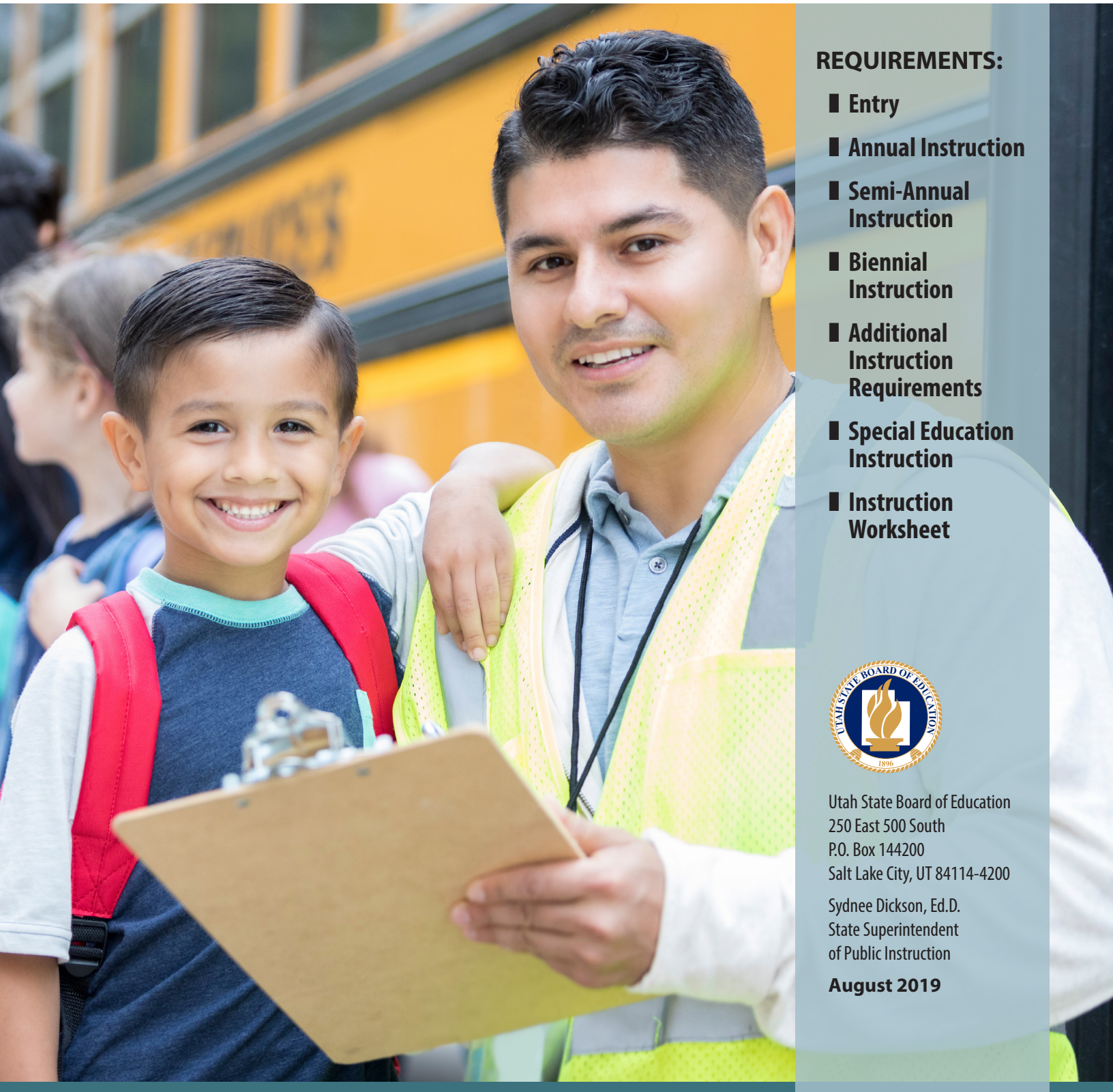
UTAH SCHOOL BUS DRIVER INSTRUCTION

LEA REQUIREMENTS

ADA Compliant 4-23-2020



REQUIREMENTS:

- Entry
- Annual Instruction
- Semi-Annual Instruction
- Biennial Instruction
- Additional Instruction Requirements
- Special Education Instruction
- Instruction Worksheet

Utah State Board of Education
250 East 500 South
P.O. Box 144200
Salt Lake City, UT 84114-4200

Sydnee Dickson, Ed.D.
State Superintendent
of Public Instruction

August 2019

UTAH STATE BOARD OF EDUCATION
250 East 500 South * P.O. Box 144200 * Salt Lake City, UT 84114-4200
http://www.schools.utah.gov

District 1
Jennie Earl
Morgan, Utah

District 2
Scott L. Hansen
Liberty, Utah

District 3
Linda B. Hansen
West Valley City, Utah

District 4
Jennifer Graviet
South Ogden, Utah

District 5
Laura Belnap
Bountiful, Utah

District 6
Brittney Cummins
West Valley City, Utah

District 7
Carol Barlow Lear
Salt Lake City, Utah

District 8
Janet A. Cannon
Holladay, Utah

District 9
Cindy Davis
Cedar Hills, Utah

District 10
Shawn E. Newell
Cottonwood Heights, Utah

District 11
Lisa Cummins
Herriman, Utah

District 12
Alisa Ellis
Heber City, Utah

District 13
Scott B. Neilson
Spanish Fork, Utah

District 14
Mark Huntsman
Fillmore, Utah

District 15
Michelle Boulter
St. George, Utah

Sydnee Dickson
State Superintendent
of Public Instruction

Lorraine Austin
Board Secretary

Table of Contents

School Bus Driver Instruction LEA Requirements

Entry

2020 ELDT Requirements 4
Reference Check 4
Background Check 4
MVR Check 5
Post Offer Drug Test 5
Code of Conduct 6
Confidentiality 6
Electronic Communication Devices 6
Idle Reduction 7

Annual Instruction

Bloodborne Pathogens 7
Drug and Alcohol 8
Road Performance Evaluation 9
Physical Assessment for Bus Attendants 9

Semi Annual

Evacuation Drill 2 times per year 9

Biennial Instruction

Child Sexual Abuse Prevention and Human Trafficking Prevention 10
Defensive Driving 10
First Aid 11
Physical Assessment for Bus Drivers 11

Additional Instruction Requirements

Bullying 11
Sexual Harassment 12
Suicide Prevention 12

Special Education Instruction

Special Education Introduction 13
Appropriate and Adequate Instruction Basics 13
Child Safety Restraint Systems 13
Passenger Securement 14
Use of Physical Restraint 14

Instruction Worksheet

5 Year Instruction Schedule Example 15

Entry Instruction

2020 Entry Level Driver (Transportation Department)

FMCSA 49 CFR Parts 380, 383, 384 Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators

Federal Motor Carrier Safety Administration (FMCSA) establishes new minimum training standards for certain individuals applying for their commercial driver's license (CDL); an upgrade of their CDL (e.g., a Class B CDL holder seeking a Class A CDL); or a hazardous materials (H), passenger (P), or school bus (S) endorsement. These individuals are subject to the entry-level driver training (ELDT) requirements and must complete a prescribed program of instruction provided by an entity that is listed on FMCSA's Training Provider Registry (TPR). FMCSA will submit training certification information to State Driver Licensing Agencies (SDLAs), who may only administer CDL skills tests to applicants for the Class A and B CDL, and/or the P or S endorsements, or knowledge test for the H endorsement, after verifying the certification information is present in the driver's record.

Reference Check (Human Resources Department)

Utah Code 53A-15-1511 Reference Check Requirements

1. Before hiring an LEA applicant or giving an unsupervised volunteer assignment to a potential volunteer, an LEA shall:
    a. require the LEA applicant or potential volunteer to sign a release authorizing the LEA applicant or potential volunteer's previous qualifying position employers to disclose information regarding any employment action taken or discipline imposed for the physical abuse or sexual abuse of a child or student by the LEA applicant or potential volunteer;
    b. for an LEA applicant, request that the LEA applicant's most recent qualifying position employer disclose information regarding any employment action taken or discipline imposed for the physical abuse or sexual abuse of a child or student by the LEA applicant;

Background Check (Human Resources Department)

Utah State Administrative Code Utah State Board of Education(USBE) USBE Rule 277-516-4
Non-licensed Public Education Employee, Volunteer, and Charter School Board Member Background Check Policies.

1. An LEA shall adopt a policy for non-licensed public education employee, volunteer, and charter school board member background checks that includes at least the following components:
    a. a requirement that the individual submit to a background check and ongoing monitoring through registration with the systems described in Utah Code 53G-11-404 as a condition of employment or appointment; and
    b. identification of the appropriate privacy risk mitigation strategy that will be used to ensure that the LEA only receives notifications for individuals with whom the LEA maintains an authorizing relationship.
2. An LEA policy shall describe the background check process necessary based on the individual's duties.

2015 National School Transportation Specifications and Procedures

Selection and Training of Bus Drivers (p.162)

1. Perform reference checks and background checks on all potential new bus drivers, to include interactions with children and/or any concerns working with children;

Standards for School Buses and Operations

Bus Driver Qualifications:

1. Satisfactory Criminal Background Check, in accordance with USBE Rule 277-516
    a. No felony convictions
    b. No offense for which the offender has been sentenced to a term of imprisonment or correctional detention
    c. No convictions for DUI during the past ten years
    d. No criminal convictions involving child abuse, neglect or endangerment; possession or distribution of illegal substance; illegal use or possession of weapons; violence; or sex-related offences
    e. Criminal convictions revealed on the employment application, and reviewed and considered in accordance with state, district, and local law

Motor Vehicle Record (MVR) Check (Transportation Department)

Standards for Utah School Buses and Operation 2019 Published Edition

Bus Driver Qualifications:

1. Satisfactory Driving History
    a. 21 years of age or older 2. Valid driver's license 3. No more than two moving violations or two accidents (or a combination of moving violations/accidents), within the past 24 months as shown on the MVR.

Motor Vehicle Records:

Each LEA is responsible to verify motor vehicle records for all CDL drivers at a minimum of two times per year or monitor driver history monthly at https://secure.utah.gov.

Post Offer Drug Test (Transportation Department)

2015 National School Transportation Specifications and Procedures

Selection and Training of Bus Attendants: (p.167)

1. Written notification to all applicants that criminal records' checks and drug/alcohol screening will be conducted. Head Start positions must be informed in writing of all background checks and other requirements, as required in 45 CFR 1310.

Selection and Training of Bus Drivers: (p.162)

2. Written notification to all applicants that driving records' checks, criminal records' checks and drug/alcohol screening will be conducted. Note: Head Start positions must be informed in writing of all background checks and other requirements, as required in 45 CFR 1310.

Standards for School Buses and Operations 2019 Published Edition

Bus Driver Qualifications:

1. No positive result on or refusal of a drug/alcohol test
2. Must pass all drug and alcohol testing requirements

Code of Federal Regulations §382.301 - Pre-employment testing

(a) Prior to the first time a driver performs safety-sensitive functions for an employer, the driver shall undergo testing for controlled substances as a condition prior to being used, unless the employer uses the exception in paragraph (b) of this section. No employer shall allow a driver, who the employer intends to hire or use, to perform safety-sensitive functions unless the employer has received a controlled substances test result from the MRO or C/TPA indicating a verified negative test result for that driver.

(b) An employer is not required to administer a controlled substances test required by paragraph (a) of this section if: (1) The driver has participated in a controlled substances testing program that meets the requirements of this part within the previous 30 days;

Code of Conduct (Human Resources Department)

Utah Code 63G-7-203

Waivers of immunity

1. Provide training on the policy (Appropriate behavior policy) to the employee; and
2. Require the employee to sign a statement acknowledging that the employee has read and understands the policy.

Confidentiality (Human Resources Department)

Family Educational Rights and Privacy Act (FERPA)

FERPA Instruction should be provided to any individual who will receive information governed by FERPA

Code of Federal Regulations PART 99—FAMILY EDUCATIONAL RIGHTS AND PRIVACY

Personally Identifiable Information (Code of federal Regulations §99.3 and §99.5)

This term includes, but is not limited to (a-e): student's name, name of the student's parent or other family members, address of the student or student's family, a personal identifier, such as the student's social security number, student number, or biometric record, other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;

a. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or

b. Information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.

Available Instruction:

https://studentprivacy.ed.gov/content/online-training-modules

Utah State Board of Education Student Data Privacy Videos

Electronic and Communication Devices (Transportation Department)

USBE Rule R277-601-3

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, 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.

Utah Code 41-6a-S1716

Prohibition on using a handheld wireless communication device while operating a moving motor vehicle.

1. a person may not use a handheld wireless communication device while operating a moving motor vehicle on a highway in this state to manually: write, send, or read a written communication, including: text message, an instant message, electronic mail, dial a phone number, access the Internet, view or record video or enter data into a handheld wireless communication device.

Idle Reduction (Transportation Department)

Utah State Board of Education Policy – Idle Reduction Standard requires training 30 minutes Initially

Utah Code 41-6a-1308

School bus idling standards.

The Utah Code41-6a-1308 School bus idling standards.

The State Board of Education shall, in consultation with local school districts and the Air Quality Board:

1. implement an idling reduction program for all school bus drivers in the state; and
2. adopt idling reduction standards in the Utah Standards for Utah School Buses and Operations, 2008 edition.

School Bus Idling Standards

Annual Instruction

Bloodborne Pathogens (Human Resources Department)

An employer whose employees have occupational exposure to blood or other potentially infectious materials (OPIM) must provide training at the time of initial assignment Occupational Safety and Health Administration Rule §1910.1030(g)(2)(ii)(A) and at least annually thereafter Occupational Safety and Health Administration Rule §1910.1030(g)(2)(ii)(C)(B). The standard at Occupational Safety and Health Administration Rule §1910.1030(g)(2)(i) requires that such training *"...be provided at no cost to the employee and during working hours."* [Emphasis added] OSHA has interpreted the term "working hours" in this provision as "company time."

Training Records Occupational Safety and Health Administration Rule §1910.1030(h)(2) Shall include; dates of training sessions, summary of the training sessions, names and qualifications of persons conducting the training, names and job titles of all persons attending the trainings. Training records shall be maintained for 3 years from the date on which the training occurred.

Exposure Records Occupational Safety and Health Administration Rule §1910.1030(h) The employer shall maintain the records required by paragraph (h) for at least the duration of employment plus 30 years in accordance with 29 CFR 1910.1020.

2015 National School Transportation Specifications and Procedures (p.222)

Driver and Attendant Training: Blood borne pathogens and universal precaution procedures, including use of personal protective equipment.

Drug and Alcohol (Transportation Department)

Pupil Transportation Drug and Alcohol Testing Policies and Procedures

Drivers:

All Utah school bus drivers are required to receive 60 minutes of drug and alcohol awareness instruction each year. This shall include a total of at least 50 minutes of presentation and/or discussion time accompanied by a test within the minimum amount of time. Annual recertification may be completed using an online course approved by the Utah State Board of Education.

Training for supervisors Federal Motor Carrier Safety Administration §382.603

Each employer shall ensure that all persons designated to supervise drivers receive at least 60 minutes of training on alcohol misuse and receive at least an additional 60 minutes of training on controlled substances use. The training will be used by the supervisors to determine whether reasonable suspicion exists to require a driver to undergo testing under Federal Motor Carrier Safety Administration §382.307. The training shall include the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances. Recurrent training for supervisory personnel is not required.

Pupil Transportation Drug and Alcohol Testing Policies and Procedures: Supervisor Handbook

Supervisors:

All drug and alcohol supervisors with involvement on any level shall receive 120 minutes of instruction each year to include a minimum of 100 minutes of presentation and/or discussion time. Annual recertification may be completed using an online course approved by the Utah State Board of Education. A classroom presentation is required for original certification.

https://transit-safety.fta.dot.gov/DrugAndAlcohol/Tools/ReasonableSuspicion.aspx

US DOT Employee Handbook US DOT Employee Handbook

1. An employer shall provide drivers with necessary post-accident information, procedures and instructions, prior to the driver operating a commercial motor vehicle, so that drivers will be able to comply with the requirements of this section.
2. An employer may require a driver to inform the employer of any therapeutic drug use.

FMCSA drug-alcohol-testing employee and-supervisor-training-responsibilities

The FMCSA regulations require that you develop a written policy on controlled substances use and alcohol misuse in the workplace and that the policy be provided to every driver. Federal Motor Carrier Safety Administration §382.601 identifies the required content of the materials to be made available to each driver and requires the employer to maintain a statement signed by each employee certifying receipt of the policy/educational materials.

Additionally, employers must provide training to all persons who supervise drivers subject to the regulations, in accordance with Federal Motor Carrier Safety Administration §382.603. The purpose of this training is to enable supervisors to determine whether reasonable suspicion exists to require a driver to undergo testing described in Federal Motor Carrier Safety Administration §382.307. It must include at least 60 minutes of training on alcohol misuse and 60 minutes on controlled substances use (120 minutes total).

The employer is responsible for ensuring that each driver signs a statement certifying that he or she has received a copy of the materials required in Federal Motor Carrier Safety Administration §382.601. The employer is required to maintain the original of the signed certificate and may provide a copy to the driver.

Road Performance Reviews (Transportation Department)

2015 National School Transportation Specifications and Procedures (p.166), (p.391), (p.252)

SELECTION AND TRAINING OF BUS DRIVERS

Evaluation (p.166)
School bus drivers should be evaluated at regular intervals. These evaluations may include the following items: 1. Continuous on-the-road monitoring, otherwise known as field observation/ride-along evaluation, and road supervision (required for Head Start in 45 CFR 1310); 2. Written test; 3. Road performance checks; 4. Evaluation interviews; 5. Student management; 6. Adherence to procedures; 7. Teamwork; and/or 8. Local policies.

Instructor/Trainer (p.391)
Annually conduct on-the-road evaluations of all bus drivers;

Physical Assessment Bus Attendants (Transportation Department)

USBE Best Practice for Implementation of Physical Assessment Standard

All existing school bus attendants should be notified of the expectation that they will pass the Physical Assessment Test every year.

Semi Annual

Evacuation Drills (Transportation Department)

2015 National School Transportation Specifications and Procedures (p.240), (p.326)

School Bus Drivers Training (p.240)
Evacuation and evacuation drills, including practicing evacuation drills;

Other Aspects of Student Transportation Safety (p.326) At least once during each school semester, each pupil transported from home to school in a school bus should be instructed in safe riding practices, proper loading and unloading techniques, proper street crossing to and from school bus stops and should participate in supervised emergency evacuation drills, which are timed. Prior to each departure, each pupil transported to an activity or field trip in a school bus or school-chartered bus should be instructed in safe riding practices and on the location and operation of emergency exits.

Head Start Evacuation (p.252)
A written evacuation plan shall be prepared for all school buses transporting infants, toddlers and pre-school children. Evacuation drills shall be practiced on a scheduled basis, in accordance with approved written policies and procedures. Children attending Head Start are required to participate in at least three evacuation drills annually, including one in the bus in which the child will be riding. All buses shall be equipped with child-safe webbing cutters to assist in the emergency evacuation of children in child safety restraint systems and wheelchairs.

Biennial Instruction

Child Sexual Abuse Prevention and Human Trafficking Prevention

(Human Resources Department)

Utah Code 53G-9-S207 Child sexual abuse prevention and Human Trafficking Prevention

A school district or charter school shall provide, every other year, training and instruction on child sexual abuse and human trafficking prevention and awareness to school personnel in elementary and secondary schools.

Utah Code 53G-9-203 (1)(b) "School personnel" means a school district or charter school employee, including a licensed, part-time, contract, or non-licensed employee.

Defensive Driving (Transportation and Human Resources Department)

Utah Code R37-1 Risk Management General Rules Underwriting Standards

Entities Covered by State Risk Management are Required

(8) Covered entities shall require and document that all employees and volunteers who operate entity vehicles, or their own vehicles on entity business, complete a Fund-approved or Fund-provided driver safety program at the time of initial employment and at least once every two years.

Instruction

https://risk.utah.gov/risk-training/

First Aid, CPR, and proper medical support equipment usage as students' conditions require (Human Resources Department)

USBE Rule 392-200.9(e)
School buses shall also carry a first aid kit and bus drivers shall have a current Red Cross basic first aid certificate, or equivalent training as determined by the governing body.

2015 National School Transportation Specifications and Procedures (p.148)
Operational Procedures - Driver's and Attendant's Manual/Handbook

1. Elements of basic first aid procedures with knowledge of universal precautions, plus any local practices and policies that may vary from, but should not conflict with, state requirements;

Bus driver specific duties:

Perform basic first aid, as appropriate, which may include CPR;

Training Components
Basic First Aid, CPR and proper medical support equipment usage as students' conditions require.

Physical Assessment Bus Drivers (Transportation Department)

Best Practice for Implementation of Physical Assessment Standard

All existing school bus drivers should be notified of the expectation that they will pass the Physical Assessment Test every two years.

Additional Instruction Requirements

Bullying (Human Resources Department)

Utah Code 277-613

Bullying Policies and Training

1(b) Provide for regular and meaningful training of school employees and students;
3(b) model training and training opportunities on:

i. the prevention and identification of bullying, cyber-bullying, hazing, and retaliation, that an LEA may use to train the LEA's employees, contract employees, and volunteers, including coaches;

(5)(a) An LEA shall provide that students, school employees, coaches, and volunteers receive training on bullying, cyber-bullying, hazing, and retaliation, from individuals qualified to provide such training.

(6) The training described in Subsection (5) shall be offered to:

(a) new school employees, coaches, and volunteers; and

(b) all school employees, coaches, and volunteers at least once every three years.

Utah Code 53G-9-S605

1) On or before September 1, 2018, a school board shall update the school board's bullying, cyber-bullying, hazing, and retaliation policy to include abusive conduct.

(3)(h) a requirement for a signed statement annually, indicating that the individual signing the statement has received the school board's policy from each:

(i) school employee;

Sexual Harassment (Human Resources Department)

2015 National School Transportation Specifications and Procedures (p.147), (p.163)

Operational Procedures (p.147)

Harassment:

a) LEAs shall develop written policies and procedures dealing with all forms of harassment in the school bus. (Harassment is the use or tolerance of verbal or physical behavior, which serves to threaten, demean, annoy or torment another person. Harassment includes unwanted activities or comments based on race, religion, gender, sexual preference, personal attributes and other acts, as may be determined in local policy.)

b) LEAs shall develop training programs to assist all employees in recognizing harassment and in identifying appropriate interventions and reporting strategies.

c) LEA policies and procedures shall also address assisting and follow-up with the victims of harassment.

d) The service provider shall ensure that school district policies and procedures are implemented.

e) LEAs shall develop and implement guidelines for administering appropriate disciplinary actions resulting from acts of harassment.

Pre-service and In-service Training Programs (p.163)

Recommends "Sexual Harassment Prevention" as an essential topic for Pre-service and In-service programs

Suicide Prevention Instruction – **Not required for bus driver.** (Human Resourced Department)

Utah Code R3G-9-S704 Youth suicide prevention training for employees.

1. A school district or charter school shall require a licensed employee to complete a minimum of two hours of professional development training on youth suicide prevention every three years.
2. The board shall: (a) develop or adopt sample materials to be used by a school district or charter school for professional development training on youth suicide prevention; and (b)in rule made

in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, incorporate the training described in Subsection (1) into professional development training described in Section 53E-6-201.

Utah State Board of Education - Suicide Prevention
http://www.uen.org/suicidepreventiontraining/ 1-hour online course on Utah Education Network (Requires new account, could be shown in a group)

Special Education

Introduction

Most of the special needs required instruction are specific to the student's needs. The lack of communication and lack of instruction are the biggest challenges LEA's face.

Appropriate and Adequate Instruction Basics (Transportation Department)

1. LEAs should ensure that school bus drivers are aware of each student with a disability who rides in their vehicles, of the students Individualized Transportation Plan (IEP) or 504 plan provisions relevant to transportation regarding:
    a. any on the bus Behavior Intervention Plans (BIPs) that may exist
    b. relevant medical information, including medication the student may be transporting
    c. instruction to drivers on reporting unruly behaviors and disciplinary techniques
    d. specific first aid and other training necessary to respond to specific medical needs including medical support equipment
    e. relevant training for service animals that assist the student with disabilities (2015 NCST)
    f. securement procedures for assistive technology devices, trays and securement hardware including their storage and securement when not in use (2015 NCST p.224)
    g. emergency procedures to be implemented during a medical/health crisis, including specific observable signs/symptoms that prompt action and appropriate communication with medical staff
    h. evacuation plans for individual students

Child Safety Restraint Systems (CSRS), child safety seat and car seat (Transportation Department)

2015 National School Transportation Specifications and Procedures (p.151), (p.164), (p.169)

Seating and Occupant Restraints (p.151)

Transporters of pre-school age and older children in vehicles that use CSRSs minimally should adhere to the following recommendations:

b. Ensure adequate training of personnel in the installation, use, care and upkeep of CSRSs.
c. must be knowledgeable in passenger-positioning, securing adaptive and assistive devices and child safety restraint systems (CSRSs)

Proper use of Child Safety Restraint Systems in School Buses
http://www.nhtsa.gov/people/injury/buses/busseatbelt/index.html

Passenger Securement (Transportation Department)

2015 National School Transportation Specifications and Procedures (p.164)

When occupant securement systems are used, follow manufacturer's guidelines for proper use and positioning. It is recommended that passengers receive instruction in proper usage. (p.164)

Safe loading and unloading of students at their stops and securement of passengers, as may be required (including when equipped with seat belts) (p.168)

In-the-Bus Training
Procedures for loading and unloading passengers, passenger securement and emergency evacuation, as may be required. (p.169)

Wheelchair Training (Transportation Department)

Wheelchair Lift Operation
2015 National School Transportation Specifications and Procedures (p.223-224)
Training is required prior to transporting students in wheelchairs
Ensure adequate training of personnel in the loading and unloading, use, care and upkeep the wheelchair lift.

Wheelchair Securement
2015 National School Transportation Specifications and Procedures (p.225-226)
Training is required prior to transporting students in wheelchairs
Selecting Securement Points on Wheelchairs (p.225-226)

Use of Physical Restraint R277-609-4 if allowed by district policy. (Transportation and Human Resources Department)

R277-609 Standards for LEA Discipline Plans and Emergency Safety Interventions
LEA plan or policy for student and classroom management and school discipline, shall include:

1. crisis intervention training;
2. emergency safety intervention professional development;

If physical restraint is allowed, it must be used (consistently with an LEA plan under Subsection USBE Rule 277-609-4(1)

5 Year Training Schedule Example

This form is not required by Utah State Board of Education. LEAs should document training appropriately.

	Entry Year				
Instruction	0 - 1	2	3	4	5
Entry					
2020 Entry Level Driver Requirements					
Background Check					
Code of Conduct					
Confidentiality					
Drug Test (Post-Offer)					
Electronic Communication Devices					
Idle Reduction					
Annual					
Bloodborne Pathogens					
Drug and Alcohol Instruction					
Road Performance Evaluations					
Physical Assessment - Bus Attendant					
Semi Annual (Two times per year)					
Evacuation Drill					
MVR Check - if monitoring no renewal					
Biennial Instruction (Every other year)					
Child Abuse Prevention					
Defensive Driving					
First Aid					
Physical Assessment - Bus Driver					
Additional Instruction Requirements					
Bullying (Every 3 years)					
Sexual Harassment (Recommended)					
Suicide Prevention (Recommended)					
Special Needs as needed					
Supervisor					
DOT Supervisor Drug and Alcohol					