

A Guide to Better Compliance with North Carolina State Rules, Regulations, Guidelines, Policies and Laws Governing Bus Routing and Scheduling

The purpose of this document is to identify state rules, regulations, guidelines, policies, and laws that govern public school bus routing and scheduling. By adhering to these established conventions, many local education agencies (LEAs) will see reduced operating costs and increased efficiency. Refer to www.ncbussafety.org (Laws and Policies)

Note: In the following, the term ‘laws’ refers to Rules, Regulations, Guidelines, Policies and Laws without the intent to enhance or diminish the actual legal definition of each. It is used only to enhance the brevity of the discussion.

There is **NO** intent to encourage any student to shift from utilizing school bus transportation, by far the safest form of transportation available to the students, to another form of transportation. It is intended to encourage the LEA administration and transportation staff to revisit the local transportation plan in light of current and projected budget conditions to determine if stricter adherence to the regulations, policies, and laws, etc. could improve the efficiency and reduce the cost of the local transportation system. These laws are for efficiency while understanding that the primary job of the LEA is to ensure student safety in the process of providing transportation to and from school.

The transportation plan should be developed and guided by LEA personnel that have the best tools (**and they must use the tools**) and broadest view of the entire transportation system, not guided at the school level where consideration would be limited to a narrow set of circumstances. The Transportation Information Management System (TIMS) has been in place for over twenty years. Experienced local operators and state support staff are well trained in the development, implementation, and monitoring of transportation plans. This should not replace the school level supervision and input that is vital to an overall efficiently run transportation plan. The LEA Administration, school administrators and the Transportation Department should form a cooperative team that provides and implements a well-developed transportation plan.

Additionally, consideration should be given to local policies regarding issues such as bell times, program placement such as special needs, magnet programs, etc. and how these policies affect the efficient utilization of the transportation fleet. Failing to consider their transportation impacts can be quite costly. As noted in the previous paragraph, the TIMS Project Leaders and Staff have the experience to give advice in these matters. If the transportation plans are generated solely from a school-level perspective, opportunities to efficiently utilize the school bus fleet will be lost. Sharing buses between schools or transporting students to/from multiple schools is much more efficient. The amount of time expended by school personnel to do this not only uses their valuable time, but results in less efficient runs than can be created from highly trained centralized transportation operator(s) with the advantage of an overview of the entire districts transportation system.

The following is intended to highlight the most often overlooked laws regarding pupil transportation. All of the items discussed MUST be tempered with individual circumstances and how they relate to the safety of the student and, therefore, cannot be implemented blindly. **However, often the 'safety' excuse may be declared without a realistic evaluation of actual circumstances, but made only to placate parents with minimal confrontation.**

I. **Transportation of students to programs other than to/from school.**

State Board of Education (SBE) policy states that *"...These funds may NOT supplant other state, federal and local programs use of the "yellow bus" that serve the instructional purpose of the school, such as Pre-K, Smart Start, Head Start, Remediation Programs, Summer School, NC State Fair, Special Olympics, NC Symphony and other instructional field trips. When allotted state transportation funds are used for these services for these programs, the responsible program must reimburse this fund."*

Allotment Policy Manual, Transportation of Pupils: www.ncbussafety.org/NCLaws.html

Transportation of students in these special programs without reimbursement should be provided only if the bus does not have to make a deviation to the route established for authorized students and if there is sufficient capacity. Otherwise, transportation for these students must be reimbursed. Likewise, creating additional unnecessary runs to increase available capacity is not permitted, unless the additional non-authorized students' transportation costs are reimbursed.

BENEFITS – If these students are being transported on regular "yellow buses" it is imperative that the transportation department is being reimbursed from the appropriate sources for the additional time and mileage incurred. This will add additional dollars to the transportation budget.

II. **Idling Policy**

SBE policy states *"...in order to be eligible to receive any mid-year transportation allotment resulting from increased fuel prices, an LEA must have a reduced idling policy in place at the beginning of the school year."*

Allotment Policy Manual, Transportation of Pupils: www.ncbussafety.org/NCLaws.html

While all districts should have the idling policy in place, is it being enforced within **your** LEA?

BENEFITS – Reduced Idling results in reduced fuel consumption, therefore, reduced fuel costs. A side benefit is reduced pollution.

III. Bus Route Creation

"Superintendents shall plan bus routes in a way designed to conserve fuel and to use buses efficiently."

SBE Policy #TCS-H-002, 16 NCAC 6B.004 www.ncbussafety.org/NCLaws.html

This policy outlines that it is a district level responsibility for creating school bus routes. The intent is to have a more global solution to the efficient utilization of the school bus fleet for all students and schools in the district.

BENEFITS – There should be an enhancement of fleet utilization through the reduction of overlapping route coverage. TIMS provides the ability to analyze alternate scenarios including multi-school transportation or multi-tier transportation with staggered bell times and the simulation of routing impacts on proposed program implementation and/or placement. Since TIMS has all of the students located to the map, the actual impact to the students may also be considered. Issues concerning projected ride times, early/late pickup, etc. can be evaluated in TIMS while developing an efficient transportation plan.

IV. Route Paths

"A route may not deviate from a general path of direction for a distance of less than one-half mile and then return to the original path except for groups of 10 or more pupils, unescorted pupils in grades K-3 or special education pupils."

SBE Policy #TCS-H-002, 16 NCAC 6B.004 www.ncbussafety.org/NCLaws.html

Additional time, mileage, and costs are required to provide 'door-to-door' service for students that are otherwise able to walk a short distance to a bus stop. Deviating from an often wider, less constrictive main road to enter a subdivision or trailer park where the streets are often more narrow and may feature curbside parking adds potential safety issues as well as additional mileage and time. Often it is not possible to avoid entering subdivisions, but proper placement of 'area' stops can reduce the amount of starting and stopping that occurs and may also reduce the amount of travel required within these areas.

BENEFITS – Reducing deviations from the primary route may significantly reduce the mileage. Because these deviations may often be onto more congested secondary streets, resulting in lower overall travel speed, the route time may increase even more significantly than the mileage. These factors should also result in a reduction in overall student ride time.

V. Minimum Stop to Stop Distance

“Unless safety factors require otherwise, superintendents may not plan bus stops closer together than 0.2 miles. Each student must be at the designated stop at the time of the bus's arrival.”

SBE Policy #TCS-H-002, 16 NCAC 6B.004 www.ncbussafety.org/NCLaws.html

Starting and stopping a bus in distances this close together is inefficient not only in fuel consumption but also in time. This is one of the most abused practices in most districts, especially where there is higher density housing. TIMS has the ability to calculate stop-to-stop distances, and where excessive stops are present, a review should be done to determine if the stops are valid for safety reasons, or have been created for other reasons not relative to the route. If conditions permit, stops should be combined to reduce the waste. Where possible, stops could be moved to centralized locations within subdivisions to reduce the travel within the subdivision or to eliminate entry into the subdivision completely. Corner stops provide access to the stop location from many directions and are often the most efficient option as the bus may approach from the most efficient direction when considering the previous and next stop locations on the run.

BENEFIT – A reduction of the total number of bus stops and travel within subdivisions will reduce run times and improve fuel mileage.

VI. Student Ridership Eligibility

A local board of education, which elects to operate a school bus transportation system, shall not be required to provide transportation for any school employee, nor shall such board be required to provide transportation for any pupil living within one and one half miles of the school in which such pupil is enrolled.

§ 115C-242 (4) www.ncbussafety.org (Public School Laws Governing School Transportation)

. Each public school bus shall be routed so that the bus passes within one mile of the residence of each pupil assigned to that bus. A pupil who lives one and one-half miles or more from the school to which the pupil is assigned shall be eligible for school bus transportation.

§ 115C-246 (b) www.ncbussafety.org (Public School Laws Governing School Transportation)

These laws are often waived for a variety of valid reasons. Safety factors within the 1.5-mile radius is the main concern. Lack of sidewalks with no alternative walk paths is most often cited. Hazardous streets, railroad tracks, physical barriers like rivers/large streams, and bridges without a safe walk path are other examples. Walk zones should be carefully examined and implemented where reasonable. Requiring students to walk or bike to school when there are legitimate safety issues, defeats the purpose of the enhanced safety afforded by the school bus. Costs for transporting these students would not be as extreme since a large number of buses probably travel these areas already. However, stops in these areas should be consolidated in a safe manner, and located for

easy bus access, just as mentioned previously.

BENEFITS – Implementing walk zones where safe and practical would reduce some time and cost. However, serious consideration must be given to the trade-off in safety.

VII. Verifying the Transportation Plan and Drivers Time

The Fair Labor Standards Act requires that employees be paid for time worked. For drivers this includes time driving, inspecting and cleaning the bus as well as waiting time at schools when they are required to be present. The use of state Funds to pay employees for more time than they are actually working is illegal.

Creating a transportation plan and not verifying that it is followed is being naive. Transportation is dynamic. Everyday is unique in some respect, but the general plan should be sound and relatively steady with small fluctuations from day to day. However, unless the fleet is equipped with GPS real-time tracking, there is no way of knowing if the drivers are following the established run directions. Do they 'feel' that they know a better, more efficient route or stop sequence? This is not to say that driver experience and knowledge should not be valued. If there is information that affects how a bus route should be run, this should be communicated to the TIMS staff in the transportation department. This could be information that influences not only that one bus, but could affect many other buses in the fleet. If the information is entered into TIMS, other drivers and routes could benefit from this knowledge.

When is the last time that someone from transportation actually rode a bus with a copy of the run directions and audited the run directions, stop times and travel speeds? This is not an activity that can be done from the office, but it is critical for not only monitoring driver performance, but also checking on the route time. It is extremely important that the drivers are being the most efficient in the use of their time for all required duties and in-service training. Issues like guaranteed minimum times are fine, but time spent NOT driving or performing other required duties **must be paid from local funds**. A well-balanced transportation plan can create the opportunities for longer runs or multiple runs thus increasing a driver's valid time behind the wheel.

INSPECT what you EXPECT!

BENEFITS – More accurate information in the TIMS database will result in a more realistic and efficient transportation plan. Riding the bus may also result in better communications between the drivers and the transportation planners. Improved communications should mean that the drivers would understand the importance of sharing issues that affect their runs. The net result is an improved transportation plan that means less cost. **What is happening on the ground should be reflected in TIMS when it is confirmed to be safe and efficient.**