



SCHOOL TRANSPORTATION UPDATE



a service of the Ohio School Boards Association

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This communication contains information on the following topics:

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1) School bus driver physical updates.

All school bus and van drivers in Ohio are required to have a current school bus driver physical. With one exception, all physicals issued in Ohio are valid for one school year and expire on August 31, 2014. Early in the morning on September 1, ODE will check its driver database for physicals. Drivers without a current physical will be changed to INACTIVE and an email sent to the district. You will not be able to use that driver on a route.

To prevent this from happening, make certain that you have a new passing physical for the driver dated after May 1, 2014, and have entered it into ODE's driver record system (known as SFPS). After entering the data, make certain to sign and submit the record so that it is processed.

If you hired a driver after January 1, 2014, you would have sent them for a physical at that time. In this case, physicals dated before May 1, 2014 remain valid for the next school year. (This is the one exception referenced above).

School bus and van drivers all complete the same physical – which is published by ODE as a T-8.

2) Sleep Apnea and Sleep studies – required or not?

The short answer: No, these screenings and studies are not required for Ohio School Bus drivers.

The longer explanation: The Federal Motor Carrier Safety Administration (FMCSA) is the agency responsible for the rules and regulations for commercial drivers, including school bus drivers. This includes a driver physical, typically called the DOT physical. In addition to the formally adopted rules that comprise the requirements of the physical, FMCSA also issues what they call guidance, which is used to instruct the medical professionals administering the physicals.

The FMCSA issued a guidance early in 2013 to address their concern with sleep disorders like sleep apnea. In accordance with this guidance, medical professionals were instructed how to screen, diagnose and treat drivers for sleep disorders. This action had a significant impact on drivers being examined, and through industry representation the U.S. Congress became involved. On Oct. 15, 2013, President Obama signed a bill into law which prevents the FMCSA from using guidance as a means to address screening, diagnosing, and treating drivers for sleep disorders like sleep apnea. For details on the bill, google H.R. 3095 from the 113th Congress.

This bill effectively stops the actions implemented through the guidance that resulted in doctors screening and testing drivers for sleep apnea and other sleep disorders.

Separate from this lawmaking activity is a second distinction set forth in federal law. In accordance with the Federal Motor Carrier Safety Regulations; Subpart A, section 390.3, drivers employed by public school districts and involved in school bus operations are excepted from the DOT physical. This is not a new section of code—school bus drivers have never been subject to the DOT physical.

In Ohio, we have administrative code (3301-83-07) that specifies the physical requirements for school bus drivers. This code is implemented through the school bus physical that ODE calls the T-8. The Ohio code does not mention sleep apnea or other sleep disorders, nor is any screening or testing required. The documentation that ODE provides with the T-8 does refer to FMCSA guidance, as long as that guidance does not conflict with Ohio code. Without the recent action by the US Congress it could be argued that the federal sleep study guidance could have been used for Ohio school bus drivers, however since federal law overruled the guidance, no such requirement exists.

In summary, there is no legal requirement for sleep disorder testing. That does not mean that it may not be a good idea for a physician to recommend a driver pursue testing, however it is not grounds for failure on the T8 physical.

3) School start-up deadlines to keep in mind

The days leading up to and immediately after the start of school can be some of the busiest days in the school transportation world. There are routes to manage, drivers to train and prepare, buses to get ready, and last minute student enrollments to challenge even the most patient of staff.

In the midst of this busy time, there are a few landmark activities that need to be scheduled and managed, and which should not be overlooked.

Bus Stop Approval: The Ohio Administrative Code (3301-83-13 (A)) gives the superintendent or designee responsibility for determining the location of all school bus stops. It also requires that the board of education approve bus stops annually as well as delegating the authority to relocate them and make subsequent changes. This board action should take place no earlier than 30 days prior to and not later than 10 days after the beginning of the school term.

Routing plan in place: The Ohio Revised Code (3327.01) requires that transportation, when provided, must be run on a time schedule that is adopted and put in force by the board not later than ten days after the beginning of the school term. For many districts, this is managed by the routes the board approves. The practical need for transportation staff is that drivers and office staff work together to correct and adjust route sheets as soon as possible after school starts, so that accurate documentation exists for each bus. As a reminder, route sheets are required to include: directions to stops, time schedule, designated stops, designated place of safety, number of riders at each stop and residence side, and a list of identifying road hazards.

K-3 Safety Training: These first weeks of school, as busy as they are, are also the first time that some of our younger students have ridden a school bus. We are required to provide safety training for these children during this period. This is a good opportunity to enlist the aid of your drivers in discussing the rules and regulations with the children. In some cases it is appropriate to partner with classroom teachers to provide this training inside as well as outside. Some items to include are: Safe walking practices, where to wait for the bus and designated place of safety, bus rider rules, how to do an emergency evacuation, what to do if the bus is late or does not come to the stop, safety practices to follow when crossing the street.

4) Red light violators

One of the greatest risks our children continue to face is passing motorists at school bus stops. The National Association of State Directors of Pupil Transportation (NASDPTS) has coordinated several national surveys to determine the magnitude of the problem. In their just released 2014 survey report they document unfortunately consistent results – motorist continue to pass stopped school buses at an alarming rate. For more details or to review their report go to www.nasdpts.org/stoparm.

While some districts have made efforts to eliminate students crossing the street, unfortunately it is very difficult to eliminate all of these crossings. In our training with students, we have to emphasize the need for them to follow the driver's directions, and also to look carefully themselves before crossing the streets.

At the same time we have to impress upon our bus drivers the need for extra vigilance at school bus stops where students need to cross. Even with stop signs and flashing lights, our bus drivers have to be on the lookout for the motorist that is inattentive and moving toward a child who is crossing. All bus drivers need to both cover the horn of their bus as a potential warning sound as well as teach and use the bus driver hand signal that they are taught in the preservice class for students who must cross the road.