

Policy #: <b>709</b>
Title: <b>TRANSPORTATION</b>
Date of Initial Approval: 06-15-2022
Revision/Re-authorization Dates:
Reviewers: MSA Instructional Leadership Team; MSA Director of Physical Plant Operations; MSA Superintendent

**I. PURPOSE**

The purpose of this policy is to establish safe transportation for students at the Minnesota State Academies (MSA), including education for students on safety issues and the responsibilities of riding on school transportation.

**II. GENERAL STATEMENT OF POLICY**

The determination as to whether to provide transportation for students, spectators, and/or other participants to and from all MSA-sponsored activities shall be made solely by the MSA administration. This determination shall include, but is not limited to, the decision to provide transportation, the persons to be transported, the type or method to be utilized, all transportation scheduling and coordination, and any other transportation arrangements or decisions. Employees who are involved in those activities shall be advised by the administration as to the transportation arrangements made, if any. In its discretion, MSA administrators may charge fees for the transportation of students to and from extracurricular activities conducted at locations other than the MSA campuses, where attendance is optional.

**III. ARRANGEMENTS FOR TRANSPORTATION**

MSA employees shall not undertake independent arrangement, scheduling, or coordination of transportation for extracurricular activities unless specifically directed or approved by their supervisor. All transportation arrangements must be approved, following the process outlined in MSA Procedure #7501.

**IV. PROHIBITIONS**

MSA employees are prohibited from using their personal vehicle to transport one or more students except as described below. However, in an emergency or other unforeseen circumstances, employees may make appropriate transportation arrangements, including use of a personal vehicle for students as necessary.

In a nonemergency situation, an employee must get prior approval (preferably written) from their supervisor and/or the on-call supervisor before transporting a student in a personal vehicle. If a school vehicle is available, the employee will be directed to use the school vehicle. The MSA administrator in charge of the situation has the sole discretion to make a final determination as to the appropriate use of a personal vehicle to transport one or more students.

If any emergency transportation arrangements are made by employees pursuant to this section, the relevant facts and circumstances shall be reported to their supervisor as soon thereafter as practicable.

All vehicles used to transport students shall be properly registered and insured.

*[Note: This policy provides that employees may use a personal vehicle to transport students in an emergency or other unforeseeable circumstance. An "emergency or other unforeseeable circumstance" does not include situations where regular transportation is available or scheduled.*

*For example, if a scheduled extracurricular event occurs outside of MSA campuses and MSA provides transportation for a team or group of students to and from the event, an employee would be prohibited by law from using a personal vehicle to transport some students to the event. In contrast, if a student attending this same event became ill or injured and required immediate transportation home or to a health care facility, the exigent need to transport one student would not constitute regular or scheduled transportation. An employee would have authority to transport the student in a personal vehicle under these circumstances, if using a vehicle that is properly registered and insured. The expectation of MSA is that the employee would immediately contact their supervisor and/or the on-call supervisor about these circumstances to ensure oversight of the employee's use of this exception.*

*Nonregular and nonscheduled transportation also would include situations where some notice may be provided of the need for transportation to a nonscheduled event for which transportation generally is not provided by MSA. For example, a group of students may participate in a scheduled debate competition for which regular MSA transportation is provided. Two students advance to a regional competition the following day. Transportation would not have been scheduled to the regional competition as the students' advancement was not predicted. These circumstances may justify an employee's use of a personal vehicle to transport the two students to the regional competition (if the vehicle is properly registered and insured). Because the employee has sufficient time to contact an administrator, advance written permission by an administrator would be expected for the purpose of overseeing that the reasons for an employee using a personal vehicle comply with the requirements of the law.]*

## **V. PLAN FOR STUDENT TRANSPORTATION SAFETY TRAINING**

A. School Bus Safety Week: MSA may designate a school bus safety week. The National School Bus Safety Week is the third week in October

B. Student Training: MSA Campus Directors shall ensure that all students receive annual, age-appropriate school bus safety training and/or bus safety instructional materials, including the following concepts:

1. Transportation provided by MSA is a privilege, not a right
2. MSA policies for student conduct and school bus safety
3. Appropriate conduct while on the bus (refer to the MSA Parent/Student Handbook)
4. Danger zones around school buses
5. Procedures for safely boarding and leaving a school bus
6. Procedures for safe vehicle lane crossing
7. Bicycling and Pedestrian Safety

8. School Bus evacuation and other emergency procedures

All training must be completed by the end of the third week of school. Students who enroll at MSA after the third week of school and have not received training from their previous school district shall receive this training within 4 weeks of their first day of attendance.

- C. Drills: A school bus evacuation drill must be conducted with all age groups at least once during the school year. Accommodations for students with additional disabilities must be reviewed and discussed with all employees providing support to those students.
- D. Record Keeping: Campus Directors are responsible for maintaining records about each student's participation in bus safety training and certifying their participation to the MSA Health/Safety chairpersons.

**VI. SCHOOL BUS DRIVERS DUTIES AND RESPONSIBILITIES**

All employees providing transportation for MSA must adhere to the requirements outlined in MSA Policy #444 and MSA Procedure #7501. All drivers are required to complete Type III drivers training prior to transporting any students for any reason. Employees are responsible for all vehicle checks, following all safety procedures and regulations, and ensuring that all passengers follow the rules of conduct while being transported.

**VII. EMERGENCY PROCEDURES**

In emergency situations, drivers, chaperones, and/or their supervisor should call 911 for emergency assistance. Drivers should move passengers to a safe location to await emergency responders as appropriate/necessary. When emergency responders arrive, employees should share any relevant medical information with them (name, address, disabling conditions; emergency health care information, contact information for guardians, allergies, and so forth)

**Legal References:**

- Minn. Stat. § 123B.36 (Authorized Fees)*
- Minn. Stat. § 169.011, Subd. 71(a) (Definition of a School Bus)*
- Minn. Stat. § 169.454, Subd. 13 (Type III Vehicle Standards – Exemption)*
- Minn. Stat. § 122A.18, Subd. 8 (Board to Issue Licenses)*
- Minn. Stat. § 123B.03 (Background Check)*
- Minn. Stat. § 123B.88 (Independent School Districts; Transportation)*
- Minn. Stat. § 123B.885 (Diesel School Buses; Operation of Engine; Parking)*
- Minn. Stat. § 123B.90 (School Bus Safety Training)*
- Minn. Stat. § 123B.91 (School District Bus Safety Responsibilities)*
- Minn. Stat. § 144.057 (Background Studies on Licensees and Other Personnel)*
- Minn. Stat. Ch. 169 (Traffic Regulations)*
- Minn. Stat. § 169.011, Subds. 15, 16, and 71 (Definitions)*
- Minn. Stat. § 169.02 (Scope)*
- Minn. Stat. § 169.443 (Safety of School Children; Bus Driver's Duties)*
- Minn. Stat. § 169.446, Subd. 2 (Driver Training Programs)*
- Minn. Stat. § 169.451 (Inspecting School and Head Start Buses; Rules; Misdemeanor)*
- Minn. Stat. § 169.454 (Type III Vehicle Standards)*
- Minn. Stat. § 169.4582 (Reportable Offense on School Buses)*

*Minn. Stat. §§ 169A.25-169A.27 (Driving While Impaired)*  
*Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Bus Driving)*  
*Minn. Stat. §§ 169A.50-169A.53 (Implied Consent Law)*  
*Minn. Stat. § 171.02, Subds. 2, 2a, and 2b (Licenses; Types, Endorsements, Restrictions)*  
*Minn. Stat. § 171.168 (Notification of Conviction for Violation by a Commercial Driver)*  
*Minn. Stat. § 171.169 (Notification of Suspension of License of Commercial Driver)*  
*Minn. Stat. § 171.321 (Qualifications of School Bus Driver)*  
*Minn. Stat. § 171.3215, Subd. 1(c) (Canceling Bus Endorsement for Certain Offenses)*  
*Minn. Stat. §181.951 (Authorized Drug and Alcohol Testing)*  
*Minn. Stat. Ch. 245C (Human Services Background Studies)*  
*Minn. Stat. § 609.02 (Definitions)*  
*Minn. Rules Parts 7470.1000-7470.1700 (School Bus Inspection)*  
*49 C.F.R. § 383.31 (Notification of Convictions for Driver Violations)*  
*49 C.F.R. § 383.33 (Notification of Driver's License Suspensions)*  
*49 C.F.R. § 383.5 (Transportation Definitions)*