

REGULATION EEAE

Las Cruces Public Schools

Related Entries: EEAE-R, EEA, EEA-R, EEB, EEB-R, EEAF, EEAF-R
Responsible Office: Deputy Superintendent for Operations

BUS SAFETY

I. PURPOSE

To provide requirements and procedures for the enforcement of LCPS Policy EEAE: Bus Safety.

II. POSITION

A. School Bus Driver Qualifications

School bus drivers shall, at a minimum:

1. Receive a commercial drivers' license (CDL) valid in the state of New Mexico. (To obtain a CDL, a driver must comply with mandatory drug testing, background check and physical examination requirements.); [22.16.1-11 NMSA 1978, 6.41.4 NMAC]
2. Obtain at least 36 hours of initial in-service training and 16 additional hours per year thereafter;
3. Pass a driving test given by a school bus driver examiner who has been certified by the NMPED transportation bureau;
4. Complete first-aid/CPR training as provided by a certified trainer.

B. School Bus Inspection

All buses used to transport LCPS students shall be inspected twice each year by a certified school bus inspector. If a bus fails to pass inspection, it shall be removed from service until such time as it inspected again and determined to be in compliance with all applicable safety and maintenance statutes and requirements. [22.16.1-11 NMSA 1978, 6.41.4 NMAC]

C. Bus Crashes (Accidents)

If any LCPS school bus is involved in a bus crash of any kind, the following procedures shall apply:

1. The bus driver shall immediately notify the bus company by whom the driver is employed. (If the school district does not employ a company to provide student transportation services, and instead provides those services itself, the driver shall contact the LCPS Transportation Department.)
2. At the time of notification, the driver shall provide the following information:
 - a. Location of the bus accident;
 - b. Condition of all students on the bus.

- c. The driver shall make a request for emergency response from local law enforcement and/or ambulance or fire service to the scene of the bus crash, as necessary.
 - d. If a student or students on the bus is injured, the driver shall render assistance, as provided for in the first-aid/CPR training given to the driver.
3. The bus driver shall determine whether students shall be evacuated from or remain on the school bus. If the driver determines that evacuation of students from the bus is appropriate, students shall be guided by the driver to a safe location near the scene of the accident.
4. The bus driver shall await the arrival of emergency responders, including local law enforcement and/or fire safety officials and/or ambulance service.
5. Once emergency responders arrive at the scene of the bus crash, the bus driver shall provide all necessary information about the accident to the emergency officials and shall assist them, as directed, in dealing with the crash.
6. The safety officer of the company contracted by the school district to provide student transportation services and the Associate Director of Operations and Security or his/her designee shall immediately go to the scene of the bus crash to assist law enforcement and begin an investigation/adjudication of the crash.
7. If parents arrive at the scene of the bus crash, procedures for the release of students into the custody of their parents/guardians shall apply. Except in extreme circumstances, only the Associate Director of Operations and Security or his/her designee and the bus company safety officer shall have the authority to release a student into the custody of his/her parents/guardians.
8. Once local law enforcement officials have completed a preliminary investigation of the bus crash at the scene of the crash, a determination shall be made as to whether or not the school bus is able to continue transporting students.
 - a. If the bus company safety officer, in consultation with the Associate Director of Operations and Security, or his/her designee, determines that the bus is able to continue transporting students to their destination(s), the bus shall be released to continue on its route. As per state law, a relief bus driver shall replace the original driver to continue the route.
 - b. As in II. C. 8. a. above, if it is determined that the bus is not able to continue transporting students, a replacement bus shall be brought to the scene of the bus crash, along with a relief driver. Students shall be loaded onto the replacement bus in a safe and

timely manner and the replacement bus shall transport those students to their destination(s).

- c. If students have been evacuated from the bus and moved to a safe location, and depending on the nature and severity of the bus crash:
 - i. Either a replacement bus shall be sent to that location and students shall, in cooperation with local enforcement officials, be loaded onto the replacement bus for transportation to their original destination; or
 - ii. Students shall be transported to their home school, where they shall be segregated from the regular school population for examination by school nurses and/or staff psychologists, who shall determine, on an individual basis, if students shall remain in school or if parents/guardians shall be contacted to take custody of students.
 - iii. If the bus crash occurred while students were being transported home after school, the replacement bus shall return them to their home school, where they shall be examined by school nurses and/or school district psychologists and their parents contacted.
9. The school district shall receive a full and final report (using the mandatory form provided by NMPED transportation bureau) of the investigation of the bus crash, as conducted by the bus contractor, in consultation with the Associate Director of Operations and Security or his/her designee.

The report shall include:

 - a. A list of all students on the bus and where each was seated on the bus at the time of the bus crash;
 - b. A copy of the final report of the bus crash investigation as conducted by the appropriate law enforcement agency;
 - c. A report from the bus driver as to what occurred; and
 - d. Photos of the bus crash scene as provided by the bus company safety officer, the Associate Director of Operations and Security, and/or local law enforcement.
10. The final report shall be sent by the Associate Director of Operations and Security in a timely manner to the NMPED transportation bureau and to the school district's transportation insurance provider.
11. If the final report determines that the school bus driver is at fault in the accident, and depending on the citation, if any, issued to the bus driver by local law enforcement, the bus driver shall be provided additional training by the bus company with regard to the cause of the accident or citation; or may, in some circumstances be terminated from employment with the bus company.

D. Student Behavior on School Buses and Discipline

1. Student safety, security and comfort depend on appropriate behavior on LCPS buses identical to that expected of students in school. While riding the bus, students are on school property, and disciplinary infractions shall be handled in accordance with LCPS Policy and Regulation II: Student Rights and Responsibilities, and other related policies and regulations.
2. All students who ride school buses shall comply with bus contractor rules and all applicable school district rules and regulations.
3. School bus incident report: Minor Infraction.
 - a. In the event of a student's inappropriate behavior (minor infraction) while riding a school bus, the bus driver shall complete a bus incident report. The completed report shall be submitted to the safety officer of the company contracted by the school district to provide student transportation services. Two copies of the completed incident report shall be given to the student on the date of the incident, or the next school day following the date of the incident. The student shall be required to return to the bus driver one copy of the completed incident report, signed by the student's parent or guardian. If the student fails to return the signed incident report, transportation services shall be denied to that student until such time as the signed report is submitted, or the student's parent or guardian has contacted the transportation services contractor's safety officer in person or by phone.
 - b. Reports of inappropriate student behavior on a school bus shall be completed as follows:
 - i. First offense: verbal warning only, no suspension;
 - ii. Second offense: one-day suspension from riding the bus;
 - iii. Third offense: three-day suspension from riding the bus;
 - iv. Fourth offense: five-day suspension from riding the bus;
 - v. Fifth offense: minimum eight-day suspension from riding the bus; or, the suspension shall continue indefinitely beyond eight days until a conference has been scheduled by the parent/guardian with the bus contractor, the conference has been held and the conference has resulted in an outcome agreeable to all parties concerned.
 - c. If the parent/guardian disagrees with the finding of the incident report, the parent/guardian shall contact the bus contractor

safety officer to discuss the incident. The safety officer shall then confer with the driver of the bus on which the incident occurred, and shall review applicable video from the school bus on which the incident occurred, and shall complete an investigation of the incident and contact the parent/guardian with the results of the investigation.

- d. If the parent/guardian agrees with the outcome of the safety officer's report of the incident, the student shall serve the required suspension, if any.
 - e. If the parent/guardian does not agree with the outcome of the safety's officer's report, the parent/guardian shall have the option to appeal the safety officer's decision to the Associate Director of Operations and Security or designee. The Associate Director of Operations and Security shall contact the bus contractor's safety officer and the bus driver to discuss the incident report, and may review appropriate video, as necessary; and shall then make a determination as to validity of the findings of the incident report, and shall report his/her decision to the parent/guardian. Contested write ups are subject to an extra day of suspension if student found falsifying involvement/information.
 - f. If the parent/guardian disagrees with the decision of the Associate Director of Operations and Security, the parent/guardian may appeal the decision to the Superintendent of Schools, or his/her designee, who shall have final authority for decision-making and no further appeal shall be possible.
4. School bus incident report: Major Infraction.
- a. In the event of a major infraction (i.e. serious incident) on a school bus, including but not limited to, a threat or physical attack by a student upon another student or upon the bus driver; bringing a gun, knife or other weapon onto the bus; incidents involving arson or other incidents involving fire; posing a threat to the safety of all passengers on the bus; or a student who is harming him- or herself.
 - b. In the event of a serious incident, the bus driver shall immediately:
 - i. Pull the bus off the roadway into a safe location;
 - ii. Radio the dispatch office of the bus contractor, who shall immediately contact 911 emergency and provide the location of the bus and description of the incident;
 - iii. Deal with the incident as appropriate to protect all students on the bus and await the arrival of law enforcement officials, ambulance service and/or other first responders;

- iv. Once law enforcement, ambulance service and/or other first responders arrive at the scene, the bus driver shall comply with directives from said first responders;
- v. As appropriate, the Associate Director of Operations and Security, or his/her designee, shall immediately respond at the scene of the incident and shall evaluate the situation and take appropriate action;
- vi. The bus contractor shall complete a driver incident report and shall submit the completed report to the Associate Director of Operations and Security who will forward the report to the appropriate school administration for the student to receive follow-up actions as appropriate from the student's school; and
- vii. The length of suspension of the student from bus transportation shall be determined by the bus contractor safety officer. Should the parent/guardian disagree with findings of the safety officer then the steps for reaching agreement outline in D 3, C-F shall be followed as appropriate.



Deputy Superintendent for Operations

7/17/19

Date Approved

History: New regulation, created 7.15.2019

Legal Reference: 22.16.1-11 NMSA 1978, 6.41.4 NMAC?