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county of ventura

Ventura County Grand Jury Grand Jury 800 South Victoria Avenue Ventura, CA 93009 (805) 477-1600 Fax: (805) 658-4523

grandjury.countyofventura.org

Response to 2020-2021 Ventura County Grand Jury Report Form (Please See California Penal Code Section 933.05)

Report Title: School Bus Safety for Special Education Students

Responding Entity: County Superintendent of Schools, Ventura County Office of Education

FINDINGS

- I (we) agree with the Findings numbered: F-01, F-03, F-05, F-06, F-07, F-11, F-12, F-13
- I (we) disagree wholly or partially with the Findings numbered: F-02, F-08, F-9, F-10 (Attach a statement specifying any portions of the Findings that are disputed; include an explanation of the reasons.)

RECOMMENDATIONS

• Recommendations numbered R - 0' (Attach a summary describing	have been implemented. the implemented actions.)
• Recommendations numbered will be implemented in the future. (Attach a summary indicating	have not yet been implemented but the timeframe for implementation.)
(Attach an explanation to incli timeframe for the matter to be	require further analysis. Ide: scope and parameters of the analysis or study and prepared for discussion with the agency or department exceed six months from the date of publication of the
• Recommendations numbered R - they are not warranted or are not reaso (Attach an explanation.)	
Date: 7-19-21	Signed: <u>Césan O Marlly</u> Sitle: <u>VCOE Superintendent of Schools</u>
Number of pages attached: 21	2



ventura county office of education

Dr. César Morales, County Superintendent of Schools

July 19, 2021

The Honorable Bruce A. Young, Presiding Judge, Superior Court of California County of Ventura 800 South Victoria Avenue Ventura, California 93003

Honorable Judge Young:

The Ventura County Office of Education appreciates the time and effort the Grand Jury exerted to examine the safety and wellbeing of special education students while they are being transported on school buses. The Grand Jury's genuine concern is evident from its careful review of pertinent information and data as well as the thoughtful consideration of the recommendations in the report. We certainly share the same passion and concerns for the safety of the students we serve. Some of the Grand Jury's recommendations have already been implemented, some are in the process of being completed, and some are not able to be implemented due to cost or other constraints. Our responses to each of the recommendations are detailed below.

Findings:

- I (we) agree with the Findings numbered: F-01, F-03, F-05, F-06, F-07, F-11, F-12, F-13
- I (we) disagree wholly or partially with the Findings numbered: F-02, F-08, F-9, F-10
 - Attach a statement specifying any portions of the Findings that are disputed; include an explanation of the reasons. – See below
 - Website referenced: https://www.cde.ca.gov/sp/se/lr/trnsprtgdlns.asp

F-02: Disagree wholly or partially: Each student's participation in special education transportation is closely monitored by the school bus driver, the transportation coordinator and the student's team of educators (teacher, paraeducators, administrator). While some students do require additional adult support on the bus, there are many students who are capable of being independent on the bus. Further, our goal is to consistently support students' independence in all settings. In some cases, additional adult support limits students' ability to become less dependent. With student safety as the top priority, each student's needs on our school buses are carefully considered.

F-08: Disagree wholly or partially: Each bus conduct report is provided to the school site administrator, transportation coordinator, behavior specialist, and program specialist. The reports are first reviewed at the school site level by the school administrator. Depending on the report, the administrator may discuss the issue directly with the bus driver, the student's educators (teacher/paraeducator) and/or the transportation coordinator to determine a plan of action. In addition, each bus conduct report is subsequently reviewed by our behavior specialist and program specialist for two purposes:

1) To assist with potential reoccurring behavior issues occurring on the bus.

2) To determine trends or patterns that need to be addressed during the annual bus driver training.

Although this process occurs, it is not outlined in our Transportation Policies and Procedures. We will update our policies and procedures document to reflect this practice.

F-9 and F-10: Disagree wholly or partially: A long-standing process within Ventura County SELPA exists to determine whether a student requires a special circumstances educational support (SCES) also known as a 1:1 adult support / aide. This process is reviewed in this document: https://www.vcselpa.org/Portals/0/Publications/SCES%20Guidelines.pdf?ver=2018-08-07-110012-547 and includes the provision of interim support if needed. Any school administrator can place a bus aide (SCES) on a bus as interim support while additional assessment outlined in the SCES assessment process is completed.

Recommendations:

- Recommendations have been implemented: R-02, R-03
- Recommendations have not yet been implemented but will be implemented in the future.
- Recommendations require further analysis:
- Recommendations will not be implemented because they are not warranted or are not reasonable: R-01

R-01: The Grand Jury recommends that VCOE include transportation personnel in scheduled student IEP meetings when the student needs adaptive or assistive equipment, when school bus equipment is required to be modified or a when a behavior intervention plan is to be implemented for pupils exhibiting severe behavioral difficulties, as recommended by the California Special Education Guidelines. (F-01, F-02, F-03, F-05, F-06, F-07)

Recommendation R-01: The VCOE transportation coordinator regularly attends VCOE Schools leadership team meetings where he shares updates and hears questions from the site administrators related to bus transportation. In addition, he trains the site administrators regarding our transportation policies and procedures and is available to visit sites to answer questions about mobility equipment and/or behavior interventions to be utilized on school buses. Further, the transportation coordinator is available to answer questions if they come up during IEP meetings. Mandating the VCOE transportation coordinator to attend each IEP meeting when a student needs adaptive or assistance equipment, when school bus equipment needs to be modified or when a behavior intervention plan is to be implemented is not reasonable or necessary for student safety.

R-02: The Grand Jury recommends that VCOE adopt a standardized, predictive approach of analyzing data from Bus Conduct Report Forms to identify trends in behaviors that lead to unsafe situations, with the goal of developing specific strategies to minimize those risks. (F-08, F-09)

Recommendation R-02: This is currently being completed as described in the response to F-08 above. We will include this current practice in our revised Transportation Policies and Procedures manual.

R-03: The Grand Jury recommends that VCOE adopt a procedure by which a VCOE administrator can evaluate the need for, and request, a bus attendant. (F-10, F-11)

Recommendation R-03: This is current practice based on the Ventura County SELPA SCES assessment process outlined in F-9 and F-10 above.

R-04: The Grand Jury recommends that VCOE adopt a procedure that relates to strategies for assuring increased supervision and a safe environment on a school bus. Strategies could include assigning bus attendants to buses carrying students of higher risk, for example, autistic, emotionally disturbed, or deaf/blind students. Another strategy could be installing internal cameras or other innovative systems on special education school buses. (F-02, F-11, F-12, F-13)

Recommendation R-04: Student needs for support on the school bus are carefully evaluated. When a student or bus requires additional support, it is provided via the SCES assessment process. When immediate assistance is needed, it is provided via interim support after consultation with the site administrator, the transportation coordinator, and the District of Residence. VCOE behavior specialists also assist with collecting data to identify behavior patterns related to antecedents/consequences for inappropriate bus behavior. Drivers are provided training specific to working with and supporting students with autism, students with emotional and behavior-based disabilities, and students who have visual or hearing impairments. We believe our current processes are effective as evidenced by the reduction in bus conduct reports noted on page 7 of the Grand Jury final report. We will document our processes in our revised VCOE Transportation Policies and & Procedures.

In conclusion, we are confident we are taking the necessary steps to address the concerns raised in the Grand Jury's report. We are committed to the wellbeing of the students entrusted to our care and appreciate this opportunity to evaluate and enhance our safety procedures regarding student transportation. Again, we thank the members of the Grand Jury for their concern and thoughtful consideration of this important issue.

Sincerely,

Dr. César Morales

Ventura County Superintendent of Schools

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CC: Ventura County Grand Jury

VENTURA COUNTY OFFICE of EDUCATION

TRANSPORTATION POLICIES AND PROCEDURES FOR SPECIAL EDUCATION STUDENTS



Special Education Transportation Department
Ventura County Office of Education
5189 Verdugo Way, Camarillo CA 93012
(805)383-1918
Dr.César Morales
Superintendent

"Commitment to Quality Education for All"

VENTURA COUNTY OFFICE OF EDUCATION TRANSPORTATION DEPARTMENT POLICIES AND PROCEDURES Revised: July, 2021

VCOE Transportation Office:

The VCOE Transportation Office coordinates transportation services (as indicated in an I.E.P.) for Special Education students enrolled in the Ventura County Office of Education, Special Education programs and as specified in the "Agreement to Transport Special Education Students". Services are currently being contracted to First Student, Inc. which operates and maintains the vehicles. VCOE is responsible for the scheduling of the students on to bus routes. First Student's phone number is: (805) 225-5542.

Transportation Service

Transportation may be provided by one or two ways or combination thereof:

- 1. School Bus Service All attempts will be made to schedule bus service first.
- 2. Private Automobile Partial reimbursement will be made to a parent/guardian for use of a private vehicle to and from selected centers, schools and courses when no school bus service is available or when (at the determination of VCOE Transportation Department) it would be cost effective to offer reimbursement instead of school bus service. Reimbursement will not be authorized if school bus service is available but the parent/guardian elects to transport themselves. This reimbursement shall be at the rate but not to exceed that allowable by the Internal Revenue Service.

Implementation or Change of Service:

The <u>"Receiving"</u> District is responsible for completing all forms needed by the VCOE Transportation Office to begin, change or stop transportation services. We encourage both the sending and receiving districts complete the initial request for service during the I.E.P. to expedite the process. Parents/Guardians are requested to communicate all changes in service through the Receiving School or district office. Service requests will not be taken over the phone.

For Transportation to Non-Public schools, it is the responsibility of the <u>"Sending"</u> or Resident District to complete all forms and forward to VCOE Transportation Office. Permission may be given to the Non-Public site to receive information from the parent and forward the data to VCOE Transportation.

All additions, deletions, and changes must be submitted on VCOE form #SE1197 titled "Transportation Request Form". Five (5) working days (from when it is received by the Transportation Coordinator) are required for implementation. First Student will notify the parent/guardian when the change will take effect.

Instructions are on the back of the form. Please fill out the form in its entirety. Pay close attention to differentiating between the resident and service addresses. The resident address is the one which determines the district of residence. The service address could be a relative or child care provider. The service address must be within the resident or receiving district. The morning pick-

up location must be the same for all five (5) days. The afternoon drop location, though can be different from the morning, must also be the same for all five days. Please put your name and work phone number in the lower right-hand corner in case there are any questions by the scheduler.

Level of Service

Transportation is provided as a related service via the IEP process for school age students who require transportation to access their educational program and for whom the disability makes it impossible to access the regular district system of transportation. If the district has no regular system of busing, transportation is made available to students whose IEP indicates that it is needed due to the nature of the disability. If students can access the regular district transportation, the IEP shall state that students who are able to use the regular bus stop shall do so. Others may require specific transportation to/from home to school.

Transportation services shall be based on the following:

Ventura County SELPA
Special Education Transportation
Service Guidelines

The student's IEP will reflect that the related service of transportation is necessary. The student's individual needs will be addressed in <u>the least restrictive environment</u> based on the following guidelines: (LOS = Level of Service to be circled on request form)

- LOS #1 Students having significant needs such as but not limited to, medical fragility, severe behavioral disorders or severe cognitive deficits will be assigned a bus stop at the closest safe accessible curbside to their home or service address. However, if the IEP team determines that a student's disability warrants a different level of service, it will be provided.
- LOS #2 Preschool children and students requiring the use of a wheelchair will be assigned to bus stops within two tenths (0.2) of a mile of their homes or service addresses. Students residing within two-tenths (0.2) of a mile of their assigned schools will not be eligible for transportation services. However, if the IEP team determines that a student's disability warrants a different level of service, it will be provided.
- LOS #3

 Elementary school students not requiring the use of a wheelchair will be assigned to bus stops within four-tenths of a mile of their homes or service address. Students attending the resident school or living within one (1) mile of the assigned school will not be provided transportation services. However, transportation will be provided to student's residing within one (1) mile if the student has to cross a multiple lane hazardous road to reach the school. If the IEP team determines that a student's disability warrants a different level of service, it will be provided.
- LOS #4 Middle and high school students not requiring the use of a wheelchair will be assigned to bus stops within one (1) mile of their homes or service address. Middle and high school students attending the resident school or living within two (2) miles of the assigned school will not be provided transportation services. However, if the IEP team determines that a student's disability warrants a different level of service, it will be provided.

Parents/guardians shall provide the necessary supervision and assistance to ensure their child's safe and timely arrival at the designated stop. The need for this supervision, in and of itself, will not determine the location of the bus stop.

Pick-up or release of a student will not be made on private property without prior authorization or at a location determined by the district to be unsafe.

The completed form must be sent to the VCOE Transportation Department. The form(s) can be scanned and emailed or faxed to (805) 383-1915. Please send originals through the mail for backup purposes.

Please complete a "Informed Consent and Liability Release" for each student that is capable of being dropped off without being received by a responsible person. This form must be signed by both the parent/guardian and school administrator.

Please notify the VCOE Transportation Office via request form if there is a change in equipment for the student; for example, change in type of wheelchair, necessity for a safety vest, etc.

Changes cannot be of a temporary nature, e.g.; one time only, once a month or every other week. On an emergency basis or for special circumstances, parent/guardian can request that their student be taken to the home of another student that is currently transported by the County. They must have written permission from the parent and the note must be counter-signed by a school official. There must be room on the bus for this to occur.

The Transportation Request Form must have at least one Emergency Contact/Address listed before service can begin. This address would ideally be within 1 mile of service address. This can be a relative, neighbor or apartment manager, etc.

Start-up Procedure for Fall and Extended Year

A roster will be sent to the receiving school or district office by the VCOE Transportation Office for all students currently being transported via the county program. Please send the parent/guardian a memo asking whether or not their child will be attending the next session and indicate any changes in service. Please line through the names of any students that will not attend for the session indicated and make any appropriate information changes i.e.; phone numbers and emergency addresses. All new or previously dropped students will need a "Transportation Request" form. All therapy arrangements must be renewed for both the extended year and new school year.

Deletions

Please notify the VCOE Transportation Office as-soon-as-possible whenever a student no longer requires transportation. Please use the "Request for Transportation" form and check the "drop" box in the upper left hand corner. Indicate the effective date where appropriate.

If a student will not require transportation for an extended amount of time (5 or more days) please notify First Student or VCOE Transportation. Service can resume upon a given date or if notified the day before the students return. If the student does not ride for 5 consecutive days, service will stop. Parents must call the carrier the day before to resume service. Students will be dropped from transportation if they haven't ridden in thirty (30) calendar days.

Deadlines

It is very important that deadlines for submission of forms for Fall and Extended Year are adhered to. The County Office of Education Transportation Office schedules Special Education transportation for more than 900 students into 80 schools within 17 receiving districts. It is possible that a student's transportation could be delayed if the forms are not submitted in a timely manner. When communicating to parents, please stress the need for advance notification of change if service is to be uninterrupted.

Pick-up and Delivery of Students

Students must be picked-up and delivered to the address or bus stop shown on the route. Students must be ready for pick-up ten (10) minutes prior to the scheduled time. Drivers are not required to sound the horn as it often disturbs the neighbors. Drivers will wait two minutes past the scheduled time and proceed on. It is encouraged that students able to wait outside for the bus, do so. This helps to keep the route on time.

Travel Time

Parents should be prepared for changes in buses, routes and times of pick-up throughout the school year that result from adding or dropping of students in the program. Overall route travel time will vary depending on school and home locations. The County attempts to ensure that each student rides the bus no longer than one hour in each direction between home and school. There are some students, however, who are regularly scheduled to ride more than one hour.

Illness

If a child becomes ill at school, it is the parent's responsibility to pick-up the student from school. No additional bus will be sent prior to normal dismissal time.

Undeliverable Students

For all students, unless authorized, their status is considered to be "must be met" and therefore, must be received by an authorized person. If the parent or designated adult is not present to meet the student, the following happens:

- 1. Driver waits five minutes past the scheduled delivery time.
- 2. Driver notifies dispatch and asks for an alternate address. Dispatch attempts to call home and work phone numbers for parents.
- 3. If alternate address is not available, driver will complete remainder of route. Dispatch will notify school of problem and ask for additional information.
- 4. Driver makes second attempt at home delivery.
- 5. If second attempt is unsuccessful, a note is left on the door with instructions and the student will be returned to school or if necessary, to the local police agency.
- 6. Parent will be sent a letter with warning of repeated instances may require reporting to Child Protective Services.

A completed "Release of Responsibility" Form must be on file with the VCOE Transportation office if a student is capable of being released from the bus without an adult receiving the student. It is important that every student have an emergency address listed with the County Transportation office.

Information for Parents/Guardians

A pamphlet about school bus transportation provided by the Ventura County Office of Education is available in both English and Spanish. A copy of this pamphlet is mailed to the parent/guardians at the beginning of the school year with their student's route information. Parents may contact the school /IEP team to discuss concerns and possible changes to transportation services.

Transportation of Parents

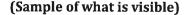
Parents/Guardians are not permitted to ride the bus unless they have permission from the County Transportation Office. This would only be permitted under unusual circumstances.

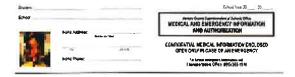
Safety Identification Procedure

In order to better meet any potential safety needs of our students while on the school bus, the Transportation Department initiated a safety identification procedure. We are asking that parents/guardians of students with significant disabilities and/or non-verbal complete the attached emergency form then place a small picture of the child (face only) over the VCOE logo. Please fold the form into thirds so that only the top portion is shown (see below). Then fold in half and put into the clear vinyl pouch (available from VCOE) and secure to student's backpack or wheelchair that comes to school with them on a daily basis with the plastic tie. This would only be opened by emergency response personnel (police, fire, and paramedics) should there be a medical emergency.

There are two reasons for the procedure:

- 1. In the event of a medical emergency while enroute to/from home, paramedics and hospital staff have current information as well as a release to begin treatment.
- 2. So substitute and new drivers have a visual identification of each student.





Minimum Days/Holidays

Please notify the VCOE Transportation Office a minimum of two weeks in advance of any non pupil attendance or "early-out/conference day" schedule. If the dates and times are known for the entire year, please send a copy of the schedule to the County office. Failure to give adequate notice may result in delays for service that day. Please verify the date and time two days in advance.

Student Behavior

The student's behavior must be controlled while on a school bus in such a way to promote safety for both the student and the driver. All disciplinary action will be handled by the school and not the bus driver. Bus Drivers will notify the school of any problem via the "Bus Incident Report" form. Incidents involving injuries or egregious acts will be reported to the school administrator and VCOE

transportation coordinator immediately. The following procedure will be followed by the bus driver and/or bus aide:

- 1. First Incident Verbal warning. A form will be completed if problem is serious.
- 2. Second Form completed. Driver retains last copy and remainder is given to teacher or school office manager. Teacher and/or administrator investigates incident. Form may be sent home to parent for signature. Appropriate action taken by school staff.
- 3. Third same as above
- 4. Fourth if problem persists, student may be denied bus service for a temporary or permanent period of time. This decision would be made by the VCOE Transportation Coordinator (in conjunction with the school administrator) and not the carrier.

The bus incident report will be sent to the VCOE transportation coordinator and school site administrator. Both individuals review the report and decide on next steps, which may include further investigation via observation, trials of interventions, and/or the initiation of an assessment for a bus aide (Special Circumstances Educational Support).

Administrators will take action with the problem(s) noted on the form immediately. Directions as to procedure are noted on the bottom of the form. If for any reason there is a question as to the validity of the report, please contact the carrier, First Student or the VCOE Transportation Coordinator.

Bus incident reports are also reviewed by one of the VCOE behavior specialists as they are turned into the transportation department. The behavior specialist reviews the reports and communicates with the school site administrator to ensure interventions have been successful. The behavior specialist and VCOE program specialist utilizes data from the conduct reports to inform bus driver training each year.

It is the VCOE Transportation Department's policy that the bus ride should be an extension of classroom and any school behavior expectations should be continued through the ride to and from school. Communication between the bus driver and school staff is important. The "Bus Incident Report" Form is used for information and documentation purposes only.

Bus Aides / Special Circumstances Educational Support

Bus aides, also known as special circumstances educational support (SCES), are provided when students require additional adult support for health and/or behavioral reasons. Based on guidance from the Ventura County SELPA, school site personnel follow the guidelines for determining a student's need for adult support on a school bus. This includes a potential interim educational support in case of an urgent safety or health needs of a student riding a school bus. The guidance is located here:

https://www.vcselpa.org/Portals/0/Publications/SCES%20Guidelines.pdf?ver=2018-08-07-110012-547

School Loading Zone

Please have a school staff member in the Bus Loading Zone to meet the buses as they arrive in the morning and afternoon. It may be necessary to have school staff meet the bus early or late to accommodate several schools with similar start and dismiss times.

Notification of Late Routes

A route is considered late if it is running <u>more than 10 minutes late</u> to either school or a stop. If the bus has not arrived by the scheduled school start time in the morning, please call First Student School Services at (805) 228-5542 or County Transportation at (805) 383-1918. Buses are scheduled to arrive 10 minutes prior to the start time and 5 minutes before the p.m. dismissal time. They are considered late if they arrive 5 minutes after the scheduled p.m. dismissal time. Please record any late routes on the "Late Bus Report" and send it in to the VCOE Transportation Office weekly.

Transportation of Medication or Money

Medication is to be sealed in an envelope or other container in addition to the bottle or container holding the substance. The envelope/container is to be labeled with the student's name and school. The envelope is to be given directly to the driver. Under no circumstances are students allowed to keep medications in their possession. The driver is to deliver the package directly to the school staff or parent.

Money should be sealed within an envelope with the student's name and school clearly written.

Adaptive Devices

Wheelchairs:

Wheelchairs shall be equipped with brakes and seat belts with metal to metal connectors and push button or lift cover releases. Velcro held restraints may be utilized for additional support, but not in place of restraints described above. "Strollers" are not acceptable unless they have been sled tested for use in school buses.

Brakes shall hold firmly, with no wheel movement when placed in an "on" position. Electric wheelchairs shall be capable of being locked in gear when being placed on a school bus or shall have an independent braking system capable of holding the chair in place. If brakes are inoperable or the chair is deemed to be unsafe, the student will be denied bus transportation until the chair is fixed.

Wheelchair Batteries: Batteries used to propel electric wheelchairs transported on a school bus shall be both in a leak and spill resistant container. Batteries shall be secured to the wheelchair in such a manner as to prevent separation in the event of an accident.

Please encourage both parent and teacher to communicate with the driver concerning the individual complexities of a student's wheelchair. It is for the student's safety that a driver knows how to extricate a student should an emergency situation arise.

Walkers, Oxygen, etc:

All walkers, crutches and other devices must be secured while on the bus and away crutches, from any aisles or exits. Advance notice must be given to the bus company before etc: any additional equipment can be transported with a student. There must be adequate room for the item. Oxygen must be secured in the bus seat or wheelchair.

Car seats:

Approved Infant seats (students under 40 lbs) are provided by the bus company for those students requiring them. It is imperative that this information be provided on the "Transportation Request

Form" to allow for the proper scheduling of necessary equipment. The eight year or eighty pound requirement is for private passenger vehicles only and not for school buses. Buses currently lack the proper securements for larger booster seats.

Safety Vests:

Student restraints such as a safety vest can be provided to a student where because of safety considerations, is incapable of remaining properly seated in the bus. Use of a safety vest must be approved by both the parent and a school administrator.

Field Trips

Transportation for Field Trips of Special Education Students must be funded separately from normal home to school transportation and is paid for by the individual school or district funds. The procedure for requesting this type of service is as follows:

- a. Call the VCOE Transportation Office at least 2 weeks prior to requested trip date.
- b. Be prepared to provide the following information: 1. purchase order number for billing purposes, 2. Requested trip date(s), 3. Address of Destination(s), 4. Requested arrival time of bus as well as requested Return arrival time, 5. Number of students, adults and wheelchairs.
- c. The Transportation Coordinator will check with the carrier for availability. A trip estimate will be given. He will complete a Trip Request Form and send the requesting party two copies of the form. After the trip has been completed, please have the teacher complete section "C" and return the pink copy to the VCOE Transportation Office.
- d. The Transportation Coordinator will notify the requesting district of the exact amount of trip charges for each field trip that will be transferred based upon the P.O. number. Please send copy of P.O. to VCOE Transportation Office and reference the Trip Order number given and date of trip.

Questions

Any questions, concerns or comments should be directed to the VCOE Transportation Coordinator at (805) 383-1918 or emailed to <transportation@vcoe.org>