



# STS EXPRESS

December 2010

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## December STS General Meeting

STS Members could easily justify the time they spent out of the office to attend the STS General Meeting after they heard three information packed presentations.

The meeting was held on Friday, December 3<sup>rd</sup> in Columbus, New Jersey at the Olde York Country Club. The Club was beautifully decorated for the Christmas holidays.

The first speaker was Ms. Dot Shelmet, NJDOE Acting Director of Student Transportation and Shared Services, who spoke about the DRTRS and three current pieces of legislation affecting school transportation.

- **DRTRS** collection went pretty smoothly this year. The number of duplicate students has decreased with the use of student identification numbers.

Ms. Shelmet suggested making any required corrections to your DRTRS report as soon as possible in order to be ready to retransmit the corrected report when the DRTRS portal was reopened. **NOTE:** On December 13<sup>th</sup>, the County Offices were asked to notify their districts that the portal would be open on December 14<sup>th</sup> and 15<sup>th</sup>.

- **Advertising on School Buses:** The Bill permitting advertising on school buses was veto proof when it was sent to the Governor's office for his signature on November 15<sup>th</sup>, due to near unanimous approval in both houses.

Advertising will be allowed on the exterior of buses owned or leased by school districts. The Motor Vehicle Commission is urging the use of decal type advertisements. Ads mounted in frames or requiring screws would require reinspection of the buses. The State Board of Education will determine the acceptable size of the ads; the rates and type of advertising will be determined by the individual districts if they choose to participate. Political advertisements and advertisements for tobacco and alcohol will not be allowed.

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- **Resource Family Homes:** P.L. 2010c.69 provides that children placed in foster care can remain in the school they were attending at the time of their placement, unless the Department of Children and Families determines that the placement is not in the child's best interest. This law shifts the responsibility for transportation costs from the district of placement to the district of residence of the parent or guardian with whom the child was living prior to being placed in foster care. *For further discussion on this law, see Ms. Shemlet's article on page 4.*

**Choice School Law:** P.L. 2010, c.65 allows students to attend a public school outside their district of residence at no cost to their parents. The student's resident district will be responsible for transporting the student. Districts did not receive advance notice of this possible transportation cost. In the pilot study, the choice school was responsible for transporting the student. Allowable transportation expenses are the same as for nonpublic students: \$884.00. If a choice school is trying to charge your district more than \$884, contact Ms. Shelmut. *For further discussion on this law, see Ms. Shemlet's article on page 4.*

**STS EXPRESS is the Newsletter of School  
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Jerry Ford sharing a light moment with Dot Shelmet who was sitting at a nearby table.

**Narrowbanding**

Mr. Gerry Oram followed Ms. Shelmet with a power point presentation on the FCC Narrowbanding mandate.

- By January 1, 2013 all licensees must convert to and operate in at least 12.5 kHz efficiency.
- By that date, you must ensure that the 25kHz mode is disabled via software on your dual mode 24/12.5 kHz radios.
- You must replace all radios only capable of operating at 25 kHz efficiency.

Manufacturers can no longer certify equipment capable of operating at 25kHz efficiency after January 1, 2011. However you will be able to purchase additional or replacement radios operating at 25kHz until January 1, 2013.

Mr. Oram's power point presentation will be available on the main homepage of the STS website, under "News and Announcements."



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From H.A. DeHart & Son: Ken Edwards, Bill Oros,  
Paul Csuha, Bill Pushkar and Mike David (standing),  
From Lakeview School, Cindy Fried

### “A Legal Look”

The third presentation was entitled “A Legal Look.” Mr. Oram and Mr. Jerry Ford each presented a legal case taken from the book “Defensible Decisions About Transporting Students with Special Needs: Lessons Learned from Legal Disputes,” by Peggy A. Burns, Esq. and Lisa J. Hudson.

In the first case, on a day when the school district failed to provide a substitute attendant, a male student with a known deviant sexual history sexually assaulted a student with developmental and cognitive disabilities. The Court ruled in favor of the family. The possibility of harm was foreseeable because (1) the district had knowledge of the special needs of the victim; and (2) there was a protective plan in place for the sexually aggressive child.

The second case involved a sixteen year old student with severe cognitive, physical, and speech language impairments. The parent complained of three incidents that posed unsafe situations. A new driver was assigned, but the parent refused the service and kept the child home the rest of the school year. The parent filed due process claiming the district’s choice of contractor and the incidents cited amounted to failure to provide FAPE and asking for home instruction. The Court ruled that the district and the contractor had responded appropriately to the incidents; that the parent did not have sound reasons to keep the child at home, nor was the child kept home due to medical reasons; therefore the district did not have to provide home instruction.

### Committee Reports

- Mandy Ferrington has taken over as Chair of the Safety Poster Contest
- The Roadeo will be held on April 30<sup>th</sup> at Great Adventure. Volunteers are welcome. This year the Committee will be celebrating the Roadeo’s 40<sup>th</sup> Anniversary and they are looking for a 40 year old school bus to display at the competition. The Vendor Book will be replaced with a long sleeve T-shirt printed with the names of the sponsoring vendors.
- All eight Certification Courses and exams have been written and passed on to Rutgers personnel for formatting. The location of the courses will depend on the number of students who register. The cost of the courses will be determined by Rutgers. Fifteen people interested in being instructors attended teacher training classes required by Rutgers.
- Membership reported there are 258 members of STS.



Diane Davidson, Sonia Figueroa, Stan Wojcik, Mike Kelly,  
Gisela Aultmon at the STS General Meeting  
Missing from the picture, Lori Van Der Staad

## Northern Directors Host Workshop on Driver and Contractor Handbooks

The Directors of the North Region hosted another successful workshop for members on November 18<sup>th</sup> at the Morris County Vocation-Technical School in Denville. The topic was Driver and Contractor Handbooks and the discussion included the importance of having handbooks and keeping them updated, what should be included in a Handbook, and how to use Handbooks when doing driver evaluations. Members shared ideas from their own Handbooks, which was especially useful. Attendees considered the workshop very informative.

The next Northern Region meeting is scheduled for Friday, February 25<sup>th</sup>. There will be a panel of experts to answer attendees' questions.

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**The following is an article by Ms. Dot Shelmet, Acting Director, NJDOT Office of Student Transportation, explaining the new legislation on School Choice and transporting students in foster care.**

### School Choice

P.L.2010, c.65 (A-355), the School Choice Law, changes the responsibility for the provision of transportation to and from approved choice schools. Previously, the choice school district was responsible for providing and paying for transportation, was entitled to state transportation aid for that transportation, and listed all of the students attending their school who received transportation on their District Report of Transported Resident Students (DRTRS.)

The new law changes that responsibility. Now the student's district of residence is responsible for arranging and paying for transportation to and from school, and will be the recipient of state transportation aid for that student. Consequently, the district of residence will list the students living in their district and attending an approved choice school on their own DRTRS. The choice school district will no longer list any out-of-district students on their DRTRS. Choice school districts have already made arrangements for transportation of their out-of-district students for the

2010- 2011 school year and resident school districts have not budgeted for this transportation. Since this law took effect immediately, choice school districts will be billing students' resident school districts for transportation services provided after enactment of the law. A memo listing recommendations for the treatment of this unique situation in district budgets was distributed to chief school administrators and district business administrators on September 29<sup>th</sup>.

### Transportation of Children Placed in Foster Homes

P.L. 2010, c.69 (A2137) redefines residency for children placed in foster homes. Under the new law any child placed in a foster home remains a resident of the school district in which their parent or legal guardian lives. The Department of Children and Families is responsible for the provision of transportation for the first five school days after a determination is made regarding the child's educational placement. After that time the child's resident school district becomes responsible for arranging and paying for the child's transportation to and from school, if the child is eligible for mandated transportation services. A more detailed explanation of this law in the form of a memorandum from the Commissioners of the Departments of Children and Families and Education will be provided shortly. **This law applies to any children removed from their parent or legal guardian and placed in a foster home, or any child moved from one foster home and placed in a different foster home, after the enactment of the law on September 9, 2010.** Children in existing placements remain the responsibility of the school district in which the foster home is located.

If you have any questions regarding any of these issues, please contact the Office of Student Transportation at 609.984.5757 or by email at [student.trans@doe.state.nj.us](mailto:student.trans@doe.state.nj.us).

## SAVE THE DATE

### North Region Meeting

February 25<sup>th</sup>

### 40<sup>th</sup> School Bus Rodeo and Safety Competition

April 30, 2010

## Winter Driving Tips for Bus Drivers

- Turn on the headlights and body clearance lights when visibility is poor. Be sure that you can see and be seen by others. Clean light lenses as needed for maximum brightness.
- Use defrosters as needed to clear the windshield and windows for good visibility.
- Reduce your speed and be especially alert in congested areas.
- Brake smoothly on wet or icy roads. Avoid skidding if at all possible.
- Exercise extreme caution at intersections and railroad crossings. Never assume that other motorists will or can stop.
- Be consistent in picking up your students. They will more likely be on time if you are.
- Pay a lot of attention to the pre-trip inspections. Knowing your vehicle will result in safer driving and more efficient performance.
- Report defects promptly and in writing, especially components that are essential to the safe performance of the vehicle.
- Take care of the battery in your bus to prevent cold weather problems.
- Remind your student to practice good riding habits.
- Use extreme caution when loading and unloading students due to the possibility of drawstrings from certain types of clothing getting snagged on the handrail in the stairwell area or in the service door.

For additional winter driving tips, see the following article:

<http://stnonline.com/blogs/daily-routes/1524-top-10-rules-for-safe-winter-driving>

## New Penalties for Ice and Snow on Vehicles

Effective October 21, 2010, new penalties will be assessed when the operator of a motor vehicle fails to remove ice and snow from the vehicle before traveling on the roads. Failure to comply with the law will result in fines of between \$25 and \$75. If snow or ice becomes dislodged from a commercial vehicle and strikes another vehicle or pedestrian, causing injury or property damage, the fines can range between \$500 and \$1500.

No motor vehicle points or insurance eligibility points will be assessed.

To see the full text of the law, go to:

<http://www.njleg.state.nj.us/2008/Bills/PL09/138.pdf>



Gerry Oram makes a point during his Power Point presentation on Narrowbanding

New Jersey takes nearly 10,000 of its 23,000 school buses off the road each year, upholding the strictest school bus safety standards in the country, according to comments by Motor Vehicle Commission Chief Administrator Raymond Martinez on the first day of school in Hillsborough.

## Winter School Bus Maintenance for the Winter Months

- Keep all lights, mirrors, gauges, exhaust, suspension, emergency accessories, etc. operational. A driver should not start a route if a bus problem is detected.
- Replace any slick tires in order to maintain good traction, especially for winter driving.
- Install new wiper blades if needed and check washer fluid levels.
- Check the heater and the defroster unit for efficient operation.
- Inspect the engine compartment for cracked water hoses, frayed belts, leaking water pump or radiator, etc. Replace or repair as needed to prevent potential problems.
- Check the weather-stripping around the emergency door to prevent exhaust fumes from entering the bus.
- Replace broken or cracked window glass and check to see that all windows close securely to protect the children from the rain and cold.
- Inspect fuel systems for leaks, cracked lines, loose mounting brackets, etc.
- Check the cooling system regularly. Do not neglect this system.
- Keep a timely record of service, repairs, or inspections done on each bus.

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### From The Week Magazine:

A suburban Chicago school district is inserting GPS devices into every student's backpack so nervous parents can track their whereabouts. The device lets schools know every time a child boards or disembarks from a school bus. "A little peace of mind helps you get through the day," said Ann O'Brian, a mother of four. "They can locate a kid and a bus in seconds."

## Food for Thought

Is your district thinking about advertising on your school buses?

In Belluno, Italy, there was outrage when parents spotted an advertisement for Erotic Dreams on the back of a primary school bus. The bus operator may have empty buses until the offending advertisement is removed. An unnamed mother said, "Our children are old enough to be able to read this advert and come home asking what it is all about. None of our sons or daughters will set foot on the bus until the advert is changed."

## Alcohol and Drug Testing A New Employee

The Code of Federal Regulations (CFR) requires you to ask prospective new bus drivers if they have, within the last two years, tested positive, or refused to test, on any pre-employment drug or alcohol test for safety-sensitive transportation work covered by DOT agency drug and alcohol testing rules.

If the employee admits that he or she had a positive test or a refusal to test, you must not use the employee to perform safety-sensitive functions for you, until and unless the employee documents successful completion of the return-to-duty process prescribed in the CFR.

STS EXPRESS would like to hear from you if you have ideas for articles you would like to contribute or see in the next issue. If you have any pictures of STS functions past or present, send them in and we will share them with everyone!

**HAPPY NEW YEAR**