

School Operations
Eddie T. Pearson, Deputy Superintendent

SUBJECT: PROPOSED AMENDMENT OF SCHOOL BOARD RULES: INITIAL READING 6Gx13- 3E-1.102, TRANSPORTATION – ZERO TOLERANCE; 6Gx13- 3E-1.10, TRANSPORTATION – SPECIFIC PROCEDURES

This item is submitted for consideration of the School Board to amend School Board Rule 6Gx13- 3E-1.102, Transportation – Zero Tolerance. The purpose of this amendment is to ensure that school bus drivers always perform post-trip inspections and also to ensure that no student is left on a school bus. In addition, submitted is an amendment to School Board Rule 6Gx13- 3E-1.10, Transportation – Specific Procedures, and the documents, **Miami-Dade County Public Schools Department of Transportation School Bus Transportation Rules and Policies Manual and Handbook for School Bus Drivers, Aides and Operations Staff**, which are incorporated by reference and are part of this rule.

This Board item is in accordance with State Board Rule – 6A-3.017 (1)(d), to develop safety regulations and promote safety practices for all drivers.

Attached are the Notices of Intended Action and the rules proposed for amendment. Changes from the current rules are indicated by underscoring words to be added and ~~striking through~~ words to be deleted.

Copies of the documents, **Miami-Dade County Public Schools Department of Transportation School Bus Transportation Rules and Policies Manual and Handbook for School Bus Drivers, Aides and Operations Staff**, which are incorporated by reference and are a part of School Board Rule 6Gx13- 3E-1.10 will be forwarded to the School Board Members under separate cover prior to the School Board Meeting of July 11, 2001, and will be available for inspection by the public in the Office of Board Recording Secretary, Room 924, and the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

Authorization of the Board is requested for the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act for the amendment of School Board Rule 6Gx13- 3E-1.102, Transportation – Zero Tolerance and School Board Rule 6Gx13- 3E-1.10, Transportation – Specific Procedures.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act to amend School Board Rule 6Gx13- 3E-1.102, Transportation – Zero Tolerance and School Board Rule 6Gx13- 3E-1.10, Transportation – Specific Procedures.

Non-Instructional Operations**TRANSPORTATION – ZERO TOLERANCE**

All school bus drivers and/or school bus aides shall must conduct post-trip inspections as required in the document, **Handbook for School Bus Drivers, Aides, and Operations Staff**, which is incorporated by reference in School Board Rule 6Gx13- 3E-1.10, *Transportation-Specific Procedures*. The document, **Handbook for School Bus Drivers, Aides, and Operations Staff**, specifies that post-trip inspections must be conducted as prescribed in Sections 3.2, **School Bus Driver Responsibilities**; and 10.12, **Compound Traffic Rules And Storage Of Buses**. Post-trip inspections shall include, but are not limited to, checking the bus carefully after each run for students left on the bus walking from one end of the bus to the other, checking behind and under every bus seat for students remaining on the bus. Post-trip inspections must be performed after the completion of each bus run, as well as at the bus storage compound. Failure of a school bus driver and/or a school bus aide to conduct the required post trip inspection after each run shall result in disciplinary action of the school bus driver and/or the school bus aide. Failure of a school bus driver and/or school bus aide to conduct the required post-trip inspection resulting in a student being left on the bus will not be tolerated and shall result in dismissal from all employment with The School Board of Miami-Dade County, Florida.

The intent of the Zero Tolerance Policy is to make sure that no student is left on a bus without adult supervision after the completion of a bus run or at the bus storage compound. Accordingly, the document, **Handbook for School Bus Drivers, Aides and Operations Staff** imposes an affirmative duty on the driver to conduct the required post-trip inspections. This duty cannot be delegated.

Zero tolerance means that if a driver fails to perform a post-trip inspection, and a child is left on the bus without adult supervision after the completion of a bus run, or at the bus storage compound, the driver will be dismissed from all employment with The School Board of Miami-Dade County, Florida.

Specific Authority: 230.22(2); 230.23(20)(22); F.S.
Law Implemented, Interpreted, or Made Specific: 230.23005(9); 234.01 F.S.; 6A-3.017(1)(d) FAC.

History

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

New: 8-23-00

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on July 11, 2001, its intention to amend Board Rule 6Gx13- 3E-1.102, Transportation – Zero Tolerance, at its meeting of August 22, 2001.

PURPOSE AND EFFECT: Failure to perform post-trip inspections after each bus run shall result in disciplinary actions, and failure to perform post-trip inspections which results in students being left on school buses shall result in dismissal from all employment with the School Board of Miami-Dade County, Florida.

SUMMARY: This revised Board Rule delineates appropriate disciplinary procedures to be implemented in the event school bus drivers do not perform required post-trip inspections.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 230.22(2); 230.23(22) F.S.

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 230.23005(9); 234.01 F.S.; 6A-3.017(1)(d) FAC.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF August 22, 2001, which begins at 1:00 p.m., in the School Board Auditorium, 1450 N.E. Second Avenue, Miami, Florida 33132. Persons requesting such a hearing or who wish to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided by Section 120.541 (1), F.S., must do so in writing by August 6, 2001, to the Superintendent of Schools, Room 912, at the same address.

ANY PERSON WHO DECIDES TO APPEAL THE DECISION made by The School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes)

A COPY OF THE PROPOSED AMENDED RULE is available for inspection and copying at the cost by the public in the Citizen Information Center, School Board Administration Building, 1450 N.E. Second Avenue, Room 158, Miami, Florida 33132.

Originator: Ms. Marta Leyva
Supervisor: Mr. Eddie T. Pearson
Date: June 27, 2001

Non-Instructional Operations**TRANSPORTATION – SPECIFIC PROCEDURES**

The specific procedures to be followed by all parties concerned are outlined in the documents entitled, **Miami-Dade County Public Schools, Department of Transportation, School Bus Transportation Rules and Policies Manual and Handbook for School Bus Drivers, Aides and Operations Staff**, which are incorporated by reference in this rule and a part hereof. Copies of these documents are on file in the Office of Board Recording Secretary, the Citizen Information Center, and the Office of the School Board Clerk.

Specific Authority: 230.22(2); 230.23(~~20~~)(22) F.S.

Law Implemented, Interpreted, or Made Specific: 230.23005(9); 234.01 F.S.; 6A-3.017(1)(d) FAC.

History

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

Repromulgated: 12-11-74

Amended: 7-25-84; 7-9-97; 1-14-98; 8-23-00

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on July 11, 2001, its intention to amend Board Rule 6Gx13- 3E-1.10, Transportation – Specific Procedures, at its meeting of August 22, 2001.

PURPOSE AND EFFECT: To revise the documents, Miami-Dade County Public Schools Department of Transportation School Bus Transportation Rules and Policies Manual and Handbook for Drivers, Aides and Operations Staff, which are incorporated by reference and are part of this rule, will update the language to conform with current Board practice.

SUMMARY: These revised documents are to adhere to School Board procedures.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 230.22(2); 230.23(22) F.S.

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 230.23005(9); 234.01 F.S.; 6A-3.017(1)(d) FAC.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF August 22, 2001, which begins at 1:00 p.m., in the School Board Auditorium, 1450 N.E. Second Avenue, Miami, Florida 33132. Persons requesting such a hearing or who wish to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided by Section 120.541 (1), F.S., must do so in writing by August 6, 2001, to the Superintendent of Schools, Room 912, at the same address.

ANY PERSON WHO DECIDES TO APPEAL THE DECISION made by The School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes)

A COPY OF THE PROPOSED AMENDED RULE is available for inspection and copying at the cost by the public in the Citizen Information Center, School Board Administration Building, 1450 N.E. Second Avenue, Room 158, Miami, Florida 33132.

Originator: Ms. Marta Leyva
Supervisor: Mr. Eddie T. Pearson
Date: June 27, 2001