

# Dulce Independent Schools

Technology Plan  
Approved March 2011

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**The Associate Superintendent is responsible for the operation of the Transportation Department of  
the  
Dulce Independent School District**

**Interim Superintendent,  
Mr. James Leshner**

**Dulce Independent School District Board of Education**

**President  
Vice- President  
Secretary  
Member  
Member**

**POLICY HANDBOOK APPROVED BY THE DULCE INDEPENDENT BOARD OF  
EDUCATION**

**Approved {DATE}**

**HANDBOOK COMMITTEE MEMBERS**

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Orlando Talamante, Transportation Coordinator**

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## I. MISSION STATEMENT

The mission of the Dulce Independent School District Transportation Department is to provide safe, timely, efficient and economical transportation for students and staff.

## II. OBJECTIVE

In accordance with 6.41.4.6 NMAC – The **OBJECTIVE** is to establish a safe and efficient unified system of transportation responsive to the needs of eligible students and to guide the provision of school transportation and transportation as a related service to students with disabilities. Student transportation services, therefore, shall ensure that:

1. all eligible students are transported in a safe and timely manner;
2. all eligible students are served within the requirements of current federal and state laws and public education department regulations;
3. students with disabilities have equal access to a free, appropriate public education, regardless of variances in their abilities to participate in educational experiences;
4. students with disabilities receive services, which promote growth towards increased independence and competence;
5. students with disabilities are afforded the same degree of dignity and respect afforded other students and that they are provided services within the requirements of least restrictive environment; and
6. all decisions related to a student with disabilities are made with a child and family focus by teams which include family members working collaboratively with school personnel to determine, implement, and evaluate services based on the needs of the student and the family.

## III. WRITTEN TRANSPORTATION POLICIES AND PROCEDURES

### POLICIES

Pursuant to SBE Regulations 6.42.2 NMAC, 6.43.2 NMAC and 6.41.4 NMAC the following policies and procedures related to transportation of school children, shall be adopted by the local board of education.

1. A policy defining the responsibilities of parents, students, teachers, staff, transportation providers and others.
2. A policy concerning complaints regarding school transportation from parents, students, transportation providers and others.
3. A student discipline policy for school transportation, including procedures for suspending a student's transportation privilege and for holding parents responsible for any malicious destruction to the bus or assault on a driver and others. This policy should address students with disabilities and shall include an appeal process applicable to all students transported on the school bus.
4. Comparable travel time policy.
5. A policy regarding transportation of special personnel, such as licensed nurses and special education assistants and other designated persons.

6. A policy regarding transportation of animals which accompany a student with disabilities. The policy shall at a minimum address the certification, training and immunization of the animal.
7. A policy outlining acceptable procedures for medicine transport. The policy shall include the designated place for transport and the personnel authorized to administer medication during transport when necessary.
8. A policy regarding eligible passenger roster/seating chart for students who ride school buses.
9. A policy for providing transportation services for students eligible under section 504 of the Rehabilitation Act of 1973 when such services are specified in the students Individualized Education Program (IEP).
10. A policy governing the termination of a contract with a school bus contractor in accordance with SBE Regulations 6.43.2 NMAC.
11. A policy concerning the safety and welfare of students participating in school sponsored activities.
12. A per capita feeder policy, which sets, forth the terms and conditions under which per capita feeder agreements shall operate.
13. Policy governing the transportation of non-eligible students who live outside district boundaries.
14. Policy governing enrollment and re-enrollment at schools within the district. A local school board shall adopt and promulgate regulations governing enrollment and re-enrollment at schools within the district. These regulations shall include; definition of the district boundary and the boundaries of attendance areas for each school:
  - a. For each school, definition of the boundaries of areas outside the district boundary or within the district but outside the school's attendance area, and within a distance of the school that would not be served by a school bus route as determined pursuant to Section 22-16-4, NMSA 1978 if enrolled, which areas shall be designated 5 as "walk zones";
  - b. Priorities for enrollment of students as follows:
    1. first, persons residing within the district and within the attendance area of a school;
    2. second, persons who previously attended the school; and;
    3. third, all other applicants; and
  - c. Establishment of maximum allowable class size in smaller than that permitted by law and ratification and description of the maximum class size in the charter of all charter schools within the district.
15. Criminal background policy.

An applicant for initial certification shall be fingerprinted and shall provide two fingerprint cards or the equivalent electronic fingerprints to the Department of Public Safety to obtain the applicant's Federal

Bureau of Investigation record. Convictions of felonies or misdemeanors contained in the Federal Bureau of Investigation record shall be used in accordance with the Criminal Offender Employment Act. Other evidence may form the basis for the denial, suspension or revocation of a certificate for good and just cause. Records and any related information shall be privileged and shall not be disclosed to a person not directly involved in the certification or employment decisions affecting the specific applicant. The applicant for initial certification shall pay for the cost of obtaining the Federal Bureau of Investigation record.

## *PROCEDURES*

Pursuant to SBE Regulation 6.41.4 NMAC each school district and/or school transportation supervisor shall establish the following procedures:

1. To be followed in inclement weather and for emergency bus evacuations (6.41.4.9 NMAC (A) (4)).
2. For allowing a given number of days to reconfigure a route after the type of transportation service have been decided upon by the IEP committee (6.41.4.9 NMAC (D) (1)).
3. Establish the time limit required to wait for the student receiving modified services (6.41.4.9 NMAC (D) (4)).
4. For the delivery of a student when a parent or guardian is not present to receive the student receiving modified services (6.41.4.9 NMAC (D) (5)).
5. For the immediate replacement of buses which fail to meet pre/post trip inspection (6.41.4.11 NMAC (C) (4)).
6. For school bus drivers to report all school bus accidents in accordance with local district and state accident reporting procedures (6.41.4.9 NMAC (B)).
7. Covering a DO NOT RESUSCITATE request from the parent or guardians specific to the school bus (6.41.4.8 NMAC (B) (8)).
8. Concerning the safety and welfare of students participating in school sponsored activities (6.41.4.8 NMAC (D)).

## IV. DEFINITIONS

### 7.41.4.7 NMAC - DEFINITIONS:

- A. **Activity bus driver** - An individual who meets all state and local criteria to drive students on school sponsored activities in a school bus.
- B. **Activity driver** - An individual who meets all qualifications, licensing requirements and local district criteria to drive students on school sponsored activities.
- C. **Bus route** - A designated course regularly traveled by a school bus to pick up students and take them to school, or to deliver students from school to their homes or designated bus stops that are approved by the local school district. Should the number of students on any bus drop below the number of ten, it shall be the responsibility of the school district to notify the state transportation director immediately.
- D. **Eligible student**
  - 1. Students eligible for transportation services under federal and state statute or under the public education department's "Hazardous Walking Regulation." State statute provides that students are eligible for transportation services if school bus routes are:
    - a. one mile one-way for students in grades kindergarten through 6;
    - b. one and one-half miles one way for students in grades 7-9, and;
    - c. two miles one way for students in grades 10-12.
  - 2. Students with special needs are entitled to transportation as defined in Subparagraphs (a) through (c) of Paragraph (1) of Subsection D of 6.41.4.7 NMAC, or as specified in the definition of "transportation as a related service."
- E. **Individualized education program (IEP)** - A written statement for a student with a disability that is developed and implemented in accordance with federal and state laws and regulations regarding individuals with disabilities and with Section 504 of the Rehabilitation Act of 1973, IDEA (Individuals with Disabilities Education Act) and ADA (Americans with Disabilities Act). The IEP serves as a communication tool between parents and the entire educational team and enables them as equal participants to decide collectively what the student's specific needs are, what services shall be provided to meet those needs, what the anticipated outcomes may be, and how the student's progress toward meeting the projected outcomes shall be evaluated.
- F. **Individualized services** - Transportation modifications recommended by the IEP committee to provide for the individual needs of students.
- G. **Least restrictive environment (LRE)** - To the maximum extent appropriate, students with disabilities, including those in public institutions or placed or referred by public agencies to private institutions or other care facilities, are educated with students who are not disabled within the most inclusive environment. Special classes, separate schooling, or other removal of students with disabilities shall occur only when the nature or severity of the disability is such that education in regular classes or other natural environments with the use of supplementary aids and services cannot be achieved satisfactorily.
- H. **On-duty time** - Time related to the driving, servicing, or operation of the vehicle, or those duties assigned or necessary that are related to a specific activity trip such as staying with the bus for security purposes or assisting with supervision of students.
- I. **School activity trip** - Shall include only transportation of school groups when the activity is school sponsored.
- J. **School bus** - Any motor vehicle with a rated seating capacity of 10 or more occupants operating under the jurisdiction of the state board of education which is used to transport children, students,

or teachers to-and-from school or to-and-from a school sponsored activity, as defined in the Motor Vehicle Code. (Section 66-1-4.16 NMSA 1978)

- K. **School bus assistant** - An individual employed by a school district or private contractor who is assigned to an approved route, who is not a driver, to help the driver and students.
- L. **School bus driver** - An individual employed by a school district or private contractor that has completed all certification and licensing requirements and is assigned to drive an approved bus route.
- M. **School bus driver instructor** - Any, person certified by the school transportation bureau to provide behind the wheel pre-service training for New Mexico school bus drivers.  
**School district Supervisor** - An individual designated by a local district to be responsible for direct and daily school transportation coordination.
- N. **School district administrator** - An individual designated by a local district to be responsible for school transportation services and must oversee the administration of the pupil transportation program.
- O. **School-owned vehicle** - A vehicle other than a school bus that is used to transport students to planned school sponsored activities.
- P. **Serious traffic offense** means a conviction of any of the following offenses contained in the Motor Vehicle Code [Articles 1 through 8 of Chapter 66 NMSA 1978]:
1. speeding in excess of 15 miles above any posted speed limit;
  2. reckless driving;
  3. careless driving;
  4. passing a school bus;
  5. following too closely;
  6. operating a commercial motor vehicle without holding a valid commercial driver's license (CDL) along with any endorsements;
  7. racing on a highway;
  8. homicide or great bodily harm by vehicle;
  9. injury to a pregnant woman;
  10. failing to stop after an accident involving death or personal injury;
  11. operating a vehicle after suspension or revocation of a driver's license.
- Q. **Substitute driver** - An individual employed by a school district or private contractor to operate a school bus on a regular to-and-from route when the assigned school bus driver is absent. This person shall meet all certification and licensing requirements of the regular school bus driver.
- R. **Transportation as a related service** - Transportation modifications and/or supportive services specified in the IEP as required assisting a student with disabilities to benefit from educational services in the least restrictive environment. If modifications and/or supportive services are not required, transportation is not a related service. When the student's needs do not require modifications, transportation is provided as a regular service if the student is eligible.
- S. **Transportation provider** - An individual or business that has entered into a binding agreement with the local school board to provide school transportation services.
- T. **Transportation supervisor** - An individual, designated by the district superintendent, charter school, or district transportation provider, who has responsibility to monitor and/or guide the local school transportation program and/or drivers and who is required to make daily observations to detect reasonable suspicion for alcohol and/or substance use.

## V. GUIDELINES

### ELIGIBLE SCHOOL BUS RIDERS

In accordance with 6.41.4.7D NMAC - *Eligible student*

1. Student(s) eligible for transportation services under federal and state statute or under the public education department's "Hazardous Walking Regulation." State statute provides that students are eligible for transportation services if school bus routes are:
  - a. one mile one-way for students in grades kindergarten through 5;
  - b. one and one-half miles one way for students in grades 6-8, and;
  - c. two miles one way for students in grades 9-12.
2. Students with special needs are entitled to transportation as defined in Subparagraphs (a) through (c) of Paragraph (1) of Subsection D of 6.41.4.7 NMAC, or as specified in the definition of "transportation as a related service."

A Dulce Independent School District (DISD) student will be provided transportation under the following criteria:

- |                           |  |
|---------------------------|--|
| Grade K-5 (Elementary):   | A Student whose registered address is one (1) mile or more one-way from his/her assigned school will be eligible for school bus service.                   |
| Grade 6-8 (Mid/Jr. High): | A Student whose registered address is one and one-half (1 1/2) miles or more one-way from his/her assigned school will be eligible for school bus service. |
| Grade 9-12 (High):        | A Student whose registered address is two (2) miles or more one-way from his/her assigned school will be eligible for school bus service.                  |

A student will not be afforded transportation if attending a school outside of his/her residence school unless specified by an Individual Education Plan (IEP). Transportation for attendance at another school will be the responsibility of the parents or guardians unless specified by an IEP.

A student attending day care/baby-sitting facilities may be transported if:

1. The student's registered address meets the distance requirement for transportation to his/her home school,
2. The facility is in the same school attendance zone as the student's residence,
3. The facility is located in the statutory distance from the school,
4. There is space available on the school bus servicing that route,
5. Added equipment, cost and/or mileage are not incurred,
6. There is no change in the school bus route, and
7. The pick-up location is the same all five days or the week and the drop-off point is the same all five days of the week.

## CHILD CUSTODY

If parents have joint custody of a student, the student may have two designated stops if:

1. Both parents live in the same school attendance zone,
2. Both residences are located the statutory distance from the school,
3. Copies of the custody papers submitted to the Transportation Office designating legal custody justifies two legal addresses,
4. There is space available on the requested school bus(es) that serve the school,
5. The pick-up and drop-off locations are the same five (5) days a week.

## MODIFIED TRANSPORTATION

In accordance with 6.41.4.9G NMAC - *Identification of transportation needs for students with disabilities*

1. *Transportation needs for students with disabilities who request transportation as a related service shall be determined and specified on an individual case-by-case basis by each student's individual education program (IEP) committee. The committee shall utilize evaluation information from a variety of sources, including but not limited to, parent information, other related services assessments, medical information, assistive technology assessment, and other information from the student's multidisciplinary team evaluation.*
2. *Decisions regarding transportation as a related service shall be guided by the principle of least restrictive environment (LRE); therefore, students with disabilities shall be transported with neighborhood peers who are not disabled unless restricted by health or safety considerations. When modifications to standard transportation are necessary, transportation personnel shall be afforded the opportunity to participate in the development of the IEP. The IEP document shall clearly state the transportation needs/modifications identified by the IEP team. If future circumstances require significant changes in services, any team member, including transportation personnel, may request that the committee reconvene to consider the student's transportation needs.*

In accordance with 6.41.4.9H NMAC - *Provisions of transportation for students with disabilities*

1. *Students with disabilities who require transportation as a related service shall be transported with neighborhood peers who are not disabled unless restricted by health or safety considerations. Modifications to standard transportation services shall be required through the IEP process and shall be stated in the IEP document.*
2. *If due to serious health or safety considerations, an IEP committee determines that an individual student with disabilities cannot be transported with neighborhood peers who are not disabled, alternatives shall be considered. In providing alternatives, the district shall assure:*
  - a. *instructional time equivalent to that of peers without disabilities, unless otherwise specified in the student's IEP;*
  - b. *transportation time comparable to that provided for neighborhood peers without disabilities, unless otherwise specified in the student's IEP;*
  - c. *access to other educational and related services specified in the student's IEP;*
  - d. *access to and from the designated vehicle pickup/drop off point.*
3. *Transportation shall be provided to students with disabilities to co-curricular activities and to extra-curricular activities. Such transportation however shall be paid from sources other than the transportation to-and-from funds.*

4. *The procedural safeguards outlined in public education department regulations regarding due process procedures, protection in evaluation and delivery of services, least restrictive environment, and confidentiality of information, shall apply when considering transportation as a related service to students with disabilities.*

In accordance with 6.41.4.9I NMAC - *Student behavior*

1. *When a student's behavior endanger the safety of others, the student shall be suspended from the transportation vehicle according to the local board of education's policies and public education department regulations.*
2. *Provisions for removal and reinstatement of transportation services for students with disabilities shall be specified in the local board of education's policies and in the student's IEP. In the interim, the student with the disability may require other means to access educational services. Any change in related service(s) transportation must be made through the IEP process, and the procedural safeguards specified in public education department regulations shall apply.*

#### MODIFIED TRANSPORTATION BASED ON 504 ACCOMMODATION PLAN

A student who is eligible for an accommodation plan under section 504 of the rehabilitation Act may be provided modified transportation services as part of that accommodation plan. When modified transportation service is being considered, the Transportation Department may be contacted to provide technical assistance in developing the modified transportation plan. The need and justification for modified transportation services will be indicated on the 504 Plan and a student transportation form will be completed by the committee who has developed the accommodation plan.

Services should begin three (3) to five (5) working days after receipt of the completed transportation form at the Transportation office. The 504 Plan will indicate the duration of the provision of modified transportation services. If the duration of service cannot be determined, the committee will monitor the need for modified transportation service at regularly schedule intervals as indicated on the 504 Plan.

#### ALL MODIFIED TRANSPORTATION REQUESTS WILL BE REVIEWED AT THE END OF EACH SCHOOL YEAR

The case carrier of the IEP committee will notify the Transportation Office of any student disabilities that may cause inappropriate behavior and any special disciplinary interventions, restrictions or techniques contained in the IEP for students who are eligible for modified transportation. This information will be noted on the student's transportation form given to the transportation provider.

#### COMPARABLE TRAVEL TIME

The following will bring our policy in line with Federally Mandated Regulations:

1. All students being transported to residence school, either on a regular route or a modified route, will arrive and depart at times that do not shorten their school day. A student receiving modified services to his/her residence school should receive reasonable accommodation for comparable travel time with neighborhood peers who ride a regular bus.
2. Travel time for a student who is eligible for modified transportation services to a non-residence school will be determined on a case by case basis. Reasonableness of accommodation, distance from the pick-up/drop-off location(s), and routing to recommended school site will be considered in order to provide the least amount of travel time to the assigned school.

## *DELIVERY OF STUDENTS RECEIVING MODIFIED SERVICES*

When delivering a student receiving modified services and the parent/guardian is not present, the driver shall refer to the student's Confidential Emergency Information Form and will follow the steps outlined herein:

1. If the Transportation Form, the parent/guardian has authorized that the student can be left unattended, the driver/attendant may leave the student at the designated drop-off point.
2. If the parent/guardian has not authorized that the student can be left unattended, the driver/attendant shall not leave the student alone, but will do the following:
  - a. The driver/attendant shall radio the bus barn and appropriate principal, and have them attempt to contact the student's parent/guardian at work or at another phone number.
  - b. While attempting to make contact, the bus may proceed on the designated route to deliver any other students onboard to their destinations and then return to the student's delivery point.
3. If DISD Principal or designee is unable to contact that parent/guardian, or other emergency contacts, the student will then be referred to the appropriate child protective agency (police). Social Services will be informed. The bus driver does not have to remain with the child after the referral has been made.

## *DO NOT RESUSCITATE REQUESTS*

If a parent/guardian request to withhold life saving techniques in the event of a respiratory or cardiac arrest suffered by a severely impaired or terminally ill student, the request shall not be honored. The following procedures will be followed:

1. School bus personnel will, to the best of their ability, administer First Aid/CPR to all students in the event of an accident or life-threatening emergency. The driver or attendant shall radio the bus barn to activate the Emergency Medical System (911) immediately.
2. Upon arrival, EMS Personnel will then take over treatment of student, any decisions concerning transport or treatment will be handled by EMS.

## *ANIMAL TRANSPORT*

Only animals specified in a student's IEP or 504 Plan may be transported on a DISD bus. The animal must be justified on the student's Confidential Transportation Form. A copy of the animal's current immunization record, registration and certification, if applicable, must be attached to the Transportation Form.

## *TRANSPORTATION OF PRESCRIBED MEDICATION*

It is not recommended that prescribed medication, be transported on any DISD buses. If there is a need to transport prescribed medication it will follow the following guidelines:

1. Appropriately labeled medication will be transported in a backpack or the student will maintain possession of the medication. Exception: If the student is unable to do this the driver/attendant may care for the medication in an appropriate container until the student arrives at the school or drop-off point, at which time the medication will be given to the school staff or parent/guardian.

2. No medication will administered by the driver or the attendant. When necessary, only health care providers accompanying students as specified in an IEP or 504 Plan will be authorized to administer the medication.

#### DELAYED START SCHOOL DAYS

The delayed start school day schedule is a shortened day which begins two (2) hours later than a regular school day. The most common use of this delay is during winter months when ice, snow and/or extremely cold temperatures occur.

A decision to delay school shall be made by the Superintendent or designee. Notification will be given no later than 4:15 AM through the media: Television, Radio stations and the Internet (District Web-site). All drivers, parents and students should listen for this announcement. If weather conditions worsen and it is necessary to cancel school the decision and announcement will be made no later than 8:15 AM.

On all delayed start days, school will start exactly two (2) hours later than normal. Therefore all buses will run two (2) hours later than normal. Lunch will be served as usual but there will be no breakfast served.

A delayed start school day will be considered a regular school day and unless weather or road conditions warrant it, all activities may go on as scheduled. If however, school is canceled, any and all athletic, activities and practice sessions shall be canceled if it requires bus transportation. The decision to have practice will be made by the athletic director.

*Exception: A NMAA sponsored tournament in progress either at home or away would be allowed to continue, weather permitting.*

#### CANCELLATION OF SCHOOL

The cancellation of school is dependent on the weather, utilities (no water or electricity), and/or special circumstances out of the District's control.

A decision to close school will come from the Superintendent and will be communicated to the public through the media; Television Stations and Radio Stations. The decision to close schools will be made before 4:00 AM or if possible the day prior.

When school is cancelled, all athletic, activities and practices will be cancelled for that day. The only exception will be if the parents bring the student to practice and there is no need for bus transportation. This decision will be made by school site administrators.

Note: A safety factor must be considered before any student athletic, activity, or travel is decided. Road condition in the morning and in the evening is usually unsafe due to freezing conditions. Please take into consideration the safety of all involved in your decision to have practice or any other activities.

## INCLEMENT WEATHER CONTACT INFORMATION

- Call Jim Leshner
- District Website - <http://www.dulceschools.com>
- Television Stations
  - KOB - New 4
  - KOAT - TV New 7
  - KREQ - New 13
- Radio Stations
  - KCIE - 90.5 FM Dulce
  - KZRM - 96.1 FM Chama

## COMPLAINTS

All complaints will be handled in accordance with DISD Board Policies:

Section VII: Community School Relations: 8.11 Complaints (CURRENT POLICY)  
J-3611@JII-R: Student Concerns, Complaints, and Grievances (NEW POLICY)

## CONTRACTORS

In accordance with 6.41.4.8C NMAC - *School bus contractor relationships*: When an outside contractor provides school transportation services, each local board of education shall:

1. approve all contracts and contract amendments with school bus-contractors in accordance with state law and state board of education regulation;
2. approve a policy governing the termination of a contract with a school bus contractor in accordance with state law and state board of education regulation;
3. include as a part of each contract a scope of work; which ensures that this regulation and all other applicable state and federal regulations and state statutes and state board of education regulations are adhered to;
4. develop policy involving criminal background checks in accordance with state law.

## CRIMINAL BACKGROUND CHECKS

All drivers, attendants and/or other transportation personnel will be required upon hire to submit to a criminal background check in accordance with Section 22-10A-5, NMSA 1978. Employees within ten (10) working days of hire shall be required to go to the Personnel Department to pick up a fingerprint packet. Employees will have ten (10) additional days to submit the completed packet with payment (money order or certified check) to NM State Department of Public Safety.

Employees who fail to return the fingerprint packet shall not be retained by the District. Any employee found to be guilty of a serious crime of violence (murder, rape, felonious assault, etc...) or crimes against children (molestation or abuse) shall not be retained by the District.

## FEEDER ROUTE

*In accordance with 6.43.2.15F NMAC - PER CAPITA FEEDER REQUIREMENTS*: The local board shall approve a per capita feeder policy which sets forth the terms and conditions under which per capita feeder agreements shall operate.

#### 4.27.6. PER CAPITA FEEDER PROGRAM

The transportation department will provide per capita or per mile reimbursement to a parent or guardian in cases where regular bus transportation is impractical because of distance, road condition or sparse population. To be eligible for Per Capita Feeder Route, a pupil must live outside the legal walking distance to the nearest school bus route:

- Kindergarten through grade six (6) - One (1) mile radius.
- Middle School - One and one-half (1.5) mile radius.
- High School - Two (2) mile radius.

*The Associate Superintendent will approve all agreement(s) made with parents or guardians for per capita feeder services. The agreement(s) will define the term of service, the contract amount, and the responsibilities of the parent. It will be the responsibility of the parent or guardian to transport their students to the bus stop five (5) minutes prior to the scheduled bus arrival and in the afternoon to be waiting for the bus to return.*

*A parent or guardian who has entered the per capita agreement must provide proof of insurance, vehicle registration and driver's license to the transportation department and shall maintain the insurance for the term of the agreement. If the identity of the vehicle or driver changes or number of pupils transported changes, this information must be reported within twenty-four (24) hours of the change. There will be no reimbursement or back payment for time lapsed if the participant's insurance expires.*

*The State PED shall establish the mileage reimbursement rate. This will include the mileage from the home to the bus stop, the return mileage from the bus stop to the home during the day, and the reverse in order to pick up the students in the afternoon. In cases where the student is transported to school by parents and the parent remains in the community or goes to a job, the reimbursement would not apply other than one (1) round trip per day.*

*The system of accountability will be in place to ensure that services are rendered according to the terms of the agreement. The transportation department will verify student attendance on a monthly basis before payment is issued. The parent's signature on the monthly voucher will assure us that they have transported their child each day to and from. There will be no reimbursement for a day on which the student is not in school.*

#### Administrative Guidelines:

1. The Transportation Department will ensure that all per capita feeder participants are qualified and have signed their contract before entering the in program.
2. All participants will acknowledge they have read and understand board policy 4.27 STUDENT TRANSPORTATION MANAGEMENT AND 4.27.6 PER-CAPITA FEEDER PROGRAM
3. All feeder report cards must be turned in one week after the last day of the month. Mailing in the feeder report card is not advisable; it could get lost or get hung-up in the mail system. Bringing in the feeder report card and having it stamped to show it was received one week after the last day of the month is recommended.
4. If a participant fails to turn in a feeder report card for 1 month or does not update their insurance information for one month they will be removed from the program and all payments will stop.

5. The Transportation Department will ensure that students on the feeder route program are attending and will make these checks utilizing the student management system and/or making calls to the school that the student attends.
6. All mileage will be verified through the uses of a map system or driving the route utilizing the odometer reading.
7. The responsibilities of the driver to have in all documentation must be completed before any payment is made. No payment will start until all documents are signed and approved.

Documents that will need to be turned in before payment:

1. Per Capita Feeder Agreement - signed by parent/guardian who will be the driver.
2. Per Capita Feeder Board Policy - signed by parent/guardian who will be the driver.
3. Per Capita Worksheet - sign by parent/guardian who will be the driver.
4. Valid Driver's License
5. Valid Insurance Card
6. Per Capita Feeder Report Card - this card will be turned in one week after the last day of the month for to and from services provided to the bus stop. Any additional mileages will not be counted towards the reimbursable mileage.

## VI. ADMINISTRATION

### *THE ORGANIZATION*

The Dulce Independent School District (DISD) Bus Transportation system is the collaborative and cooperative operation that involves the efforts of many people. The authoritative leadership rests with the DISD Board of Education through the Superintendent, Associate Superintendent, Transportation Supervisor, and Principals.

Our primary objective is the SAFE transportation of students "to-and-from" school; everything else shall take a back seat to this prime directive. To-and-from school transportation is fully funded through the State's Public Education Department (PED), under the Transportation Bureau. Transportation funds received from the PED are for "to-and-from" bus services; these funds will not be used for any other purpose. All statutory provisions, State Board of Education Regulations, School Transportation Bureau Regulations and DISD Board of Education Policies are directives that must be strictly adhered to.

DISD Board of Education Policies are approved and adopted by the School Board and must be reviewed and implemented to ensure the safety of students and reduce liability associated with school transportation.

All activity (educational, interscholastic and athletic) travel is to be funded by the DISD Board of Education through operational funds, activity funds, JOM monies or other school organizations funds.

The Transportation Department operates directly under the Associate Superintendent. It functions with the teamwork of transportation employees: administrators, bus drivers, mechanics, secretaries, private contractor, and the community.

## VII. RESPONSIBILITIES

### 6.41.4.9 NMAC- SCHOOL ADMINISTRATION RESPONSIBILITIES

#### *General requirements:*

1. The school district administrator shall observe all federal and state laws and regulations, state board of education's regulations, and local board of education's policies and procedures.
2. Prior to providing services, the local school superintendent shall ensure that each school bus contractor has a properly executed contract on a form approved by the state board of education.
3. The school district administrator or designee shall verify current qualifications and training records on each school bus driver, substitute and bus assistant and verify that background checks and reference checks are made in accordance with applicable laws.
4. The school district administrator or designee shall establish written procedures to be followed in inclement weather and for emergency bus evacuations.
5. The school district administrator or designee shall provide to school bus drivers' vital emergency information for all students with special needs or special medical conditions. All vital emergency information shall be treated as a confidential record as provided by law.
6. The school district administrator, or designee, shall be available until all buses have completed their trips and all students have been properly delivered.
7. The school district administrator or designee shall develop and implement a school transportation safety curriculum for students who ride school buses to and from school and school sponsored activity trips.
8. The local school district shall review for safety each student walk zone for each school on a school district approved cycle. The review cycle shall not exceed five years.

#### ASSOCIATE SUPERINTENDENT

Responsibility delegated by the Board of Education for the management of the Transportation Department is delegated to the Associate Superintendent.

The Associate Superintendent shall:

1. Observe all Federal and State Laws and Regulations, State Board of Education's Regulations and Local Board of Education's Policies and Procedures.
2. Ensure that all bus contractors have a properly executed contract on a form approved by the State Board of Education.
3. Verify current qualifications and training records on each school bus driver, substitute and bus assistant and verify that background checks and reference checks are made in accordance with applicable laws.
4. Establish written procedures to be followed in inclement weather and for emergency bus evacuations.
5. Provide to school bus drivers' vital emergency information for all students transported with special needs or special medical conditions. All vital emergency information shall be treated as a confidential record as provided by law.
6. Be available until all buses have completed their trips and all students have been properly delivered.
7. Develop and implement a school transportation safety curriculum for students who ride school buses to and from school and school sponsored activity trips.

8. Review for safety each student walk zone for each school on a school district approved cycle. The review cycle shall not exceed five years.
9. Market and disseminate information of transportation and fleet programs to all stakeholders through local media.
10. Direct, manage, supervise, and coordinate the activities and operations of the Transportation Department.
11. Supervise and manage all aspects of transportation operation.
12. Have responsible for the overall transportation budget for the District which includes: payroll, activities,-abatement, adjustments, supplies, equipment, parts, and reports.
13. Collaborate the establishing, changing, planning and scheduling of bus routes with District administrators, supervisors, departments, and bus contractor.
14. Plan and provide a staff development program that addresses the needs of the supervisors and employees.
15. At a liaison between School and State Transportation Agencies; Federal, State and Local Officials; and School Employees, Parents, Students and any other Stakeholders.

### TRANSPORTATION SUPERVISOR

Shall supervise and coordinate daily activities and operations; to coordinate assigned activities with other departments, outside agencies and the general public; and to provide highly responsible and complex staff assistance to the Associate Superintendent.

1. Assist the Associate Superintendent with the organization, staffing and operational activities for the Transportation program.
2. Participate in the development and implementation of goals, objectives, policies and priorities; recommend and implement resulting policies and procedures.
3. Meet with staff to identify and resolve problems.
4. Identify opportunities for improving service delivery methods and procedures;
5. Identify resource needs;
6. Direct, coordinate and review the work plan for assigned transportation services and activities;
7. Assign work activities and projects;
8. Implement all regulation governing the Per Diem and Mileage Act (Chapter 42 Part 2 2.42.2) says: Public officers or employees who occasionally and irregularly travel shall be reimbursed for travel which does not require overnight lodging, but extends **beyond the normal work day** as follows:
  - (a) for less than 2 hours of travel **beyond the normal work day**, none.
  - (b) for 2 hours, but less than 6 hours **beyond the normal work day**, \$12.00
  - (c) for 6 hours, but less than 12 **hours beyond the normal work day**, \$20.00
  - (d) for 12 hours or more **beyond the normal work day**, \$30.00

However, the law under the Internal Revenue Service (IRS) regarding “meal allowance” says that the cost of a meal is considered a “personal living and family expense” under rule 262(a), except as permitted by 162, 119 or 212. And rule 162 states: A meal reimbursement for “travel away from home” is taxable as wages if **NO OVERNIGHT LODGING** is incurred.

Therefore the reimbursement must be paid by payroll and must be taxed as wages.

9. Monitor work flow; review and evaluate work products, methods and procedures.
10. Oversee the maintenance and ensure the safety of district school buses; ensure compliance with Department of Transportation safety inspections.
11. Assign drivers to regular routes and dispatch drivers for activity trips.
12. Coordinate bus transport activities with those of other Departments and outside agencies and organizations.
13. Attend and participate in professional group meetings; stay abreast of new trends and innovations in the field of school transit.
14. Select, motivate and evaluate assigned transportation personnel; work with employees to correct deficiencies; recommend discipline and termination procedures.
15. Provide staff assistance to the Associate Superintendent;
16. Participate on a variety of committees;
17. Prepare and present staff reports and other correspondence as appropriate and necessary.

## *TRAINING COORDINATOR*

To coordinate transportation training program activities and activity operations within the Transportation Department; to coordinate training activities with other departments, outside agencies and the general public; and to provide highly responsible and complex staff assistance to the Associate Superintendent.

Training Coordinator shall:

1. Coordinate the organization, staffing and training activities for the Transportation program.
2. Participate in the development and implementation of goals, objectives, policies and priorities; recommend and implement resulting policies and procedures.
3. Assist in identifying opportunities for improving service delivery methods and procedures; identify resource needs; review with appropriate management staff; implement improvements.
4. Direct, coordinate and review the training plan for assigned transportation services and activities; assign work activities and projects; monitor work flow; review and evaluate work products, methods and procedures.
5. Oversee the training and ensure the safety of district school buses; ensure compliance with Department of Transportation safety inspections.
6. Collaborates with Transportation Supervisor to assign drivers to regular routes and provides drivers for activity trips.

## *SCHOOL PRINCIPAL'S RESPONSIBILITIES*

The Principal is responsible for implementing policies set by the DISD Board of Education and to promote public understanding of and support for the District's Transportation Policies. These administrators must become thoroughly familiar with these policies. The Principal may delegate their duties to a designee, this individual shall be an assistant principal or certified person. The designee shall not be a classified employee: secretary, custodian, liaison, etc...

Duties include but are not limited to:

1. In cooperation with the driver or designee, is responsible for discipline while students are being transported "to-and-from" school. Principal will be at the AM unloading and PM loading zone to assist and control student arrival and departure.
2. The bus driver, at the end of day loading, will wait eight (minutes) after the dismissal bell then shall proceed on their route. Once the bus leaves the loading area they will not return for any students who have missed the bus. It will be the Principal's responsibility to ensure the student(s) get delivered home.
3. The bus driver and/or attendant will not leave the bus when unloading or loading students. They shall not search for unaccounted student(s).
4. In accordance with State Regulation 95-1, section 2.3.7, a driver shall not be permitted to drop off a student at a point other than the student's regular stop/delivery point unless it is a verifiable emergency. The Principal may give written authorization to the bus driver stating specifically which stop the student is to be dropped off and it will also state the duration of the change. The driver will turn-in a copy to the Transportation Supervisor and retain a copy on the bus.
5. Students must be registered and living within the boundaries of the school to be eligible for bus transportation. The bus driver shall produce a master rider list in the second week of school and provide a copy to the Principal. After the Principal receives the list any additional or new student(s) will need a note from the Principal authorizing the student to ride the bus.

6. Minor discipline problems on the bus shall be handled by the bus driver, which will be documented. Serious infractions will be documented on the bus discipline form and given to the Principal for action. Immediate action is beneficial to reducing or eliminating the infractions.
7. The Principal has the authority to suspend a student(s) from riding the bus, the length of the suspension will depend on the seriousness of the infraction or perhaps the reoccurring misbehavior of the student(s).
8. A suspension from bus transportation does not mean that a student is suspended from school. In this situation, the student's parent/guardian will be responsible for transporting their child to-and-from school.

#### PARENT/GUARDIAN RESPONSIBILITIES

In order to provide an effective, efficient and safe transportation program, parents/guardians are part of this team and their responsibilities include but are not limited to the following:

Parent/Guardian are:

1. Expected to motivate and encourage their children to learn and obey the school bus safety rules.
2. To encourage their children to act accordingly on the bus during bus operation and stops.
3. To instructing their children about the location of their bus stop and advise them to get off only at their designated stop.
4. Expected to have their children at the designated stop at least five (5) minutes prior to the arrival of their assigned bus.
5. To be present at the bus stop Parents/Guardians who have a student in the second (2<sup>nd</sup>) grade or at a lower grade will need to be present at the bus stop to accept their child. If not, the student will be returned to their school. Exception: If the student has an older sibling(s) who will escort them home.
6. Not to be transported on a to-and-from bus.
7. To arrange for their children to have all necessary educational supplies and/or materials in a pouch, packet and/or backpack, this should be labeled.
8. Parents shall be responsible for malicious damage done to the bus by their child.
9. Advised that it is not recommended that prescribed medication be transported on any DISD buses. If there is a need to transport prescribed medication it will follow the following guidelines:
  - a. Appropriately labeled medication will be transported in a backpack or the student will maintain possession of the medication. Exception: If the student is unable to do this the driver/attendant may care for the medication in an appropriate container until the student arrives at the school or drop-off point, at which time the medication will be given to the school staff or parent/guardian.
  - b. No medication will administered by the driver or the attendant. When necessary, only health care providers accompanying students as specified in an IEP or 504 Plan will be authorized to administer the medication.

Parents/Guardian of students receiving modified transportation services shall:

1. Cooperate in accordance with 6.41.4.9A (5) NMAC: *The school district administrator or designee shall provide to school bus driver's vital emergency information for all students transported with special needs or special medical conditions. All vital emergency information shall be treated as a confidential record as provided by law.* The IEP team will assist in filling out the Modified Transportation Instruction Form.

2. Understand that the modified transportation will begin three (3) to five (5) school days after the Transportation Office has received a complete Transportation Form from the IEP Committee. All affected parties will be informed if route reconfiguration will exceed the five (5) day limit.
3. Allow three (3) to five (5) days for any changes in pick-up/drop-off locations. (The driver is not allowed to change or modify a route.)
4. Have the student ready to board the bus upon arrival, the bus driver will wait three (3) minutes for the student if the student does not show, the driver will leave.
5. Be required to send your child to their designated bus stop. If wheelchair bound, the parent/guardian or other family member shall roll the student to the bus.
6. Ensure a student has a clean diaper on, if not toilet trained and colostomy bags are not filled to capacity before boarding the bus. Bus transportation will not be provided for students with soiled diapers or whose colostomy bag is full.
7. Notify the bus barn in advance that their child does not plan to go to school on a specific day. If unable to notify in advance, inform the bus driver when they arrive.
8. Transport their child when exceptional circumstances or situations arise which call for a deviation from established bus service.
9. Transport their child in the event of a bus suspension.
10. Make arrangements to have a responsible person that is on the school sign out list, meet the bus if the child is not capable of staying home alone.

#### *STUDENT RESPONSIBILITIES*

In order to ensure the safety of all students whether on the bus, walking to or from the bus, or loading/unloading the following guidelines shall be observed:

1. Student who is required to walk to a bus stop must walk on the side of the road facing traffic, except on divided or multi-laned roadways.
2. Student must be at their designated bus stops five (5) minutes before the schedule arrival of the bus. The bus driver will not wait for students who are not making an effort to reach the bus. When a student is late it holds up and extends the bus route, the bus is on a timed schedule.
3. Students will exhibit safe and appropriate behavior when waiting for and boarding the bus.
4. Students must obey the driver's directive promptly and any other staff assigned to ride the bus; they are enforcing the rules.
5. Student shall not get on or off the bus while it is in motion, this includes moving from seat to seat if caught you will be disciplined.
6. Aisle and exits must remain clear.
7. Students must sit in assigned seat, driver will assign. If you refuse you may lose bus privileges.
8. On small buses, all passengers will wear seat belts.
9. Students will not tamper with the bus nor will they sit in the driver's seat.
10. Students will not carry-on a conversation with the bus driver; it takes away from the driver's concentration.
11. Students will not use lewd or profane language on the bus, neither shall they use obscene gestures or throw gang-related signs. Students should exhibit a cooperative attitude.
12. Rough or boisterous conduct will not be permitted on the bus. Students will not be allowed to throw anything in or out of the windows or doors.
13. Students shall not be allowed to eat or drink on the bus.
14. Students will not be allowed to transport skateboards on the buses.
15. Students should remember that misconduct on the bus not only endangers their safety but the safety of everyone on the bus.

16. Students shall keep hands, arms, head and other body parts inside the bus.
17. Firearms, knives, explosives, breakable glass and any object that can be considered dangerous will not be allowed on the bus. A STUDENT WHO BRINGS A FIREARM, KNIFE OR ANY ITEM THAT CAN BE CONSIDERED DANGEROUS ON THE BUS IS SUBJECT TO A ONE (1) YEAR SUSPENSION FROM SCHOOL.
18. Students will not bring any animals on the bus. Only animals specified in a student's IEP or 504 Plan may be transported on a DISD bus.
19. Students will not open windows without the permission of the driver.
20. The possession, use or distribution of tobacco, drugs or alcohol will not be tolerated and will result in suspension of riding privileges.
21. Any Student under the influence of drugs or alcohol will not be transported on any DISD bus.
22. Students shall not ride on the outside of the bus or attach anything to the bus.
23. Parents shall be responsible for malicious damage done to the bus by their child.
24. Students who bring their infant or small child with them on the bus for the GRADS program must provide their own car safety seat; the car safety seat will not remain on the bus. The infant or small child must stay in the seat for the complete bus run.
25. Students who must cross the street to either load or unload the bus must walk at least eight (8) to ten (10) feet in front of the bus. They must not cross until they get an "all clear signal" from the bus driver.
26. Students will not be allowed to cross multi-laned, divided highways or heavily traveled roads.

#### *BUS DRIVER RESPONSIBILITIES*

Responsible for the safe delivery of the students to-and-from schools. Must meet the requirement set forth under 6.41.4.11 NMAC, School Bus Drivers Responsibilities.

1. Must be able to perform and understand the procedures for accidents and emergencies.
2. Must be able to adhere to the requirement for student safety.
3. Must perform the daily requirement of the pre- and post- trip requirements.
4. Must be able to meet the requirements of physical qualification.
5. Must meet the requirement of the School Bus Driver's licensing in accordance with the New Mexico Motor Vehicle Code.
6. Must meet the requirement under the Continuing standard for school bus drivers.

#### Primary Functions:

1. To operate a school bus on an assigned route or activity in an effective, efficient, and safe manner.
2. Maintain the approved schedule route and ensure that the route is consistent in both time and mileage.
3. Exercise student management through effective communication and discipline management techniques that lead to positive results.
4. Maintain good work habits through low absenteeism and being on time.
5. Maintain and care for the bus, its components, and report maintenance issues to minimize wear and tear of the bus.
6. Maintain and operate the bus radio system in accordance with the FCC Regulations. Be respectful and responsible in your communication.
7. Perform all requirements in accordance with the preventive maintenance checks and services program.
8. Utilize proper unloading and loading techniques outlined in the pre-service training.

9. For Special Needs, Drivers utilize and operate adaptive transportation equipment safely and responsibly in accordance with training.
10. Keep bus clean and orderly.
11. Maintain a professional appearance; clean, neat and modest attire applicable for the work environment. Do Not Wear Sandals to Work!
12. Collaborate and communicate professionally with everyone. Be cooperative and willing to communicate.
13. Be in control, on the bus with all occupants. You are in charge of the bus and all occupants.
14. Will conduct a bus evacuation drill two times a year and you will ensure that all your riders are familiar with the process and procedure.
15. Submit required reports and other documentation in an accurate and timely manner.
16. If in an accident, report immediately, document report in writing and attend training if needed. Ensure that all requirements are met.
17. Report all accidents in accordance with accident reporting procedures.
18. Responsible for completing an annual driving skill evaluation.
19. Do not allow any unauthorized person to occupy the drivers' seat or tamper with the vehicle in any way.
20. No advertisements or announcements of any description will be exhibited in or outside the bus.
21. Responsible for keeping current and maintaining your CDL license with proper endorsements.
22. Responsible for attending all in-service training requirements to include any required meetings and/or workshops.
23. Assurance to support regulation governing the Per Diem and Mileage Act (Chapter 42 Part 2 2.42.2) says:  
Public officers or employees who occasionally and irregularly travel shall be reimbursed for travel which does not require overnight lodging, but extends beyond the normal work day as follows:
  - for less than 2 hours of travel beyond the normal work day, none.
  - for 2 hours, but less than 6 hours beyond the normal work day, \$12.00
  - for 6 hours, but less than 12 hours beyond the normal work day, \$20.00
  - for 12 hours or more beyond the normal work day, \$30.00

However, the law under the Internal Revenue Service (IRS) regarding "meal allowance" says that the cost of a meal is considered a "personal living and family expense" under rule 262(a), except as permitted by 162, 119 or 212. And rule 162 says: A meal reimbursement for "travel away from home" is taxable as wages if NO OVERNIGHT LODGING is incurred.  
Therefore the reimbursement must be paid by payroll and must be taxed as wages.

#### *BUS ATTENDANTS/ASSISTANTS RESPONSIBILITIES*

The bus attendant/assistant is responsible for ensuring that all riders are belted in and secured safely in their adaptive transportation equipment. Bus attendants/assistants are utilized on buses for students who have a need for modified transportation services.

1. Must meet all the requirements of the to-and-from bus driver.
2. Must complete the "Transporting Students with Disabilities" class at the New Mexico Pupil Transportation Institute or at a Regional Institute.
3. Must attend 10 hours of training per year to recertify for the upcoming school year.
4. Must attend District training that is designated specifically for transporting students with special needs.

5. Drivers and Attendant will alternate position through the year to familiarize themselves with both positions.
6. Neither, driver or attendant/assistant will leave the bus if there are students on the bus. Any student(s) that do not get on the bus or leaves the bus are the responsibility of the student's school.
7. If either the driver or the attendant/assistant does not show for work, the sub driver will drive the bus and the assigned driver or attendant/assistant that is present will serve as the attendant/assistant.

## SCHOOL BUS SAFETY

Student safety is our #1 priority! All employees using district transportation are responsible to perform and maintain:

1. Driver must read and handout a copy of the Bus Rules. All bus riders must read, understand and sign the student and/or parent transportation handbook rule within the second week of school. The handbook shall be filed at the Transportation office.
2. A professional attitude at all time.
3. Drive the DISD vehicles and buses professionally and follow all laws.
4. Be punctual, this reduces rushing and unwanted circumstances.
5. Employees and passengers wear your seat belts when driving a DISD vehicle.
6. Do not exceed the posted speed limit.
7. Perform your before preventive maintenance checks before you move your assigned vehicle or bus.
8. Do not make any unauthorized stops.
9. Will not touch (i.e. punch, shove, kick, slap, grab, etc...) a student as a means of discipline. Employees will follow the District's 7.5 STUDENT AND SCHOOL RIGHTS RESPONSIBILITIES, 7.5.2 DEFINITIONS, 7.5.4 RULES OF CONDUCT, 7.5.3.1 GENERAL PROVISIONS, 7.5.5 ENFORCING RULES OF CONDUCT, 7.5.6 PROCEDURS FOR DETENTIONS, SUSPENSION AND EXPLUSSIONS, 7.5.7 PROCEDURES FOR LONG-TERM SUSPENSION OR EXPLUSION OF STUDENTS WITH DISABILITIES
10. Will not use cell phone while driving a District vehicle. If the need arises, the vehicle must be in a safe area and stopped.
11. Be responsible for documentations needed to keep and maintain their certification and/or license updated.
12. Be tested for drug and alcohol in accordance with local, state and federal regulation.

In addition to the above guidelines bus drivers will need to perform the following:

1. Treat everyone with dignity and respect.
2. Bus drivers will travel only the approved school bus route; any changes will be approved by the Transportation Supervisor or Associate Superintendent.
3. All Special Needs routes will be managed by the Transportation Supervisor.
4. Use of 8-way flashers will only be utilized at designated "on the road" bus stops. Use of these flashers anywhere else is against State and Federal Regulations.
5. No right turn on red is permitted unless there is a yield sign at the intersection or a physical divider is present, then you may make a right turn after stop.
6. Bus Drivers will not slam on the brakes or swerve the bus as a means of disciplining students.
7. Bus Drivers will have the authority to suspend student's riding privileges for one (1) day. Driver must follow the procedures before suspension.
8. Bus Drivers back up bus only when necessary, be very careful and ask for assistance if someone is present. In loading and unloading zones you must have a ground guide (another driver, teacher, or employee) before backing.
9. Bus Drivers maintain the proper distance when following a vehicle: at least four (4) seconds in town and six (6) seconds on rural and freeway roads.
10. Bus Drivers will not transport any person who is not a pupil of the DISD or employees without the prior written approval of the Transportation Supervisor or Associate Superintendent.
11. Bus Drivers must follow and understand all local, State and Federal Rules and Regulation.

12. Bus Drivers and Attendants will care out all the requirements of the Special Needs Student within the student's IEP. The student's Confidential Emergency Information Form will be maintained in a secure location on the bus during transport and will be taken with the bus driver when the bus is not in operation.
13. No bus will carry more than the rated seating capacity. All passengers will be seated before the bus moves and will remain seated during the operation of the bus.
14. Bus Drivers will assign seats for the bus riders, no exceptions.
15. Bus Drivers will maintain a current roster of students with names, bus stop, parent/guardian, and school information.
16. Bus Drivers will not allow transportation of firearms, explosives, knives, glass containers and/or any other object that could be considered a weapon and/or dangerous.
17. Bus Drivers will not allow any type of animal to be transported unless it is authorized in a student's IEP.
18. Bus Drivers will not fuel up a bus with students aboard.

#### CELLULAR TELEPHONE

Cellular phones are a means of communication regarding school business and safety of transportation occupants. Cellular phones shall be provided at district expense to the Transportation Director as approved by the Associate Superintendent. Cellular phones shall not be used while vehicle is in motion.

#### ADMINISTRATIVE RELATIONS

The communication between all administrators, supervisors and bus drivers is the successful resolution to any/all concerns and issues. With the attitude of treating each other with "dignity and respect" this should lead to an outcome that is positive. If there is a time that a decision seems to be unfair or unsupportive, you must keep in mind that there may be extenuating circumstances that have arisen. Be patient and give the administration time to resolve the issue(s) and you should be informed of the reason for the decision.

Following the procedures and process, as written, and educating staff, parents and students should reduce the incidents. There will always be incidents which will require special attention and as administrators and bus drivers we should work together to resolve these incidents.

When any concerns or issues arise it must be documented and given to the appropriate individuals. Any incidents on the bus should be reported to the Transportation Supervisor and Principal. Their knowledge of the incident will help in assisting the student in positive reinforcement of behavior. Minor Incidents should be handle at the lowest level possible initially and if continued then move to the next level, always documenting.

The responsibilities of all stakeholders (bus drivers, principals, parents and students) are very important. The safety of the students is in our hands and we must provide an educational experience that is effective, efficient and safe.

#### ATHLETIC AND SCHOOL SPONSORED ACTIVITIES

In accordance with 6.41.4.9K NMAC - *Activity trips school operated vehicles:* Districts shall use an activity school bus any time the school sponsored activity involves more than 18 passengers and would require more than two school-owned vehicles to transport students during the same time frame to the same destination. If a school district chooses to use school owned vehicles, then the drivers of those vehicles are required to meet Subparagraphs (a) through (d)

of Paragraph (1) of Subsection J of 6.41.4.9 NMAC; section 6.41.4.11 and section 6.41.4.13 of this regulation and shall meet the requirements of the Controlled Substances and Alcohol Use and Testing in accordance with 49 CFR Part 382.

1. School activity vehicles
  - a. A school bus assigned to a regular bus route during route times shall not be diverted to provide transportation for activity purposes.
  - b. Activity transportation shall be scheduled at times which shall not conflict with school buses fulfilling the primary obligation of providing transportation to and from school.
  - c. Overcrowding of regular school buses shall not be permitted in order to free certain vehicles for activity trips.
  - d. Vehicles purchased for the purpose of transporting students on school sponsored activities shall meet applicable United States department of transportation federal motor vehicle safety standards.
  - e. All vehicles with a rated seating capacity of 10 or more occupants used on activity trips shall meet New Mexico Minimum Standards for School Buses.
  - f. School-owned vehicles with a rated seating capacity of 9 or fewer which are used to transport students on school-sponsored activity trips are not required to meet federal and state standards for school buses. DISD vehicles seat capacity is 8 total to include driver.
  - g. A vehicle other than a school bus that is used to transport students to school sponsored activities and meets the following criteria:
    - (i) may not accommodate more than 9 people including the driver;
    - (ii) all occupants must have seat belts available and are required to wear them while the vehicle is in motion;
    - (iii) a cargo net or other adequate securement tie-down shall be used or items shall be carried in an external cargo carrier; under no conditions shall the weight of the passengers and luggage exceed the manufactures gross vehicle weight rating (GVWR) as specified on the vehicle license and registration form;
    - (iv) acceptable vehicles include six to nine passenger models;
    - (v) when school owned vehicles are used for student transportation, school districts shall comply with all applicable state statutes and comply with child restraint recommendations from the national highway traffic safety administration (NHTSA);
    - (vi) local board of education shall adopt policy which defines the replacement cycle for school owned vehicles;
    - (vii) unacceptable vehicles are vans and/or mini-vans.
2. Maximum driving time: The following maximum driving and on-duty time shall apply to drivers of school-sponsored activity vehicles:
  - a. A driver operating a motor vehicle for the purpose of transporting students to or from a school sponsored activity shall not have more than 10 hours total driving time, or more than 8 hours continuous driving time. A driver shall not be permitted to be on-duty a total of more than 15 hours in a 24-hour period.
  - b. The following conditions shall be met in order for a driver to be considered "off duty":
    - (i) The driver is relieved of duty and all responsibility for the care and custody of the vehicle, its accessories, or any cargo or passengers.
    - (ii) The duration of the driver's relief from duty is a specified, adequate period of time to allow the driver to rest and to pursue activities of his/her choosing off the premises where the vehicle is situated.
3. **Responsibilities of sponsors/coaches:** Activity sponsors shall be responsible for students on and off the vehicle and for the following:
  - a. preparation and submission of trip requests in accordance with the local board of education's policies;
  - b. notification to the school district administrator or designee of any schedule changes;

- c. assurance that student(s) are at the departure points at the appointed time;
  - d. supervision of the loading and unloading of the vehicle;
  - e. assurance of the safe, orderly conduct and discipline of students during the trip;
  - f. assurance that no form of hazing occurs during the tip;
  - g. assurance that media (videos, music) does not violate Board policy;
  - h. in an evacuation of the vehicle, supervision of students and maintain control of student passengers;
  - i. all arrangements on overnight trips for meals and lodging, including the driver;
  - j. provision for adequate rest stops;
  - k. maintenance of a student roster and taking roll each time students disembark and return to the vehicle;
  - l. the person responsible for the group or activity shall not have the additional responsibility of driving the school activity bus. Coaches or Sponsor may not drive the activity school bus;
  - m. ascertain that all passengers are functioning in the role of either: participant, manager, coach or chaperon.
  - n. assure that the bus is left clean and without debris.
4. Funding: School activity trips shall be paid from budgeted school activity funds, and not from to and from transportation funds.
  5. Activity trip tickets: Any school vehicle/bus used to transport pupils on school-sponsored activity trips outside the school district's boundaries shall carry an activity trip ticket. School districts are not required to have an activity trip ticket if a commercial common carrier is used to transport students on the activity trip; however, the school district shall maintain a copy of the contract for the transportation services for the sponsored activity.

Dulce Independent School District Buses primary function is to provide to-and-from services for students. With this in mind we must ensure that the students spend the majority of their time in classroom instruction. Activity and Athletic trips will be monitor to ensure that they do compliment educational purposes and not come in conflict with the New Mexico State Statutes.

## VIII. DISCIPLINE POLICY

### *STUDENT DISCIPLINE POLICY*

Each driver must manage to control the students on the bus. Drivers must become thoroughly familiar with the policies and work to follow the policies. Drivers will not use profanity or abusive language at any time. At no time will a driver use physically discipline on a student.

General guidelines in dealing with students:

1. Be friendly and let them know who is in charge.
2. Set rules, make sure they are understood and followed.
3. Be firm, fair and consistent, always be alert and let them know that you are.
4. "Keep your cool," don't let them get under your skin.
5. Know your students and become familiar with how they act.
6. Know what to do and when to do it.
7. Involve the students, assign evacuation helpers early, and teach them what they need to know and what is required of them.
8. Keep a positive attitude!

Conduct that is considered minor infractions:

1. Loud talking and/or yelling.
2. Throwing paper or shooting paper "spit wads."
3. Leaving trash or other debris on the bus.
4. Using profanity
5. Making gang or offensive hand signs.
6. Student(s) who are constantly late to their bus pick-up stop.
7. Putting head, hands, arms, or other part of their bodies outside the window's of the bus or mooning someone.
8. Horse-playing, wrestling with or pushing other students.
9. Failure to remain seated while the bus is in motion.
10. Jumping or climbing over the seats.

Conduct that is considered major infractions:

1. Any action that endangers the safety of the bus, the driver or other students.
2. Use or possession of tobacco, drugs, alcohol or any other substance that is considered illegal by law.
3. Deliberate disregard for safety: opening the emergency door, trying to ride on the outside of the bus and any other action that is unsafe to others or self.
4. Any vandalism to the bus
5. Bringing any type of weapons or objects which can be considered weapons on the bus: firearms, knives, and bats, to include fake weapons.
6. Fighting
7. Bullying, harassing or intimidating the driver, students and any other individual(s) inside or outside of the bus.

## PROCEDURE TO FOLLOW WHEN DISCIPLINE IS NECESSARY ON THE BUS

In accordance with New Mexico Statutes 6,41,4, 8B NMAC: ***Student services:*** *Student transportation is a privilege to students who are eligible for transportation pursuant to state statutes 22-16-2 and 22-16-4, NMSA 1978. Students who do not obey the state and local regulations governing student transportation may have their transportation privileges revoked by the school district.*

The school bus driver is in full charge of students when they are riding the school bus. All minor and major discipline problems or issues will be turned over to the principal with proper documentation and in a timely manner.

The driver will notify the Principal, of the student, of the infraction and the immediate action taken. The Principal will then notify the parents or guardian. If any further disciplinary problems occur the student(s) riding privileges can be suspended for a time period or revoked permanently.

Individual parent/student handbook rules will be implemented by the principal of appropriate school.

Elementary	Page 6	Bus Transportation and Rules
Middle School	Page 9	Transportation Department Guidelines
High School	Page 35	School Bus Regulations

The driver will fill out the Student Misconduct Form and deliver it to the Principal. The Principal will take the appropriate action and forward the decision to the Transportation Supervisor or Associate Superintendent.

When there is a situation where a **bus load of students are out of control** and as the bus driver you have applied all techniques' to try and resolve the situation. If all else fails, the bus driver will take the following action:

1. Pull of the road in a safe location.
2. Contact the Transportation Supervisor, if not available then contact the Associate Superintendent by radio or call their cell phone number.
3. The Transportation Administrator will contact the Principal, if no contact then a Transportation Administrator will travel to the site and assist in controlling the bus.
4. The bus driver will complete the Student Misconduct Form for all that were involved and provide a copy to the School Principal of the students.

Refer to and read the Bus Safety Program (Appendix "A")

## STUDENT RECEIVING MODIFIED TRANSPORTATION SERVICES

Discipline procedures for students with disabilities shall be specified in their Individualized Education Plan (IEP).

1. The IEP Committee shall identify the student's individual behavioral needs related to their area of disability and shall specify appropriate intervention strategies, support services, or other methods of responding to a student's behavioral needs. The student's capacity to understand and follow transportation rules shall be considered in the discipline plan documented in the IEP.

2. A component shall be included in the IEP that addresses the behavioral needs of the student while on the bus. The bus driver/attendant should be made aware of this component.
3. If an incident or behavior occurs which may result in a student receiving modified services being suspended from the bus, the IEP Committee shall reconvene to review the IEP and develop or modify discipline procedures for the student.

Nothing contained herein shall prevent the emergency removal of a student with a disability from a bus if the student endangers or reasonably appears to endanger the health, welfare, or safety of him/herself or any other student, teacher, or bus personnel.

1. When emergency removal of student from a bus becomes necessary, the student's parents shall be notified immediately. A written report shall be filed with the Principal and a copy given to the parents or guardian.
2. The IEP Committee shall reconvene to determine if the student's conduct results from his/her disability and to recommend appropriate modification or alternative transportation services.
3. A suspension from services may be up to 10 days in a school year. Suspensions for a longer period constitutes a "change in placement," requiring a reassessment of the student's program through the IEP process.
4. If the IEP Committee recommends an alternative transportation arrangement and the parents or guardian refuse, the District may seek permission from the Court to change the student's placement.

It is imperative that the bus driver/attendant understand each Student's exceptionality and specific medical, health and behavior needs. It is to the student's benefit if the driver/attendant are given all pertinent information on the student and that necessary management information be given to driver/attendant to allow them the opportunity to better understand the student's needs. This will aid them greatly in dealing with the student. Every bus driver of a Student with disability will have in their bus a Modified Transportation Instruction Form.

## IX. ACCIDENT POLICY

In accordance with 6.41.4.11A NMAC - *Accidents and emergencies*: The term vehicle is used in this section to refer both to a school bus and to school-owned vehicles used to transport students to and from school and school-sponsored activity trips.

### *Reasons for emergency evacuation*

1. *Fire or danger of fire.* The vehicle shall be stopped and evacuated immediately if any portion is on fire. Passengers shall move a safe distance away from the vehicle and remain there until the driver of the bus has determined that no danger remains.
2. *Unsafe position.* If a vehicle is stopped the driver shall determine immediately whether it is safe for passengers to remain in the vehicle or to evacuate. The driver shall evacuate if:
  - a. the vehicle stops in the path of any train;
  - b. the stopping position of the vehicle is subject to change and thus increases the danger to passengers;
  - c. the stopping position of the vehicle is such that there is danger of collision.

*Responsibilities of the driver:* In the case of any accident involving a school bus or a school-owned vehicle, the driver's first responsibility is to the safety of the passengers. In addition, the driver shall:

1. stop immediately;
2. maintain control of passengers; remain calm, radio the bus barn give specific details:
  - a. Location
  - b. Number of injured and types of injuries
  - c. Severity of collision

The bus barn will call law enforcement and/or emergency rescue personnel.

3. protect the accident scene;
4. remain at the scene of the accident and not move the vehicle;
5. render reasonable assistance to any person injured in the accident;
6. if it is necessary to evacuate passengers, make certain that all passengers are in a safe location away from traffic and that they are not permitted to leave the scene of the accident on their own;
7. place reflectors appropriately to warn traffic;
8. obtain information such as names, license numbers, registration numbers, location, time, road and weather conditions, and a listing of all passengers including their seating locations;
9. make no admission of liability or assume responsibility for the accident;
10. comply with local policy and procedure in reporting the accident;
11. adhere to any vital emergency medical information provided;
12. report all school bus accidents in accordance with local district and state accident reporting procedures.

In accordance with 6.41.4.9B NMAC - *Accidents*: In the event of a school bus accident or emergency, the school district administrator shall:

1. promptly notify the state school transportation unit by telephone if a school bus is involved in an accident that results in death, serious injury or hospitalization of any passengers, bus driver, pedestrian or other vehicle occupant;
2. promptly notify the state school transportation unit if a school bus is involved in an accident in which possible mechanical failure may have been a contributing factor; the possible defective part(s) shall be protected until the state school transportation unit provides directions;

3. *promptly notify the state school transportation unit by telephone, if a school bus is involved in an accident, which results in the death of a student passenger, bus driver, pedestrian, or other vehicle occupant;*
4. *provide a written report to the state school transportation unit within seven (7) calendar days of any accident;*
5. *adjudicate their reportable accidents preventable/non-preventable by use of the national safety council adjudication criteria; where the school bus operator does not concur with the local district determination of the adjudication, an appeal of the bus accident adjudication may be made to the state transportation director; the state transportation director's decision will be final.*

Note: State School Transportation Unit is the State Transportation Bureau, State Public Education Department.

## X. COMPLIANCE WITH REGULATIONS

### 22-16-11, NMSA 1978: *Regulations relative to School Buses*

A. The state transportation director, appointed as provided in Section 22-16-1 NMSA 1978, shall adopt and enforce regulations adopted by the state board [department] not inconsistent with the Motor Vehicle Code [66-1-1 NMSA 1978] to govern the design and operation of all school buses, used for the transportation of school children, when owned and operated by any school district or privately owned and operated under contract with any school district in this state, and the regulations shall by reference be made a part of any such contract with a school district. *Every school district, its officers and employees and every person employed under contract by a school district shall be subject to the regulations.*

*B. Any officer or employee of any school district who violates any of the regulations or fails to include obligation to comply with the regulations in any contract executed by him on behalf of a school district is guilty of misconduct and subject to removal from office or employment. Any person operating a school bus, under contract with a school district, who fails to comply with any of the regulations is guilty of breach of contract, and the contract may be canceled after notice and hearing by the state transportation director acting in conjunction with the responsible officers of the school district.*

*C. Any driver of a school bus who fails to comply with any of the regulations is guilty of a misdemeanor.*

Legal Ref.: 6.41.4.8 NMAC and 6.41.4.9 NMAC

## **BUS SAFETY PROGRAM**

The safety and welfare of student riders is to be the first consideration in all matters pertaining to transportation. Toward that end, all District transportation department personnel, bus operators, and bus passengers shall comply with the applicable regulations and shall immediately report to the Superintendent any violation of rules or state statutes that threatens the safety of a passenger.

Bus evacuation drills shall be conducted at least twice every school year at the school and shall include every passenger who rides a school bus and is in school on the day of the evacuation drill.

All vehicles used to transport students shall be maintained in such condition as to provide safe and efficient transportation service with a minimum of delays and disruption of such service due to mechanical or equipment failure. Buses shall be replaced at such intervals as will provide good equipment at all times.

Students shall not be put off the bus until reaching their destination.

In addition to the regular state inspections, each school bus shall be inspected by the driver daily, before each use, to ascertain that it is in safe condition and equipped as required by all provisions of law, and that all equipment is in good working order.

Each school bus owned by, or contracted to, the District will conform to all applicable federal and state requirements as provided by the Commercial Motor Vehicle Safety Act of 1986.

Each driver of a District-owned or District-contracted school bus, as defined by and covered by the Commercial Motor Vehicle Safety Act of 1986, will conform to all requirements of said act and such statutes as may govern the operation of the vehicle.

Student behavior on a school bus should be the same as that in a well-managed classroom with the exception that students are free to talk, but with no screaming or shouting.

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## BUS SAFETY PROGRAM

This checklist may be used by District officials as a guide for transportation documents or transportation handbooks.

### *Arriving at pickup point:*

- ▯ Be on time. Leave home in good time so that you will arrive at the pickup point before the school bus.
- ▯ Pickup and drop off point will be consistent throughout the school year, unless a legal document indicates another home site.
- ▯ If you have to walk along the road to reach the bus stop, walk on the left side facing oncoming traffic.
- ▯ Walk on the shoulder of the road where possible, and not on the traveled portion.
- ▯ If other students are waiting at the bus stop, get in line without pushing or crowding and stay off the roadway.

### *Board the bus:*

- ▯ Line up in single file parallel to the roadway, with younger students in front, so they can board first.
- ▯ Wait until the bus comes to a complete stop before attempting to get on board.
- ▯ Board the bus quickly but without crowding or pushing.
- ▯ Never run on the bus, as the steps or floor may be slippery, especially in wintertime. Place your foot squarely on the step, not on the edge, and use the handrail.
- ▯ Be particularly careful if you are carrying books or parcels, as it is difficult to see the steps and to hold the handrail.
- ▯ Go directly to assigned seat and with well to the back of the seat, and face the front of the bus.

### *Conduct on the bus:*

- ▯ The bus will not move until all passengers are seated.
- ▯ Remain seated throughout the trip, and leave your seat only when the bus has reached its destination and comes to a complete stop.
- ▯ Keep your books and parcels on your lap or put them under the seat or on the luggage rack.

- ▮ Keep the aisle clear.
- ▮ Do not talk to the driver except in case of emergency.
- ▮ Avoid doing anything that might disturb or interfere with the driver. Refrain from loud or boisterous talking or yelling and physical activity that would interfere with safe transportation.
- ▮ Never stick hands, arms, head, or feet out of the windows of the bus.
- ▮ Do not open windows without the driver's permission.
- ▮ Do not throw anything within the bus or out of a window; you might injure a pedestrian or force a motorist to make a dangerous maneuver.
- ▮ Do not touch the emergency door or exit controls or any of the bus safety equipment.
- ▮ Do not discard refuse in the bus.
- ▮ Eat at home or school, but not on the bus.
- ▮ Obey promptly the directions and instructions of the school bus driver.

***Prohibited items:***

- ▮ Tobacco is not allowed in a school bus.
- ▮ Alcoholic beverages shall not be carried in a school bus.
- ▮ Insects, reptiles, or other animals shall not be transported in a school bus.
- ▮ No weapon, explosive device, harmful drug, or chemical shall be transported in a school bus.

***Exit from the bus:***

- ▮ Remain seated until the bus has reached its destination and comes to a complete stop.
- ▮ Do not push or crowd when leaving the bus.

***Crossing the highway:***

- ▮ If you must cross the road, walk to a point about ten (10) feet in front of bus but do not cross until you can see that the driver has indicated that it is safe to do so.
- ▮ As you cross the road, look continuously to the right and left. At an intersection, look in all directions.

- ▮ Cross at right angles. Never cross the highway diagonally.
- ▮ Walk briskly across the road, but do not run.
- ▮ Never cross the road behind the bus.

***Accident or other emergency:***

- ▮ In case of an accident or emergency, older students should help the driver to maintain order and assist younger students.
- ▮ Stay in the bus unless otherwise directed by the driver.
- ▮ If you have to leave the bus, stay in a group and obey the driver's instructions.
- ▮ Do not expose yourself or others to needless hazard.
- ▮ Medical needs for students with disabilities are to be handled in accord with the individual educational program (IEP).
- ▮ All medications required by disabled students will be carried and administered by the person designated by the IEP.

***Procedures followed upon student misbehavior on school bus:***

- ▮ When a student misbehaves on a bus for the first time, the driver will explain to the offender the necessity for good behavior.
- ▮ If, after talks and warning, the rider continues to violate the rules, the driver will inform the student that the rule violation will be reported to the principal. This report will include the use of a written form that lists the offense and the action taken by the principal.
- ▮ Upon receiving the complaint and discussing it with the driver, the principal will then call the student to the office and warn the student that the parents must be notified that the student will be put off the bus if misbehavior reoccurs.
- ▮ If poor conduct continues, the driver will again report the incident to the principal. After discussion it will be decided whether to take the bus-riding privilege away from the student, and, if so, for how long.
- ▮ When a student is not allowed transportation by school bus, the principal will inform the parents of the penalty, the reason for it, and how long the penalty will last. In such cases, the parents become responsible for seeing that their child gets to and from school safely.
- ▮ A student who is put off one (1) bus will be refused transportation by all drivers for the specified

period of time.

▮ Transportation Supervisor will keep Director of Transportation (Associate Superintendent) informed of incident and the final outcome.

(This section on student misbehavior shall be made available to parents and students in copy form.)

PUBLIC CONCERNS AND COMPLAINTS  
(This Form to be Submitted to the Superintendent)

Person(s) or group filing complaint \_\_\_\_\_

Complainant's address \_\_\_\_\_ Phone \_\_\_\_\_

Complainant's E-mail address \_\_\_\_\_

Date complaint is filed \_\_\_\_\_

Has problem been discussed with the administration?

Yes  No Date \_\_\_\_\_

Summary of the charges (description of incident or event, including date, place, time, additional persons, alleged problem, and suggested solution):

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Identification of other witnesses or persons with information about concern:

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**The projected solution**

Indicate what you think can and should be done to solve the problem. Be as specific as possible.

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Signature of complainant    Date

*The administration shall give one (1) copy to the complainant and shall retain one (1) copy for the file.*