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MEMORANDUM

TO: Members, Utah State Board of Education

FROM: Martell Menlove, Ph.D.
Chief Executive Officer

DATE: March 7, 2014

ACTION: R277-601 *Standards for Utah School Buses and Operations* (Continuation)

Background:

R277-601 *Standards for Utah School Buses and Operations* is due for a five-year review and continuation consistent with the Utah Administrative Rulemaking Act. The rule must be approved for continuation by the Board or it will expire. Staff has reviewed R277-601 and determined that the rule continues to be necessary. Staff does not recommend any changes to the rule at this time.

Key Points:

R277-601 continues to be necessary because it provides standards for state student transportation funds, school buses, and school bus drivers utilized by school districts.

Anticipated Action:

It is proposed that the Law and Licensing Committee consider approving R277-601 for continuation on first reading, and if approved by the Committee, the Board consider approving R277-601 for continuation on second reading.

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R277. Education, Administration.

R277-601. Standards for Utah School Buses and Operations.

R277-601-1. Definitions.

- A. "Board" means the Utah State Board of Education.
- B. "Local board" means the local school board of education.

R277-601-2. Authority and Purpose.

A. This rule is authorized by Utah Constitution Article X, Section 3 which vests general control and supervision of the public education in the Board, Section 53A-1-402(1)(d) which directs the Board to adopt rules for state reimbursed bus routes, bus safety and operational requirements, and other transportation needs and Section 53A-1-401(3) which allows the Board to adopt rules in accordance with its responsibilities.

B. The purpose of this rule is to specify standards for state student transportation funds, school buses, and school bus drivers utilized by school districts.

R277-601-3. Standards.

A. The local board and school district personnel shall act consistent with the manual entitled STANDARDS FOR UTAH SCHOOL BUSES AND OPERATIONS, 2010, which includes information received from Utah school districts, the Utah Transportation Commission, and the Utah Department of Public Safety and is available at each department or agency.

B. STANDARDS FOR UTAH SCHOOL BUSES AND OPERATIONS, 2010, shall include:

- (1) Electronic and telecommunications devices
 - (a) A school bus operator's primary responsibility, consistent with training and policy, is the safety of passengers and the safety of the public at all times.
 - (b) A school bus operator shall not use a cell phone, wireless electronic device, or any headset, earpiece, earphones or other equipment that might distract a driver from his responsibilities, whether hand held or not, while the school bus is in motion and not appropriately parked or secured. This prohibition does not apply to the safe and appropriate use of two-way radios or to mounted, voice GPS systems. All school districts and public schools that regularly transport students shall maintain documentation of training for bus drivers and employees in the safe and appropriate use of two-way radios.
 - (c) Once the bus is stopped and safely parked, a school bus operator may use an electronic device for emergencies, to assist special needs students, for behavior management, for appropriate assistance for field/activity trips or for other business-related issues.
 - (d) A school bus operator may use an electronic device for personal use once a school bus is safely parked, appropriately secured and all passengers are safely off and at a safe distance from the bus, consistent with school district policy.
 - (e) Any violation of these provisions for emergency or compelling reasons may require documentation and will be addressed by the employing education entity.
 - (f) Violations of these provisions may result in personnel

action(s) against the school bus operator consistent with school district/employer policies.

(g) Private contractors employed by school districts for student transportation shall also adhere strictly to these provisions in addition to the policies of the employer.

(2) End of bus route inspection

(a) At the end of a student delivery, both during the day and after the final route of the day, a school bus operator shall complete the delivery, stop and park the bus, and insure that all students are off the bus.

(b) Where possible, this inspection shall be completed at each school site when delivering students to school.

(c) Following each from-school route of the day, the bus operator shall complete the same type of inspection at a safe location a short distance from where the final student(s) left the bus. If children are found on the bus, they shall be immediately returned to their assigned bus stop location or to an alternate location, consistent with district policy, with express permission from the parents(s).

KEY: school, buses, school transportation

Date of Enactment or Last Substantive Amendment: October 11, 2010

Notice of Continuation: [~~February 13, 2009~~]2014

Authorizing, and Implemented or Interpreted Law: 53A-1-402(1)(d); 53A-1-401(3)