600 Purpose and Philosophy

The Madison County Board of Mental Retardation and Developmental Disabilities herein known as the Board shall ensure in accordance with section 5126.04 of the Revised Code that an array of transportation services is available for all individuals enrolled in the Board’s programs. The Board will comply with all requirements of Ohio Administrative Code (OAC) 5123:2-1-03. The Board will insure that transportation services are provided in a safe and efficient manner and in the most normalized mode possible for each individual.

The Board may provide transportation services through collaborative arrangements with other entities. The Board recognizes the importance of mutually cooperating with other local entities that provide transportation to persons who are elderly or who have disabilities and other types of transportation service providers.

To ensure a safe and efficient transportation system, bus and van drivers shall be responsible for compliance with all regulations contained in the Madison County Board of MR/DD Policy Manual. Bus drivers shall also comply with the Ohio Pupil Transportation Operation and Safety Rules, and the Rules of the Ohio Department of Education and MR/DD and are hereby incorporated in this policy by reference as if fully restated herein. In addition, the Board shall adhere to any restrictions placed upon the Board by a vehicle insurance carrier.

The provisions of this policy and OAC 5123:2-1-03 shall apply to:

1. The Board in its capacity as a provider of specialized transportation and as otherwise specified in the above rule.
2. Providers of specialized transportation under contract with the Board in accordance with section 5126.035 of the Ohio Revised Code (ORC). Providers of specialized transportation services under contract with the Board in accordance with ORC 5126.035 shall provide services in accordance with their contracts with the Board. The contract shall specify the terms and conditions for the delivery of training, services, and supports to individuals served and shall be in compliance with all applicable laws. It is the responsibility of the Board to ensure that the contract meets such requirements, and that contracting entities are trained in and have access to applicable rules in the OAC and to applicable policies of the Board.

# 601 Definitions

1. “County Board” means a county board of mental retardation and developmental disabilities established under Chapter 5126. of the Revised Code.
2. “Department” means the Ohio department of mental retardation and developmental disabilities as established by section 121.02 of the Revised Code.
3. “Individual” means a person with mental retardation and/or developmental disabilities.
4. “IEP” means individualized education program as defined in rule 3301-51-01 of the Administrative Code.
5. “ISP” means the individual service plan, a written description of the services, supports, and activities to be provided to an individual.
6. “Medicaid” means the program that is authorized by Chapter 5111. of the Revised Code and provided by the department of job and family services under Chapter 5111. of the Revised Code, Title XIX of the “Social Security Act”, 79 Stat. 286 (1965), 42 U.S.C.A. 1396, as amended, and the waivers of Title XIX requirements granted to the department by the health care financing administration of the United States department of health and human services.
7. “Non-specialized transportation” means a transportation service available to the general public including, but not limited to, transportation available to the general public from local transit systems and public transportation systems. The following is non-specialized transportation:
	1. Transportation provided by a public transit agency organized under Chapter 306 of the Revised Code; and
	2. Transportation provided by a participating agency under the Ohio department of transportation coordination project.
8. “Specialized transportation” means any transportation service designed and operated to serve primarily individuals, including a transportation service provided by an entity licensed or certified by the department.

# 602 ISP and IEP

The Board shall provide transportation services in accordance with an individual’s ISP or IEP, as applicable, and shall incorporate within the ISP or IEP any specific transportation supports; i.e., travel training and safety issues. To meet an individual’s transportation needs, the Board may provide specialized transportation or assist the individual in accessing non-specialized transportation.

The Board may develop policies or procedures on the collection of individual payments for transportation services to the extent permitted by law.

During the development of the IEP / ISP for each individual, the following shall be considered:

The eligible individual shall have access to needed service / appropriate programs.

The steps necessary to ensure safety of the individual are addressed.

The least restrictive, most normalized mode of transportation is considered.

Transportation assistance needs – special needs of the individual to be addressed include but not limited to:

Specialized equipment

Lifts

Seatbelts

Car seats

Safety harnesses / restraints – must have quick release mechanism (restraints shall be approved by the Behavior Management Committee / Human Rights Committee for each individual who is deemed to need one.)

Securement devices--all wheel chairs must be secured (Refer to 3301-87-06©)

Other adaptive devices

Staff assistance

Behavior management specialist

Bus aide / assistant

OT / PT

Residential staff or others

Mobility / travel training be provided for individuals using alternate modes of transportation.

# 603 Qualifications of Drivers

The Board will provide insurance coverage for all drivers of county vehicles. The following qualifications apply to all bus, van, and vehicle drivers including those meeting commercial drivers license (CDL) or the Ohio Department of Education (ODE) licensure requirements and are as follows and evidence of such will be filed in each driver’s personnel file.

1. Being of legal age (ORC Sec. 3327.10)
2. Minimum of 2 years driving experience and possess a valid Ohio Driver’s License
3. Being physically qualified by passing an annual physical examination.- (Administrative Code 3301-83-07)
4. An annual driver record check with no more than 8 points and/or no 6 point convictions within the last twenty-four months (AC 3301-83-06) (Abstract from the Ohio Department of Highway Safety, Bureau of Motor Vehicles)
5. Current and valid American Red Cross first aid and CPR certificate.
6. Attend at least one annual workshop, which will include a review of the operator’s manual and a practical overview of the characteristics and needs of the individual’s being transported.
7. Physical capability of appropriately lifting and managing pupils with special needs, pre school children and/or adults with special needs when necessary.
8. A satisfactory report from the state bureau of criminal identification and investigation shall be required prior to the hiring of a person as a driver. ***Reference also C.B. Chapter 5 section 503.4 and Addendum.***
9. Ability to cope with stressful situations.
10. A negative pre-employment drug and alcohol test.

In addition to the above the following requirements must be met for bus drivers meeting the commercial drivers license (CDL) or the Ohio Department of Education (ODE) licensure requirements.

* + Having a current Ohio Commercial Driver’s License with a School Bus Endorsement and current certification through the Ohio Department of Education.
	+ Successfully complete pre-service and in-service bus driver training provided by and approved by the Ohio Department of Transportation within three (3) months of initial hire.
	+ A new satisfactory report from the state bureau of criminal identification and investigation shall be required to be completed with driver certification (rule 3301-83-10 of OAC)

# 604 Driver Training

A. Pre-Service Training: Prior to their assignment to a vehicle with passengers on board, all drivers, assistants and substitutes will receive the following training:

1. General characteristics and needs of individuals;
2. Review and distribution of appropriate transportation procedure manual(s);
3. Familiarization with vehicle operation;
4. Familiarization with the proper use, operation and safety inspection adaptive equipment and securement systems, i.e. wheelchairs, vests and car seats;
5. Familiarization with the safe operation of wheelchair lift systems and the safe loading and unloading of individuals.
6. Cell phones may not be used by the driver of any county owned or contract entity owned vehicle unless it is an emergency.

B. Ongoing Training will be provided to all drivers, assistants and substitutes on an annual basis. A minimum of 4 hours of training per year will be given to drivers in accordance with applicable rules.

C. The Board will develop and provide to all drivers, assistants and substitutes, a written transportation manual. The manual will detail general supervision and operation of specialized transportation. The transportation manual will include but not be limited to the following:

1. Transportation during inclement weather;
2. Emergency situations and evacuation drills;

# 605 Information Relating to Passengers

Vehicle drivers, assistants, and substitutes shall have access to appropriate information about individuals to the degree that such information might affect safe transportation and medical well-being while being transported. This information shall be available in the vehicle, or readily accessible in the transportation provider office. If the information is not carried on the vehicle, drivers, assistants, and substitutes shall be instructed on how to access the information in the event of an emergency. This information shall be maintained in a confidential manner and, at a minimum, include the following:

1. Identify all authorized passengers, which in addition to the individuals being transported may include family members, caregivers, and volunteers.
2. ISP interventions, including behavior support plans that apply to the individual with mental retardation or other disabilities being transported. This information shall include specifics concerning how relevant restraints should properly be used during transportation as well as non-violent crisis intervention strategies identified in the ISP/behavior support plan.

Reference County Board Policy Chapter 19 HIPAA.

**606 Revocation of Bus Driving Certificate**

## or Van Driving Privileges

In addition to reasons set forth in Section 3319.081 of the Ohio Revised Code (just cause), the Board may revoke the bus driving certificate and/or terminate the employment of a bus or van driving employee for the following:

1. Failure to file a notice of conviction of a traffic violation and/or a notice of driver’s license suspension or revocation;
2. Reckless operation of a motor vehicle during the course of employment or while operating a private vehicle;
3. Driving while under the influence of drugs and/or alcohol during the course of employment or while operating a private vehicle;
4. Conviction of drag racing during the course of employment or while operating a private vehicle;
5. Possessing a driving record such that the carrier providing insurance to the Board refuses to insure the Board or charges a premium rate for the insurance because of the driving record of said employee;
6. Involvement in an accident where the employee is at fault while operating a school or Board vehicle;
7. Violations of rules and regulations of the Board;
8. Violation of the regulations set forth in the Ohio Pre-Service School Bus Driver Trainer Manual. (Bus Driver Only).
9. Medically unable to perform bus driving duties. When an employee has had his/her certificate or license revoked for medical reasons and requests to return to work, the Board may require the employee to submit to an independent medical examination at the Board’s expense to determine whether the employee is medically able to perform his/her duties.
10. The Board may suspend or terminate any bus or van driving employee who has charged against him a total of (8) eight points or more within a period of two years from the date of his first conviction. The point accumulation includes all points accumulated on the employee’s driving record during the course of employment or while operating a private vehicle.

607 Provisions for Specialized Transportation Provided by

County Board or Through Contract Entities

Specialized transportation will be provided in compliance with applicable law including, but not limited to, the requirements of OAC 5123:2-1-03 and rule 3301-51-10 and rules 3301-83-03 to 3301-83-22 (“Ohio Pupil Transportation Operation and Safety Rules”) of the Administrative Code.

1. Specialized transportation may be billed for reimbursement through the community alternative funding system only when it meets the requirements specified in rule 5123:2-15-40 of the Administrative Code.

Reference County Board Policy Chapter 15 CAFS Policy.

1. Specialized transportation shall be provided in compliance with the minimum safety requirements specified in paragraph E of OAC 5123:2-1-03. A specialized transportation provider shall complete the following vehicle inspections as further detailed in the County Board Transportation Manual:
	1. Annual vehicle safety inspection;
	2. Daily pre-trip safety inspection (records to be maintained for no less than 12 months);
	3. Daily post-trip inspection for remaining passengers and belongings;
	4. Systematic preventative maintenance program inspections.
2. A transportation provider will maintain required records and reports in accordance with applicable law.
3. The Board requires that all staff owned personal vehicles used to transport enrollees be in good safe operating condition and that staff maintain personal auto insurance coverage.

\*Reference OAC 5123:2-1-03(D)(6) for specific criteria that do not apply to providers when they are providing transportation services funded under Medicaid.

## 608 Bus and Vehicle Safety Instruction

The Board will ensure the development and the provision of appropriate annual safety instruction to all individuals who use specialized transportation and/or annually communicate safety information to appropriate family members, as applicable and caregiversof all enrollees. The bus/vehicle safety instruction program will include, but not be limited to:

 1. Safe walking practices to and from the bus/vehicle.

 2. How and where to wait safely for the bus/vehicle.

 3. Wearing of light colored or reflective clothing when going to and from the bus/vehicle stop in darkness.

 4. What to do if the bus/vehicle is late or does not arrive.

 5. How to safely approach, enter and leave the bus/vehicle.

 6. Safe riding practices.

 7. Procedures to follow in emergencies, including evacuation of the bus/vehicle.

 8. Proper respect for the rights and privileges of others.

## 609 Non-Routine Use of the School Bus

From the ORC (Section 3301-83-16):

“Non-routine use of school buses” is defined as transportation of passengers for purposes other than regularly scheduled routes to and from school or workshop. School buses may be used for non-routine trips only when such trips will not interfere with routine transportation services.

 1. Approved non-routine use of buses

 a. Trips that are an extension of the instructional/training program as determined by the administration.

 b. Trips for the transportation of enrollees directly par-

 ticipating in school/workshop sponsored events. A “school sponsored event” is defined as any activity in which pupils are participating and are under the direct supervision and control of a certified staff member or any advisor as designated by the superintendent.

 c. Transporting enrollees taking part in board approved

 recreation programs.

 d. Trips for transportation of the aged when contracted

 with a municipal corporation or a public or nonprofit private agency or organization delivering services to the aged (section 3327.14 ORC).

 e. Transporting enrollees/chaperones taking part in board approved events within the local community which are board or local community sponsored.

 f. Emergency evacuation and/or emergency evacuation drills when such emergencies are declared by state or local directors of emergency disaster services.

 g. A civil emergency as declared by the governor.

 h. Transporting Board employees engaged in board-approved employee improvement programs.

 I. Transportation coordination to participate with local human services providers in transporting welfare reform participants and those participating in temporary assistance programs.

 2. Costs

 The Board shall recover an amount not to exceed the actual operational costs associated with non-routine use of school

 buses, with the exception of field trips that are an extension of the instructional/training program. These costs include:

 a. Driver salary and benefits;

 b. Fuel;

 c. Maintenance;

 d. Service;

 e. Supervision;

 f. Insurance;

3. Trip Permits

The Superintendent or designee shall approve/issue a trip permit which shall accompany the driver on any non- routine trip. The permit shall provide the following information:

 a. Date of trip;

 b. Destination;

 c. Purpose of trip;

 d. Name of County Board;

 e. Driver’s Name

 f. Bus registration number;

 g. Total Miles of Trip;

 h. Designated meal stops;

 I. Driver must have a route map for destination or directions;

 j. Superintendent or designee signature;

 k. Attached list of passengers and emergency medical forms;

4. Chaperones

 One or more adult chaperones, as approved by the Superintendent or designee, shall accompany each bus required for any non-routine trip involving school age passengers. The chaperone’s responsibility shall be to assist the bus driver in maintaining passenger control and in enforcing procedures for the safety of all passengers. A certificated person licensed as a school bus driver may serve as a chaperone and driver concurrently.

5. Out-Of-State-Trips

 Any out-of-state travel shall remain within two hundred forty miles round trip distance from point of exit from the state to the point of entry to the state. (Section 3327.15 of the Ohio Revised Code).

6. It is not permissible to use buses for any personal reasons. Drivers cannot stop at the store or at any other location unless the stop is official business.

7. Drivers for field trips will be assigned on a rotating basis of the regularly employed drivers.

8. Transportation Coordination.

 a. Each school bus owner may participate in the written county transportation plan that establishes policies regarding the transportation needs of Ohio Works First participants seeking or striving to retain employment. A copy of the plan shall be maintained on file

 b. Based upon the availability of local and/or state resources, school bus owners may enter into contractual agreements with local social service agencies to provide school bus transportation to Ohio Works First participants, when there are no other alternative methods of transportation as identified in the county transportation plan.

c. The social service agency(ies) shall pay for the fully allocated costs associated with the use of the school bus(es).

9. Non-Routine Use Of School Buses

 a. The agency(ies) shall agree to hold harmless the school bus owner from all liability arising from such use.

 b. The school bus owner and/or agency(ies) must obtain liability in an amount equal to or greater than the maximum tort damage permitted by law.

 c. The proposed use is consistent with owner policies regarding the use of school buses.

 d. Mileage under such contract/agreement is not reimbursable by the Department of Education.

10. School bus owners may enter into agreement with any recognized organization serving the elderly under the Older Americans Act to provide for the use of school buses, under certain conditions:

 a. The organization must pay for the fully allocated costs

 associated with the use of the bus(es)

 b. The organization must agree to hold harmless the school bus

 owner from all liability arising from such use

 c. The school bus owner and/or organization must obtain liability in an amount equal to or greater than the maximum tort damage permitted by law

 d. The proposed use is consistent with owner policies regarding the use of school buses

 e. Mileage under such contract/agreement is not reimbursable by the Department of Education

11. The first priority for the use of school buses must be for the purposes outlined in chapter 3301-83 inclusive of the Administrative Code

12. Transportation coordination shall not be conducted during those times the school bus is in regular use and school children, or persons attending programs offered by community boards of mental health and county boards of mental retardation and developmental disabilities, are being transported

13. It will be the responsibility of the school bus owner to ensure compliance to all laws and regulations applicable to such additional use of the school bus.

## 610 Bus/Vehicle Routes

1. The Superintendent or designee shall prepare routes and

disseminate the information to bus drivers, enrollees or parents

guardians and other appropriate program personnel including

residential facilities at least five (5) days prior to the start of the

program year. Routes will be established to insure that no individual enrolled in the County Board Program will travel in a vehicle on a regularly scheduled route for more than ninety minutes one way on any day. The Board will ensure the following:

1. Turnarounds, in any vehicle, may not be scheduled at intersections where the vehicle must cross a lane of traffic to back.
2. The driver who leaves the seat of a vehicle for enrollee management may not leave the immediate vicinity of the vehicle.

2. All drivers are responsible for maintaining current, updated route sheets (including names, addresses, phone numbers, pick-up and drop-off times, and route directions and other appropriate information) on their vehicle and in the administrative office at all times. Whenever changes or additions are made, driver must update their copy and must provide the office with an updated route sheet within two days. Whenever drivers are assigned a new enrollee, that person or family/guardian must be notified of the pick-up or drop-off time changes due to additional pick-ups or drop-offs, the enrollees or parents/guardians must be notified. The Transportation Coordinator shall be responsible for ensuring the notifications.

3. If the driver arrives at a pick-up point ahead of schedule, the driver shall wait until the normal pick-up time for the passenger if necessary.

4. If the driver arrives at the pick-up on schedule a maximum of 3 minutes waiting time will be observed for passenger to exit residence.

5. No vehicle shall be scheduled for more passengers than the approved seating capacity of each vehicle. Seating capacity shall be adjusted if seats removed for wheelchair transport.

6. When passengers are loading or unloading, the driver is to remain in the vehicle at all times. Van drivers are to remain on the van at all times except with approval of Transportation Coordinator or Administrative Office.

7. Operation of lifts is the responsibility of family members or residential service providers at the individual residences and MCBMR/DD direct service staff at program facilities.

8. The driver is responsible for maintaining passenger safety, including securing wheelchairs, observing seating capacity requirements, appropriate use of car seats, restraints and quick release mechanisms.

611 Idle Time on Diesel Buses

The Madison County Board of MR/DD is environmentally conscience and will adhere to all related laws pertaining to vehicle emissions etc. The following maximum time lines will be observed for diesel engines at idle.

Cold weather (below 45 degrees F)----1000-1200 RPM for no more than 10 minutes.

Warm weather (above 45 degrees F)----1000-1200 RPM for no more than 5 minutes.

Madison County Board of MR/DD

Policy Manual

Chapter 6

Transportation

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Policy Manual

Chapter 6

Transportation

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