

## Student Transportation – Frequently Asked Questions

*The following responses have been compiled from inquiries made to the Tennessee Department of Education Student Transportation Team from parents, school bus drivers, school & district administrators, and student transportation leaders. While these are considered best practices for the specific instance in question, one should always ensure their response to an inquiry is aligned with local school board policy, state/federal law and is in consultation with the local school board attorney.*

***Q1. How should a district or charter transportation operation handle the allowance of balloons and/or flowers on the school bus?***

This decision should be made in accordance with district policy surrounding items allowed on the school bus. It is recommended that flowers, especially those in glass containers, not be allowed on the school bus due to the potential for allergies, water spillage, and glass breakage. Additionally, balloons of any type should not be allowed on the school bus as they can obstruct a driver's sight line, create a distraction, and may become a snag/trip hazard.

***Q2. Can a student with an Individualized Education Program (IEP) be suspended from the school bus?***

If a student has transportation services incorporated in the IEP, the student may be suspended from the school bus for up to 10 days per school year under the IDEA. During this time of suspension, a plan should be discussed between all relative parties to ensure the ability of service continuation.

If a student has an IEP which does NOT include transportation as a provided service, the student may be suspended from the school bus in accordance with school policies surrounding school bus discipline procedures.

***Q3. Is a registered service animal allowed on a school bus?***

If a service animal is included in a student's IEP or 504 Plan, it may be transported on a school bus. However, the school/district may consider contacting parents of other students assigned to the bus to ensure allergies and other potential concerns do not arise. It is ideal for students with service animals to be transported on special education buses, not only for the student, but for the care and safety of the animal and the ability to service the child appropriately.

*Q4. We have a shortage of bus drivers, what should I consider when making decisions on route coverage, etc.?*

While every effort should be made to ensure that routes are covered for students to attend school, there may be extenuating circumstances that must be considered. If a route must be canceled due to a lack of drivers, priority must always be to those who are guaranteed transportation via an IEP or 504 Plan. If routes must be cut, it should be taken into consideration the impact it will have on the students. Ideally, routes would be double/tripled to ensure all students arrive to and from school.

*Q5. Are students who utilize wheelchairs required to have a headrest on their chair?*

At this time, there is no mandate for a wheelchair to be equipped with any type of headrest, unless it is specified in the student's IEP. This decision should be made by the IEP Team in terms of what best meets the needs of the student in terms of a headrest.

*Q6. Where should indicators be placed on buses that transport oxygen tanks?*

The best practice would be for the stickers/indicators to be placed on the front passenger side window near the service door and the driver's rear back window nearest the emergency exit handle. These markers should never be placed within the confines of glass on any door to ensure the driver's view is not obstructed.

*Q7. How often do I make an accident report?*

TDOE provides a monthly email link for districts and charters to report the accidents of the month prior. This link is sent out on the first business day of each month. Additionally, transportation officials should notify TDOE and/or THP of any serious accident within 24 hours, or as soon as practical.

*Q8. Our transportation director has changed, who do I notify and how?*

When your district/charter transportation director changes, it is imperative that all state transportation agencies are notified promptly. The [link provided HERE](#) will provide official notification to TDOE, THP/TDOS, and TAPT. Once this information is received, access to databases such as PAAMS and INIFINIT-I will be granted. Until this official notification is received, state agencies will not recognize the change in leadership.

*Q9. I am a new transportation supervisor (hired in the current school year), what type(s) of training am I required to complete?*

Newly hired transportation supervisors are required to complete a "student transportation management training program" that is provided jointly by TDOE & TDOS as well as participation by TAPT. This training has historically been offered in September and February each year. Newly hired directors must complete this program prior to any other trainings being utilized for compliance.

***Q10. Does TDOE offer guidance on parameters for closing school due to inclement weather?***

The TN Department of Education does not offer specific guidance on when a district/charter should close school due to inclement weather. The Director of Schools, along with transportation and other designated staff should confer with local emergency management on the predicted or active weather situation and take into consideration the geography/topography of their specific regions as well as their fleet makeup, timing of route completion, and driver skillset.

***Q11. How does the amendment to law through Public Chapter 836 affect school districts?***

This law amendment now allows individuals with a Class D driver's license to operate a school bus that has a capacity of 15 or less individuals, including the driver. Prior to this change, anyone operating a school bus, regardless of capacity, was required to obtain and maintain the following items which include, but are not limited to:

- Class B CDL with:
  - Federally mandated School Bus Specific Training (safety, student management, operation, emergency response, etc.)
  - School Bus "S" endorsement (which requires annual training for retention)
  - Passenger "P" endorsement
- Annual DOT Physical & Mental Evaluation
- Annual Review of Motor Vehicle Report (MVR)
- Subject to random drug testing in accordance with Federal Motor Carrier Safety Administration (FMCSA) guidelines

Tennessee State Board of Education Rule [0520-01-05.02\(1\)\(a\)](#) currently prohibits the use of 15 passenger vans (10-14 passengers + 1 driver) for any and/or all student transport. It should also be noted that the capacity of these buses, under the above-mentioned allowance, must be rated at 15 or less passengers (driver included) from the manufacturer's rated capacity. Meaning, a bus manufactured and rated to seat 25 persons that then has seats removed to lower the physical seating capacity to under 16 (driver included) to "meet this law" is still a 25-passenger bus and would require a CDL with all initial and continued trainings and oversight.

***Q12. Are there specific requirements on what a notice should include for individuals who unlawfully enter a school bus?***

[Tenn. Code Ann. § 49-6-2008](#) provides specific information concerning what the notice should include. This notice must be conspicuously placed on each school bus in operation by the LEA, should notify others that no person shall enter onto school buses except for those authorized and include appropriate contact information in case of an issue on the school bus.

***Q13. Can an LEA extend immunity to governmental tort liability to an independent school bus contractor/owner/entity?***

No. [Tenn. Code Ann. § 29-20-107](#) prohibits a governmental entity or local board of education from extending the immunity to governmental tort liability to independent school bus owners, operators, or other individuals or entities performing school-related transportation services. It also specifies that contracts or agreements between a local board of education and independent school bus owners and operators must require sufficient limits for tort liability exposures.