

Bus Driver/Bus Aide Responsibility

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8630 Bus Driver/Bus Aide Responsibility

The Board of Education requires all school bus drivers and bus aides employed by the district or employed by a contracted school bus company to be reliable persons of good moral character who possess the qualifications necessary to perform the duties of the position. Anyone driving a school bus used to transport pupils to and from school and school related activities must meet all requirements of N.J.S.A. 18A and N.J.A.C. 6A and all New Jersey Motor Vehicle Commission (NJMVC) rules governing school bus drivers. All school bus drivers must possess the appropriate license and endorsement(s) to drive a school bus in the State of New Jersey and are subject to all the Federal and State requirements to maintain the appropriate license.

“Employer” for the purposes of this Policy and Regulation means a Board of Education or a contractor that provides student transportation services under contract with the Board of Education. In the event the school district employs school bus drivers and bus aides and/or uses a contractor for transportation services, the “employer” for school district employed school bus drivers and bus aides shall be the Board of Education and the “employer” for contracted school bus drivers and bus aides shall be the contractor that provides student transportation under contract with the Board of Education.

School bus drivers and bus aides shall meet criminal history background check requirements pursuant to N.J.S.A. 18A:6-7.1(c) and tuberculin testing requirements pursuant to applicable State statutes and administrative codes. School bus drivers and bus aides shall be considered under the Federal Family Educational Rights and Privacy Act (FERPA) to be school officials who have a legitimate educational interest to parts of a pupil’s record relating to transportation, without parental consent, as outlined in N.J.A.C. 6A:27-12.1(j)1.

In addition to the medical examination required of every holder of a special license issued for the transporting of children to and from schools pursuant to N.J.S.A. 39:3-10.1 et seq., any school bus driver who is seventy years of age or older shall annually furnish, to the employer for review by the NJMVC at the NJMVC’s biannual inspection, satisfactory evidence of continuing physical fitness in the form of a medical examination by a licensed medical doctor or licensed osteopathic physician. In addition, any school bus driver who is seventy-five years of age or older shall every six months furnish, to the employer for review by the NJMVC at the NJMVC’s biannual inspection, satisfactory evidence of continuing physical fitness in the form of a medical examination by a licensed medical doctor or licensed osteopathic physician. In addition, any person applying for a special license and any person who is the holder of a special license for the transporting of children to and from schools, pursuant to N.J.S.A. 18A:39-1 et seq., shall comply with the provisions of Section 2 of N.J.S.A. 39:3-10.1a and Section 6 of N.J.S.A. 18A:39-19.1. The Chief Administrator of the NJMVC may suspend or revoke a license pursuant to N.J.S.A. 39:3-10.1.

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All drivers of buses or other vehicles used by the Board for the transportation of students to and from school shall, in addition to any exam required by law, submit to a medical exam for the presence of alcohol, narcotics, or habit-producing drugs within the scope of the “New Jersey Controlled Dangerous Substances Act,” (N.J.S.A. 24:21-1 et seq.).

All drivers of buses or other vehicles used by the Board for the transportation of students to and from school shall, in addition to any exam required by law, submit to a medical exam that includes hearing and visual acuity tests that are in accordance with the provisions of the “Motor Carrier Safety Improvement Act of 1999,” 49 U.S.C. § 113.

A Commissioner of Education-developed training program on proper procedures for interacting with pupils with special needs shall be administered by the employer to all school bus drivers and bus aides in accordance with the requirements of N.J.S.A. 18A:39-19.2. This training program must be administered in accordance with the provisions of N.J.S.A. 18A:39-19.3.a. and all school bus drivers and bus aides must file a certification with their employer that the individual has completed the training program within five business days of its completion. The employer shall retain a copy of the certificate for the duration of the individual’s employment and shall file a copy of the certification to the New Jersey Department of Education (NJDOE) in accordance with the provisions of N.J.S.A. 18A:39-19.3.b.

School bus drivers and bus aides shall receive training in the use of a pupil’s educational records and in their responsibility to ensure the privacy of the pupil and his or her records N.J.A.C. 6A:27-12.1(j)2. In addition, permanent and substitute school bus drivers and bus aides shall be trained for the functions of their positions and in a safety education program as outlined in N.J.A.C. 6A:27-11.1 et seq.

In accordance with the provisions of N.J.S.A. 18A:39-28, school bus drivers must visually inspect the school bus they are assigned at the end of the transportation route to determine that no pupil has been left on the bus.

The school bus driver shall be in full charge of the school bus at all times and shall be responsible for maintaining order. The school bus driver will never exclude a pupil from the school bus, but if unable to manage a pupil, the school bus driver will report the unmanageable pupil to the Principal or designee of the school in which the pupil attends.

The Principal or designee, upon such report from the school bus driver, may assign appropriate discipline. The discipline may include excluding the pupil from the bus. The pupil’s parent shall provide for the pupil’s transportation to and from school during the time of exclusion.

Upon notification from the NJDOE that a school bus driver employed by the Board has had his or her bus driver's license suspended or revoked, the Board, within one business day of the notification, shall provide a statement to the NJDOE verifying that the school bus driver no longer operates a school bus for the Board in accordance with N.J.S.A. 18A:39-19.6.

In the event of an emergency, school bus drivers shall follow procedures established by this Board. School administrators shall organize and conduct emergency exit drills at least twice within the school year for all pupils who are transported to and from school. All other pupils shall receive school bus evacuation instruction at least once per year. School bus drivers and bus aides shall participate in the emergency exit drills, which shall be conducted on school property and shall be supervised by the Principal or person assigned to act in a supervisory capacity. Drills shall be documented in the minutes of the Board of Education at the first meeting following completion of the emergency exit drill in accordance with the provisions of N.J.A.C. 6A:27-11.2(d).

In accordance with the provisions of N.J.S.A. 18A:39-19.4, a Commissioner-developed pupil information card shall be completed by a parent of a pupil with an Individualized Education Plan (IEP), who receives transportation services, when the IEP is developed or amended. Upon receiving consent from the parent, the pupil information card shall be provided to a school bus driver and bus aide for each pupil on the bus route to which the school bus driver or bus aide is assigned for whom a pupil information card has been completed by the parent.

The school bus driver will immediately inform the Principal of the receiving school and the School Business Administrator or designee of the district providing the transportation following an accident that involves injury, death, or property damage. The school bus driver must also complete and file within ten days of the accident the Preliminary School Bus Accident Report prescribed by the Commissioner of Education. In addition to the Preliminary School Bus Accident Report, the driver of a school bus involved in an accident resulting in injury or death of any person, or damage to property of any one person in excess of \$500, shall complete and file within ten days after such accident a motor vehicle accident report in accordance with N.J.S.A. 39:4-130.

School bus drivers are prohibited from using a cellular telephone or other electronic communication device while operating a school bus unless the school bus is parked in a safe area off a highway or in an emergency situation pursuant to N.J.S.A. 39:3B-25. A school bus driver who violates this policy provision is subject to fines pursuant to N.J.S.A. 39:3B-25.

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School bus drivers are responsible for the safety of their pupils and shall rigorously observe all motor vehicle laws and regulations and State Board of Education rules in the operation of their school bus pursuant to N.J.S.A. 39:3B-27.

N.J.S.A. 18A:6-7.1 et seq.; 18A:25-2; 18A:39-17; 18A:39-39-18;
18A:39-19.1; 18A:39-19.2; 18A:39-19-3; 18A:39-19.4; 18A:39-19.6; 18A:39-28
N.J.S.A. 39:3-10.1 et seq.
N.J.S.A. 39:3B-25; 39:3B-27
N.J.A.C. 6A:27-11.1 et seq.; 6A:27-12.1 et seq.

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8630 – EMERGENCY SCHOOL BUS PROCEDURES

A. Staff Training

1. The employer shall will administer a safety education program for all permanent and substitute school bus drivers and school bus aides. At a minimum, the training shall include:
 - a. Student management and discipline;
 - b. School bus accident and emergency procedures;
 - c. Conducting school bus emergency exit drills;
 - d. Loading and unloading procedures;
 - e. School bus stop loading zone safety;
 - f. Inspecting the school vehicle for students left on board the bus at the end of a route; and
 - g. The use of student's educational records, including the employees responsibility to ensure the privacy of the student and his or her records, if applicable.
2. The employer shall administer a safety education program to school bus drivers that includes defensive driving techniques and railroad crossing procedures.
3. The employer shall administer the safety education program, as set forth in A.1. and 2. above, twice per calendar year to all permanent and substitute school bus drivers and school bus aides it employs in accordance with N.J.S.A. 18A:39-19.1a.
3. The employer shall be responsible to administer a Commissioner of Education-developed training program on proper procedures for interacting with students with special needs in accordance with the provisions of N.J.S.A. 18A:39-19.2 and 18A:39-19.3 for all school bus drivers and school bus aides:

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- a. In the case of a school bus driver or aide who is employed prior to the development and availability of the training program, the employer shall administer the training program to the individual no later than one hundred and eighty days after the training program is made available by the Commissioner;
- b. In the case of a school bus driver or aide who is employed after the development and availability of the training program, the employer shall administer the training program to the individual prior to that individual operating a school bus or serving as an aide on a school bus;
- c. In accordance with the provisions of N.J.S.A. 18A:39-19.3b., the employer shall require a school bus driver or school bus aide to file a certification with the employer that the individual has completed the training program required as per N.J.S.A. 18A:39-19.2 within five business days of its completion. The employer shall retain a copy of the certification for the duration of the individual's employment, and shall forward a copy of the certification to the New Jersey Department of Education (NJDOE); and/or
- d. Contractors that provide student transportation services under a contract with the Board of Education shall comply with the requirements of N.J.S.A. 18A:39-19.2 and 19.3 and N.J.A.C. 6A:27-11.1 et seq.

B. Emergency Bus Evacuation Drills

1. The Principal or designee of each school shall organize and conduct emergency bus exit drills at least twice each school year for students who are transported to and from school and all other students shall receive school bus evacuation instruction at least once within the school year.
2. School bus drivers and bus aides shall participate in the emergency exit drills.
3. Bus exit drills will be conducted on school property and shall be supervised by the Principal or by a person assigned to act in a supervisory capacity. The drills will be conducted when weather is conducive to safety and preferably when the bus arrives at school with a full complement of students.

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4. The portion of the drill involving the use of the rear emergency door, which requires students to jump from the bus to the ground does need not to be performed by every student and may be demonstrated by others.

5. The school bus driver or supervisor of the drill shall:
 - a. Describe and demonstrate the use of kick-out windows and split-sash windows;
 - b. Describe the location and use of flares, flags, fire ax, and other emergency equipment;
 - c. Give instruction in the opening and closing of front and rear doors, turning off the ignition switch, and setting and releasing the emergency brake;
 - d. Explain that the bus will be evacuated by the front door when the bus is damaged in the rear and by the rear door when the front door is blocked;
 - e. Demonstrate the use of the emergency exit door;
 - f. Instruct students that lunches and books should be left on the bus in the evacuation procedure;
 - g. Encourage older, bigger students to assist younger, smaller students in their exit from the bus;
 - h. Have students leave the bus one row at a time, left and right sides alternating, in a prompt and orderly fashion;
 - i. Instruct students to group a safe distance away from the bus and to wait in that place until directed by the driver, a police officer, or other adult in authority;
 - j. Tolerate no student misbehavior in the conduct of the drill; the failure of any student to follow directions must be reported to the Principal; and

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- k. Provide any other training required by Federal and State law or as deemed appropriate by the Board that will protect the safety of the students in the event the bus needs to be exited due to an emergency.
6. In accordance with the provisions of N.J.A.C. 6A:27-11.2(d), emergency bus evacuation drills shall be documented in the minutes of the Board at the first meeting following completion of the emergency exit drill. The minutes shall include, but are not limited to, the following:
- a. The date of the drill;
 - b. The time the drill was conducted;
 - c. The school name;
 - d. The location of the drill;
 - e. The route number(s) included in the drill; and
 - f. The name of the Principal or assigned person(s) who supervised the drill.
- C. Additional Precautions
- 1. School bus drivers may, depending on the age of the students on a bus route, discuss with the students additional safety precautions that may be taken in the event of a bus emergency. The safety precautions to be discussed shall be approved by the Principal or designee.
 - 2. In accordance with the provisions of N.J.S.A. 18A:39-19.4, the Commissioner of Education shall develop a student information card that includes information that should be readily available to a school bus driver and school bus aide for the purpose of promoting proper interaction with a student with special needs. The parent of a student with an Individualized Education Plan (IEP) shall complete the student information card when the IEP is developed or amended for a student who receives transportation services.

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- a. Upon receiving consent from a student's parent, the school district shall provide a copy of the completed student information card to a school bus driver and school bus aide for each student on the bus route to which the school bus driver or school bus aide is assigned for whom a student information card has been completed by the parent.
3. School bus drivers shall attend training workshops offered by the NJDOE and this school district and shall be trained in first aid.
4. Each school bus shall be equipped with:
 - a. A list of the students assigned to that bus;
 - b. A basic first aid kit;
 - c. Several emergency notice cards on which are printed the telephone numbers of the appropriate police department, the receiving school, and an emergency medical service and on which is provided a space for writing the location of a disabled school bus and the name of the bus driver;
 - d. Flags or flares or other warning devices; and
 - e. Any other equipment or supplies determined to be included on the school bus by the administration.
5. Each school bus driver shall:
 - a. Inspect his/her bus for possible hazards or safety concerns before driving the bus each day;
 - b. Keep aisles and passageways clear at all times;
 - c. Maintain student discipline on the bus;
 - d. Prohibit the presence of any non-service animal, firearm, ammunition, weapon, explosive, or any other dangerous or illegal material or object on the school bus;

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- e. Report promptly to the Transportation Secretary and/or Principal any potential driving hazard on his/her route, such as construction, road work, etc.;
- f. Report promptly to the Transportation Secretary and/or Principal any deviation in the bus route or schedule;
- g. Drive within speed limits at all times and exercise extraordinary care in inclement weather;
- h. Know and obey all motor vehicle laws and regulations and State Board of Education regulations;
- i. Not smoke, eat, or drink while in or operating the bus at any time or perform any act or behave in any manner that may impair the safe operation of the school bus;
- j. Inspect the school vehicle for students left on board the bus at the end of a route; and
- k. Not allow a student on board a school bus unless the bus driver or other employee of the Board or school bus contractor is also on board the bus. This shall not apply when a school bus driver leaves the bus to assist in the boarding or exiting of a disabled student or in the case of an emergency.

D. General Emergency Rules

- 1. School bus drivers are responsible for the safety of the students on their bus. In the event of an emergency, school bus drivers must exercise responsible leadership. The safety and well-being of students must be the drivers' paramount consideration. School bus drivers shall stay with their students until another school staff member, law enforcement officer, or a first responder can assume responsibility for the safety of the students.
- 2. School bus drivers may not leave the school bus when children are aboard except in an emergency and, then, only after they have turned off the engine, removed the ignition key, and safely secured the school bus.

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3. A school bus must be evacuated when:
 - a. There is a fire in the engine or any other portion of the bus;
 - b. There is a danger of fire because the bus is near an existing fire or a quantity of gasoline or other highly combustible material and is unable to move away;
 - c. The bus is disabled for any reason and:
 - (1) Its stopping point is in the path of a train or is adjacent to a railroad track;
 - (2) A potential exists for the position of the bus to shift thus endangering students; or
 - (3) The stopping point (e.g., on a hill, curve, or near an obstruction) fails to provide oncoming traffic with at least 300 feet visibility of the bus, thus creating the danger of a collision.
 - d. The risk of remaining in the bus poses a greater safety risk than evacuating the bus.
4. When a school bus is evacuated, students shall leave the bus by the exit(s) and in the manner that affords maximum safety in the circumstances.
5. Students who have been evacuated from a school bus shall be moved to a safe place and distance from the bus and remain there until the driver or, if the driver is incapacitated, another person in authority has determined that no danger remains or until other alternative safety provisions can be made.
6. No student shall be allowed to request a ride with a passerby or proceed to walk home or leave the scene without the specific approval of the bus driver, a police officer, or other person in authority.

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7. In the event a school bus is disabled in the course of providing student transportation, the driver, or a responsible person designated by the driver, will notify the Transportation Secretary and/or Principal of the number and location of the bus and the circumstances of the disability. The Transportation Secretary and/or Principal will make arrangements for the safety of the students.

E. Specific Emergency Situations

1. In the event of an accident or vehicle failure the following procedures will be implemented:
 - a. The school bus driver shall, in person or through a responsible designee, summon the police and emergency medical services, if necessary, and notify the Principal of the receiving school and the School Business Administrator/Board Secretary or designee, of the district providing the transportation.
 - b. The school bus driver will attempt to make all students as safe and comfortable as possible. If possible and necessary, the driver will administer emergency first aid to injured students.
 - c. In the event of an accident with no apparent or actual injuries and when law enforcement officials permit the bus to continue on its route after investigating the accident the school nurse will:
 - (1) If the accident occurred on the way to school or during school hours, examine any student who is feeling or displaying any symptoms of any injuries from the accident when the bus arrives at school; or
 - (2) If the accident occurred on the way home from school, examine any student who is feeling or displaying any symptoms of any injuries from the accident the next school day or if the parent of a student requests the school nurse examine their child the next school day.
 - d. In the event of an accident where students are injured, a student(s) may be transported to a hospital if it is determined by law enforcement, medical, and/or first aid staff at the accident scene additional medical treatment is required.

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- (1) If the accident occurred on the way to school or during school hours, the school nurse will examine any student not transported to the hospital who is feeling or displaying any symptoms of any injuries from the accident when the bus arrives at school.
 - (2) If the accident occurred on the way home from school, the nurse will examine any student feeling or displaying any symptoms of any injuries from the accident the next school day or if the parent of a student requests the school nurse examine their child the next school day.
- e. If another vehicle(s) is involved, the bus driver will obtain the following information from the driver(s) of that vehicle(s) or from law enforcement officers at the accident scene: driver's name, driver's license number, vehicle owner's name and address, vehicle registration number, owner's insurance company and policy number, and a description of the vehicle (color, make, year, body type).
- f. The following notifications must be provided:
- (1) The school bus driver must report immediately to the Principal of the receiving school and the School Business Administrator/Board Secretary or designee of the district providing the transportation, any accident that involves an injury, death, or property damage. In addition, the bus driver must complete and file the Preliminary School Bus Accident Report prescribed by the Commissioner of Education.
 - (2) The Principal of the receiving school shall retain a copy of the Report and forward other copies of the Report as prescribed by the (NJDOE).
 - (3) In addition, a school bus driver involved in an accident resulting in injury or death of any person, or damage to property of any one person in excess of \$500 shall complete and file within ten days after such accident a Motor Vehicle Accident Report in accordance with N.J.S.A. 39:4-130.

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- (4) The parent of students involved in a school bus accident shall be notified as quickly as possible commensurate with the severity of the accident and injuries, if any, and hospital placement of their child if transported to a hospital by ambulance or by other emergency personnel.
 2. In the event the school bus driver is incapacitated, the following procedures will be implemented:
 - a. A school bus driver is incapacitated when he/she is unable to operate the school bus safely or when his/her driving ability is significantly impaired by the driver's physical or mental condition.
 - b. If there is a bus aide on the bus, the bus aide will take steps necessary to have the bus pulled off the road to a safe location and shall contact school officials or emergency services for assistance. If a bus aide is not on the bus, the bus driver shall pull the bus off the road to a safe location and contact school officials or emergency services for assistance.
 - c. The bus shall be stopped, with due consideration for the safety of its passengers, the motor turned off, the ignition key removed, and safely secure the bus.
 - d. The Transportation Secretary shall immediately arrange for the transportation of the students by substitute driver, substitute bus, or other means.
3. In the event of an injury to a student on the bus, at a bus stop, or along a transportation route, not incurred as the result of a school bus accident, the following procedures will be implemented.
 - a. In the absence of another responsible adult in authority, the school bus driver will take charge of a student who has been injured or disabled on a school bus, at a school bus stop, or along the transportation route traveled by the school bus.

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- b. If necessary, first aid will be administered.
- c. If the student's injury is serious, emergency medical services will be summoned; the school bus driver or a responsible adult appointed by the bus driver will remain with the student until emergency medical help arrives.
- d. If the student's injury
 - (1) Occurs on the way to the school, the school bus driver will deliver the injured student to the school nurse for examination and such treatment or referral as may be required. The school nurse will notify the student's parent;
 - (2) Occurs on the way to the student's home, the school bus driver or another school district staff member will deliver the injured student to his/her parent or to a responsible adult at the student's home or if no one is home the injured student will be transported back to a school district location until a parent or another responsible adult can be contacted. If it is determined the student may need medical treatment and a parent or responsible adult cannot be contacted, the child may be transported to the school physician's office or to the nearest hospital emergency room; or
 - (3) Occurs on the way to or from an extracurricular event, the school bus driver will notify a professional staff member assigned to the activity, who will take charge of the student and notify the student's parent.
- e. The school bus driver will immediately report the incident and any injuries to the Principal or designee of the school in which the student is enrolled.

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