

Student Travel Safety

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Today's Roadmap

- Exposures and Risk
- Charter Bus Best Practices
- Permission Slips
- No Fault Insurance and Students
- Risk Transfer



Field Trip Exposures

Typical Claim Experience:

- **Low frequency of claims**
- **Most injuries are from activities (slips and falls, contact in sports)**
- **Few Assault Claims – mostly student-on-student assaults; sexual assaults are rare**

Field Trip Exposures

Typical Allegations:

- **Failure to supervise students**
- **Failure to enforce rules of conduct**
- **Not enough trained chaperones**
- **Failure to warn about hazards**

Students – General Ratios

Age Group	Ratios
Primary (PK – 2)	1:8
Intermediate (3-5)	1:10 – 1:12
Middle School	1:15
High School	1:20
Special Needs Students	Follow IEP ratios If special needs students are within group – lower ratio to assure greater supervision

Hiring a Coach Bus

A white coach bus is shown from a side-front perspective, parked on a paved road. The bus has a long, sleek body with large windows and a prominent front grille. The background is dark and out of focus, suggesting a wooded area or a night scene.

Best Practices for Safety
Presented by:
David Christopher
Executive Director – NYAPT

Why Is This Important?

- Large bus fatality/injury statistics trending lower since 1975. FMCSA
- Motorcoach travel is safe, but we still need to be diligent.
- Provide the same level of safety for students as they receive riding the yellow bus.



Look Before You Book



Go to

www.fmcsa.dot.gov/travelplanner

Search for a company

USDOT number

Company Name

If no USDOT number, check with
NYSDOT

Check if company is authorized to
operate

Satisfactory

Conditional

Unsatisfactory

Not Rated

Review Company's Safety Record (BASICS)

Unsafe Driving

**Hours of
Service
Compliance**

**Vehicle
Maintenance**

**Controlled
Substance
and/or Alcohol**

Driver Fitness

Licensed and Insured

Check to make sure company is authorized to transport passengers

Under “Active for Hire-Authority” header look for “**Yes**” displayed next to “Passenger”

Verify Insurance



SAFER App

<https://www.fmcsa.dot.gov/safer>

SAFER – “Safety and Fitness Electronic Records” system

Use to see safety information

- **Company Safety**
- **Data and Related Services**
- **Vehicle Roadside Inspections**
- **Driver Information**
- **Crashes**



NYSDOT

Approved for service by NYSDOT
**Check Operator
Authority**

**Check BUSNET Carrier
Profile at**

**[https://www.dot.ny.gov/
divisions/operating/oss
s/bus/busnet](https://www.dot.ny.gov/divisions/operating/oss/s/bus/busnet)**

**Check NYSDOT
Performance Based
Safety Program at**

**[https://www.dot.ny.gov/
divisions/operating/oss
s/bus/performance](https://www.dot.ny.gov/divisions/operating/oss/s/bus/performance)**



19 A Compliance



Ask company for a list of bus drivers assigned to the trip



Check with DMV BDU to confirm drivers are “school bus qualified”



Review driving record

Trip Itinerary

Agree on an itinerary before departure

Do not deviate from agreed upon itinerary

Hours of service for bus driver is an important consideration

Build in time for breaks

Discourage overnight travel

Student/chaperone roster

Maximum Driving Time for Passenger - Carrying Vehicles - § 395.5

No motor carrier of passengers shall permit or require any passenger-carrying CMV driver to drive:

- **More than 10 hours following 8 consecutive hours off duty, or**
- **For any period after having been on duty 15 hours following 8 consecutive hours off duty.**

No motor carrier of passengers shall permit or require any passenger-carrying CMV driver to drive, regardless of number of motor carriers using the driver's services, for any period after the driver has been on duty:

- **60 hours in any 7 consecutive days if the carrier does not operate CMVs every day of the week; or**
- **70 hours in any 8 consecutive days if the carrier operates CMVs every day of the week.**

Day of The Trip

Check Driver's License

- Proper Class of License
- Proper Endorsements

Is it the same driver the company told you was driving the trip?

Condition of the Bus Driver

Alert, not fatigued



Check Out the Bus

Same Bus(es)?

Inspect the Bus for Safety

- Tires
- Lights
- Oil, fluid leaks
- Safety Equipment
- Emergency Exits
- Seat belts
- NYSDOT Sticker
- USDOT Number
- License Plate
- Brakes
- Exhaust

On the Trip

**Designate on
chaperone to
monitor the
driver**

**Monitor the
driver's
performance**

**Listen to pre-
trip safety
presentation**

Stay in seats

Use seat belts

**Don't distract
the driver**

**Take breaks on
long trips**

**Decisive action
to eliminate
threats to safe
operation**

Pre- Qualify Coach Company

1

**Consider doing
an RFP for
preferred coach
company (s)**

2

**Do the RFP
before you need
it**

3

**Hire only from
the preferred
vendor list**

4

**Do the pre-trip
qualification for
each trip**

Closing



- Knowledgeable and qualified people should be booking and qualifying coach companies.
- Team Approach – Involve School Transportation Professional.
- Goal is always to have a safe trip!

Coach Bus Considerations

Jeffrey Carlson
Deputy Superintendent

Kathy Cassella
Transportation Coordinator





Areas of Consideration



Safety Record



Driver Qualifications



Vehicle Inspection



Insurance



References



Pricing & Contracts



Capacity



Amenities & Comfort



Emergency Plans



Departure & Arrival



Times Accessibility



Communication

Other Considerations

Pushback from

- Teachers
- PTA
- Principals
- Superintendents
- BOEs



For More Information

BUSNET

NYS Bus Safety Information Network



FMCSA

Federal Motor Carrier Safety
Administration: Know Before You Book



NYSDOT

Performance-Based Bus Safety
Program: Unacceptable Operators



Permission Slips NYS No Fault Insurance and Accidents

**Lowell Aptman
Senior VP - Claims**



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Permission Slips

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**Please See NYSIR Student
Travel Manual and Forms
Center**



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NYS No Fault Insurance

- No fault coverage for any child injured while a passenger in or on a bus or school bus is found under their parent's or guardian's personal automobile insurance.
- This applies to any individual while a passenger on a (school) bus, unless they are specifically excluded from coverage, e.g. employees of the bus's owner.
 - Therefore, chaperones would seek coverage under their personal automobile policies.
- Of note: The No Fault law states that a claimant must present their claim to their carrier within thirty (30) days from the date of loss.

NYS No Fault Insurance

- Regulation 68 provides that benefits to an injured party for their medical expenses are payable by the vehicle involved, except persons occupying a bus or school bus.
- The specific language of the exception reads:
 - “[A]ny person in New York State while occupying an insured motor vehicle which is a bus or school bus, as defined in secs. 104 and 142 of the . . . Vehicle and Traffic Law, but only if such person is a named insured or relative under any other policy providing coverage required by the New York [No Fault law]; however, this exclusion does not apply to the operator, or owner, or employee of such bus or school bus;”

Forms



Student Field Trip Manual

**Education Events – Student Travel
Safety Seminar**

**Risk Management Central – Risk
Transfer Center**

Student Travel Manual

Forms

- Parental/Guardian Permission Forms**

- Transportation Permission Forms and Releases**

- Student Assumption of Risk Form**

- Checklist for Charter Bus Trips**

- Charter Vehicle Inspection Checklist**

Forms Center

Forms Center – RM Central

- **Student Field Trips and Travel Related Forms Section**
- **Assumption of Risk Form**
- **No District Transportation for Field Trip**
- **Parent/Guardian Field Trip Consent Form**
- **Parent/Guardian Transportation Consent Form**
- **Self-Transportation by Student or Other Adult Form**

Contact Us Sign Out



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Risk Management Central



Education Events



NYSIR U



2023 Symposium



UPCOMING SEMINARS AND WEBINARS

- Student Travel Safety Seminar - 10/18/23
 - [Webinar Invitation](#)
 - [CTLS Request Form](#)
 - [Student Travel Manual](#)
- Putting DASA Into Practice - 10/24/23
 - [Webinar Invitation](#)
 - [CTLE Request Form](#)

RECORDED SEMINARS AND WEBINARS

- HELIXintel Update Seminar - 09/20/23
 - [View webinar recording](#)
 - [Download Presentation](#)
 - [CTLE Request Form](#)
- Discrimination & Harassment Legislation and EPL Update Seminar - 09/14/23



Frequently Asked Questions



Risk Transfer Center



Release and Waiver Forms



Risk Transfer Related Forms



Safety Related Forms



Student Field Trips and Travel Related Forms



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☰ Sample Certificates of Insurance +

🔖 School Library Sample Agreement +

📄 NYSIR Risk Transfer Manual +

🚌 NYSIR Student Travel Manual +

Risk Transfer

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Joyce Moore
Risk Transfer Supervisor



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SAMPLE INSURANCE SPECS

TRANSPORTATION

1. Notwithstanding any terms, conditions or provisions, in any other writing between the parties, the contractor hereby agrees to effectuate the naming of the District as an additional insured on the contractor's insurance policies, with the exception of workers' compensation and New York State disability insurance.
2. The policy naming the District as an additional insured shall:
 - a. Be an insurance policy from an A.M. Best rated "Secure" or better insurer, licensed to conduct business in New York State.
 - b. State that the organization's coverage shall be primary and non-contributory coverage for the District/BOCES, its Board, employees and volunteers with a waiver of subrogation in the favor of the District/BOCES for all coverages including Workers Compensation.
 - c. State that the commercial general liability policy affirmatively provides coverage for claims of negligent hiring, training and supervision, which may arise in the context of sexual molestation, abuse harassment, or similar sexual misconduct. Sub limits below the policy limits are acceptable solely at the discretion of the District.
 - d. List the District as an additional insured by using endorsement CG 2026 or equivalent. The decision to accept an alternative endorsement rests solely with the District. The certificate must state which endorsement is being used, and a copy of the endorsement must be attached to the certificate of insurance.



SAMPLE INSURANCE SPECS TRANSPORTATION

3.
 - a. The certificate of insurance must describe the services provided by the transportation contractor that are covered by the liability policies.
 - b. At the District's/BOCES' request, the transportation contractor shall provide a copy of the declaration page of the liability and umbrella/excess policies with a list of endorsements and forms. If requested, the transportation contractor will provide a copy of the policy endorsements and forms.
4. The transportation contractor agrees to indemnify the District/BOCES for applicable deductibles and self-insured retentions.

SAMPLE INSURANCE SPECS TRANSPORTATION

5. Minimum Required Insurance:

a. Commercial General Liability Insurance

\$5,000,000 per Occurrence/\$5,000,000 Aggregate

\$2,000,000 Products and Completed Operations

\$1,000,000 Personal and Advertising Injury

\$1,000,000 Sexual Misconduct and Assault

\$100,000 Fire Damage

\$10,000 Medical Expense

State that the commercial general liability policy affirmatively provides coverage for Claims of negligent hiring, training and supervision, which may arise in the context of sexual molestation, abuse harassment, or similar sexual misconduct.

b. Automobile Liability

\$5,000,000 combined single limit for owned, hired, borrowed and non-owned motor vehicles.

SAMPLE INSURANCE SPECS TRANSPORTATION

Workers' Compensation and NYS Disability Insurance

Statutory Workers' Compensation (C-105.2 or U-26.3); and NYS Disability Insurance (DB-120.1) for all employees. Proof of coverage must be on the approved specific form, as required by the New York State Workers' Compensation Board. ACORD certificates are not acceptable. A person seeking an exemption must file a CE-200 Form with the state. The form can be completed and submitted directly to the WC Board online.

Key Words

**“Upon signed written
agreement or contract”**

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POs ARE NEITHER



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Additional Insured Status

ISO Additional Insured Endorsements (2019)

- **Additional Insured forms provide:**
**NO Coverage Unless Specifically
Required by Signed Written Contract or
Agreement**

Additional Insured Status

- Contract must **Explicitly Require** the extent of coverage or **NO Coverage**
- Even if COI limits are higher than what contract requires – only amounts listed in contract/agreement are accessible

Sample Insurance Agreement Transportation

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**Please See Seminar
Documents**



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Thank You

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