



TN Association of Pupil Transportation Annual Conference 2024

“Why we do what we do”

Alex Spann

*Student Transportation Manager
Division of Coordinated School Health*





BEST FOR ALL

We will set all students on a path to success.

ACADEMICS

ALL TENNESSEE STUDENTS WILL HAVE ACCESS TO A HIGH-QUALITY EDUCATION, NO MATTER WHERE THEY LIVE

STUDENT READINESS

TENNESSEE PUBLIC SCHOOLS WILL BE EQUIPPED TO SERVE THE ACADEMIC AND NON-ACADEMIC NEEDS OF ALL STUDENTS IN THEIR CAREER PATHWAYS

EDUCATORS

TENNESSEE WILL SET A NEW PATH FOR THE EDUCATION PROFESSION AND BE THE TOP STATE IN WHICH TO BECOME AND REMAIN A TEACHER AND LEADER FOR ALL

Overview

- Existing Law Review
- New Law Updates
- Specification Updates
- National Congress 2025



Existing Tennessee Code Annotated (TCA)

Primarily found in:

Title 49 – Education

Title 55 – Motor Vehicles

TCA 49-6-2105

Maximum Time in Transit

- No pupil shall be allowed to remain in transit to or from school on a school bus more than one and one-half (1½) hours in the morning or one and one-half (1½) hours in the afternoon.

TCA 49-6-2109

Equipment – Commercial Advertising

- a. Pupils shall be transported in safe equipment constructed of steel or materials providing similar safety, as determined by the state board of education, and other safety features shall be included according to specifications for school buses as adopted from time to time by the board.

TCA 49-6-2109

Equipment – Commercial Advertising

1. Except as otherwise provided in this subsection (b), conventional and Class D school buses may be used until the buses reach the eighteenth year from the in-service date of the buses, and neither the state board of education nor the commissioner of safety shall limit the use of conventional or Class D school buses by mileage driven.

TCA 49-6-2109

Equipment – Commercial Advertising

2. The commissioner of safety, through the inspection process, may approve additional years of service beyond the eighteenth year from the in-service date for conventional and Class D buses on a year-to-year basis. The owner of a bus may receive approval for additional years of service beyond the eighteenth year only if any conventional or Class D school bus being operated in the eighteenth year or beyond has less than two hundred thousand (200,000) miles of recorded travel; provided, however, that after the bus reaches two hundred thousand (200,000) miles of recorded travel the owner of the bus shall be allowed to operate the bus throughout the remainder of the school year and at the conclusion of the school year, the owner shall replace the bus. The bus shall meet all requirements for continued safe use and operation during the remainder of the school year and the owner of the bus shall notify the department of safety in writing, via certified mail, that the bus has reached two hundred thousand (200,000) miles of recorded travel.

TCA 49-6-2109

Equipment – Commercial Advertising

3.If a bus reaches the eighteenth year following its in-service date requiring discontinuance of its use during a school year, the owner of the bus shall be allowed to operate the bus throughout the remainder of the school year. The bus shall meet all requirements for continued safe use and operation during the remainder of the school year and the owner of the bus shall immediately notify the department of safety in writing, via certified mail, when the bus reaches the eighteenth year requiring discontinuance.

4. Any conventional or Class D bus that is in use for more than fifteen (15) years from its in-service date, but not more than eighteen (18) years from such date, shall be inspected by the commissioner or the commissioner's designee at least twice annually.

TCA 49-6-2109

Equipment – Commercial Advertising

5. No bus purchased from an out-of-state entity that has been in use for more than fifteen (15) years from its in-service date may be in use unless it has been in service in this state for a minimum period of two (2) consecutive years.

6. The owner of any bus shall maintain records of all maintenance actions and safety inspections performed on a bus from its in-service date and these records shall be available at all times to the commissioner of safety or the commissioner's designee.

TCA 49-6-2109

Equipment – Commercial Advertising

7. The commissioner, or the commissioner's designee, shall make no less than one (1) inspection annually of each school bus that has been in use for fifteen (15) years or less from the in-service date and that transports school children, in order to determine whether it can be used safely to protect properly the lives of school children. At any inspections under this subsection (b), the inspector shall have the authority to require repairs or reconditioning to be made that the inspector considers necessary for the continued safe use and operation of the bus. If the local authority or owner refuses to take the required action or if the inspector considers continued use of the bus to be unsafe, the inspector shall order its removal from service.

TCA 49-6-2109

Equipment – Commercial Advertising

8. Boards of education are encouraged to make full use of federal funds, while available, for retrofitting diesel school buses to improve both cabin air quality and lower emissions.

9. The commissioner of safety is authorized to promulgate rules to effectuate the purposes of this subsection (b). All such rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

TCA 49-6-2109

Equipment – Commercial Advertising

10. The department of safety is authorized to collect a fee for additional inspections conducted for buses that are used in the sixteenth year or beyond following the in-service date. The fee shall be paid by the owner of the bus requesting the additional year or years of service on an inspection-by-inspection basis; provided, however, that the LEA may pay the fee for any bus servicing the LEA.

TCA 49-6-2109

Equipment – Commercial Advertising

c.

1. School buses shall be of uniform approved color with the necessary marking easily to identify them in accordance with requirements of the state board of education. This requirement does not apply to a van type vehicle used only to transport students to and from school-related activities.

2. No other motor carrier, for hire or otherwise, shall bear the same color or markings as designated by the state board of education for school buses.

3. A violation of this subsection (c) is a Class C misdemeanor.

TCA 49-6-2109

Equipment – Commercial Advertising

d.

Nothing in this title shall prohibit a local school district from allotting space on the exterior or interior of a school bus for the purpose of commercial advertising. After consultation with the department of safety, the state board of education is directed to promulgate rules and regulations to effectuate this subsection (d). Commercial advertising shall be permitted only on the rear quarter panels of the school bus of a size not to exceed thirty-six inches (36") in height and ninety inches (90") in length and shall not advertise alcohol or tobacco products. Commercial advertising permitted by this subsection (d) shall not include campaign advertising as prohibited in § 2-19-144, and any such campaign advertising shall be expressly prohibited. Commercial advertising permitted by this subsection (d) shall not include individual food items that, pursuant to § 49-6-2307, cannot be sold or offered for sale to pupils in pre-kindergarten through grade eight (pre-K-8) through vending machines.

TCA 49-6-2109

Equipment – Commercial Advertising

e.

1. The board shall permit the use of type A school buses for a period of fifteen (15) years of service. If a type A school bus reaches the fifteenth year of service requiring discontinuance of its use during a school year, the owner of the bus shall be allowed to operate the bus throughout the remainder of the school year. The bus shall meet all requirements for continued safe use and operation during the remainder of the school year, and the owner of the bus shall immediately notify the department of safety in writing, via certified mail, when the bus reaches the fifteenth year requiring discontinuance.
2. The board is authorized to promulgate rules to effectuate the purposes of this subsection (e). All such rules shall be promulgated in accordance with the Uniform Administrative Procedures Act.

TCA 49-6-2116

Transportation Policy Relative to Safe Transport of Students

- a. Each local board of education (LEA) and charter school, and charter management organization as applicable, that provides or contracts for transportation services shall appoint a transportation supervisor responsible for the monitoring and oversight of transportation services for the district or school.
- b. Each transportation supervisor shall complete a student transportation management training program developed jointly by the departments of safety and education upon being appointed and, thereafter, shall complete a minimum of four (4) hours of annual training approved by those departments; provided, that the annual training shall not be required in the same year the management training program is completed.

TCA 49-6-2116

Transportation Policy Relative to Safe Transport of Students

c. By February 15, 2018, each LEA and charter school, and charter management organization as applicable, shall submit to the department of education the name of the transportation supervisor. By August 15 of each school year thereafter, each LEA and charter school, and charter management organization as applicable, shall submit to the department the name of the transportation supervisor and verification that the transportation supervisor has completed the training required under subsection (b). The department must be promptly notified of any change in transportation supervisor that occurs during the school year.

TCA 49-6-2116

Transportation Policy Relative to Safe Transport of Students

1. Every LEA and charter school governing body shall adopt a transportation policy relative to the safe transport of students. This policy shall include:
A procedure for students, parents, teachers and staff, and the community to report school bus safety complaints;
2. A procedure for the transportation supervisor to investigate any complaint of a safety violation or concern, such that:
 1. The investigation is commenced within twenty-four (24) hours of receipt;
 2. Within forty-eight (48) hours of receipt of a complaint, a preliminary report is issued to the director of schools that includes the time and date of receipt of the complaint, a copy or summary of the complaint, the school bus driver involved, and any prior complaints or disciplinary actions taken against the driver; and

TCA 49-6-2116

Transportation Policy Relative to Safe Transport of Students

C. Within sixty (60) school days of receipt of a complaint, a final report is issued to the director of schools in writing that includes any findings of the investigation and any action taken by the transportation supervisor in response to the complaint;

3. A requirement that each school bus serving the district or charter school be equipped with the phone number for reporting complaints on the rear bumper;

4. A process to provide annual notice to students and parents regarding the process for reporting complaints; and

TCA 49-6-2116

Transportation Policy Relative to Safe Transport of Students

5. A policy or procedure for the collection and maintenance of the following records, regardless of whether transportation services are provided directly by the LEA or charter school or via contractual agreement as authorized under § 49-6-2101(d):

- a. Bus maintenance and inspections;
- b. Bus driver credentials, including required background checks, health records, and performance reviews;
- c. Driver training records; and
- d. Complaints received and any records related to the investigation of those complaints.

TCA 49-6-2116

Transportation Policy Relative to Safe Transport of Students

e. As part of its responsibilities related to student transportation, the department of education shall, at a minimum:

1. Develop and deliver, in collaboration with the department of safety, the student transportation management training program required under subsection (2);
2. Establish, in collaboration with the department of safety, a system for monitoring district and charter school compliance with all applicable state and federal laws regarding student transportation services; and
3. Prepare, in collaboration with the department of safety, and annually update and disseminate guidelines on best practices for the management of student transportation services.

TCA 49-6-2118

Policies and Procedures for Students Exiting School Bus at Stop Other Than Regular Bus Stop – Bus Drivers’ Responsibilities – Unruly Students

a.

1. Each LEA shall adopt policies and procedures for transportation of students that include policies and procedures concerning the exiting of a school bus by a student at a point other than the student's destination for the trip. The policies and procedures shall at least require that a student whom a parent or guardian desires to exit a school bus at a destination other than the student's regular bus stop on the student's return bus route after dismissal of school shall provide the bus driver with a signed note from the parent or guardian informing the driver of the change in the student's bus stop for that day. The driver shall be required to turn the signed note over to the student's school principal or other school authority as soon as practicable after completion of the route.

TCA 49-6-2118

Policies and Procedures for Students Exiting School Bus at Stop Other Than Regular Bus Stop – Bus Drivers’ Responsibilities – Unruly Students

2. An LEA may adopt more stringent policies and procedures than the requirements of subdivision (a)(1) with respect to a student's exiting the bus at a point other than the student's regular bus stop, including a policy that does not permit a student to exit at a point other than the student's regular bus stop.

b. Each LEA, prior to the beginning of each school year or upon hire of a school bus driver during the school year, shall assure that every school bus driver knows and understands the LEA's policies and procedures concerning transportation, including, but not limited to, bus drivers' responsibilities and duties with regard to a student exiting a bus at a point other than the student's destination for the trip.

TCA 49-6-2118

Policies and Procedures for Students Exiting School Bus at Stop Other Than Regular Bus Stop – Bus Drivers’ Responsibilities – Unruly Students

c. No school bus driver shall require or permit a student to exit a bus in violation of the LEA's policies and procedures. However, nothing in this section shall prevent an LEA from adopting policies and procedures for management of unruly students on school buses, including the ejection of a student when necessary for the safety of other student passengers or the bus driver; provided, that the driver secures the safety of that student for the uncompleted trip. The director of schools shall immediately review the fitness to drive of a school bus driver who permits or requires a student to exit a bus in violation of the LEA's policies and procedures.

TCA 49-6-2119

Policy for Parents to View Photographs or Video Footage From Cameras on School Buses

- a. A local board of education shall adopt a policy that establishes a process to allow a parent of a student to view photographs or video footage collected from a camera or video camera installed inside a school bus if the local education agency (LEA) has one (1) or more school buses operating in the LEA with a camera or video camera installed inside a school bus that is used to transport students to and from school or school-sponsored activities.
- b. The policy must require that photographs or video footage be viewed under the supervision of the director of schools or a school official designated by the director of schools. The policy must comply with § 10-7-504, the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g), and other relevant state or federal privacy laws. The policy must establish the duration for which an LEA must maintain photographs or video footage collected from a camera or video camera installed inside a school bus.

TCA 49-6-2119

Policy for Parents to View Photographs or Video Footage From Cameras on School Buses

c. Nothing in this section requires a local board of education to purchase camera or video recording equipment for school buses that operate within the LEA.

d. As used in this section, “parent” means the parent, guardian, person who has custody of the child, or individual who has caregiving authority under § 49-6-3001.

TCA 49-6-4102

Students Accountable for Conduct

- a. Every school bus driver is authorized to hold every pupil strictly accountable for any disorderly conduct on any school bus going to or returning from school or a school activity.

TCA 49-5-413 Personnel Investigation of Applicants for Teaching or Child Care Positions

- a. Except as provided by subsection (f), and in addition to the requirements of § 49-5-406, a local board of education, charter school, or any child care program as defined in § 49-1-1102, shall require that prior to employment, and at least every five (5) years thereafter, any person applying for or holding a position as a teacher or any other position requiring proximity to school children or to children in a child care program to:
 - a. Agree to the release of all investigative records to the board or child care program for examination for the purpose of verifying the accuracy of criminal violation information as required by § 49-5-406(a)(1)(A); and
 - b. Supply a fingerprint sample and submit to a criminal history records check to be conducted by the Tennessee bureau of investigation and the federal bureau of investigation.



New & Amended TCA effective July 1, 2024

Changes from the 2024
Legislative Session

Public Chapter 548

- **School Transportation** - As introduced, requires each LEA to post a conspicuous notice on all school buses in operation in the LEA notifying others that no person shall enter onto school buses except those authorized by law; requires the training standards for school bus drivers established by the departments of education and safety to include procedures concerning persons improperly on school buses; requires student transportation management training for transportation supervisors appointed by local LEAs, charter schools, and charter management organizations to include procedures concerning persons improperly on school buses.
- Amends TCA Title 49.
- Signed into law by Governor Lee on 3/11/2024 – Effective July 1, 2024

Public Chapter 836

- **School Transportation** - As introduced, clarifies, for purposes of obtaining a school bus endorsement on a driver license and for other purposes, that a school bus is a vehicle designed to transport 16 or more passengers, including the driver; makes other related revisions. - Amends TCA Title 49, Chapter 6, Part 21 and Title 55, Chapter 50.
- Signed into law by Governor Lee on 5/1/2024 – Effective July 1, 2024

Public Chapter 809

- **Motor Vehicles** - As introduced, changes, from August 1 of each year to before July 31 of each year, the date by which the name, address, and telephone number of the person designated to check a bus or vehicle for children at stops under the Tennessee Children with Disabilities Transportation Act must be sent to the appropriate LEA. - Amends TCA Title 29; Title 49 and Title 54.

Public Chapter 809 (continued)

- **Caption Added:** by deleting all language after the enacting clause and substituting instead the following:
- SECTION 1. Tennessee Code Annotated, Section 29-20-107, is amended by adding the following as a new subsection:
 - (h) (1) A governmental entity or local board of education shall not extend the immunity granted by this chapter to independent school bus owners and operators or other persons or entities by contract, agreement, or other means in performing or providing school-related transportation services to a local board of education.
 - (2) The contract or agreement between a local board of education and independent school bus owners and operators must require sufficient limits for tort liability exposures related to performing or providing school-related transportation services to the local board of education by the owners and operators as evidenced by a certificate of insurance from the owners and operators that has the local board of education listed as an additional insured.
- SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it, and applies to contracts and agreements entered into, renewed, or amended on or after such date.
- Signed into law by Governor Lee on 5/1/2024 – Effective July 1, 2024



Proposed Changes to TN School Bus Specifications & Rules

TN State Board Rules

TN Safety Rules

TN School Bus Specs

State Board of Education Rules

- **State Board of Education Rule Language amendment:**
Sections 3 a & b – the word accident is being replaced with crash/crashes.
- **State Board of Education Rule Language amendment:**
Section 5 a & b – the words “or designee” has been added to the approval process for extended use school buses.

State Board of Education Rules

- **State Board of Education Additional Language:** Section 5 c - Type C and D buses with 200,000 miles or less of recorded travel and a maximum of eighteen (18) years in service. **Buses will require year-to-year approval from the Commissioner of Safety, or designee, until maximum allowed mileage is reached. Buses which reach 200,000 miles shall be allowed to operate through the remainder of the school year. The owner shall immediately notify the Department of Safety when the bus reaches the mileage limit and requires discontinuance.**
- **State Board of Education New Language:** Section 6 a – **Effective July 1, 2024, School Buses purchased from outside of Tennessee for student transport shall be inspected by a school bus manufacturer representative, located in Tennessee, and authorized to have met Tennessee minimum specification standards before inspection by the Tennessee Department of Safety. Documentation from an authorized dealer, as approved by the Commissioner of Safety or designee, must be submitted to the inspecting officer upon request.**

School Bus Rule Updates

- **School Bus Specifications Additional Language:** Section 1 - All school buses purchased by a county, local school system, **charter school**, or private contractor shall meet the **National School Transportation Specifications (NCST), as well as the Tennessee Minimum School Bus Standards Addendum approved by the Tennessee Commissioner of Safety**, and all applicable federal motor vehicle safety standards.
- **School Bus Specification Language Amendment:** Section 33 Identification – Section ii – Subsection a: District, company name, or owner of the bus displayed at the beltline. **Lettering should be no less than 5.5” and no more than 6.0” in height and shall consist of capital block lettering.**
THIS REQUIREMENT SHALL INCLUDE ALL BUSES CURRENTLY IN USE

School Bus Rule Updates

- **School Bus Specification New Requirement: Section 33 Identification – Section ii – Subsection b:** The bus identification number displayed on the sides, on the rear, and on the front. **Buses shall end the number sequence, on all four sides of the bus, with the following lettering to coincide with the “fuel” source as following:**
 - C = Compressed Natural Gas (CNG)
 - D = Diesel
 - E = Electric
 - G = Gasoline
 - P = Propane

THIS REQUIREMENT SHALL BE EFFECTIVE AS FOLLOWS:

All alternative fuel buses, current and future, must have letter added

- **All non-alternative fuel buses placed into service on or after July 1, 2024 must have the appropriate lettering. TDOE/TDOS recommends all buses include the lettering to coincide with their fuel type.**

Future Changes

CHANGES TO BEGIN BODY BUILD DATE JULY 1, 2025

- **School Bus Specification Language Amendment: Section 38 Lamps and Signals – Section vii** – A white flashing strobe light **shall** be installed on the roof of a school bus ...
- **School Bus Specification New Requirement: Section 52: Seats & Restraining Barriers – Section I – Subsection J: Drivers side and passenger side front barriers shall be equipped with a metal modesty panel/kick plate.**



National Congress on School Transportation (NCST)

May 3-7, 2025

Des Moines, Iowa

Quick History

- The National Congress on School Transportation (NCST) was formed in 1939 while regular meetings were held over the years, the decision was made to hold the Congress every five years beginning in 1980. The Congress did not meet in 2020. All Congresses have been comprised of official representatives of state departments of education, public safety, motor vehicles, and police or other state agencies having state-wide responsibilities for the administration of student transportation. Each Congress has resulted in one or more publications containing the specifications and procedures recommendations for school buses and their operations of that particular Congress.

Tennessee Delegation

- 7 Members + 2 Alternates
 - Tennessee Department of Education
 - Transportation Director – Alex Spann*
 - Senior Director of School Safety & Transportation – Brian Yarbro
 - Tennessee Department of Safety/TN Highway Patrol
 - Capt. Allen England
 - Lt. Raymond Gaskill
 - Sgt. William Alvarez
 - TAPT President (Year of Conference)
 - Elizabeth Kong (Clarksville-Montgomery County Schools)
 - TSBTA Director (Year of Conference)
 - Dewayne Ferrell (Metro-Nashville Public Schools)
 - Alternate Members (2025 – Alternative Fuels)
 - Ricky Phillips (Clarksville-Montgomery County Schools – Propane)
 - Tammy Moore (McNairy County Schools – Electric)

Thank You!

Alex Spann – Student Transportation Manager

615-490-1754

Alex.spann@tn.gov

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