

DEFINITIONS

For purposes of this policy:

1. "Bus" means a motor vehicle used to transport persons and designed to accommodate more than ten persons, including the operator.
2. "Passenger car" refers to a motor vehicle, other than a motorcycle, used to transport persons and designed to accommodate ten or fewer passengers, including the operator.
3. "Passenger van" means a motor vehicle, other than a motorcycle or passenger car, used to transport persons and designed to transport 15 or fewer passengers, including the driver.
4. "School activity bus" means a bus designed to accommodate more than 15 passengers, including the operator, that is owned, operated, rented, or leased by the School and is used to transport public school students on a school-related activity trip, other than on routes to and from school. The term does not include a chartered bus, a bus operated by a mass transit authority, a school bus, or a multi-function school activity bus.
5. "School bus" means a motor vehicle that was manufactured in compliance with the federal motor vehicle safety standards for school buses in effect on the date of manufacture and that is used to transport preprimary, primary, or secondary students on a route to and from the Texas School for the Deaf (TSD or "School") or on a school-related activity trip other than on routes to and from school. The term does not include a school-chartered bus or a bus operated by a mass transit authority.
6. "Motor bus" means a vehicle designed to transport more than 15 passengers, including the driver.

Education Code 34.003; Transportation Code 541.201; 37 TAC 14.51

AUTHORITY

The School may establish and operate an economical public transportation system in the School. For that part of the system which the School operates directly, the School shall employ bus drivers certified by the Department of Public Safety. **Education Code 34.007; 34.008**

ELIGIBILITY FOR
TRANSPORTATION

The School shall provide from state funds for transportation to and from school, except when the student's local school district is responsible for the student's transportation under Commissioner Rule 89.1090.

TRANSPORTING STUDENTS
TO SCHOOL

School buses or mass transit authority buses shall be used for the transportation of students to and from schools on routes having ten or more students. Passenger cars may be used on routes having fewer than ten students
Education Code 34.003 (a)

STAFF TRANSPORTING
STUDENTS

Staff are not permitted to transport students in their private vehicles to and from school.

RESIDENTIAL &
TRANSPORTATION
SERVICES

The purpose of TSD is to provide "comprehensive educational services, on a day, or residential basis, and short-term services to allow [all] student[s] to better achieve educational results from services available in the community." Tex. Educ.

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Code § 30.051(a).

**OPPORTUNITIES FOR
STUDENTS TO ATTEND
THE TEXAS SCHOOL
FOR THE DEAF**

In order to enable all Texas children who are deaf or hard of hearing with the ability to attend TSD, and in compliance with the state mandate to provide services on a "residential basis," TSD shall make available to any student who does not live within the geographical area served by TSD's local transportation residential housing and meal services at no cost during the regular school week and at other times determined, in her sole and absolute discretion by the Superintendent.

**OPPORTUNITIES FOR
STUDENTS TO RETURN
HOME ON WEEKENDS**

In consideration of the important role of family and community in the life of TSD's students, the School shall provide appropriate opportunities for each student enrolled in the School to return to their homes and communities on weekends and official school holidays during the regular school year.

**METHOD OF
TRANSPORTATION**

The School may use the following methods to transport students to and from their homes to the School on weekends and official school holidays:

1. Commercial air transportation
2. Chartered Commercial bus transportation
3. School-operated buses and vans
4. Transportation of the student by the student's parent, or parent representative

**TRANSPORTATION
COSTS**

For students referred to TSD by their parents or themselves if they are 18 or older, the School shall assume all costs for commercial air transportation, commercial bus transportation and school-operated buses and vans, including costs for chaperone travel.

When the student's parent, or parent representative, provides any portion of the ground transportation of the student's trip between home and school, the parent, or parent representative, may request reimbursement, to cover vehicle operating costs. The Superintendent or designee, shall determine the amount of reimbursement and whether or not the cost is efficient and warranted.

TRAVEL REWARDS

Travel rewards earned, including but not limited to, frequent flyer miles, rental car, food or hotel discounts, by the student during school related travel, are applied to future travel for said individual student. The Superintendent shall ensure the information in this policy is communicated to families of TSD students and adult students over the age of 18.

SCHOOL ACTIVITIES

When TSD is transporting students using TSD vehicles in connection with school activities other than on routes to and from school:

1. Only school buses or motor buses may be used to transport 15 or more students; and
2. Passenger cars or passenger vans may be used to transport fewer than 15 students.

Education Code 34.003 (b)

In all circumstances in which passenger cars or passenger vans are used to transport students, the operator of the vehicle shall ensure that the number of passengers does not exceed the designed capacity of the vehicle and that each passenger is secured by a safety belt.

Education Code 34.003(c)

Nothing contained herein to the contrary, however, shall prevent TSD from using commercial transportation that is either licensed and regulated by the State Department of Transportation (or the Department of Public Safety, as the case may be) or the United States Department of Transportation, or both, for transporting students in connection with school activities.

BUS OPERATION

A person may not operate a school bus if:

1. The door of the school bus is open; or
2. The number of passengers on the bus is greater than the manufacturer's design capacity for the bus.

An operator of a school bus, while operating the bus, shall prohibit a passenger from:

1. Standing in the bus; or
2. Sitting on the floor of the bus or in any location that is not designed as a seat.

Transp. Code 545.426

Any staff member found in violation of this policy or in violation of the traffic laws of the State of Texas or other jurisdiction where the bus or mode of transportation is being driven shall be subject to discipline or termination, depending on the severity of the violation.

DISRUPTION OF
TRANSPORTATION

Any person who intentionally disrupts, prevents, or interferes with the lawful transportation of students to and from school activities sponsored by a school on a vehicle owned and/or operated by the School shall be guilty of a misdemeanor.

Education Code 37.126

TRANSPORTATION
COMPANY OR SYSTEM

The Superintendent or designee may contract for all or any part of its public school transportation with a mass transit authority or commercial transportation company, provided that the authority or commercial transportation company:

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1. Requires all drivers assigned to transport one or more of TSD's students to have the qualifications required by and to be certified in accordance with standards established by the Department of Public Safety; and
2. Transports students only in school buses or mass transit authority buses in transporting 15 or more students that meet or exceed safety standards for school buses established under Education Code 34.002.

TSD does not currently transport students using a mass transit authority contract. If TSD chooses to do this the School must ensure that:

- a. A program to inform the public that public school students will be riding on the authority's or company's buses;
- b. A program to educate drivers of the buses to be used under the contract of the special needs and problems of students riding on the buses; and
- c. A program to educate ~~public school~~ students on bus riding safety and any special considerations arising from the use of the authority's or company's buses.

The School may supplement the state transportation cost allotment with general revenue necessary to provide complete transportation services.

Education Code 34.008

**CRIMINAL HISTORY
RECORD**

If the School contracts with a person for transportation services, the School shall obtain criminal history record information from any law enforcement or criminal justice agency relating to a person intending to be employed as a bus driver. A person who contracts with the School to provide transportation services shall submit to the School the name and other identification data required to obtain the criminal history record information of such persons. If the School obtains information that such a person has been convicted of a felony or a misdemeanor involving moral turpitude, the School shall inform the chief personnel officer of the person with whom the School has contracted, and the person may not employ that person to drive a bus on which students are transported without the permission of the Board.

Education Code 22.084 (a) (b)

Criminal history record information obtained by the School shall not be released or disclosed to any person, other than the individual who is the subject of the information, the Texas Education Agency, or the chief personnel officer of a public or commercial transportation company with which the School contracts to provide transportation services to students.

Gov't Code 411.097

**COMMERCIAL
TRANSPORTATION
COMPANY**

If the School contracts with a commercial transportation company for transportation services, the company may obtain all criminal history record information that relates to a person employed by the company as a bus driver, bus monitor, or bus aide, or a person the company intends to employ in one of these positions. If the company obtains criminal history record information indicating that a person it employs or intends to employ has been convicted of a

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felony or a misdemeanor involving moral turpitude, the company may not, without the permission of the School, employ that person to drive or to serve as a bus monitor or bus aide on a bus on which students are transported. If the commercial transportation company obtains the criminal history record information, the School is not required to do the same.

Education Code 22.084 (c) (d)

PROCEDURES

The Superintendent shall develop procedures to implement this transportation policy.

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