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100 West Randolph Street
Chicago, Illinois 60601*



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100 North First Street
Springfield, Illinois 62777*

MODES OF SCHOOL TRANSPORTATION TASK FORCE

December 6, 2017

CALL TO ORDER

The meeting was called to order at 9:05 am by Chair Tim Imler and roll was taken.

ROLL CALL

Present (Springfield and Chicago):

Rep Dan Brady, Illinois State Representative, 105th District;
Dan Cox, Superintendent, Staunton Community Unit School District #6;
Brenda Glahn, Legal Advisor, Illinois Secretary of State;
Tim Imler, Division Administrator, Funding and Disbursement Services ISBE;
Patrick Johnson, President, Illinois School Transportation Association;
John Meixner, Regional Superintendent of Schools, ROE #26;
Tom Tully, Secretary/Treasurer, Illinois Education Association;
Tom Wise, Acting Section Chief, Illinois Department of Transportation, Commercial Vehicle Safety Section.

Conference Call:

Melissa Burns, Administrator, Acacia Academy;
Derek Cantu, Policy Analyst Assistant, Illinois Lt. Governor Sanguinetti's Office;
Rep Fred Crespo, Illinois State Representative, 44th District;
Jeff Dosier, Superintendent, Belleville Township High School District #201;
Diana Mikelski, Association of Suburban School Districts;
Rob Rodewald, Board President, Bourbonnais SD #53;
Travis Wyatt, Principal, Jasper County School District.

Absent:

Vicki Giurlani, Director of Transportation, Round Lake Area School District 116;
Rich Hodson, Physics Instructor, Belleville East High School;
Sen Chris Nybo, General Assembly, Minority Leader of the Senate.

ISBE Staff:

Mark Morten
Mike Stier
Keri Shoemaker

Guests:

Cathy Allen (Springfield), Illinois Department of Transportation;
Andrew Bodewes (Conference Call), Cook Illinois Corporation, Student Transportation;
Kevin Duesterhaus (Springfield), Manager of CDL Division, Illinois Secretary of State;
Amanda Elliott (Springfield), Legislative Affairs, ISBE;
Sarah Hartwick (Springfield), Legislative Affairs, ISBE;
Charlie Hood (Conference Call), Executive Director, NASDPTS;
Betty Lindquist (Springfield), Connections Day School;
Rella Peeler (Springfield), Camelot;
Mike Reinders (Conference Call), Winnebago SD #223;
David Richards (Conference Call), Valley View SD #365U, Central Regional Director IAPT;
Jay Shattuck (Springfield), Illinois School Transportation Association;
Mike Slife (Conference Call), Rockford SD #205;
Robert Wolfe (Springfield), Chief Financial Officer, ISBE.

Discussion

Chair Tim Imler apologized for the restriction of turnaround time of the review of the recommendations. The report needs to be turned into the General Assembly on or before December 15th. We will review each recommendations individually for discussion and clarity. Then Chair Tim Imler will ask for the vote on the recommendation. If the vote is not unanimous; we will do roll call to will request vote of recommendation again. Regardless of vote outcome, each recommendation will go into the report along with a summary report of the votes. At end of meeting will ask for a motion on final report to be submitted to the General Assembly. Minutes from today's meeting will be sent out by the end of the week for review. Unless there are corrections they will be considered adopted as this is the final meeting. This report is not binding, it will be up to the members of General Assembly to pursue the recommendations.

Minutes

Chair Tim Imler asked for a motion to approve the November 20, 2017 minutes. Rob Rodewald made a motion to approve the minutes; Tom Tully seconded. The motion passed and the November minutes were approved. (Rep Fred Crespo noted he was in attendance by conference call for the November meeting-inadvertently his name was under absent).

Chair Tim Imler started the review of the report, starting with the Glossary of terms. Rep Fred Crespo was unable to open the report that was emailed last week, Chair Tim Imler said he could re-send them to him now. Amanda Elliott emailed the report to Rep Fred Crespo.

Cathy Allen stated that under abbreviations and definitions; the MPV and MPPV are the same vehicle. Cathy also noted that 'Multifunction' does not have a hyphen.

Chair Tim Imler discussed the section regarding type of trips; asked for any concerns, changes or questions on this. Brenda Glahn clarified that under the definition of school bus permit it should include ...'by or for' - 'any other approved vehicle owned or operated by or for' it doesn't have to be owned by the school.

Cathy Allen mentioned clarification on page 2 under the School-Sponsored Activity Trip, it should state is NOT part of the pupils' regular class-for-credit. Chair Tim Imler will double check wording.

Cathy Allen also stated the definition of first division vehicle should state '10 or more including the driver'. Chair Tim Imler stated the final report will be edited by our Communications Department.

Kevin Duesterhaus clarified Class C is a NON- CDL unless transporting 16 passengers or more / or if hauling hazardous materials.

Cathy Allen questioning using Department of Motor Vehicle (DMV) vs. Secretary of State. Others commented that in general that is what it's referred to the general public...

Chair Tim Imler starts the review of the 8 Recommendations on page 8.

Recommendation 1: Allow MFSABs to transport children on curricular, co-curricular, or extra-curricular trips other than those between home and school for pupils in any grade K-12 as long as they are not picked up or discharged in a location such as a public roadway that would require the use of traffic control devices.

#1 – Rep Dan Brady asked clarification, this is allowing MFSABs to be used for K-12? Chair Tim Imler clarified it is to allow MFSABs to transport children on curricular, co-curricular, or extra-curricular trips other than those between home and school for pupils in any grade K-12 as long as they are not picked up or discharged in a location such as a public roadway that would require the use of traffic control devices. This expands the use to all grade levels.

Brenda Glahn asked for clarification on the pick up location; Chair Tim Imler stated example could use to take places like CVS parking lot. They are not using it to pick-up or drop-off on public roadway. This is how private facility uses them now. Brenda Glahn asked should there be a load/unload penalty with no stop-arm when it is not used as stated such as to pick-up or drop-off on public roadway There are places where there is not a parking lot close and the driver chooses to unload on a street in front of the 'museum'. How do we enforce this? It would be a law without any teeth and they will let them off wherever the driver likes. Tim Imler stated that would be a part of legislation when it is introduced how the General Assembly would handle that. Cathy Allen stated the School Bus stop arm used wherever student is picked up or dropped off is how the law states it now regardless of the location. Amanda Elliott asked if bus drivers does something that they are not allowed to do, is it a ticketed offense? Or does everything have to be a ticketed offense to enforce it? Per Brenda Glahn it would usually say in the law 'you may not do' or 'it is unlawful for a bus driver to ...' for a ticketed offense. Right now it is more up to the School District or Company to punish the driver for doing wrong. Dan Cox mentioned the multiple times he sees buses with stop arm violations, none prosecuted.

Jay Shattuck noted there should be acknowledgement on the safety awareness within the Recommendation. Safety of expansion, would it be appropriate to include some commentary by Task Force Committee about the safety itself in respect to the concerns expressed by some of the task force members? Jay Shattuck asked maybe it could be included in the opening statements under Discussions/Recommendations. Something along the lines that this could diminish safety. Chair Tim Imler- the MFSABs do not have stop arm, amber lights - used for other activities for including loading in parking lots. Expanding to all grade levels and entities.

Brenda Glahn agrees with Jay Shattuck about the expression of safety because that has been a great dissection of this task force. Tom Tully is there a way to reference our commentary of pros/cons (discussion) as found in previous minutes? Jay Shattuck - will there be an opportunity to voice opinion etc. regarding the recommendations of this committee? Chair Tim Imler willing to take note on what each of committee member's thoughts are in report; what phrasing would they recommend. Amanda Elliott suggested making a general note in the narrative stating that the task force spent a large amount of time discussing safe pros/cons – students safety, acknowledging the school bus is the safest form of transportation for students.....And that possibly put in there that schools have to have a policy to protect student safety measures.

Rep Fred Crespo asked we are adding non HS students allowing to transport students but not school to home/home to school. Do not have to have stop arm, and clarified what Amanda Elliott said about making a note on the safety that committee felt about Recommendation #1.

Tom Wise made suggestion on wording – pick-up or discharge on public roadways/parking lot. Limit them on public roadways. Chair Tim Imler asked Melissa Burns how are you using them on a regular day?

Melissa Burns-yes, and use hazards when loading and unloading in parking lot.

Rep Fred Crespo understands safety, but talking about adding elementary and high school kids. Thinks safety will be more concern for the elementary students.

Brenda Glahn noted when a yellow school bus is stopped, they must use of the stop arm even if in the parking lot. Melissa Burns clarified a parking lot as public roadway. Brenda Glahn – yes – anytime loading/unloading students should be using stop arm for safety. Melissa Burns so a public roadway is parking lot, took the recommendation as a busy roadway. Do we need to clarify in the recommendation? There was a lot of back and forth discussion trying to clarify what a public roadway / parking lot is... Brenda Glahn stated under current law in a parking lot the stop arm and lights must be on for a yellow school bus so to use when 'require the use of traffic control devices' would not be correct. More clarification is needed as to what a public roadway and where 'it require the use of traffic control devices'.

Rep Brady – aren't we supposed to be expanding this just to K-12 kids. Chair Tim Imler – yes.

IDOT requested wording but changed location on a public roadway. Cathy Allen – is public roadway definition including anywhere? Instead of in a location put 'discharged AT a location'. Melissa Burns said stop sentence after K-12 not include public roadway. Amanda Elliott suggested second sentence – pupil should not be picked-up or dropped off on public roadways. Take out public roadway.

Chair Tim Imler - Supposed to be voted on whether or not to expansion of grade level. Chair Tim Imler re-read Recommendation #1, asked for motion, Rep Dan Brady motioned; Tom Tully seconded. Chair Tim Imler asked if we have a unanimous decision on this recommendation. Members stated no, we do not. Roll taken for vote:

Rep Dan Brady - Yes

Melissa Burns - Yes

Derek Cantu - Yes

Dan Cox - Yes

Rep Fred Crespo – Present

Jeff Dosier - Yes

Brenda Glahn - No

Patrick Johnson - No

John Miexner - Yes

Diana Mikelski - No

Rob Rodewald - Yes

Tom Tully - No

Tom Wise – Present

Travis Wyatt - Yes

Tim Imler – Yes

Chair Tim Imler stated we have 9 voting Yes, 4 voting No, and 2 voting Present.

Recommendation 2: If special transportation is provided for students with an IEP, the staff to student ratio must be one to five.

Recommendation #2 – Tim Imler stated that this wording mirrors what is currently in place for the six private facilities. We are expanding it to all Education entities for a staff to student ratio of 1:5. This is only in reference in to transporting special education pupils on an MFSAB, for special education. Tom Tully motioned, Melissa Burns seconded.

Chair Tim Imler asked if we have a unanimous vote. Rob Rodewald wanted clarification on any student with an IEP. Amanda Elliott stated that with her experience on the Private Facility Bill, the trip should be for an IEP purpose. If the IEP states that the student needs to go to the grocery store to learn how to buy milk, this is when the student ratio would kick in, not if IEP students were on a trip to the museum with regular education kids. This would be for life skills class. If a life skills class is going for an IEP related trip that is when the ratio kicks in, not if they happen to be IEP students. However if the IEP would require a 1 on 1 aid, then the IEP would allow that. However, students with a severe need would already have that. Amanda went on to further say that it should read, “If transportation is provided for an IEP related trip in an MFSAB, the staff to student ratio must be 1:5. Rep Dan Brady, so the purpose of the trip defines the ratio of the staff on bus for Special Education students. Amanda Elliot stated it follows the intent of the Special Education Facilities Bill. Betty Lindquist, we do this regardless. All are IEP because of facility is all Special Ed students. This is the standard that private facilities are held to, so for us it really doesn’t matter. Amanda Elliot stated that all of the private facility trips are IEP related trips. Betty Lundquist stated: “These are trips that are mandated to have a staff to student ratio of 1:5, so we have to do that regardless.

Chair Tim Imler asked do we have a unanimous consensus on Recommendation #2?
It will be so recorded as 15 voting yes.

Recommendation 3: Require all drivers of an MFSAB owned or operated by or for a public or private school who transport children in grades K-12 to hold a valid Illinois School Bus Driver’s Permit [625 ILCS 5/6-106.1].

Recommendation #3- Require all drivers owned by or for school– HOLD valid School Bus Driver Permit no matter what type of trip.

Rep Dan Brady – What’s the average time to get bus driver permit. Chair Tim Imler answered 8 hour course, Kevin Duesterhaus stated the SOS rules, and background checks, physicals, written test and the driving tests have to be taken in yellow school bus. . Rep. Dan Brady – ‘so they can’t take the test in the bus that they will be driving?’ Kevin Duesterhaus said correct, not to get a School Bus Permit. They would have to test in a yellow bus. Brenda Glahn said yes, to get a School Bus permit, they have to take it in a Yellow School Bus because it is a School Bus driver permit. Which would allow the driver to use that permit as a driver of a yellow bus. That is why they must test in the yellow bus rather than test in an MFASB.

John Miexner and Tom Tully asked about data for accident reports with MFSABs coaches, teachers or other staff driving. Kevin Duesterhaus said this recommendation will probably weed out the MFASBs because of this rule. Schools will just use yellow school buses. Tom Tully agreed, his Supt stated that they will not be using these MFSABs and go back to yellow buses. When his MFSABs get into accidents they don’t report it to anyone they just get them fixed. Dan Cox – Safety is important, there are driver shortages, funding is an issue... Funding and licensing are tied to the driver shortages.

Patrick Johnson – How much training for golf coach to drive bus? Chair Tim Imler – None. They must have a valid bus driver’s license. Patrick Johnson stated that that is no additional training beyond what they got when they were 16 years old?. Kevin Duesterhaus stated not unless the school district has a policy in place for additional training for that. Patrick Johnson said but yet we just made the recommendation to expand the use of the MFSAB to K-12...

Rep Fred Crespo – could there be some consideration on breaking this into 2/curricular & non-curricular?

Chair Tim Imler/Brenda Glahn that is law now. Amanda Elliott, I think what he is saying – break down to k-12, 9-12 and curricular and non-curricular.

Chair Tim Imler, right now you have to have SB permit on curricular trips, but outside daily activities, currently they do not need a permit.

Chair Tim Imler asked for a motion on Recommendation #3. Rep Dan Brady made the motion; Tom Tully seconded the motion. The vote was not unanimous, roll call vote:

Rep Dan Brady - No

Melissa Burns - Yes

Derek Cantu - Present

Dan Cox - No

Rep Fred Crespo – Present

Jeff Dosier - No

Brenda Glahn - Yes

Patrick Johnson - Yes

John Miexner - Present

Diana Mikelski - Yes

Rob Rodewald - No

Tom Tully - No

Tom Wise – Yes

Travis Wyatt – No

Tim Imler – No

For Recommendation #3 - 5 voting Yes, 7 voting No and 3 voting Present.

Recommendation 4: Add MFSABs to [625 ILCS 5/13-115] and [625 ILCS 5/12-816] Pre-trip and Post-Trip Inspection Requirements.

Recommendation #4 – Tim Imler stated that this would be identical as drivers of the yellow school bus. MFSABs added to requirement pre and post trip inspection.

John Miexner just for clarification – this is already required for all yellow bus drivers? Chair Tim Imler–yes, but not for a coach /teacher/ or anyone else driving an MFSAB at this time. John Miexner –the training on how to do these is part of the school bus driver permit, correct? Tim Imler – yes that is correct. John Miexner – so there is no proposed training for this without a school bus driver permit.

Tom Tully, task force is recommending training and permit needed, correct? Tim Imler – If you had a school bus driver permit you would be trained on pre and post trip inspections. This simply add the requirement to complete the pre and post trip inspection to the MFSAB.

Chair Tim Imler asked for a motion. Brenda Glahn made the motion; Tom Wise seconded the motion. Recommendation #4 – 15 votes YES, unanimously.

Recommendation 5: Add MFSABs to the list of vehicles owned or operated by or for a public or private school grades K-12 at [625 ILCS 5/11-1202] (new paragraph 4) that must stop at all railroad grade crossings unless marked exempt and align the change with the Illinois Professional School Bus Driver Training Curriculum (i.e., regarding the hazard lamps being activated and procedures to follow at the crossing).

Recommendation #5

Chair Tim Imler asked for a motion – Rep Dan Brady made the motion; Brenda Glahn seconded

Chair Tim Imler asked if unanimous vote on this recommendation: No, roll call vote was taken:

Rep Dan Brady - Yes

Melissa Burns - Yes

Derek Cantu – Yes

Dan Cox - Yes

Rep Fred Crespo – Yes

Jeff Dosier - Yes

Brenda Glahn - Yes

Patrick Johnson – Yes

John Miexner - Yes

Diana Mikelski - Yes

Rob Rodewald - Yes

Tom Tully - Yes

Tom Wise – Yes

Travis Wyatt – Yes

Tim Imler – No

14 voting Yes, 1 voting No.

Recommendation 6: Require a new decal for all Division II vehicles owned or operated by or for a public or private school grades K-12 on the rear of the vehicle stating “THIS VEHICLE STOPS AT ALL RAILROAD GRADE CROSSINGS.”

Recommendation #6, require decal railroad crossing. (Cathy Allen questioned 2nd division bus) Amanda Elliott suggested wording for bus clarification. Chair Tim Imler stated in previous meeting – IDOT and SOS council put out an opinion that they do require stop at RR. Cathy Allen said that is correct from IDOT council Cathy Allen asked for clarification that this is requiring on school buses as well as MFSABs. Everyone already know a yellow school bus has to stop but not the MFSABs. Did not realize it would be on both the yellow bus and the MFSABs. Tim Imler stated that it could be refined to only state MFSABs if that is what everyone would like.

Chair Tim Imler asked for a motion. Dan Cox made the motion; Brenda Glahn seconded the motion.

15 voting Yes – unanimously.

Recommendation 7: Add MFSABs to the Department of Transportation rules at 92 Ill. Administrative Code Part 447 School Bus Brake Inspections Requirements.

Recommendation #7 – Clarity by IDOT on intent, Chair Tim Imler stated it what is in the draft varies from the document on the screen. Tim Imler read the revised recommendation. Through (by or for public) admin rules, IDOT requires 10,000 miles brake check for yellow school buses. Addition to MFSAB to be included in this rule included private/special education facilities. (by or for)

Chair Tim Imler asked for a motion. Dan Cox made a motion; Tom Tully seconded the motion.

15 voting Yes – unanimously.

Recommendation 8: Retain the required equipment of the “Crossing Control Arm” and “First Aid Kit” that IDOT is considering removing from 92 Ill. Adm. Code Parts 435 and 436 (MFSAB) (Construction and Inspection Standards).

Recommendation #8- 92. Ill admin. Code 435-436 Construction and inspection standards, retain the equipment for those inspections. Clarification by Cathy Allen that as of 7/01/12 MFSABs do have the crossing arm. Cathy Allen stated that the industry is complaining that these are not needed because they are not used. But with the expansion of k – 12 they may/should be used more. It requires the pupil to walk 5 ft. in front of bumper.

Chair Tim Imler asked for a motion. Brenda Glahn made the motion; Tom Wise seconded.
15 voting Yes – unanimously.

Chair Tim Imler stated that those are all the recommendation in the report. The votes will be included in the body of the report showing how each member voted, as well as a one-page summary at the end of the report, showing how each member voted.

Chair Tim Imler asked for a motion for that would permit the staff of the Illinois State Board of Education the authority to finalize the report be considered for final submission to the State Board of Education and the General Assembly. Tom Tully motioned, Brenda Glahn seconded.
All members – voting yes.

Chair Tim Imler asked for public comment:

Mike Slife, Transportation Director, Rockford Public School District #205– I think it’s crazy that we are recommending the expansion of the MFSAB for a lot more than we currently do, require no training, inspect them a lot more, and also require them to stop, but not train the driver. Rockford Public schools does not have any MFSABs currently, because there is no training required. We use our yellow school buses. I would, and had planned on purchasing about 4 MFSAB’s for each of my high schools to help relieve. I have coaches who are more than willing to get their school bus permit, but they don’t want to drive the yellow bus. But I don’t think we will. Insurance wise, I am surprised that other districts can get away with driving MFSABs with no additional training.

Dave Richards, Transportation Director, Valley View School District #365U – I would echo Mike Slife’s comments. My district does not use these activity buses either. We are putting coaches out on the road and taking these teams and/or students for an activity out of town, in a lot of cases, in most cases, to an event, again, with a total lack of training. We require phenomenal training for a school bus driver to drive a child a mile and a half or two miles to school, which I am not advocating changing. I think we need to seriously consider the training requirements for anyone able to drive a student as young as kindergarten age anywhere. It would be interesting to hear from parents who truly knew that the required training to drive your Kindergarten down the road is none at all. That is a concern. Thank You.

Mike Reinders, Transportation Director, Winnebago Community Unit School District 323– Like Rockford and Dave, I do not have any MFSABs. I was an advocate for the training before, and still am, and mandating that, and if not mandated, it won’t occur. We are putting people who got their license at age 16 maybe behind the wheel of a bigger bus, transporting students with no training, which is heading up the possibility for failure and catastrophic failure at that. I would, and somebody mentioned way earlier in this conversation, to see if there was any documentation or research as to what accidents there has been with MFSABs, and any fatalities or stuff like that. I’d be really interested in hearing that. I think that taking the training away from this process kind of defeated a lot of the things that were discussed at prior meetings.

Chair Tim Imler asked for final comments:

Patrick Johnson, President, Illinois School Transportation Association – I know this is a little bit after the fact. It's not all about the drivers, it's about public perception. These questions are rhetorical. When this group sees a yellow school bus, and you're driving, how do you react? When you see that yellow school bus on the road, what do you do as an industry professional? As opposed to, when you see the Cook County Department of Corrections white bus driving down the road, does it register anything in your head? You know, it's also going to be how the public reacts to seeing these vehicles. You don't read the side of the bus and see what company it is, or what organization it is. You see a yellow school bus and you change your behavior immediately. You see the department of corrections bus, do you really alter your driving? And they're not going to know what bus that is carrying those kids.

Diana Mikelski, Transportation Director, Township High School District 211 – It seems like we have created a double standard what a school bus driver has to do, versus what somebody can get in and drive the same identical vehicle, except that it's painted white. Again, as I said before, it goes for the safety for the kids. We have one of the largest high school districts and all of our coaches have to have school bus permits, and many of them have CDL's where they can take their own. Yes, it's an expense. It's a cost. It's something that we believe highly in to make sure that our students are safe at all times. Thank You.

Rep Fred Crespo- Thank you Tim and your staff for facilitating this task force. I learned a lot and realize it was a lot of hard work. The way this process works is that we will get this report out to the General Assembly and the Governor. If you have any concerns for or against this, I would strongly recommend contacting State Rep and Senators for where you stand of this, as it will be discussed more when we get back in session. Reach out if you have concerns. Looks forward to a robust debate on this in the General Assembly. Once again Tim I know this was not easy and you guys did a phenomenal job!

Chair Tim Imler thanked the General Assembly members for being here. We have all learned and have been more informed in this process. Reminder, the minutes from today's meeting will be including in the report submitted to ISBE and the General Assembly. Please take a look at the minutes as we have to get them turned around rather quickly, if I don't hear any comments on minutes from today's meeting they will submit along with report as presented.

Rep Dan Brady – Tim I too want to echo Rep Crespo's comments and thank everybody.

Chair Tim Imler adjourned the meeting at 10:44am.