

*ISD 917 Policy 709, Student Transportation Policy*

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*\*the 2025 Minnesota legislature repealed a portion of this law that is not in our language.*

## **709 STUDENT TRANSPORTATION SAFETY POLICY**

### **I. PURPOSE**

The purpose of this policy is to provide safe transportation for students and to educate students on safety issues and the responsibilities of Intermediate School District 917.

### **II. CONDUCT ON SCHOOL BUSES AND CONSEQUENCES FOR MISBEHAVIOR**

- A. Riding in a school van is a privilege, not a right. The school district's general student behavior rules are in effect for students in district vans.

1. Student School Bus Safety Training.

The school district shall provide students enrolled in grades kindergarten (K) through 10 with age-appropriate school bus safety training.

2. School Van Rules.

The school district van safety rules are to be posted in every vehicle. If these rules are broken, the school district's discipline procedures are to be followed. Consequences are progressive and may include suspension of van privileges. It is the school van driver's responsibility to report unacceptable behavior to the program administrator.

3. Rules on the Van.

- a. Immediately follow the directions of the driver.
- b. Sit in your seat facing forward.
- c. Talk quietly and use appropriate language.
- d. Keep all parts of your body inside the van.
- e. Keep your arms, legs and belongings to yourself.

- f. No fighting, harassment, intimidation or horseplay.
- g. Do not throw any object.
- h. No eating, drinking or use of tobacco, alcohol, or drugs, excluding water bottles.
- i. Do not bring any weapons or dangerous objects on the school van.
- j. Do not damage the vehicle.
- k. No electronic smoking devices allowed.

#### 4. Consequences.

Consequences for van misconduct will apply to all students. Decisions regarding a student's ability to ride the van in connection with co-curricular and extra-curricular events (for example, field trips or competitions) will be in the sole discretion of the school district. Parents or guardians will be notified of any suspension of van privileges.

##### 1) Discipline

Violations of the van rules and student conduct violations will be addressed by appropriate administrator, in conjunction with the student's educational team. Factors to be considered when assessing any penalty for misconduct will include (1) the severity of the offense; (2) the student's prior record; and (3) for a student with a disability, the students' needs, as articulated in their IEP or section 504 plan.

##### 2) Records

Records of school van misconduct will be forwarded to the appropriate administrator and will be retained in the same manner as other student discipline records. Reports of student misbehavior on a van that causes an immediate and substantial danger to the student or surrounding persons or property will be provided by the school district to the Department of Public Safety in accordance with state and federal law.

##### 3) Vandalism

Students damaging school vehicles will be responsible for the damages. Failure to pay such damages (or make arrangements to pay) within two weeks may result in the loss of van privileges until damages are paid.

##### 4) Notice

School van rules and consequences for violations of these rules will be reviewed with students annually and copies of these rules will be made available to students. School van rules are to be posted in each vehicle.

5) Criminal Conduct

In cases involving criminal conduct (for example, assault, weapons, drug possession, or vandalism), the appropriate school district personnel and local law enforcement officials will be informed.

### **III. PARENT AND GUARDIAN INVOLVEMENT**

A. Parent and Guardian Notification

The school district van rules will be included with student handbooks. Parents and guardians are asked to review the rules with their children.

B. Parents or Guardians Responsibilities for Transportation Safety

Parents or Guardians are responsible to:

1. Become familiar with school district rules, policies, regulations, and the principles of van safety, and thoroughly review them with their children;
2. Support safe riding and walking practices, and recognize that students are responsible for their actions;
3. Communicate safety concerns to their school administrators.

### **IV. SCHOOL VAN AND TYPE III SCHOOL BUS DRIVER DUTIES AND RESPONSIBILITIES**

- A. Under Minnesota law, Intermediate School District 917 vans are considered to be Type III school buses.
- B. A school district employee, whose normal duties do not include operating a school van, who holds a class D driver's license without a school bus endorsement, may operate a Type III school bus.
- C. The school district business office requires a copy of the driver's valid driver's license and will annually obtain a copy of the driver's motor vehicle report. A driver who has had more than three moving violations in three years is not eligible to drive a Type III school bus. The Executive Director of Business Services will determine if the school van driver's authorization to transport students is revoked and will notify the school van driver's immediate supervisor.

- D. Drivers shall report all moving violations they receive, even in a personal vehicle, to the Executive Director of Business Services as soon as possible after the violation ~~6-93-4~~ occurs. A person who sustains a conviction, as defined under Minnesota Statutes section 609.02, of violating Minnesota Statutes section 169A.25, section 169A.26, section 169A.27 (driving while impaired offenses), or 69A.31 (alcohol-related school bus driver offenses), or whose driver's license is revoked under Minnesota Statutes section 169A.50 to 169A.53 of the implied consent law, or who is convicted of violating or whose driver's license is revoked under a similar statute or ordinance of another state, is precluded from operating a type III vehicle for 5 years from the date of conviction. The report must be made in writing to the Executive Director of Business Services within 10 days of the conviction.
- E. The school district may conduct pre-employment, random, and reasonable suspicion drug and alcohol testing of all school district van drivers and driver applicants in accordance with school district policy 416 Drug and Alcohol Testing.

## **V. SCHOOL VAN DRIVER TRAINING**

### **A. Training.**

All bus drivers operating a type III vehicle will be provided with annual training and evaluated by either the school district or the entity from whom such services are contracted by the school district. Such training shall, at a minimum, include:

1. Safe operation of the Type III (van) bus.
2. Knowledge and understanding of the safety equipment, including proper use of seat belts and child restraints, required for Type III vehicles.
3. Understanding student behavior, including issues related to students with disabilities.
4. Encouraging orderly conduct of students on the van and handling incidents of misconduct appropriately.
5. Knowledge and understanding of relevant laws, rules of the road, and ISD 917 school van safety policies.
6. Handling emergency situations, including accidents.
7. Safe loading and unloading of students including students with disabilities.
8. Performance of pre-trip vehicle inspections.
9. Defensive driving techniques.
10. Pass the competency testing specified in the Minnesota Department of Public safety Model School Bus Driver Training Manual.

11. The evaluation must include completion of an individual “school bus driver evaluation form” (road test evaluation) as contained in the Model School Bus Driver Training Manual, and
12. electric-assisted bicycle safety, including that a person under the age of 15 is not allowed to operate an electric-assisted bicycle.

## **VI. OPERATING RULES AND PROCEDURES**

### **A. General Operating Rules**

1. School vans shall be operated in accordance with state traffic and safety laws.
2. Only students assigned to the school van by the school district shall be transported. The number of students or other authorized passengers transported in a District van shall not exceed ten (10) including the driver, or the number of seats with restraints (whichever is smaller). No person shall be allowed to stand when the van is in motion.
3. A bus driver may not operate a school bus while communicating over, or otherwise operating, a cellular phone for personal reasons, whether hand-held or hands free, when the vehicle is in motion or a part of traffic. For purposes of this paragraph, “school bus” has the meaning given in Minnesota Statutes section 169.011, Subd. 71. In addition, “school bus” also includes type III vehicles when driven by employees or agents of the school district. “Cellular phone” means a cellular, analog, wireless, or digital telephone capable of sending or receiving telephone or text messages without an access line for service.

### **B. Type III Vehicles**

1. Type III vehicles are restricted to passenger cars, station wagons, vans, and buses having a maximum manufacturer’s rated seating capacity of 10 or fewer people, including the driver, and a gross vehicle weight rating of 10,000 pounds or less. A van or bus converted to a seating capacity of 10 or fewer and placed in service on or after August 1, 1999, must have been originally manufactured to comply with the passenger safety standards.
2. Type III vehicles must be painted a color other than national school bus yellow.
3. Type III vehicles shall be state inspected in accordance with legal requirements.

4. Vehicles older than 15 years must not be used as type III vehicles to transport school children, except those vehicles that are manufactured to meet the structural requirements of federal motor vehicle safety standard 222, Code of Federal Regulations, title 49, part 571.
5. The school district name will be clearly marked on the side of the vehicle. The Type III vehicle must not have the words “school bus” in any location on the exterior of the vehicle or in any interior location visible to a motorist.
6. A “Type III school bus” must not be outwardly equipped and identified as a Type A, B, C, or D bus.
7. Eight-lamp warning systems and stop arms must not be installed or used on Type III vehicles.
8. Type III vehicles must be equipped with mirrors as required by law.
9. Any type III vehicle may not stop traffic and may not load or unload before making a complete stop and disengaging gears by shifting into neutral or park. Any type III vehicle used to transport students must not load or unload so that a student has to cross the road, except where not possible or impractical, then the driver or assistant must escort a student across the road. If the driver escorts the student across the road, then the motor must be stopped, the ignition key removed, the brakes set, and the vehicle otherwise rendered immobile.
10. Any Type III vehicle used to transport students must carry emergency equipment including:
  - a. Fire extinguisher. A minimum of one 10BC rated dry chemical type fire extinguisher is required. The extinguisher must be mounted in a bracket, and must be located in the driver’s compartment and be readily accessible to the driver and passengers. A pressure indicator is required and must be easily read without removing the extinguisher from its mounted position.
  - b. First aid kit and body fluids cleanup kit. A minimum of a ten-unit first aid kit, and a body fluids cleanup kit is required. They must be contained in removable, moisture and dust-proof containers mounted in an accessible place within the driver’s compartment and must be marked to indicate their identity and location.
  - c. Passenger cars and station wagons may carry a fire extinguisher and a first aid kit in the trunk or trunk area of the vehicle if a label in the

driver and front passenger area clearly indicates the location of these items.

11. Students will not be regularly transported in private vehicles that are not state inspected as Type III vehicles. Only emergency, unscheduled transportation may be conducted in vehicles with a seating capacity of 10 or fewer without meeting the requirements for a Type III vehicle. The school district has no system of inspection for private vehicles.
12. All drivers of type III vehicles will be licensed drivers and will be familiar with the use of required emergency equipment. The school district will not knowingly allow a person to operate a Type III vehicle if the person has been convicted of an offense that disqualifies the person from operating a school bus.
13. Type III vehicles will be equipped with child passenger restraints, and child passenger restraints will be utilized to the extent required by law.

## **VII. SCHOOL DISTRICT EMERGENCY PROCEDURES**

- A. If possible, school van drivers or their supervisors shall call (911) or the local emergency phone number in the event of a serious emergency.
- B. Van drivers and assistants for special education students requiring special transportation service because of their handicapping condition shall be trained in basic first aid procedures, shall within one month after the effective date of assignment participate in a program of in-service training on the proper methods for dealing with the specific needs and problems of pupils with disabilities, assist pupils with disabilities on and off the bus when necessary for their safe ingress and egress from the van, and ensure that protective safety devices are in use and fastened properly.
- C. Emergency Health Information shall be maintained on the van for students requiring special transportation service because of their handicapping condition. The information shall state:
  1. the pupil's name and address;
  2. the nature of the pupil's disabilities;
  3. emergency health care information; and
  4. the names and telephone numbers of the pupil's physician, parents, guardians, or custodians, and some person other than the pupil's parents, guardians, or custodians who can be contacted in case of an emergency.

## **VIII. SCHOOL DISTRICT VEHICLE MAINTENANCE STANDARDS**

- A. All school vehicles shall be maintained in safe operating conditions through a systematic preventive maintenance and inspection program adopted or approved by the school district.
- B. All school vehicles shall be state inspected in accordance with legal requirements.
- C. A copy of the current daily pre-trip inspection report must be carried in the van. Daily pre-trip inspections shall be maintained on file in accordance with the school district's record retention schedule. Prompt reports of defects to be immediately corrected will be submitted.
- D. Daily post-trip inspections shall be performed to check for any children or lost items remaining on the bus and for vandalism.

## **IX. SCHOOL TRANSPORTATION SAFETY DIRECTOR**

Inasmuch as Intermediate School District 917 does not transport students to and from school, does not operate its own or any leased school buses, does not contract for school bus services except for occasional field trips and does not transport any non-public students, it has not appointed a "Transportation Safety Director." In the absence of an individual with specific transportation safety responsibilities, those responsibilities fall to the superintendent of schools.

### **Legal References:**

Minn. Stat. § 123B.935 (Active Transportation Safety Training)  
Minn. Stat. § 123B.91 (School District Bus Safety Responsibilities)  
Minn. Stat. § 169.01 (subd. 6(5) (Definitions)  
Minn. Stat. § 169.454 (Type III Vehicle Standards)  
Minn. Stat. § 169.4582 (Reportable Offense on School Buses)  
Minn. Stat. § 171.02, Subd. 2a (Licenses; Types, Endorsements, Restrictions)  
Minn. Rules Part 7470.1000-7470-1700 (School Bus Inspection)  
49 C.F.R. Part 571 (Federal Motor Vehicle Safety Standards)

### **Cross References:**

Policy 416 (Drug and Alcohol Testing)