of criminal investigation a criminal records check for each applicant for employment that includes information from the federal bureau of investigation.

(6) Records of completion of the requirements in paragraph (A) of this rule shall be filed with the Ohio department of education in the method prescribed by the department before an Ohio preservice school bus driver training certificate is issued. Copies of original records shall be maintained by the school bus owner for a minimum of six years.

**(B) Annual inservice training**

The board of education or governing board/administrator shall require all regular and substitute school bus drivers, all drivers of vehicles other than school buses, and bus aides to attend an annual inservice training program. This training may be offered in one session, or multiple sessions as determined by each employer. The employer may also recognize, but is not required to accept training offered by other

sources in lieu of their own program. School bus drivers and aides must participate in a minimum of four hours. The training shall be based on a needs assessment that must include one or more of the following:

- (1) School bus and commercial driver license requirements;
- (2) Public and staff relations;
- (3) Equipment and care, including the operation of all adaptive equipment needed to safely transport preschool and special needs students;
- (4) Driving the bus;
- (5) Defensive driving;
- (6) Highway/railroad grade crossing safety;
- (7) Pupil management;
- (8) Safety and emergency procedures;
- (9) Use of first aid and blood borne pathogens equipment;
- (10) Transporting the preschool and special needs children;
- (11) Motor vehicle laws and Ohio pupil transportation operation and safety rules;
- (12) Signs, signals and pavement markings;
- (13) Fuel conservation;
- (14) Radio/cellular phone communications;
- (15) Detailed route sheets.

**(C) Pupil transportation director/supervisor training**

Pupil transportation administrators are required to participate in a minimum of four hours of related training annually. School bus owners should encourage and support directors/supervisors of pupil transportation to attend local, regional, state and national workshops and conferences devoted to the management, supervision, organization and technical components of pupil transportation.

**(D) School bus mechanic training**

Each school bus owner shall provide the opportunity for school bus maintenance personnel to participate in an annual workshop or training seminar, with a minimum of four hours of instruction, in one or more of the following areas:

- (1) Preventive maintenance procedures;
- (2) Repair procedures for each type of vehicle in the fleet and its special equipment;
- (3) Servicing procedures for equipment;
- (4) Inspection of the vehicle and its equipment;
- (5) Recovery procedures for vehicles involved in an accident or breakdown;

- (6) Preparation of maintenance records;
- (7) Parts and equipment purchasing and storage;
- (8) Establishment of parts inventory control procedures.

**(E) On-the-bus instructors**

- (1) All school bus owners shall select a person(s) to be trained as on-the-bus instructor(s). The recommended number of on-the-bus instructors is one per twenty drivers.
- (2) On-the-bus instructor(s) shall be trained and certified by an Ohio pre-service school bus driver training instructor.
- (3) For certification purposes, certified on-the-bus instructor(s) shall attend an annual inservice training as scheduled and provided by the Ohio pre-service school bus driver training instructor. Certificates will be valid unless:
  - (a) On-the-bus instructor(s) does not attend annual inservice conducted by the Ohio pre-service school bus driver training instructor or does not receive individual evaluation by the Ohio pre-service school bus driver training instructor.
  - (b) School bus owner requests certificate be suspended or revoked.
  - (c) The Ohio pre-service school bus driver training instructor suspends or revokes an on-the-bus instructor certificate.
- (4) When appropriate, the Ohio pre-service school bus driver training instructor or other certified on-the-bus instructor may provide all or part of on-the-bus instruction in lieu of the assigned on-the-bus instructor.
- (5) Records of time, test scores, names, districts and other required documentation of on-the-bus instruction shall be maintained and filed with the Ohio department of education in the method prescribed by the department before a certificate of successful completion is issued. Copies of original records will be maintained by the school bus owner.

**(F) Certification renewal for school bus drivers**

A school bus driver shall be certified by an Ohio pre-service school bus driver training instructor and issued a new certificate upon successful completion of the requirements every six years. Application for a renewal certificate shall be made no later than thirty days prior to the expiration of the current certificate. The completion of certification requirements may occur anytime in the twelve months prior to application. No school bus driver shall transport pupils without a current certificate.

- (1) Nine hours minimum of the Ohio pre-service school bus driver training classroom instruction shall be completed prior to applying for certification. That instruction shall consist of the following:
  - (a) Public relations;
  - (b) Pupil management;

- (c) Pre-trip inspection;
- (d) Driving the bus;
- (e) Defensive driving;
- (f) Fuel conservation;
- (g) Transporting preschool and special needs children;
- (h) Safety and emergency procedures;
- (i) Radio/cellular phone communications;
- (j) Motor vehicle laws and Ohio pupil transportation operation and safety rules.

(2) The driver will demonstrate their familiarity with the topics covered at the completion of the class.

(3) A driving performance evaluation and review shall be completed prior to applying for certification. The evaluation and review shall consist of the following:

- (a) Identification of acceptable driving techniques, including the following:
  - (i) Position of hands for steering;
  - (ii) Braking;
  - (iii) Following distance;
  - (iv) Speed control;
  - (v) Observing traffic conditions ahead;
- (b) Intersections – stop and through;
- (c) Left and right turns;
- (d) Curves;
- (e) Changing lanes;
- (f) Passing;
- (g) Railroad crossings;
- (h) Loading and unloading pupils;
- (i) Turn-arounds;
- (j) Entering and leaving the freeway;
- (k) Starting into traffic and pulling to the curb;
- (l) Stopping for emergencies;
- (m) Pre-trip inspection;
- (n) Mirror adjustment.



(4) The driver shall have four opportunities to successfully demonstrate the driving skills as follows:

(a) A certified on-the-bus instructor designated by the school district or private operator shall administer the first three opportunities.

(b) A fourth opportunity to demonstrate driving skills, if necessary, shall be administered by an Ohio pre-service instructor. The driver must be offered appropriate driving instruction prior to this fourth opportunity.

(5) The certification requirements for classroom instruction, pursuant to paragraphs (F)(1) and (F)(2) of this rule, may be substituted with successful completion of the Ohio pre-service advanced school bus driver training course within twenty-four months prior to the expiration of the current certificate.

(6) The certification requirements for driving skills, pursuant to paragraphs (F)(3) and (F)(4) of this rule, may be substituted with participation in a state and/or regional school bus driver safety road-e-o, and achieving a minimum of eighty percent of the possible points, within twenty-four months prior to the expiration of the current certificate.

(7) Each school bus owner shall request and have received from the bureau of criminal identification and investigation a criminal records check for each driver that includes information from the federal bureau of investigation.

(8) Records of completion of the requirements in paragraphs (F)(1) to (F)(7) shall be maintained and filed with the Ohio department of education in the method prescribed by the department before a certificate of successful completion is issued. Copies of original records will be maintained by the school bus owner for a minimum of six years.

(9) The certificate of any person who can not provide proof of having operated a school bus during the previous twenty-four months shall be considered invalid. That person must then successfully satisfy the certification requirements described in paragraph (A)(1) to (A)(6) or (F)(1) to (F)(7), as applicable, of this rule prior to resuming transportation of pupils.

### **3301-83-11 School bus inspections.**

#### **(A) Ohio state highway patrol safety inspection**

The school bus owner, operator, lessee, or designee shall be responsible for presenting all school buses for the annual Ohio state highway patrol safety inspection and will be responsible for the pre-inspection, repair and preparation of each school bus.

#### **(B) Daily inspection of the school bus**

It is the responsibility of each school bus driver to complete and document a daily pre-trip inspection of the school bus before transporting students. The school bus owner, operator, lessee, or designee may designate another qualified individual to complete and record portions of the stationary inspection in lieu of the school bus driver. It is the responsibility of the school bus owner to provide each driver with all inspection forms for reporting purposes, which include

the following:

(1) Stationary inspection

(a) Pre-starting inspection:

(i) Observe the bus for evidence of oil, fuel, or coolant leaks and vandalism.

(ii) Raise the hood and check the safety latch or hinges, then check oil and water – check belts, hoses and wiring for frayed, cracked and/or deteriorated conditions.

(b) Walk around inspection: Place the transmission in neutral and set the parking brake. Start the engine and check the following:

(i) Tires: underinflated, flat, excessive wear or damaged.

(ii) Wheels: loose or missing nuts, excessive corrosion, cracks or other damage, and sanders if installed, and splash guards.

(iii) Battery compartment.

(iv) Suspension system check for damage.

(v) Brake system secure – no damage.

(vi) Drive shaft secure – no damage.

(vii) Frame of bus – check for cracks.

(viii) Fuel tank secure – no leaks, and fuel cage secure – no damage.

(ix) Fluid leaks – evidence of oil on wheels and tires.

(x) All school bus windows should be clean.

(xi) All outside mirrors: clean and mounted securely.

(xii) Warning systems: headlights, backup lights, clearance and marker lights, all signals and signs, reflectors, turn signals, stop lights and warning flashers clean and working properly.

(xiii) Exhaust system: check for sagging exhaust pipes, short and leaky tailpipes and defective mufflers.

(xiv) Exits: check service and emergency doors for ease of operation.

(xv) Check wheelchair lift operation, if installed.

(c) Inside safety check:

(i) Check driver's seat and seat belt adjustments.

(ii) With the engine running check or inspect the following instruments and controls:

(a) Air pressure gauge or hydraulic brake warning lights.

(b) Oil pressure gauge.

(c) Warning lights, if installed:

(i) Oil pressure warning light.

(ii) Service brake warning light.

(iii) Alternator/generator warning light.

(iv) Ammeter and/or voltmeter.

(v) Water temperature gauge or warning light.

(d) Dome lights.

(e) Horn.

(f) Heaters, fans and defrosters.

(g) Mirrors properly adjusted and sunshade mounted and not broken.

(h) Wipers and washers.

(i) Indicator lights.

(i) Head light high beam.

(ii) Panel lights.

(iii) Left and right turn signal indicators.

(iv) Hazard indicators.

(v) Amber warning light.

(vi) Red warning light.

(vii) Red over-ride switch.

(viii) Strobe indicator light.

(j) Brake system for leaks

(i) Storage tanks – 2 psi, one minute.

(ii) Service brake – 3 psi, one minute.

(iii) Low air pressure light and buzzer – 60 psi.

(iv) Emergency brake – 20-40 psi.

(v) Hydraulic – pump three times; hold five seconds.

(k) Check passenger seats, frames, emergency exits, windows, and adaptive equipment required for the transportation of preschool and special needs students.

(l) Check emergency equipment: fusees, fuses, first-aid kit, fire extinguisher and emergency reflectors.

## (2) Operation inspection

A planned road pre-check when driving between storage and first pupil pickup enables the driver to evaluate the steering, suspension, clutch, transmission, driveline, engine and brakes. The following items shall be checked and, if found in need of repair, a written report shall be submitted to the school bus owner or designee:

- (a) Parking brake: check by slowly engaging the drive train while the parking brake is on. (In air brake systems, the parking brake will remain applied if there is a partial or complete air pressure loss in the service brakes.)
- (b) Transmission operation: an automatic transmission should not slip and a manual transmission should allow for easy and smooth gear changes throughout the entire shifting range.
- (c) Clutch: the clutch should engage easily and smoothly without jerking, slipping excessively or "chattering." A properly adjusted clutch should have some "free play" when the pedal is fully released.
- (d) Service brakes: test at low speeds and bring the bus to a complete stop. The bus should stop in a straight line without skidding, swerving or pulling to one side.
- (e) Engine: listen for unusual engine noises.
- (f) Steering: check for any unusual handling characteristics.
- (g) Suspension: check for any unusual ride or handling characteristics.

(3) Post trip check: At the conclusion of each route or trip, the driver should ensure all passengers have left the bus by visually inspecting each seat position.

## **3301-83-12 Safety procedures.**

### **(A) Warning lights**

- (1) Alternately flashing amber and red signal lamps
  - (a) Alternately flashing amber lamps are to be used to warn motorists that the bus is stopping to take on or to discharge passengers.
  - (b) Alternately flashing red lights are to be used to inform motorists that the bus is stopped on the roadway to take on or discharge passengers.
- (2) Stop arm shall be operated simultaneously with flashing red signal lamps.
- (3) A white flashing strobe light, individually switched, may be used, when unfavorable atmospheric conditions or time of day limit visibility (i.e., fog, rain, snow, darkness).
- (4) Four-way hazard lights shall be activated at railroad crossings and turn-arounds unless prohibited by local ordinance.
- (5) Headlights should be actuated during operation of the school bus.

**(B) Railroad grade crossings**

**(1) General**

(a) The driver of any school bus, with or without passengers, shall come to a complete stop, set the parking brake, shift to neutral, turn off the warning lamp master switch if necessary, fully open the service door, and listen and look in both directions along the track or tracks for approaching engines, trains, or train cars.

(b) For improved vision and hearing, a window at the driver's left shall be opened and radios and other noisy equipment (fans, etc.) shall be turned off upon approaching the crossing and remain off until the bus has cleared the crossing.

(c) The school bus driver shall shift the bus into gear, look and listen, close the service door, release the parking brake, and drive across the tracks in an appropriate gear without shifting.

(d) After a train has passed the crossing, the bus driver shall not drive the bus onto any tracks until the driver is certain that no train, hidden by the first train, is approaching on an adjacent track.

(e) Crossing when flashing or audible signals malfunction is only permitted when authorized in accordance with section 4511.62 of the Revised Code.

(f) The bus driver must never assume that automatic signals or other devices are completely reliable.

(2) Weather conditions – during wet, stormy or foggy weather, before placing part of the bus on the tracks, the driver must know that the crossing can be made in safety.

(3) Behavior of passengers at railroad crossings – when any school bus is stopped for any railroad track, all passengers must be silent until the crossing is completed. A signal for silence shall be given by the school bus driver approximately three hundred feet from the crossing.

**(4) School bus railroad crossing procedures**

(a) Traffic checks shall be made upon the approach to the railroad crossing so that the driver can observe traffic and reduce speed far enough in advance of the stop to avoid trapping other motorists in panic stops or rear-end collisions with the bus. On multiple roadways, all stops must be made in the far right lane whenever possible and practical.

(b) At approximately three hundred feet from the railroad crossing, the driver must signal the passengers for silence, turn off noisy equipment (fans, etc.), turn off the warning lamp master switch if necessary, and actuate the strobe light, if available and if conditions warrant.

(c) Actuate the hazard lights at least one hundred feet from the railroad crossing, unless prohibited by local ordinance. No other signs or signals, except the strobe light, will be actuated from the bus while stopped or stopping at the railroad crossing.

(d) Open the driver's window just prior to stopping.

(e) Stop the bus within fifty feet and not less than fifteen feet from the nearest rail. Set the parking brake.

(f) Shift the gear lever into neutral. This applies to buses with either standard or automatic transmission.

(g) Open the service door and look and listen not less than twice in both directions for an approaching train, engines, or train cars.

(h) Shift into the proper gear when the crossing can be made safely and there is sufficient space on the other side of the railroad crossing.

(i) Close the door, continue to look for trains, engines, or train cars in hazardous proximity of the bus, and listen for any audible signals.

(j) Release parking brake and proceed across the railroad crossing when safe to do so. Do not shift gears while crossing.

(k) When the bus has safely cleared the last rail and is approximately fifty feet from the crossing:

(i) Turn off the hazard lights and strobe light;

(ii) Close window, if desired;

(iii) Turn on warning lamp master switch and heater fans, if needed;

(iv) Turn on radios.

(l) Traffic checks shall be made to identify any hazards by motorists trying to pass the bus while completing the railroad crossing.

#### **(C) School bus turn-around**

(1) Whenever possible, the bus shall be clearly visible to the other motorists five hundred feet in both directions.

(2) Whenever possible, turn-arounds should not be scheduled at intersections where the vehicle must cross a lane of traffic while backing.

(3) Four-way hazard lights shall be actuated unless prohibited by local ordinance.

(4) The driver shall sound the horn twice before backing or have an audible signal while backing.

(5) The driver shall not back the school bus at pick-up or discharge locations while pupils are outside the vehicle.

#### **(D) Loading and unloading at school facilities**

(1) When it is necessary to load or unload pupils off the school grounds, the bus shall be positioned and parked (with parking brake set) so that pupils do not cross the roadway to get to or

from the bus.

(2) Warning flasher lights shall be deactivated when loading and unloading on school grounds or when loading and unloading from a school bus stopped off the traveled portion of the roadway adjoining the school grounds.

(3) Parking for loading and unloading on school grounds shall be bumper to bumper or diagonal. Either method used shall exclude any necessity for backing the school bus. The rear and/or side emergency exits shall remain accessible at all times.

(4) Pupils in the loading area shall be properly supervised by the building principal or designee.

(5) Except when loading or unloading preschool or special needs children, the driver shall remain on the bus while pupils are loading and unloading.

(E) Before receiving or discharging pupils, the bus shall be driven to the right side of the paved or traveled portion of the roadway and brought to a full stop.

(F) The bus driver shall be the only operator of the service entrance door. The door shall not be opened to load or unload pupils until traffic has cleared the bus or come to a complete stop in all directions.

(G) The bus driver shall not use the service door control to actuate warning lights. The door must remain in a securely closed position while the bus is in motion.

(H) The bus driver shall not leave a school bus unattended with pupils on board except when loading or unloading preschool and special needs children or in the event of an emergency. Drivers who must leave their driver's position for these purposes shall not leave the immediate vicinity of the bus, except for an emergency.

(I) The driver shall not leave the bus until the brakes are set, the engine stopped and the ignition key removed, with the exception for buses equipped with wheelchair lifts or diesel engines that require the engine to be running.

(J) At the conclusion of each route or trip, the driver should ensure all passengers have left the bus by visually inspecting each seat position.

### **3301-83-13 School bus stops.**

#### **(A) Designation of school bus stops**

It shall be the responsibility of the superintendent or designee to determine the location of all school bus stops which shall be approved annually by the districts board of education as an integral part of the school bus routing plan within ten days following the opening of school. Authority to designate or relocate subsequent school bus stops may be delegated by the board of education to the superintendent or designee.

#### **(B) School bus stop location**

(1) Pupils in grades kindergarten through eight may be required to walk up to one-half mile to a designated bus stop.

(2) School bus stop locations shall provide for the maximum safety of pupils giving consideration to distance from residence, traffic volume, physical characteristics, visibility and weather conditions.

(3) School bus stops shall be established on the residence side of all four-lane highways and on the residence side of other roadways posing potential hazards to students as determined by school bus owners.

(4) School bus stops shall be located at a distance from the crest of a hill or curve to allow motorists traveling at the posted speed to stop within the sight distance. If the line of sight is less than five hundred feet in either direction, an approved "school bus stop ahead" sign shall be installed at least five hundred feet in advance of the school bus stop.

(5) Each pupil shall be assigned and required to use a specific school bus stop except in unusual circumstances as approved by the school bus owner or designee.

(6) Each pupil shall be assigned a residence side designated place of safety. Driver must account for each pupil at designated place of safety before leaving. Pupils are not to proceed to their residence until the school bus has departed.

(7) Each bus shall have a detailed route sheet on board which shall include:

(a) Direction to designated stops;

(b) Time schedule;

(c) Designated stop;

(d) Driver-designated place of safety;

(e) Number of people at stop location and residence side;

(f) List identifying road hazards (paragraph (H) of rule 3301-83-20 of the Administrative Code).

(8) When applicable, each route shall have a responsible student assigned to assist a substitute bus driver with the route.

**(C) School bus stop procedures**

(1) Check mirrors for traffic conditions and apply brakes well in advance to warn traffic from rear.

(2) Actuate warning lights approximately three hundred feet prior to stop. A strobe light may be used if available and if conditions warrant.

(3) Stop the bus at the designated stop.

(a) The bus shall be stopped near the right side of the paved or traveled portion of the roadway.

(b) The bus should be stopped along the drive way entrance or along the curb when picking up or discharging passengers with special needs which require the use of special equipment.



(c) The driver must maintain firm pressure on the service brake. The parking brake shall be set when:

(i) Stopped on a grade

(ii) Stopped for the left side crossover pickup and discharge, and

(iii) During extended stops created by the number of students at a bus stop

(iv) Operators of vehicles equipped with an approved brake interlock device shall be exempted from these requirements to set the parking brake.

(4) To prevent the bus from lunging forward, the gear shift lever shall be placed into the neutral gear for both manual and automatic transmissions

(5) Open the service door to actuate the warning lights and place hand over horn to warn students of any potential hazards.

(6) Left side crossover pickup

(a) Bring the bus to a stop ten feet or more from the students.

(b) Check mirrors and roadway for safe crossing and count the number of students waiting to board the bus.

(c) The driver must raise his or her hand palm up to be visible to the students outside the bus. When safe to cross, make eye contact with students and signal students by slowly dropping hand straight down and place other hand over the horn.

(d) The students should check for traffic before crossing the roadway and must cross straight across the roadway, approximately ten feet in front of the bus.

(e) When the students board the bus, the driver must count the student(s) as they board and remind them to board quickly and safely.

(f) The driver shall check the overhead mirror to be sure all passengers are seated before moving the bus.

(7) Left side crossover discharge

(a) Bring the bus to a stop approximately ten feet from students' designated stop location. Once bus is stopped, students may begin to leave their seats.

(b) Check mirrors and roadway for safe conditions to cross students.

(c) As the students safely and quickly exit the bus, the driver must raise his or her hand palm up to be visible to the students outside the bus, have the other hand covering the horn, and count the number of students exiting the bus.

(i) Students are to walk ten steps along side of roadway away from the front of the bus where the driver can see

the students and the students can see the drivers hand. Students must wait for eye contact and signal from driver before crossing.

(ii) When safe to cross, the driver will signal students to cross by dropping hand slowly and straight down, after making eye contact with students.

(iii) Students are to cross directly toward other side of roadway, stopping halfway to check for traffic in both directions. When safe, they must continue to cross to residence side.

(iv) Once on residence side, students are to gather at a designated place of safety where they must remain until the bus leaves the stop. Only after counting students may the driver begin to leave the bus stop. After the bus leaves the stop location, the students may continue to their residence.

(v) Modification of this procedure may be necessary for preschool, kindergarten, and special needs students.

#### (8) Right side pickup

(a) Check mirrors and roadway for safe conditions to board students.

(b) Students are to remain clear of the danger zone by waiting at their designated place of safety ten feet or more from the bus.

(c) Driver is to make eye contact with students and signal them to board the bus.

(d) When the students board the bus the driver must count the students as they board and remind them to board quickly and safely.

(e) The driver shall check the overhead mirror to be sure all passengers are seated before moving the bus.

#### (9) Right side discharge

(a) Check mirrors and roadway for safe conditions to discharge students.

(b) Once the bus comes to a complete stop, the students may begin to leave their seat to exit the bus.

(c) Students are to exit the bus quickly and safely and walk ten steps clear of the danger zone and wait at the designated place of safety on the residence side.

(d) The driver must count the students as they exit the bus and see them to their designated place of safety on the residence side where they must remain until the bus leaves the stop. Only after counting the students may the driver begin to leave the bus stop. After the bus leaves the stop location, the students may continue to their residence.

(e) Modification of this procedure may be necessary for preschool, kindergarten, and special needs students.

(10) Shift the gear lever into the starting gear, only after the students are in a safe place.

(11) Before closing the door and canceling the warning lights, look to identify students and potential hazards in the danger zone, counting the mirrors as follows:

- (a) 1 – Right side mirror
- (b) 2 – Right blind spot mirror
- (c) 3 – Right crossover mirror
- (d) 4 – Left crossover mirror
- (e) 5 – Left blind spot mirror
- (f) 6 – Left side mirror
- (g) 7 – Inside overhead mirror
- (h) 8 – Right crossover mirror
- (i) 9 – Left crossover mirror.

(12) Close the door when all areas are clear. Door must be closed before the bus moves.

(13) Release the parking brake after closing the door.

(14) The driver must recheck the right and left side mirrors prior to pulling away.

### **3301-83-14 Records and reports.**

Each school bus owner shall maintain the following records for the management and reporting of the pupil transportation program.

(A) Maintenance and repair:

- (1) Records to document that reported mechanical deficiencies discovered during inspections were corrected.
- (2) A maintenance and repair record for each school bus.
- (3) Documented proof of pre-trip inspection for each school transportation vehicle must be kept on file for no less than twelve months.

(B) An accounting system for fuel consumption and costs for routine and non-routine use of school buses and annual operating costs by vehicle and by fleet as prescribed by the Ohio department of education form T-2, if applicable.

(C) A pupil accounting system that details assigned:

- (1) School bus;
- (2) School bus stop;

(3) School of attendance, student name and address, telephone number, date of birth, and grade.

(D) A record of routine and non-routine daily and annual miles driven by vehicle and by fleet.

(E) A reporting of the numbers of regular and substitute school bus drivers, mechanics, supervisors, secretaries, clerks and drivers aides.

(F) Maintain and file a copy of the following documents:

(1) School bus driver training records

(2) Ohio pre-service school bus driver training certificate

(3) Drug and alcohol certificate

(4) Blood-borne pathogens certificate

(5) B.M.V. report

(6) Inservice training records

(7) Criminal record check

(8) Physical examination report

(a) The physical examination, criminal record, and the drug and alcohol test results are to be kept confidential.

(G) Maintain and file "School Bus Accident Report" for each accident as defined:

(1) Any accident or occurrence involving a school bus which results in a fatality, an injury or damage to any vehicle or property.

(2) Any action taken by a school bus driver, while driving a school bus, employed by a school district or a county board mental retardation and developmental disabilities which contributes directly to any fatality, injury or damage to any motor vehicle or property.

(3) File with the department of education, pupil transportation section (T10 form), a report of any school bus accident which results in a fatality, an injury or vehicle or property damage in excess of five hundred dollars. Reports must be submitted within fifteen days of the accident or occurrence.

(H) Submit reports as required by the Ohio department of education.

### **3301-83-15 Emergency and evacuation procedures.**

#### **(A) Emergency**

Each school bus owner shall adopt a policy for handling emergencies on school buses while pupils are being transported. Such a policy shall include, but not necessarily be limited to, procedures for handling any medical emergencies of pupils while they are being transported. Each school bus owner shall provide training to all school bus drivers transporting pupils to ensure that the drivers understand the policy and their responsibilities. No school bus driver shall transport pupils unless the driver has received such training. These policies shall

include procedures for when and how to notify parents if their students were on a transportation vehicle involved in an accident. This policy shall be developed in cooperation with all those whose services would be required in the event of emergencies. The transportation director/supervisor, school administrators, teachers, drivers, maintenance and service personnel and students shall be provided instruction in the procedures to be followed in the event of:

(1) Accident

The policy shall describe how to protect the accident scene; evacuate and control students; evaluate the need for medical assistance; notify the responsible law enforcement agency, school officials and emergency services; collect and record data essential to the preparation of required reports; and communicate with parents and/or guardians.

(2) Disability of driver

Procedures for handling situations in the event of illness, injury, or disability of the bus driver shall be included in the policy.

(3) School bus failure The policy shall describe procedures for securing the bus, disposing of and controlling passengers, notifying school officials, securing alternate equipment, and repairing and recovering the disabled school bus.

(4) Inclement weather conditions

The pre-emergency policy shall provide instruction as to school closings, delayed take-ups and/or early dismissals.

(5) Tornado

The policy shall provide procedures for drivers and students in the event of tornado sightings and/or warnings.

(6) Policies shall also be developed to address other dangerous and/or threatening situations (weapons, assaults, unauthorized attempted boardings, and impeding the movement of the bus).

(B) Evacuation

The superintendent or designee shall organize and conduct three emergency exit drills for all students who ride school buses to and from school.

(1) Each of the following three emergency procedures shall be conducted at least once annually:

(a) Everyone exits through the front entrance door;

(b) Everyone exits through the rear emergency door;

(c) Front half exits through the front door and rear half exits through the rear door.

(2) All drills shall be arranged and scheduled by the transportation director/supervisor in cooperation with building principals. The drills shall be supervised by at least one staff person other than the driver assigned to the route.

(3) Drills shall be held on school property when possible and not on the bus route.

(4) The driver shall stay in the bus during evacuation drills. The parking brake must be set, ignition turned off, and transmission

in gear or park.

(5) Children shall not take lunch boxes, books, etc., when they leave the bus.

(6) Pupils shall assemble at a distance of at least one hundred feet from the bus in an "emergency drill" and remain there until given further directions.

(7) Emergency evacuation drills of preschool and special needs children may require modification of the procedures listed in paragraph (B) of this rule.

### **3301-83-16 Non-routine use of school buses.**

"Non-routine use of school buses" is defined as transportation of passengers for purposes other than regularly scheduled routes to and from school. School buses may be used for non-routine trips only when such trips will not interfere with routine transportation services.

#### (A) Approved non-routine use of buses

(1) Trips that are extensions of the instructional program as determined by school district or county board of mental retardation and developmental disabilities administration.

(2) Trips for the transportation of enrolled pupils directly participating in school-sponsored events. A "school-sponsored event" is defined as any activity in which pupils are participating and are under the direct supervision and control of a certified staff member or any advisor as designated by the superintendent.

(3) Transporting pupils taking part in summer recreation programs when such programs are sponsored by a recreation commission and there is an agreement between the board of education, and the recreation commission .

(4) Trips for transportation of the aged when contracted with a municipal corporation or a public or nonprofit private agency or organization delivering services to the aged.

(5) Trips for transportation of pupils and/or adults, as approved by the board of education to and from events within the local community which are school or local community sponsored. Such events shall be open to the public.

(6) Emergency evacuation and/or emergency evacuation drills when such emergencies are declared by state or local directors of emergency disaster services.

(7) A civil emergency as declared by a governing authority.

(8) Transporting school and/or school bus owner employees engaged in approved employee improvement programs.

(9) Transportation coordination, to participate with local human services providers, in transporting welfare reform participants and those participating in temporary assistance programs.

(B) Costs

No pupil charge may be made for transporting pupils to and from regular day classes and other educational field trips on school days. This applies equally to board-owned buses and privately-owned buses operated under a contract with a board of education. A fee not to exceed actual costs may be assessed for transportation to and from educational field trips on non-school days. This rule does not apply to private transportation arranged for or by parents or other groups not related to the educating school board, or for transportation not required under section 3327.01 of the Revised Code and not provided for by the school board on a regular basis. The board of education or county board of mental retardation and developmental disabilities shall recover an amount not to exceed the actual operational costs associated with non-routine use of school buses, with the exception of field trips that are extensions of the instructional program. These costs include the following, as reported on the district's T-2 reports the Ohio department of education:

- (1) Driver salary and benefits;
- (2) Fuel;
- (3) Maintenance;
- (4) Service;
- (5) Supervision;
- (6) Insurance.

(C) Permits

School bus owners or their designees shall issue a trip permit which shall accompany the driver on any non-routine trip. The permit shall provide the following information:

- (1) Date of trip;
- (2) Destination;
- (3) Purpose of trip;
- (4) Name of school district;
- (5) Drivers name;
- (6) Bus registration number;
- (7) Total miles of trip;
- (8) Designated meal stops;
- (9) Drivers must have a route map for destination;
- (10) School bus owner or designee signature.

(D) Chaperones

One or more adult chaperones, as approved by the school bus owner or designee, may accompany each school bus required for any non-routine trip involving school-age passengers. The chaperon's responsibility shall be to assist the school bus driver in maintaining passenger control and in enforcing procedures for the safety of all passengers. A certificated person licensed as a school bus driver may serve as a chaperon and driver concurrently.

(E) Out-of-state trips

Any out-of-state travel shall remain within two hundred forty miles round-trip distance from point of exit from the state to the point of entry to the state.

(F) Driver selection for assignment to non-routine trips should be based upon a policy adopted by the school bus owner which gives consideration to driver knowledge, skill, experience, vehicle familiarity and experience in operating a bus in the area to be traveled.

(G) A pre-trip inspection as detailed in paragraph (B) of rule 3301-83-11 of the Administrative Code shall be completed and documented immediately prior to departure of a school bus on a non-routine trip. Such pre-trip inspection will not be necessary provided the bus received a documented pre-trip inspection during routine service on the same day and by the same driver.

(H) Transportation coordination

(1) Each school bus owner may participate in the written county transportation plan that establishes policies regarding the transportation needs of Ohio works first participants seeking or striving to retain employment. A copy of the plan shall be maintained on file.

(2) Based upon the availability of local and/or state resources, school bus owners may enter into contractual agreements with local social service agencies to provide school bus transportation to Ohio works first participants, when there are no other alternative methods of transportation as identified in the county transportation plan. The social service agency(ies) shall pay for the fully allocated costs associated with the use of the school bus(es).

(a) The agency(ies) shall agree to hold harmless the school bus owner from all liability arising from such use.

(b) The school bus owner and/or agency(ies) must obtain liability in an amount equal to or greater than the maximum tort damage permitted by law.

(c) The proposed use is consistent with owner policies regarding the use of school buses.

(d) Mileage under such contract/agreement is not reimbursable by the department of education.

(3) School bus owners may enter into agreement with any recognized organization serving the aged to provide for the use of school buses, under certain conditions:

(a) The organization must pay for the fully allocated costs associated with the use of the bus(es)

(b) The organization must agree to hold harmless the school bus owner from all liability arising from such use

(c) The school bus owner and/or organization must obtain liability in an amount equal to or greater than the maximum tort damage permitted by law



(d) The proposed use is consistent with owner policies regarding the use of school buses

(e) Mileage under such contract/agreement is not reimbursable by the department of education

(4) The first priority for the use of school buses must be for the purposes outlined in Chapter 3301-83 inclusive of the Administrative Code.

(5) Transportation coordination shall not be conducted during those times the school bus is in regular use and school children, or persons attending programs offered by community boards of mental health and county boards of mental retardation and developmental disabilities, are being transported.

(6) It will be the responsibility of the school bus owner to ensure compliance to all laws and regulations applicable to such additional use of the school bus.

### **3301-83-17 Authorized and unauthorized passengers.**

#### **(A) Authorized passengers:**

(1) Pupils enrolled in approved programs who are eligible for transportation services authorized or required by state and federal law and school bus owner policy.

(2) Children attending an approved preschool program authorized and directed by the board of education or county board of mental retardation and developmental disabilities.

(3) Resident preschool children and parent(s) or guardian who are participating in school-sponsored special programs that require attendance of both. This includes parent and child participating in a graduation, reality, and dual-role skills (GRADS) or similar type program.

(4) School officials may authorize transportation of a school-age visitor to the home of a regular school bus passenger upon proper parental authorization on a space-available basis which does not displace regular riders.

(5) Resident preschool children and school age pupils may be transported to preschool programs and school-age child-care programs (for example, latchkey programs). These extra miles are not reimbursable. School age pupils may be counted for reimbursement only once if eligible for routine transportation (see rule 3301-83-01 of the Administrative Code).

(6) Resident preschool special needs children are to be transported to school district preschool special education programs within the district and outside the district if assigned by the school district of residence. If transportation is necessary for preschool special needs children to receive a free and appropriate education it must be provided at no cost to the parent or guardian.

(7) School districts may enter into contractual agreements to provide transportation service for latchkey programs under the provisions of sections 3313.207, 3313.208, and 3313.209 of the Revised Code; and to provide transportation service for preschool and day care programs under provisions of division (C) of section 3313.646 of

the Revised Code.

(8) Ohio Works First participants and the elderly may be transported under the provisions of paragraphs (H)(1) to (H)(5) of rule 3301-83-16 of the Administrative Code and according to policy and procedure of the school bus owner.

(9) School bus owners may establish a volunteer bus rider assistance program pursuant to section 3327.16 of the Revised Code. Qualified adults, including parents, or responsible older pupils may be authorized.

**(B) Unauthorized passengers:**

(1) Family members of school bus drivers who are not enrolled in any of the approved school programs, unless adults appointed as chaperons on non-routine trips.

(2) School employees, on routine bus routes, unless assigned by proper school officials as part of their duties.

(3) Adults not enrolled in any of the approved programs, unless assigned by proper school officials as bus monitors.

**3301-83-18 Passenger capacity.**

(A) Seating shall be provided that will permit each passenger to sit in a position which will provide maximum protection by the barrier.

(B) The number of passengers in a school bus shall not exceed the school bus manufacturer's rated capacity. Seating shall be adjusted according to the passengers individual physical size.

(C) No person shall stand while the school bus is in motion, with the exception of bus aides and driver training staff, in the official performance of their duties.

**3301-83-19 Authorized vehicles for transportation of pupils to and from school and school-related events.**

The following are authorized vehicles for the transportation of pupils to and from school and school-related events:

**(A) School buses**

All vehicles designed to carry more than nine passengers, not including the driver, and used to transport students to or from school or school-related events shall meet or exceed all applicable federal regulations and the Ohio school bus construction standards. Refer to division (F) of section 4511.01 of the Revised Code and rules 4501-5-01 to 4501-5-10 of the Administrative Code.

**(B) Public transit vehicles**

Public transit vehicles includes vehicles owned and operated by regional transit authorities or community transit authorities, or which are privately owned, under contract with a board of education or county board of mental retardation and developmental disabilities and operated on routes designed for the purpose of transporting fare-paying passengers and eligible students simultaneously.

**(C) Board-owned, leased, or contracted vehicles other than school buses**

These include vehicles, originally designed and constructed at the factory for nine passengers or less, not including the driver, to be used when a school district, in its discretion, determines that it cannot reasonably provide school bus transportation. However, these vehicles shall not be routinely used for service between home and regularly scheduled school sessions except for preschool children, special needs children, children inaccessible to school buses, and students placed in alternative schools. Use of these vehicles must comply with paragraph (F) of this rule.

**(D) Commercial carriers**

Commercial carriers include carriers that are licensed and inspected by the appropriate government agencies to transport passengers for hire. Examples would include railroads, airlines, commercial watercraft, or commercial buses, but excluding twelve- to fifteen-passenger vans.

(E) Vehicles not meeting the definitions listed in paragraphs (A) to (D) of this rule do not conform to state and federal law/rule and shall not be used for transportation of pupils to or from school or school related events.

(F) Guidelines for all board-owned, board-operated, or board-contracted vehicles other than school buses, originally designed and constructed at the factory for nine passengers or less, not including the driver.

(1) The vehicle shall be equipped with safety equipment as follows: fire extinguisher, first-aid kit, body fluid cleanup kit, fuses, spare fuses, and emergency reflectors.

(2) The vehicle shall have a rooftop sign marked "School Transportation."

(3) The name of the school district, or the name of the contractor if applicable, shall be clearly marked on the side of the vehicle.

(4) These vehicles shall be inspected by a qualified mechanic no less than two times per year. This inspection shall cover at the minimum all applicable sections of the school bus inspection detailed in paragraph (B) of rule 3301-83-11 of the Administrative Code. In addition, periodic maintenance intervals must be established and implemented. Documentation and proof of these inspections and service procedures, in addition to all other vehicle records required under rule 3301-83-14 of the Administrative Code, shall be kept on file with the school district transportation department.

(5) It is the responsibility of each vehicle driver to complete and document a daily pre-trip inspection. The vehicle owner may designate another qualified individual to complete and record portions of the stationary inspection in lieu of the vehicle driver.

(6) Loading of these vehicles shall be in compliance with the passenger, weight, and other associated restrictions as identified by the original equipment manufacturer.

**(G) Taxicabs**

Taxicabs may be used for transportation of pupils when the use of other modes of transportation as described above are not reasonable as determined by the public school district.

These vehicles must be originally designed and constructed at the

factory for nine passengers or less, not including the driver, and must comply with paragraph (F) of this rule, except for the rooftop sign marked "school transportation" is not required.

The owner operator of these vehicles must provide documentation to the school district attesting that they comply with this Chapter.

The owner or operator of these vehicles must provide proof of insurance to the school district in the amounts as specified in section 3327.09 of the Revised Code for vehicles used in the transportation of school children.

### **3301-83-20 General rules.**

(A) The use of alcohol, tobacco, and non-prescribed drugs is prohibited on the school bus.

(B) The driver shall use the established route and make stops only at points designated by the school bus owner or the administrator who is authorized to designate such stops. District shall have a routing plan in place and documented for all routine routes.

(C) The driver shall operate the bus on the approved time schedule and shall wait for pupils if ahead of schedule.

(D) Firearms, ammunition, weapons, explosives or other dangerous materials or objects are prohibited on school buses. Animals are also prohibited, with the exception of those intended for special needs assistance.

(E) All buses shall be kept clean on the inside and on the outside. Front and rear windows, lights and mirrors should be clean and all markings clearly visible.

(F) The following equipment may be installed in a school bus: broom, snow brush, ice scraper, and trash container. All equipment must be properly secured.

(G) All buses shall be equipped with emergency assistance cards which list three telephone numbers to call. The cards shall provide space for describing the location of the school bus and the type of emergency.

(H) The school bus driver shall use the seat belt whenever the school bus is in motion.

(I) Identified route hazards shall be documented and provided to school bus drivers whose routes are affected. School bus drivers should report any such regular pedestrian or vehicular concerns as the following:

- (1) Construction sites;
- (2) Areas of poor visibility;
- (3) Restricted sight distances;
- (4) Railroad crossings;
- (5) Other route hazards as noted by the school bus driver.

(J) Equipment such as music instruments, athletic uniforms, etc., which cannot be held by passengers in their seats, shall be stored in the rear of the bus; however, the placement of such items in the rear of the bus shall not displace students. When it is necessary to transport such

equipment concurrently with pupils, space shall be provided to comply with this rule without having standees in the bus. Equipment required in the assistance of preschool and special needs children shall be safely and properly secured. A clear aisle to the exit door must be maintained at all times.

(K) Maximum hours. The school bus driver shall operate the bus for not more than ten hours in any one twenty-four hour period. Operation means on-road driving. Lay-over time does not count as operating time.

(L) Fueling

(1) Buses shall not be fueled while the engine is running.

(2) Smoking shall not be permitted while fueling.

(3) Buses shall not be fueled with pupils on board.

(M) Except in cases of extreme emergency, cellular telephones, including hands-free and wireless devices, or other portable communication devices shall not be used by the driver while the school bus is in motion or while the driver is supervising the loading or unloading of students.

(N) Medically necessary oxygen may be transported provided it is properly secured. The oxygen must be housed in portable units less than fifteen pounds total weight each. Guidelines for transporting oxygen will be developed and administered by the Ohio department of education.

(O) Districts shall adopt engine idling time policies that minimize the amount of time diesel engines shall be left idling. Diesel engine idling in excess of five minutes in school loading zones shall not be permitted unless the operation of a wheelchair lift is required.

Effective: August 1, 2007

### **3301-83-21 Supplementary provisions for county boards of mental retardation and developmental disabilities.**

(A) As used in this rule, the following definitions apply:

(1) "Individualized education program" means a written statement for a special needs child that is developed and implemented in accordance with paragraph (E) of rule 3301-51-02 of the Administrative Code.

(2) "Individualized habilitation plan" means a written plan of intervention and action that is developed on the basis of a comprehensive evaluation.

(3) "County board" means a county board of mental retardation and developmental disabilities.

(4) "Department" means Ohio department of education.

(B) The county board shall provide transportation services for children ages three to twenty-one eligible for transportation and enrolled in department-funded programs. The nature and extent of transportation services to be provided to each individual served shall be determined through the individualized education program or individualized habilitation plan process. The determination shall be reviewed annually.

(1) When it is determined through the individualized education program or individualized habilitation plan process that transportation other than that provided by the county board is an integral part of the education or habilitation of the individual, the county board shall provide reimbursement for transportation to the parent or guardian. Under these circumstances, written agreement between the county board and the parent or guardian shall be obtained prior to the provision of such transportation services. Documentation of this agreement shall be kept on file.

(2) Reimbursement of transportation costs paid to a parent or guardian may be approved as part of the transportation operating subsidy from the department with prior written agreement between the county board and the parent or guardian.

(C) The county board shall meet or exceed the insurance requirement for transportation vehicles and pupils as identified in Chapter 3327 of the Revised Code.

(D) A school bus driver shall have a current and valid "American Red Cross" first aid certificate or equivalent first aid training.

(E) All new bus drivers, assistants, and substitutes shall attend, prior to their assignment to a bus with passengers on board, an orientation which includes a review of the vehicle operator's manual and a practical overview of the characteristics and needs of individuals to be transported.

(F) The county board shall adopt a policy and procedures that ensure assistance is provided to individuals while being transported on county board vehicles when the individualized education program or individualized habilitation plan indicates a need for such assistance.

(G) Individuals shall be picked up and returned to their residences unless other arrangements have been agreed upon by the county board program and the responsible parent or guardian.

(H) All pupil transportation provided for children ages three through twenty-one must comply with all pupil transportation rules as identified in chapter 3301-83 of the Administrative Code and rule 3301-51-10 of the Administrative Code.

### **3301-83-22 Vehicle maintenance.**

School buses and other vehicles used to transport school children shall be maintained in safe operating condition through a systematic preventative maintenance program. All school buses being used for pupil transportation must be presented to the Ohio Department of Public Safety for inspection, and shall not be operated with students on board without a current inspection sticker signifying that they have passed such inspection. The Ohio State Highway Patrol shall be notified within fifteen days of any school buses involved in motor vehicle accidents which result in mechanical damage , or that are damaged in excess of five hundred dollars.