

Listed below are a number of pupil transportation mandates to be followed by Kansas public school districts, contract transportation providers and non-public schools. Further information can be found on the School Bus Safety Unit's web site.

"School transportation provider" is defined as anyone who drives a school bus or activity bus and transports Kansas students. It also includes an individual hired primarily to provide transportation for Kansas students with a school passenger vehicle.

ACTIVITY TRIP PROCEDURES: Prior to each activity trip in a school bus or activity bus, a brief explanation concerning emergency evacuation procedures and location of emergency exits for the bus being used shall be given.

K.A.R. 91-38-9

ADULT SUPERVISION: Each school district shall ensure that there is adult supervision during loading and unloading procedures at each school building, except at buildings utilized exclusively for senior high school students.

KAR 91-38-8

DISCLOSURE STATEMENT: Each school transportation provider shall sign a statement as to whether or not they have been convicted of any felony involving another person or any crime involving a child or any major traffic violations. The prospective driver shall also sign a statement authorizing the prospective employer to obtain his/her driving record for review. Form is available on our web site.

K.A.R. 91-38-6

DRIVER TRAINING REQUIREMENTS: Each school transportation provider shall comply with the following requirements:

- School transportation providers who drive an activity or school bus shall be provided a minimum of 12 hours training in a school bus. Six hours of the training must be completed before the driver is allowed to transport students; however, the second six-hour block may be completed while transporting students, so long as the appointed driver-trainer accompanies the trainee on the bus route or activity trip. Note: A CLP (Commercial Learners Permit) holders are prohibited from operating a school bus with students under Federal Law 49 CFR 383.25
- Each school transportation provider shall complete an approved first aid and CPR course within 30 days after the first day the driver transports students, and certification shall be kept current. Drivers who are currently certified emergency medical service providers are not required provided their EMS certification remains current.
- Each school transportation provider shall successfully complete a vehicle accident prevention course approved by the state department of education, within 30 days after the first day the driver transports students and maintain certification by completion of an accident prevention course at least every three years.
- Each school transportation provider shall attend 10 safety meetings or the proportional number of meeting for the amount of time employed during the school year.

K.A.R. 91-38-6

DRUG & ALCOHOL CLEARINGHOUSE: Each school district, as an employer, is responsible for complying with the FMCSA (Federal Motor Carrier Safety Administration) drug and alcohol clearinghouse. These requirements include but are not limited to:

- Conducting annual limited queries on all CDL drivers through the clearinghouse
- Conducting full queries on new driver applicants through the clearinghouse
- Obtaining written consent from new employees for drug & alcohol information from previous employers for the 3-year history not covered by the FMCSA Drug and Alcohol Clearing House

DRUG & ALCOHOL TESTING: Each school district, as an employer, is responsible for meeting all applicable requirements and procedures of the Federal DOT (Department of Transportation) agency regulations regarding alcohol and drug testing of any employee required to have a CDL (Commercial Driver's License). These requirements include but are not limited to:

- Files
- Written policy on drug and alcohol use
- Provide educational materials on regulations to employees
- Provide copies of districts drug & alcohol policy to employees
- Maintain a statement signed by each employee certifying receipt of all materials
- Reasonable Suspicion Training for Supervisors
- Pre-employment Testing
- Random Testing
- Post-accident Testing

Note: Given the complexity of the DOT's drug and alcohol testing requirements, it is strongly suggested and recommended school districts hire a C/TPA (Consortium/Third-Party Administrator) to help manage their federally mandated CDL alcohol and drug testing program.

EMERGENCY PROCEDURES: Each school district is tasked with development and adoption of a policy for procedures to be followed when an emergency situation arises while transporting students. All students who regularly ride the bus shall receive instruction in these procedures at least once each semester.
K.A.R. 91-38-9

EVACUATION DRILLS: Each student riding a route bus is required to participate in an emergency evacuation of the school bus at least once each semester. Drills must be documented with the date, number of student participants, and names of supervisory personnel.
K.A.R. 91-38-9

FUEL: If an activity bus, school bus or school passenger vehicle is refueled during any trip when passengers are being transported, the school transportation provider shall unload all passengers from the vehicle and turn off the vehicle's motor before beginning refueling procedures. Fuel shall not be transported in any manner, except in the vehicle's fuel tank.
KAR 91-38-7

LUBRICATION, MAINTENANCE, AND REPAIR RECORDS: The transportation supervisor shall be responsible for all maintenance and repair records for vehicles used for student transportation. These records must be kept for as long as the school owns the vehicle, and for at least two years after the vehicle is sold or traded.
K.A.R. 91-38-3

OBSTRUCTIONS: Each school transportation provider shall ensure that openings for the service door, emergency exits, and aisles are kept clear of any obstructions (coolers, book bags, band instruments, school projects, sports equipment, etc.) at all times.

K.A.R. 91-38-7

PHYSICAL EXAMINATIONS: Each school transportation provider is required to comply with physical qualification requirements of 49 C.F.R., Part 391.41 (most commonly known as a "DOT physical").

K.A.R. 91-38-6

PHYSICAL EXAMINATION CERTIFICATES: A copy of the current physical examination certificate shall be kept on file for each school transportation provider. When a school transportation provider terminates employment, the most recent physical examination certificate shall be kept for a minimum of two years following termination.

K.A.R. 91-38-6

PRE-TRIP INSPECTION: All school buses, activity buses and school passenger vehicles must have a pre-trip inspection completed by the school transportation provider before each trip and be documented prior to transporting students.

K.A.R. 91-38-7

SAFETY MEETINGS: The transportation supervisor is required to conduct at least 10 safety meetings per year for all school transportation providers. Every school transportation provider (including substitutes) shall attend. If a new driver is hired during the school year, he/she is required to attend meetings proportional to the amount of time employed during the school year. (example: employed for 6-month, attendance at 5 meetings would be required) The supervisor shall keep roster and agenda for these meetings on file for a period of two years.

K.A.R. 91-38-3

SCHOOL PASSENGER VEHICLES: The use of 12 and 15 passenger rated vans for student transportation is illegal. It is illegal to remove seats from a 12 or 15 passenger rated van to meet the state and federal mandated passenger rating requirement for student transportation.

KSA 72-64,100

SCHOOL TRANSPORTATION PROVIDER QUALIFICATIONS: A CDL (Commercial Driver's License) class A or B license is required for all vehicles with a gross weight over 26,001 pounds and/or rated to transport 16 or more passengers. A CDL class A, B, or C license is required for vehicles with a gross weight rating of less than 26,000 pounds and/or rated for passenger capacity of 16 or more. All CDL's must have a "P" passenger and "S" school bus endorsement. Drivers of school passenger vehicles and buses rated less than 26,000 pounds, or for fewer than 16 passengers must maintain an appropriate non-commercial driver's license.

K.A.R. 91-38-6

SEAT BELTS IN SCHOOL PASSENGER VEHICLES: Each school district shall ensure that occupant restraint systems are provided for, and utilized by, all occupants of school passenger vehicles. Size-appropriate child safety restraining systems shall be utilized, pursuant to K.S.A. 8-1344.

K.A.R. 91-38-2

SPEED LIMITS: The board of education of any school district may establish by board policy lower maximum speed limits for the operation of such district's school buses
KSA 8-1558

STUDENTS WITH SPECIAL NEEDS: Each school district shall, before transportation, notify the transportation supervisor of any student with special health care concerns, special needs for transportation, or an individualized education program requiring transportation. The supervisor shall ensure that all drivers, substitute drivers, and attendants are informed of these needs and receive any training that is necessary to safely transport the student or to accommodate the student's special needs.
KAR 91-38-3

SUBSTITUTE DRIVERS: Substitute activity and school bus drivers shall complete the same training requirements as regular route drivers.
K.A.R. 91-38-6

VEHICLE CLEANLINESS: School buses, activity buses and school passenger vehicles should be kept clean. The interior should not present any health hazards to students or district employees (i.e. dirt, dust, mold discarded food items, etc.). All school vehicles represent the school district and should be considered an extension of the classroom with the same expectation for cleanliness.

WAIVER OF PHYSICAL REQUIREMENTS: A school transportation provider who does not meet the physical qualification requirements for any reason may apply for a waiver of those particular requirements by following the provisions found in K.A.R. 91-38-6.

For more information on these mandates or other questions on pupil transportation in Kansas, please feel free to call the School Bus Safety Unit staff or visit our website at www.ksde.org

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