

Chapter 3

Department of Education

Pupil Transportation

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Department of Education

Pupil Transportation

Background

3.1 Of the approximately 127,000 school age children enrolled in New Brunswick schools, approximately 89,000 get on a yellow school bus every school day. Another 6,000 are transported via a contracted van, vehicle, or city transit bus. There are approximately 1,650 provincially owned and contracted buses and 1,500 provincial bus drivers. Parents have entrusted the Province to implement a safe and reliable pupil transportation system.

3.2 School buses carry children of all ages and sizes to and from school and various school related activities. They operate under various conditions in various environments.

3.3 In Canada, just over two million children are transported to and from school during the school year and travel millions of kilometres annually. Transport Canada reports for the years 1988-1997 there were 204 school bus accident related fatalities, and 10,480 injuries in Canada. Those fatally injured consisted of eight school bus occupants, three bus drivers, 51 pedestrians (of these the majority were ages 5-17), and 142 passengers in other vehicles. Interesting to note is the fact that the majority of students killed were run over by their own bus. The very fact that there are so many children travelling on so many vehicles in a variety of circumstances makes it important that the Department have strong systems in place. An impressive record of no fatalities in recent years is a good thing. But it does not necessarily address the question of risk.

3.4 Because our Office has an ongoing interest in the theme of safety, we felt it important to address the issue of Pupil Transportation in the Province of New Brunswick. We believe that in order to ensure the safety of the thousands of students transported by the Province daily, the Department of Education must have sound systems and practices in place to do so. Further, the Department must demonstrate compliance with safety standards and regulations set for the Province. In keeping with this, we began an audit in the Department of Education in September 2000. Our audit was substantially completed in May 2001.

3.5 The Province has set regulations and safety standards for Pupil Transportation under the *Education Act* and the *Motor Vehicle Act*. Our

audit primarily focussed on the *Pupil Conveyance and Lodging Regulation* under the *Education Act*, which is administered by the Department of Education. Some of the standards it sets relate to conveyance arrangements, pupil conduct, driver employment and responsibilities, condition of vehicles, and departmental staff responsibilities. As it relates to pupil transportation, the *Motor Vehicle Act* provides standards regarding driver licensing requirements.

3.6 Within the Department of Education, the Pupil Transportation Branch develops provincial regulation and policies. Some of their other responsibilities include driver training, school bus specifications and purchasing, setting routing standards, maintaining bus accident statistics, production and promotion of safety material, and dealing with public concerns. The Branch consists of four employees. Their mandate is to work with the school districts to administer a safe, efficient, and dependable pupil transportation system.

3.7 At the time of our audit there were eighteen School Districts in the Province, grouped into eight Administrative Units. Each Administrative Unit consisted of a Superintendent, a Director of Education, a Director of Finance and Administration, a Transportation Manager, in some cases an Assistant Transportation Manager and several other support staff. Responsibilities of Administrative Units (or district offices) included but were not limited to enforcing regulation and policies, routing applications, route planning and scheduling, maintenance of driver files, local training programs, school zone delineation, accident investigation and follow up. Subsequent to our audit, the Province established a new governance structure of fourteen District Education Councils, effective 1 July 2001.

Scope

3.8 The objective for our audit was:

To determine if the Department of Education has adequate systems and practices in place for the safe transportation of pupils, including fulfilling its statutory and regulatory responsibilities.

3.9 We developed seven criteria to assist us in conducting the audit.

3.10 The initial planning phase of our audit consisted mainly of documentation reviews and interviews with staff from the Department of Education, primarily within the Pupil Transportation Branch.

3.11 In the conducting phase we obtained audit evidence by performing audit testing at the Department of Education's Pupil Transportation Branch, various district offices and at a number of schools around the Province. Because under government policy the Department of Transportation (DOT) provides maintenance services for all provincially owned buses, we visited the Vehicle Management Agency and a DOT Garage. We also interviewed staff and bus drivers. As part of our efforts to increase our own expertise in the area of Pupil Transportation our senior

field auditor attended the Nova Scotia Pupil Transportation Conference. We have used all information gathered to support our findings, conclusions and recommendations that are presented in this chapter.

Results in brief

3.12 The Department lacks an overall monitoring function. There is little or no monitoring of superintendents, principals, or bus drivers to ensure they are fulfilling responsibilities assigned to them in the Regulation. One area where this is evident is in the maintenance of vehicles. Superintendents have a very “hands-off” role in maintaining school vehicles in safe condition, despite the clear responsibilities assigned in the Regulation. Maintenance of both provincially owned and contracted buses is not monitored by the Department. Bus drivers informed us they are often not completing their daily pre-trip inspection checklist in its current format. Department officials admitted to us they suspected this was the case, but have not taken timely action to monitor and correct the situation.

3.13 We have concerns regarding the poor results from inspections on buses provided by Commercial Vehicle Enforcement. Given the fact that 44% of buses inspected were placed out of service in 1999 and 20% the next year, it would appear systems currently in place to ensure vehicles are adequately maintained are failing in some regard.

3.14 Another area where monitoring is weak is in the area of performance appraisal. During our audit, superintendents were not performing performance appraisals on bus drivers as Regulation requires. Thus the majority of bus drivers in the Province have never been subject to a performance appraisal. Without adequate performance appraisals, it is difficult to ensure drivers are fulfilling their own responsibilities. An improved performance appraisal system would provide an excellent opportunity for the Department to do such things as review accident reports, inspect log books, ensure completion of daily pre-trip inspection check lists, and follow up on any complaints against drivers.

3.15 Another human resource issue is the poor quality of the driver employment files. Documentation regarding driver employment is often incomplete or absent from the files.

3.16 Transportation Managers, who appear to have a demanding workload, informed us they are unable to spend the time they need on route planning and student data collection. A lack of planning may be one cause of the fact that buses are often over crowded at the beginning of the year. Despite an informal “no standees” policy, students are at times required to stand, particularly at this time of the school year.

3.17 We were pleased to note the Department has implemented an “in the classroom” training program for new drivers. However,

“behind the wheel” training provided to these drivers is inconsistent around the Province. Individuals providing behind the wheel training to new bus drivers have been provided with little or no training to do so.

3.18 Given the fact that students play a vital role in their own safety, adequate training on safety issues is imperative in our opinion. During our audit we noted that content, quantity and quality of student training varies greatly around the Province. In particular, we noted that the emergency evacuation exercises are not being provided twice each year as the Regulation requires.

3.19 We have made a number of recommendations regarding alternate modes of transportation. While it is not our intention to comment on the appropriateness of providing such service, we encourage the Department, as part of its own risk-management strategy, to review all alternate modes of transportation to ensure they meet appropriate safety standards.

Route planning

3.20 Our first criterion was:

The Department should give due regard to pupil transportation safety in assessing transportation requirements and route planning.

3.21 The Department speaks to the importance of route planning in its own School Bus Route Planning Practical Guide by stating route planning “is an activity that needs proper attention. It is a very time consuming exercise that requires a strong commitment to actually initiate the process and carry it through”.

3.22 Route planning involves creating and scheduling bus routes and stops. To do so involves assessing what the transportation requirements will be for any given year. This means knowing the numbers and ages of children to be transported in order to appropriately assign numbers and types of vehicles needed for transportation. It is important for the Department to know numbers of students travelling on buses to avoid over-crowding situations.

3.23 While we were pleased to find that the majority of staff interviewed do have genuine concern and interest for the safety of students in regards to route planning, some employees informed us that the time commitment necessary to carry it through was often absent. Transportation Managers often informed us they simply “do not have the resources or the time” to put into route planning. One Transportation Manager informed us they “would need a full time clerk to properly maintain the system.” Another manager told us of recent cutbacks to clerical staff that will have negative effects on their ability to maintain the student database information. They feel these are important contributing factors to many of the issues we note in the paragraphs that follow. We did

note during our audit that they are responsible for numerous tasks. Some of their responsibilities include, but are not limited to: managing over 100-150 bus drivers and their vehicles, monitoring road conditions, and responding to parental and public enquiries.

3.24 While we did not carry out a work load measurement study, we have some concerns over staffing issues raised by Transportation Managers.

Recommendation

3.25 We recommended that the Department review the workload of Transportation Managers to ensure adequate resources are provided to enable them to fulfil their various responsibilities.

Departmental response

3.26 *On July 1, 2001 a new governance structure was put in place and school districts no longer share administrative units. We believe that the increase in administrative units from eight to fourteen along with additional permanent positions will help to alleviate any problems that may exist. We will review district workloads in the fall of 2002. This will give districts time to adjust to the new organizational structure.*

Lack of formalized level of service to be provided

3.27 We determined that the Department has not formalized the level of service to be provided to the students and that the level of service provided varies greatly on a province-wide basis. While regulation gives some guideline as to distance eligibility, there is little guidance regarding other levels of service. We determined by our interviews that district staff varied greatly in their perceptions of what was considered an acceptable waiting time, an acceptable length of time spent on a bus, earliest pick up and drop off times, and number of students transported per bus. The Department provides little guidance in this area other than to say they evaluate these services on a case by case basis.

3.28 Departmental staff informed us that the unwritten policy is no bus may transport more than the maximum number of students as per the manufacturer's rating. For the regular school buses, this would be 72 or 84 students (max three per seat) depending on the length of the bus. Departmental officials admit, however, that this maximum rating does not take into account the age or size of the child.

3.29 Part of the reasoning behind limiting numbers of students per seat is to ensure the effectiveness of compartmentalization. Compartmentalization refers to the fact that seats are spaced and the seat backs sized to resist occupants being thrown around on impact. Federal standards currently call for high-backed seats made of soft, energy absorbing materials to retain occupants in their place in the event of an accident. This design provides a high level of protection to occupants. Research has shown that compartmentalization (the "compartment" created between two high back padded seats) provides adequate safety in most cases for students travelling in a school bus. Part of this assumption,

however, includes the understanding that all children are indeed properly seated within this compartment.

3.30 Given this, the Department informed us that the maximum number of three students per seat would only be appropriate for younger children from Kindergarten to grade 6. For grades 7 to 12, only two per seat would be appropriate. Despite this, however, the Department has not formalized policy on the maximum number of children per age group per seat. On one bus ride one of our auditors participated in, our staff observed that with three middle school age children per seat, one passenger was literally hanging in the aisle.

Recommendation

3.31 We recommended that the Department formalize the level of service it will provide to students. These standards should include the number of students per seat (based on age) per bus, acceptable waiting time, acceptable bus ride time, earliest pick up time, and latest drop off time.

Departmental response

3.32 In the winter of 2000, the department began a provincial survey of transportation service levels. One of the objectives of this project is to determine the extent to which standards for service levels can be expanded beyond the current standard for distance eligibility. This project will be completed in the fall of 2002.

Lack of training provided for route planning

3.33 We were pleased to note that the Department had developed what we would consider two excellent documents to assist staff with route planning. Both the "School Bus Route Planning Guide" and "School Bus Stops Practical Guide" in our opinion are useful tools for staff. The guides provide very detailed information on route planning, implementation, and evaluation processes. Few of the Transportation Managers we interviewed were using these guides in any consistent manner. Further, most Transportation Managers informed us they had received no formal training in route planning and basically just "learned as they went along".

Recommendation

3.34 We recommended that the Department establish a formal training plan to assist Transportation Managers with their route planning responsibilities.

Departmental response

3.35 Training of staff is now the responsibility of DEC's. The Department will discuss the need for training opportunities and availability of courses with districts.

Lack of evaluation of bus routes and stops

3.36 In our opinion, part of successful route planning would involve a regular and consistent monitoring and evaluation process. The Department's own route planning guide suggests that it is potentially hazardous to assume that once school bus stops and routes have been assigned they will always be safe. Often new traffic patterns evolve, the number and types of students on runs change, and new subdivisions are created, all leading to issues that potentially affect the safety of current

routes. One bus driver spoke of his own experience of “route hypnosis”, whereby you drive the same route for so long, you are less apt to notice safety issues. While interviewing district staff on this issue, we got the distinct impression that routes and stops were based on historically what had been done a number of years ago. The Department informed us they rely on bus drivers to let them know if they have any problems. While we agree it is beneficial to rely on input from bus drivers as to where the safest stops are, we would expect the Department to monitor routes and stops periodically to ensure their safety.

Recommendation

3.37 We recommended that the Department ensure that routes and bus stops are re-evaluated on a regular basis.

Departmental response

3.38 *Each year, before school opens, districts look at the routing of school buses and the location of bus stops in order to assign new kindergarten students coming into the system and to evaluate the impact on bus routes of losing students that graduated in the previous school year. The department will discuss with districts the feasibility and benefit of expanding this review on a revolving basis.*

Lack of reliable and current student data

3.39 In order to avoid over-crowding situations, it is important to pre-determine the number of students travelling on each bus. When we began auditing, we expected to be able to easily obtain reliable and current student data and bus schedules. For example, we were interested in knowing what students are on what buses at what times. This data was not readily available in some cases.

3.40 Bus drivers in some regions informed us they are asked to update student data as they are driving the bus or as they come to bus stops. They are to write down the number of students (and in some cases, names) at each stop. Bus drivers we interviewed expressed to us their safety concerns regarding this issue. We agree that this practice has the potential to either take the driver’s attention away from the wheel or spend inordinate amounts of time at a particular stop. We feel this method of obtaining data is a potentially hazardous situation. One driver we interviewed was so fearful of this practice that he would bring his wife along to gather the data.

Recommendation

3.41 We recommended that the Department review current methods for obtaining student data to ensure the safest possible method of updating data is used.

Departmental response

3.42 *The Department discourages school districts from using drivers to collect route and student data while driving their bus. Districts will be reminded that this is not an appropriate practice.*

Inconsistent application of 2.4 km rule

3.43 Section 3(1) and 3(2) of the *Pupil Conveyance and Lodging Regulation* states:

The superintendent of the school district may provide for the conveyance of all pupils living at least two and four-tenths kilometres from the school that they attend.

The Minister may, for any reason the Minister considers sufficient and after consultation with the superintendent of the school district, authorize the conveyance of pupils for a distance shorter than that mentioned in subsection (1).

3.44 During our audit we determined that none of the regions we visited were consistently applying the 2.4 km guideline. Practice has been for Transportation Managers (sometimes, but rarely, in consultation with superintendents and/or the Pupil Transportation Branch) to decide the appropriateness of transportation to be provided. In reality this means that in some parts of the Province several children living closer to the school than 2.4 km are provided with transportation, while in other parts of the Province they are not. Distance eligibility for transportation varies around the Province. Some districts informed us they transport students living as close as .5 km from the school, while others did so for students living between 1.5 and 2.4 km from the school. One Transportation Manager did try to enforce the 2.4 km for any new students and kept a file documenting reasons for providing service to those living closer than 2.4 km. The Department, however, was unable to provide us with a single written authorization from the Minister. Understandably, staff informed us of the difficulties in not providing service to students who in the past were granted such service.

3.45 While it is not our role to comment on the level of service the Department should be providing, it is our role to report on compliance with the Regulation. A recent departmental survey of all districts shows that they are currently providing transportation to over 12,500 students in the Province living closer than 2.4 km from the school. We determined that the various districts do not base the decision to transport these students on any consistently applied criteria. They do not consistently consider the impact of crowding these extra students potentially have on the current busload.

Recommendation

3.46 We recommended that distance eligibility of 2.4 km for the transportation of students be applied consistently throughout the Province. In all exceptions to this 2.4 km rule, we recommended the Department ensure the Ministerial authorization (as per paragraph 3(2) of the Regulation) is properly documented on file. If not practical, we recommended the Department amend the Regulation accordingly.

Departmental response

3.47 *Pupil Transportation regulations were amended effective July 1, 2001. Superintendents are now required to transport students residing more than 2.4 km from the school. Ministerial approval to transport students within 2.4 km is no longer required. Superintendents can provide*

transportation for students living within a shorter distance with the approval of the District Education Council.

Lack of formal policy on standees

3.48 Given the importance of compartmentalization as discussed above, we feel strongly that the Department of Education should develop a formalized “no standees” policy. While the Department informs us this is the current practice, we did note varying standards around the Province.

3.49 In a survey the Department issued to various districts last year, all Transportation Managers reported to the Department that they had no standees on any buses. We were then notably surprised to find that in the majority of our regional visits, Transportation Managers and bus drivers informed us they regularly have standees, especially for the first few weeks of the year, when “routes are just getting settled.” One Transportation Manager informed us he felt that departmental policy was to drive with one standee per row of seats. On a regular 72 passenger bus this would be 12 standees.

3.50 One bus driver informed us he has driven with students filling the aisle and backed to the front door on occasion. Drivers told us there is no clear understanding of what to do in the case of crowded buses. Some drivers said they are told “never to leave students behind at a bus stop - even if this means standing” and others informed us they are told “never to drive with any students standing on a bus”. Transportation Managers communicated their uneasiness about having no formal policy on this issue.

Recommendation

3.51 We recommended that the Department develop and enforce a “no standees” policy. This policy should be documented, communicated, monitored, enforced and consistently applied throughout the Province.

Departmental response

3.52 *This requirement was established under the new Regulation and will be monitored.*

Poor communication with affected parties regarding the seat belt issue

3.53 Time and time again during our audit, the issue of seat belts on buses was raised. We noted numerous newspaper articles and editorials on such over the past few months. Prior to beginning our audit, we were unaware of many of the so-called “seat belt issues”. We were encouraged to learn through our research that many experts (some of which are at Transport Canada) are diligently studying the issue.

3.54 The latest report published by Transport Canada states that in the types of accidents most likely to occur in school buses, seat belts may actually cause more harm than good. Transport Canada praises “compartmentalization” as an excellent source of safety for our children. While we were comforted by these findings, we were disappointed that this information has not been passed on to the students, the parents, and the public in general.

3.55 We held numerous discussions on the issue with Department officials. We are confident that the Department is not basing its “no seatbelt” decision on dollars but rather safety. We would encourage the Department to educate all affected parties on the seat belt issue at every opportunity. We would suggest the material sent home to parents include information on seat belt research statistics, explanation of the fact that most accidents do not occur on, but around a bus, current bus design and the benefits of such.

Recommendation

3.56 The Department should provide information to both students and parents on the seat belt issue.

Departmental response

3.57 *The Department and school districts will provide information on the seat belt issue and any other safety issues to any interested party upon request.*

Conclusion

3.58 This criterion was partially met. While the Department has made some contributions to improving route planning by developing guides and attempting to implement improved database systems, we feel there are further improvements to be made in this area. The Department lacks a formalized level of service, thus the level of service provided varies greatly around the Province. The Department has not formalized a “no standees” policy and students are standing on buses in certain areas of the Province. Because student data is not always accurate or up to date, some districts are having difficulty planning routes and stops, and the number of buses needed.

Driver employment standards

3.59 Our second criterion was:

The Department of Education should ensure that drivers of vehicles transporting students meet appropriate employment standards.

3.60 Given the vital role drivers of school vehicles play in the safety of pupils, we feel it important the Department ensure such drivers meet appropriate employment standards.

3.61 We visited six Administrative Units around the Province to review driver employment standards. In the process we interviewed Transportation Managers, Assistant Transportation Managers, clerical and payroll staff and drivers. We reviewed 94 driver employment files.

3.62 For our audit purposes we defined “appropriate employment standards” to encompass the following attributes:

- valid license;
- physically fit;
- appropriate age (21-65);
- appropriate driver abstract;
- sober habits, industrious, good appearance, good health;

- capable of exercising good judgement and controlling pupils;
- capable of making minor inspections and repairs to a school vehicle; and
- appropriate result from criminal record check.

3.63 All but the latter requirement come directly from the *Pupil Conveyance and Lodging Regulation*. The requirement for an appropriate criminal record is current practice in the Department but is not required by current Regulation.

**Lack of monitoring of
employment requirements
Licensing requirements**

3.64 In the Province of New Brunswick, an individual wishing to drive a bus (vehicle with more than 24 passengers) usually obtains a class 2 license with a B endorsement. The *Pupil Conveyance and Lodging Regulation* stipulates that licenses must be renewed at the determination of the Superintendent. Though not in Regulation, the Department in co-operation with the Department of Public Safety has in practice required class 2 licenses to be renewed every two years.

3.65 In our audit of the various districts we were disappointed to note that some were not tracking the validity of licenses in a consistent manner. In three districts we did find a valid drivers license in every employee file reviewed. In one of these, however, the Transportation Manager admitted to us they don't review these for validity, but keep them on file for easy reference. In the other three districts, we noted that 22% of driver files did not contain a copy of a valid license. Nor did the Department have any file for licenses or system in place to ensure drivers did indeed have a valid license. Departmental officials informed us of their confidence that their drivers do have valid licenses. However, given a lack of monitoring, a driver could potentially drive a school bus without a valid license.

3.66 We inquired with various district staff as to whether or not they had a system in place that would "flag" licenses up for renewal on a monthly basis. The majority informed us that they did not, despite the fact they felt they would have the capability to do so. We encouraged the Department to ensure districts flag license renewals due on a monthly basis.

3.67 Prior to 2000, the Department of Education had an informal agreement with the Motor Vehicle Division that they would be notified in a timely manner of any driver that lost their license. In discussions with various Transportation Managers they described to us their uncertainty in this regard with the newly formed Department of Public Safety. They wondered if this system is still in place.

Recommendation

3.68 We recommended that the Department formalize the understanding with the newly formed Department of Public Safety to ensure lines of communication exist to inform the Department of Education regarding loss of licenses.

<i>Departmental response</i>	3.69 <i>The Department will initiate discussions with the Department of Public Safety.</i>
<i>Medical fitness and age requirement</i>	3.70 The <i>Pupil Conveyance and Lodging Regulation</i> stipulates that persons employed as drivers of school vehicles must submit proof of physical fitness both before employment and each time the person's drivers license is renewed. We were pleased to note that systems are in place such that a driver cannot renew their license at the Motor Vehicle Division without first providing proof of medical fitness to the Driver Examiner. The Department relies on this control to ensure that all their drivers are physically fit. As previously discussed, however, if the Department does not monitor validity of licenses, they are not ensuring drivers are physically fit. 3.71 The <i>Pupil Conveyance and Lodging Regulation</i> stipulates that drivers of school vehicles must be between the ages of 21-65. Similarly, the Department relies on the Motor Vehicle Division to not renew licenses for drivers outside this age range. And again, without consistently monitoring the validity of licensing, the Department does not ensure drivers are in the required age category.
<i>Recommendation</i>	3.72 We recommended that the Department establish a process to monitor the ongoing validity of drivers' licenses.
<i>Departmental response</i>	3.73 <i>The Department will initiate discussions with the Department of Public Safety.</i>
Not consistently obtaining driver abstracts	3.74 A driver abstract is a record of one's driving history. It would show any motor vehicle infractions in the Province as well as those forwarded from other co-operating jurisdictions in Canada and the U.S. The <i>Pupil Conveyance and Lodging Regulation</i> stipulates that superintendents are to obtain a driver abstract before employment. In keeping with this, it has been the Department's practice to do so since approximately 1997. Of the driver files we examined during our audit, 62% had no record of a driver abstract. While some of these drivers were employed prior to 1997, others were not. 3.75 While it is current practice to only obtain a driver abstract upon employment, one Transportation Manager we interviewed does so on an annual basis. In our opinion, this is an excellent process to verify that bus drivers continue to maintain an acceptable driving status. The Department is considering adopting this practice and we would encourage them to do so.
<i>Recommendation</i>	3.76 We recommended that the Department obtain driver abstracts as required by Regulation. The Department should also consider the benefits of obtaining driver abstracts on a regular basis.

Departmental response

3.77 Under the Pupil Transportation Regulation, which was revised effective July, 2001 a driver must submit a driver abstract to the district not only as a condition of employment but also when his/her license is being renewed every two years. In consultation with the school districts, the Department will develop a monitoring process to ensure compliance.

Lack of definition regarding an acceptable driver abstract

3.78 Given the requirement to obtain a driver abstract, we anticipated the Department to have developed a formalized definition of what constitutes an acceptable driver abstract. We found this not to be the case. It is up to the discretion of individual Transportation Managers to decide for themselves what they consider to be “acceptable” or “not acceptable”. In our interviews with various managers we found varying degrees or definitions of acceptability. Some managers found it acceptable to have numerous motor vehicle infractions. Others did not. Most managers tried to take into account when and how often the incidences occurred. Although this varied from region to region, we noted multiple incidences of accidents and speeding infractions while examining driver files. For this reason, we feel it is important for the Department to develop standards as to what constitutes an acceptable driver abstract and implement these standards accordingly.

Recommendation

3.79 We recommended that the Department develop standards regarding the definition of an acceptable driver abstract and apply this definition consistently on a province-wide basis.

Departmental response

3.80 The Department will work with school districts to develop a set of guidelines.

Lack of clarification of expectations

3.81 Under the heading “Employment requirements” the *Pupil Conveyance and Lodging Regulation* describes drivers as being required to be “of sober habits, industrious, of good appearance.” Further, Regulation describes a condition of employment as being “capable of exercising good judgement in handling a school vehicle and in controlling pupils.” Given this, we anticipated the Department would have formalized expectations regarding such. However, most district Transportation Managers informed us it was “just a gut feeling” in determining whether or not an individual possesses these characteristics. While we in no way wish diminish the value of such judgement, we do feel it would be useful for the Department to provide districts with guidance regarding activities or behaviour that may lead an employer to believe a prospective employee is of “sober habits” for example. We found little documentation of this in employee files. The requirement of documentation would ensure such standards were at least considered in the hiring process.

Recommendations

3.82 We recommended that the Department formalize guidelines for terms “sober habits, industrious, good appearance, good health” as described in Regulation so that they may be consistently applied on a province-wide basis. We recommended that examples of such be well documented in employee files.

3.83 We recommended that the Department formalize guidelines for the term “capable of exercising good judgement in handling a school vehicle and in controlling pupils” as described in Regulation so that it may be consistently applied on a province-wide basis. We recommended that examples of such be clearly documented in employee files.

Departmental response

3.84 *The Department prefers to leave the determination of standards/guidelines for physical fitness and comportment to the districts.*

Lack of consistency in obtaining criminal record checks

3.85 As discussed previously, Regulation does not require employees to consent to and produce a criminal record check prior to or during employment. However, we were told that it is departmental practice to do so. It is noted in the driver handbook and on a form for admittance to the Driver Training Course. In examining driver files however, we determined that this practice varies greatly around the Province. Some districts informed us they began to obtain criminal records in 1996, others in 1998. Of the driver files we examined, only 23% showed evidence of having a criminal record check on file. While the Department explained to us the reason for this is that the majority of these drivers were hired prior to the implementation of the practice of obtaining criminal records, we noted cases of drivers hired more recently with no record on file. Where criminal record checks are done, they are currently only done prior to employment. No districts are obtaining criminal record checks on a periodic basis.

Recommendation

3.86 We recommended that the Department formalize policy regarding obtaining criminal record checks for bus drivers. The Department should ensure such policy is applied on a province-wide basis.

Departmental response

3.87 *The Pupil Transportation Regulation, revised effective July 1, 2001 requires all prospective drivers to consent to a criminal background check. A process to monitor for compliance will be implemented.*

Lack of standards for criminal record checks

3.88 Similar to driver abstracts, the Department has not formally defined an “acceptable” criminal record. Transportation Managers individually decide on whether a given criminal record is acceptable or not, and levels of acceptability vary around the Province. While all Transportation Managers we interviewed informed us they would never hire an individual with a history of violent crimes or crimes against children, they were unclear on other charges like marijuana or drug related offences. While examining driver criminal record checks, we did note one instance of a marijuana conviction. Transportation Managers informed us they try to consider the time the charge occurred. For instance drug convictions from fifteen years ago would potentially be less relevant than those of last year. We feel it would be prudent for the Department to formalize standards for criminal record checks.

Recommendation

3.89 We recommended that the Department formally define an “acceptable” criminal record and ensure consistent application on a province-wide basis.

Departmental response

3.90 In consultation with school districts, the Department will develop guidelines for an “acceptable” criminal record.

Lack of standard employment process

3.91 The Pupil Transportation Branch informed us of the following process they follow as a standard employment process for hiring a bus driver. An advertisement is placed in the paper and applicants apply. To do so, they complete an application form (not specific to bus drivers, but for support staff in general), include a resume and drop this off at the local Transportation Office. A Transportation Manager would review applications, and select those most qualified for an interview. Those applicants passing the interview would be asked to supply a criminal record check, a driver abstract and a medical form. If appropriate, they would then be admitted to the five-day New Brunswick Driver Training Course. Once passing this, they are eligible to write their exam for their instructional permit. They are at this time not permitted to drive a bus with children in it. They practice driving without children on a bus and then go for their regular license. Once successful, they are placed on the Department’s supply list and are called upon to drive when necessary. Most supply drivers are indeed used on a fairly regular basis. When a full time position comes available, supply drivers may apply.

3.92 While auditing the various districts we determined that the hiring process varies from district to district. While some Transportation Managers hold formalized job interviews, others do not. In fact, 90% of the driver files we examined showed no evidence of an interview.

3.93 The Department does not have a standard employment application form specifically for bus drivers. Some districts are using the same employment application form for all support staff (bus drivers, clerical, janitorial), while some other districts have developed an application form specifically for bus drivers. One Administrative Unit we visited showed us a very detailed employment application form they supply to potential bus drivers. We were particularly pleased to note areas were provided for the potential employee to note any experience working with large groups of children and to list references with phone numbers. There was also an area for departmental staff to sign off if references had indeed been checked and to note comments regarding the reference check. We were disappointed to note that in these same districts, we found little evidence of usage of these application forms. In several cases, employee applications were not in the employee file. If they were in the file, the form was often incomplete.

3.94 In five of the six Administrative Units we visited, we found virtually no driver files with evidence of any sort of reference checks having been completed. Though some resumes included references, there

was little evidence to show if the Department indeed contacted any of these and what the results of such contact were.

Recommendation

3.95 We recommended that the Department formalize the requirements for reference checks on all prospective school vehicle drivers. We recommended the Department document the results from interviews and reference checks in all employee files.

Departmental response

3.96 *In consultation with school districts, a process to document results from interviews and reference checks will be developed.*

3.97 Several transportation managers informed us that sometimes drivers are admitted to the driver training course prior to having met employment standards (i.e. an acceptable criminal record, driver abstract, medical, or passing interview). They informed us that sometimes because a driving course is beginning in their area, they might let a driver into the course prior to the person meeting the above requirements. For instance, if a course offering begins on Monday and an applicant applies on Friday, the time constraints might prevent the Department from gathering appropriate employment data before the course begins. Departmental staff informed us that when this happens, they may forget to go back and obtain employment standards data.

3.98 We were pleased to note that during our audit, the Department informed us it implemented a control feature whereby no one would be issued a certificate of completion from the driver training course unless they had indeed first met the standards of employment. We then audited this control feature by examining documentation on three course participants from each of three driving training course offerings. Out of these nine drivers that were issued course completion certificates, we noted two still had no valid medical on file and three had no documentation from any job interview. We did observe, however, that all incidences noted were from one region; thus this problem may be limited to this particular region. It does point out the need for consistent application of policy in all regions. Therefore we encourage the Department to continue this practice of withholding certificates of completion until all employment standards are met and ensure it is implemented consistently.

Recommendations

3.99 We recommended that the Department ensure that no bus drivers are hired until they meet employment standards.

3.100 We recommended that the Department develop and implement a consistent hiring process for bus drivers.

Departmental response

3.101 *A process was put in place in the spring of 2001 which stipulates that no new drivers will be provided with a Provincial School Bus Driver's Training Certificate unless documentation is provided to the Pupil*

Transportation Branch that employment standards (medical, driver abstract and criminal record) have been met.

Lack of monitoring employment standards for contracted drivers

3.102 The Department has a standard school bus conveyance agreement for full size school buses that is used for all conveyance contracts. The terms of the contract state that the Contractor shall supply “fully qualified driving personnel”. The contract further stipulates that such personnel should conform with the provisions of the *Education Act* and the *Motor Vehicle Act*, concerning school buses and school bus drivers, and regulations thereunder.

3.103 Departmental officials told us they do not monitor this aspect of the contract. They have no knowledge regarding the employment standards used by the current contracted bus companies. While we would not expect the Department to review contracted employee files, we would expect the Department to ensure employment standards as described in Regulation are being adhered to by contractors.

Recommendation

3.104 We recommended that the Department monitor employment standards for contracted school bus drivers to ensure they are consistent with the stated Acts and Regulations.

Departmental response

3.105 *School bus drivers employed by a contractor must meet the same employment standards as a school bus driver employed by the Province. The Department in conjunction with the school district administration will conduct reviews of employee files.*

Conclusion

3.106 This criterion was not met. We have determined that the Department lacks consistent hiring practices. Employment standards vary around the Province, indicating there is a need for clarification of such standards. Documentation in employee files is poor and in need of much improvement. We found several instances where certain regulatory requirements for employment were not validated.

Driver training

3.107 Our third criterion states:

The Department of Education should ensure that drivers of vehicles transporting students are adequately trained.

3.108 The Department of Education has implemented a mandatory driver-training program. The Department initiated an Inter-Provincial Pupil Transportation Survey in 2000. Out of the eight provinces that responded to the survey, only two of these required any form of mandatory provincial driver training. We commend the Department for being proactive in this area!

3.109 The Department’s training program consists of four days of classroom training and a half-day of first aid training. As part of our audit, we reviewed the content of the training program. Topics include training

in Regulation, log books, collision reports, pre-trip inspections, air brakes, and student discipline.

3.110 Along with ten potential driver candidates, two of our staff attended part of a driver-training course offered in Moncton. At this course we were impressed with both the instructor and the course content. We do however have some areas in which we feel the Department could improve upon driver training to ensure it continues to be one of the best in the country.

Non-compliance with Regulation regarding drivers of vans

3.111 The Department currently employs approximately two hundred drivers of contracted cars and vans. Due to the smaller number of students requiring transportation in any given area, sometimes the Department uses cars and vans instead of buses to transport these students. Vans can be either passenger vans (typically carrying seven passengers) or larger vans carrying ten to twenty-four people. Regulation requires drivers of vans to take the prescribed driver training course. Although the Department interprets “van” to mean a vehicle with more than ten passengers, Regulation does not define a van as such. The Department informed us they currently encourage drivers of vans carrying more than ten people to attend driver training but it is not mandatory. Drivers of passenger vans are not required to complete any formalized training. While we realize the requirements of driving a van do differ from that of a bus, we encourage the Department to follow its own Regulation. If the Department deems the training requirements inappropriate for vans, the Department should review the specific training requirements of drivers of such vans. For example, it would certainly seem relevant to train van drivers in such areas as student discipline and emergency procedures.

Recommendations

3.112 We recommended that the Department comply with Regulation by ensuring that all drivers of vans have received the mandatory training program. If the Department determines aspects of such requirements to be not applicable, the Regulation should be amended accordingly.

3.113 We recommended that the Department consider the specific training needs for drivers of vans.

3.114 We recommended that the Department define “van” for purposes of enforcing the Regulation.

Departmental response

3.115 *The Pupil Transportation Regulation was amended effective July 1, 2001. All drivers of school vehicles of ten passengers or more are now required to complete the mandatory training program prescribed by the Department.*

Inconsistent “behind-the-wheel” training provided to new drivers

3.116 Once new bus drivers have completed the driver training program and obtained an instructional permit, they are assigned a “mentor” by the individual school districts. A mentor is a bus driver currently employed by

the Department who staff feel is experienced enough to provide some coaching to new drivers. This training or coaching complements the initial classroom training program. Its purpose is to review the principles and procedures necessary to develop safe driving skills and techniques. Some of the training includes pre-trip inspection, mirror adjustment, steering and turning a bus, negotiating turns, traffic flows, and loading and unloading practices. Training usually begins by actually having the new driver drive an empty bus. It may also involve observing the mentor drive with children on the bus. Mentors will generally share their knowledge and expertise with these potential new drivers. Mentors will then provide feedback to the Transportation Managers on performance.

3.117 In our interviews in various districts, we found that both the content and length of “behind-the-wheel” training varies around the Province. We determined that the length of time for such training could vary anywhere from three hours to a number of days. The Department has no formalized standards regarding the length of time or content for training. Mentors have been provided with no formalized training on how to train other drivers. Each driver has their own way of doing things and emphasizes what they feel to be most important. We feel improvements could be made in this area. We are in no way questioning the expertise of the Department’s current driver mentors. We do feel, however, that the same standards should be applied to all potentially new drivers in the Province.

3.118 We were surprised to note that, in the majority of cases, a potential new driver never actually drives with children on a bus before being hired by the Department. While an instructional permit does not allow drivers to drive a bus with children on it, we feel the Department could certainly evaluate a driver in this manner after they have received their Class 2B license.

3.119 We are pleased to note that during our audit, departmental staff informed us that the Department is currently in the process of implementing a formalized Driver Coach Program. This would involve more formalized training of current bus drivers as driver coaches. We encouraged the Department to ensure consistent training for coaches and consistent course content.

Recommendations

3.120 We recommended that the Department complete the development and implementation of a Behind the Wheel Driver Training Program. This program should be provided to all appropriate candidates and evaluated for effectiveness in a timely manner.

3.121 We recommended that the Department develop and provide appropriate training for all driver coaches.

3.122 We recommended the Department develop an appropriate evaluation of driver performance while driving with children in a vehicle. Results of such an evaluation should be clearly documented in employee files.

Departmental response

3.123 *The Department and the Districts are committed to the implementation of a formal Behind the Wheel Driver Training Program. There are on-going discussions regarding the position of driver coaches with the bargaining unit and the Department is confident that an agreement will be reached. Training will be provided to driver coaches and a standard driver performance assessment tool will be developed.*

No formalized standards for mentors to use

3.124 We interviewed two driver mentors who regularly provide behind-the-wheel training to bus drivers. We questioned these mentors on their standards for determining if a new driver's performance was satisfactory (i.e. does this driver possess driving skills satisfactory to the Department?). The answers were consistent in both cases, being "you just know" or "you can just tell". While we do not question the mentor's expertise in this area, we feel the Department should formalize these standards. We would consider it to be more appropriate to have a checklist of driving attributes or criteria the Department is looking for to assist driver mentors in their evaluations of new drivers. Thus if a driver passed the criteria set out by the Department, he or she would have successfully passed the Behind the Wheel Driver Training Program.

Recommendation

3.125 The Department should develop standards for successful completion of the Behind the Wheel Driver Training. Such results should be clearly and consistently documented in employee files.

Departmental response

3.126 *Standards will be in place when the Behind the Wheel Driver Training program is implemented.*

Not all drivers attending refresher courses

3.127 Regulation requires that all drivers of buses and vans must attend yearly refresher courses sponsored by the Department. Refresher course topics vary from year to year depending on what the Department (in consultation with drivers) feels is most beneficial at the time. We determined that while the Department does not insist on this attendance requirement for drivers of vans, the general policy is that all full time and spare bus drivers must attend.

3.128 We audited attendance in two Administrative Units. In one unit we visited we determined that while 97% of regular drivers did attend refresher training, only 58% of supply drivers had. In another district only 83% of regular drivers had attended refresher courses. During our audit, some district staff informed us they were having difficulty getting supply drivers to attend these yearly refresher courses. Supply drivers are drivers who have successfully completed the initial driver training, have their licenses and are awaiting full time work. While they are not yet full time employees, the districts informed us they are called upon on a fairly

regular basis to drive. Most districts rotate the supply list to ensure all supply drivers get equal opportunity to drive.

Recommendation

3.129 We recommended that the Department ensure that all drivers attend refresher courses as required by Regulation.

Departmental response

3.130 *The Department in cooperation with the school districts administration will put in place a monitoring process for this requirement.*

Lack of accident statistics analysis

3.131 Bus drivers are required to submit accident reports for every accident they are involved in. Districts are required to accumulate these accident statistics and submit them on a quarterly basis to the Pupil Transportation Branch. Accident reports detail the type of accident, probable cause, driver, conditions, number of students involved, etc.

3.132 We expected to find the Department analyzing these reports with regards to types of accidents, types of drivers, etc. to better enable it to identify problem areas. However, staff in the Pupil Transportation Branch informed us that these accident statistics are currently analyzed strictly for the number of accidents to report for insurance purposes. Given the detail provided on these accident reports, we feel the Department has not maximized their usage.

3.133 Further we noted that, once accumulated, the Pupil Transportation Branch is not relaying any of this information back to the districts in any consistent manner. One district we interviewed was extremely surprised when we informed them they had by far the highest reported accident rate in the Province.

3.134 In our own analysis of accident statistics, we determined that for the months January-June in 2000, there were a total of 87 accidents involving buses or vans reported by various districts. Thirty percent of these accidents occurred while reversing or turning a vehicle. Further, 64% of all accidents occurred in the first quarter, perhaps indicative of poor winter driving conditions. We feel these statistics would be potentially useful in determining appropriate refresher training for drivers. In this case, perhaps winter driver training or training on reversing or turning a vehicle might be appropriate.

3.135 During our audit, departmental officials informed us they were working on a database system specifically for the purpose of tracking accidents. They are currently developing a software system that will not only capture the data but also produce periodic reports. We encouraged the Department to continue to implement this system and use it to its full capabilities.

Recommendation

3.136 We recommended that the Department use accident statistics regarding types of accidents as a tool for planning topics for refresher courses.

Departmental response

3.137 *The Department agrees with the recommendation and will proceed accordingly.*

Drivers express need for more disciplinary training

3.138 A consistent theme among drivers and administrators we interviewed was that bus drivers need more training on how to better manage students and disciplinary issues. One principal we interviewed shared with us the fact that bus drivers often must abort their runs and return to the school yard, unable to deal with a disciplinary situation. This particular principal feels this is necessary in some cases, but could be avoided in others if drivers were provided with more training in this area. Because we heard these comments so often during our audit, we feel it is important for the Department to address this issue on a province-wide basis and consider providing some additional training in this area.

Recommendation

3.139 **We recommended that the Department develop training on disciplining student behaviour and deliver this training to its bus drivers in a timely fashion.**

Departmental response

3.140 *Student discipline is part of a module covered in the initial driver's training program for all new drivers. The Department Student Services Branch along with the Department Pupil Transportation Branch and in consultation with the school districts is currently reviewing the needs in this area. The objective is to develop instructional materials and reference documentation that could be used by Transportation Managers or other school districts personnel to assist them in training school bus drivers. Also, a list of training videos on different aspects of pupil transportation including the issue of student discipline has been made available to the school districts.*

No formal policy or legal requirement for first aid training

3.141 While there is no formalized policy to do so, the Department informed us it has been practice for a number of years to require drivers of regular school buses (both provincially owned and contracted) to have valid first aid training. This training is valid for a period of three years and drivers must then be re-certified. We interviewed several Transportation Managers and reviewed driver employment files for documentation regarding such training. We discovered that the majority of Transportation Managers we interviewed did not track the re-certification due dates for employee first aid training. In other words they wouldn't really know if all employees had valid training, or when each employee is due to have training. We found little evidence of first aid certificates in driver files. Managers informed us that they feel drivers would have had first aid training and the certificates would simply be in their own possession. We feel the Department should be more closely monitoring the validity of drivers' first aid training.

3.142 While it has not been departmental practice to require first aid training for drivers of contracted vans (for any number of passengers) or contracted cars, we would encourage the Department to consider the benefits of such training.

Recommendations

3.143 We recommended that the Department formalize policy regarding the first aid training requirement.

3.144 We recommended that the Department ensure all drivers are re-certified in first aid training every three years.

3.145 We recommended that the Department evaluate the benefits of requiring first aid training for drivers of vans and contracted vehicles.

Departmental response

3.146 *Although it was not legislated, it has been the practice that all school bus drivers have to maintain a valid first aid certificate. This practice is now established as a requirement under the Pupil Transportation Regulation as of June 29, 2001. All drivers of school vehicles of 10 passengers and more are required to have a valid first aid certificate. For a vehicle of less than 10 passengers, a first aid certificate is strongly recommended.*

Inconsistent documentation of distribution of Policy 701

3.147 Policy 701 is a Pupil Protection Policy developed by the Department in 1996 and revised in 1998. The purpose of this policy is:

to protect pupils in the public school system from abusive behaviour by adults to which they may be exposed by virtue of being pupils including physical, sexual and emotional abuse and discrimination.

3.148 It defines acceptable standards of behaviour for adults who have responsibility for pupils in the public school system.

3.149 Transportation staff informed us they assumed Policy 701 had been provided to all bus drivers by human resource staff. We were pleased to note in some districts evidence of signed copies of the policy in employee files. This provided us with assurance that employees had read the policy. District staff informed us they went so far as to ensure all drivers of contracted vans or cars also signed a copy of the policy. Some principals informed us they ensure parent volunteer drivers and other drivers of vans for sporting events have also received a copy of the policy. In other districts, however, little or no such evidence existed. In these districts there were no signed copies of Policy 701 in driver files. They were not providing the policy to drivers of **all** school vehicles in a consistent manner. In most cases the policy had not been provided to parent/volunteer drivers. Given the importance of such a policy in the first place, we would encourage the Department to ensure drivers of all school vehicles have read the policy and are reminded of the content on a regular basis.

Recommendation

3.150 We recommended that the Department provide all drivers of student vehicles with Policy 701. The Department should maintain a signed copy in all employee files.

Departmental response

3.151 *The Department will work with the districts to determine the most effective manner to ensure that all drivers of student vehicles are aware of Policy 701.*

Conclusion

3.152 This criterion was partially met. While we were pleased to note numerous efforts made on behalf of the Department to provide adequate training to bus drivers, there are some areas in need of improvement. Behind-the-wheel training for new bus drivers needs to be more formalized and consistently applied in all districts. The Department needs to increase monitoring of bus driver attendance for both refresher courses and first aid re-certification courses.

Driver responsibilities

3.153 Our fourth criterion states:

The Department of Education should have processes in place to ensure drivers of vehicles transporting students are fulfilling their responsibilities as determined by the Pupil Conveyance and Lodging Regulation.

3.154 According to Regulation, there are several responsibilities of school vehicle drivers. Drivers are responsible for the safety of pupils and the efficient and economical operation of the school vehicle. More specifically, some responsibilities include: completing a daily log book, performing a detailed daily pre-trip inspection according to a checklist provided by the Department, following certain accident procedure protocol, and operating the school vehicle within authorized speed limits. Given the importance of each of these responsibilities we expected to find the Department to have systems in place to consistently monitor whether or not these and other responsibilities are being carried out.

3.155 In our interviews with Transportation Managers, Directors of Finance and Administration, and bus drivers, we found little evidence of such monitoring. Further, we noted several instances whereby we feel such monitoring would be beneficial.

Department not monitoring completion of pre-trip inspections

3.156 As an important part of the Department's vehicle maintenance regime, section 14 of the *Pupil Conveyance and Lodging Regulation* requires

in the case of a school vehicle owned by the Province, once daily, before the school vehicle is to be used and before any extra-curricular use in accordance with this Regulation if the school vehicle is to be used to convey persons outside the school district in which the school vehicle is normally used to convey pupils, inspect the school vehicle in accordance with the daily checklist provided by the Department of Transportation and the Department of Education and shall make all necessary adjustments and minor repairs.

3.157 The Department's latest version of the pre-trip inspection requirements was developed in 1998 in co-operation with the Motor Vehicle Branch, union representatives, and departmental staff. Pre-trip inspection requirements include the following components: visual overview, under the hood, in the vehicle, light system, air brakes, exhaust, and log book. Basically the pre-trip inspection is a quick safety inspection to ensure the bus is safe to drive on any given day. As part of the union contract, the Department pays bus drivers for one hour a day to clean their buses and do their pre-trip inspection. The Department informed us they feel the inspection should realistically take about 20-25 minutes. We went through the inspection in detail with a provincial bus driver and found this indeed to be the case.

3.158 While we were grateful for the frankness of the drivers, we were somewhat surprised by the fact that the majority of drivers we spoke with are not performing the pre-trip inspection as detailed on the inspection checklist provided by the Department. Those drivers that told us they were carrying out an inspection told us they were performing a somewhat condensed version. They simply felt there were aspects of the current pre-trip inspection checklist that could be done on a weekly rather than a daily basis. Thus they were doing what "needed to be done in the mornings" in their opinion.

3.159 The Department currently requires drivers to complete a daily logbook. Part of this logbook requires the drivers to sign off that they have done their pre-trip inspection daily. One driver informed us they were indeed signing the form as having done the pre-trip inspection, despite the fact they have not. Drivers we interviewed felt the pre-trip inspection form as it stands is impractical.

3.160 Part of our audit involved accompanying various bus drivers on routes around the Province. In one case we observed a bus driver hop on the bus first thing in the morning, start it up and say "let's go" with no pre-trip inspection whatsoever. Transportation Managers were not surprised when we discussed our findings with them. It appears they have suspected this for quite some time. Departmental staff informed us they continue to remind drivers to do their pre-trip inspections. However, we feel that there has been a lack of corrective action taken on behalf of the Department staff in this regard. In our opinion, knowing that the inspections aren't being done while continuing to have it as both a regulatory requirement and a paid requirement of the union contract, gives the public a false sense of safety.

Recommendations

3.161 We recommended that the Department ensure timely and appropriate corrective action for drivers not performing pre-trip inspections.

3.162 We recommended that the Department consider a review of the current pre-trip inspection checklist. This review should include

consultation with Department of Transportation, Department of Public Safety and bus drivers.**Departmental response**

3.163 *Beginning with the 2001-02 school year, the Department has begun spot checking for compliance with the requirement for drivers to conduct pre-trip inspections. In consultation with districts, these checks will be expanded into a more formalized process. Corrective action will be taken when required.*

3.164 *The inspection program was developed in consultation with the Provincial Driver Examiner and the school bus drivers' union. The content of the current pre-trip inspection program will be reviewed with these parties.*

Poor documentation in employee files regarding incidences

3.165 As discussed earlier, part of our audit involved the review of driver employment files. In doing so, we noted varying standards around the Province for documentation in drivers' files.

3.166 Practice in some districts was to file a copy of each and every complaint against drivers (from parents, administrators, etc.), incidences, notes on performance etc. In others, staff informed us their practice was to never note such incidences on file. In this case, they prefer to deal with them as they occur.

3.167 In the districts that did keep such documentation on file, we were surprised to note the lack of documentation of follow-up provided by the Department. For example, we noted several instances of what we would consider to be of a very serious nature in drivers' files. Some instances included allegations from parents regarding poor driving habits and inappropriate disciplinary techniques displayed by drivers. In most cases we were unable to find any documentation regarding how these issues were dealt with by the Department. We were unable to determine from the files if the complaint was investigated, if the complaint was founded, and, if founded, if the employee was disciplined appropriately.

3.168 On the other hand, in some cases documentation regarding discipline existed but no description of the incident was on file. A lack of detail was provided on what happened on the day in question. In one case we noted that a driver was suspended for a period of time with no pay. While references were made to alcohol impairment and the abandonment of the bus in the suspension notice, we were not able to determine from the file any firm details of the incident in question or if students were aboard. The driver in this case was subsequently paid upon winning a grievance. This decision was based on attendance at acceptable counselling. However, there was no record of counselling on file. We found no evidence that the Department had provided follow up to ensure this driver had indeed attended counselling.

3.169 We noted in yet another file, a driver was suspended during the initial ninety-day probationary period for using foul language and slamming on brakes as a means of disciplining students. This driver was subsequently hired full time and simply transferred to another route. We feel documentation should exist in cases like this as to action taken to correct such behaviour. We found no documentation of continued monitoring of this driver. As well, it is our understanding that it is relatively easy to discharge an employee during the probationary period. Given this, we would have expected to see some other competing documentation on file building support for why this employee was not terminated. We were unable to find any such documentation.

3.170 One note from a Transportation Manager in a particular driver's file was that although they met the requirements to be placed on a casual list of drivers, they were not considered to have the disciplinary control necessary for the transportation of children. This clearly demonstrated to us that at some point in time the Department felt this particular employee was unacceptable to drive a school bus. We were then surprised to note a subsequent letter from a human resource officer (copied to the above noted Transportation Manager) congratulating this employee on receiving a full time position. No documentation existed regarding the discrepancies between these two documents.

3.171 We feel it important for the Department to not only document all incidences and complaints in driver files, but also to include a clear description of actions taken by the Department. We feel this could be imperative in the case of any legal action taken against a driver or the Department.

Recommendation

3.172 We recommended that the Department ensure adequate documentation regarding complaints against bus drivers, including actions taken by the Department.

Departmental response

3.173 *The Department will assist the districts in setting up appropriate mechanisms to ensure that complaints against drivers and subsequent actions are properly documented.*

Protocol varies for suspension of students

3.174 Another important responsibility of drivers is that of enforcing safety rules. Part of this includes posting the rules provided by the Department on the bus, monitoring students' behaviour and documenting actions taken in cases of misbehaviour by students.

3.175 The Department has implemented a system by which bus drivers are issued booklets of student violation tickets. The ticket system is such that a driver notes all behavioural incidences with any given student on a ticket. The first incident noted results in simply a warning by the bus driver; the second means a phone call to the parent (either by the driver or the principal); and the third results in suspension. We were impressed by this system, as it not only provides guidance for drivers in dealing with

disciplinary action, but also sends a consistent message to students. Further it provides useful documentation for the Department.

3.176 We were pleased to note that some districts are actually tracking suspension statistics (both numbers and types of behaviours) with the purpose of identifying and then rectifying problems. Given the serious implications student misbehaviour can lead to in a school vehicle, we applaud these districts in their efforts and encourage others to follow suit.

Recommendation

3.177 We recommended that the Department develop province-wide standards regarding various student behaviour problems and related consequences. Drivers should be provided with adequate training on these standards.

Departmental response

3.178 *The Department will review this recommendation with school districts to determine its feasibility and effectiveness.*

Inconsistent review of driver accidents

3.179 As discussed previously, accident statistics are not analyzed in any consistent manner. While some Transportation Managers informed us they try to keep a copy of accidents involving a particular driver in their employment files, we found little evidence of such in our review of driver files.

3.180 Departmental Policy 508 states:

Every accident in which a school vehicle or contracted vehicle is involved will be reviewed by an identified Safety Committee to determine the cause of the accident with a view of eliminating preventable accidents. Any driver who has two preventable accidents within a school year will be required to make himself or herself available for a period of instruction after being identified by the Safety Committee.

3.181 The Department informed us the Safety Committee consisted of Transportation Managers, Assistant Transportation Managers, and Directors of Finance and Administration.

3.182 While the districts we visited recalled having such committees in the past to review each accident, this has not been recent practice. In fact, we found no evidence of such an accident review process. In some cases accidents are reviewed with Transportation Managers and drivers on an informal basis. Districts are not formally tracking driver incidences by numbers per year and thus not requiring drivers to make themselves available for a period of instruction as per the above stated policy. As some Transportation Managers are responsible for 125 drivers, we feel a more formalized approach to tracking driver incidences would be beneficial.

Recommendations

3.183 We recommended that the Department analyze accident statistics on a per driver basis to better enable the Department to monitor driver habits.

3.184 We recommended that the Department encourage the use of accident review committees to review all accidents as per policy.

Departmental response

3.185 *We agree. These recommendations will be implemented in the fall of 2001.*

Conclusion

3.186 This criterion was not met. The Department, in our opinion, fails to ensure drivers are adequately fulfilling their responsibilities. Documentation relating to employment standards or performance is often poor or non-existent. The Department is not ensuring drivers are performing pre-trip inspections as required by Regulation.

Departmental staff responsibilities

3.187 Our fifth criterion states:

The Department should ensure that departmental staff are fulfilling their responsibilities as specified by the Pupil Conveyance and Lodging Regulation.

3.188 The *Pupil Conveyance and Lodging Regulation* clearly stipulates numerous responsibilities for both superintendents and principals in the districts regarding pupil transportation. Superintendents are assigned responsibility for annual performance appraisals on bus drivers, authorizing transportation for students, obtaining driver abstracts, making and enforcing rules, and ensuring the adequate maintenance and condition of vehicles. Principals are assigned responsibility for providing supervision for bus students, designating school grounds as loading zones, and providing for emergency exercises. For this aspect of our audit, we interviewed four superintendents and six principals located in various parts of the Province. The purpose was firstly to determine if these departmental staff members were aware of their regulatory responsibilities and secondly if they were fulfilling them in what we would consider to be an acceptable manner. We were pleased to note the sincere concern regarding students and bus safety displayed by the various principals and superintendents we interviewed around the Province.

Superintendents' responsibilities

3.189 Section 15(4) of the *Pupil Conveyance and Lodging Regulation* states:

The superintendent of the school district shall evaluate the job performance of each driver of a school vehicle that is a bus at least once a year.

Very few performance appraisals on drivers

3.190 As a superintendent is responsible for an Administrative Unit (which could be two or more districts), this could mean 200 or more bus drivers. While none of the superintendents we interviewed were

performing yearly performance appraisals on bus drivers themselves, two informed us they did have some appraisal system in place.

3.191 We should note the Department has not formalized the performance appraisal system to be used. One manager did share with us the form to be used for performance appraisals in their district. It was a general form to be used for all support staff and was in no way driver specific. It would be more appropriate, in our opinion, for the Department to formalize expectations for bus drivers and develop a performance appraisal document that appropriately reflects these expectations.

Recommendations

3.192 We recommended that the Department formalize performance expectations for bus drivers, and establish a standard performance appraisal process. We recommended that the Department ensure these standards are implemented on a province-wide basis.

3.193 We recommended that the Department ensure superintendents are fulfilling their responsibilities concerning performing performance appraisals on drivers as per Regulation.

Departmental response

3.194 *The Department will work with districts to design a performance appraisal system that can be implemented across the Province for bus drivers.*

3.195 *Prior to the beginning of the 2001-02 school year, Superintendents were reminded of their responsibilities with regard to pupil transportation.*

Not all superintendents aware of responsibilities to make and enforce rules

3.196 In the 1980s the Department developed a listing of thirteen safety rules for pupils to be posted on all school buses. As per section 9 of the *Pupil Conveyance and Lodging Regulation*

9(1) The superintendent of the school district shall make and enforce rules for the proper conduct of pupils while embarking onto, travelling in and disembarking from school vehicles

9(2) The superintendent of the school district shall establish detailed procedures which clearly define personnel and their responsibilities with respect to the rules referred to in subsection (1).

3.197 Most superintendents we interviewed were not aware of this responsibility and told us they basically subscribe to “whatever rules the Department has provided us with”. Three of the four superintendents interviewed informed us that principals had been informally assigned the responsibility to enforce these rules, while the fourth placed responsibility with the Transportation Manager.

3.198 A number of departmental staff informed us they felt the original rules are in need of revision. We encouraged the Department to consider the need to revise the student safety rules.

Recommendations

3.199 We recommended that superintendents make and enforce rules for proper conduct as per Regulation. If this is deemed to be not practical, the Regulation should be amended accordingly.

3.200 We recommended that the Superintendent regularly review bus safety rules for their appropriateness and effectiveness and make necessary changes in a timely manner.

Departmental response

3.201 *Prior to this audit, the Department and school districts had initiated a process to review the conduct rules and procedures. This review will be completed this year.*

Superintendents not involved in maintenance and condition of vehicles

3.202 Section 17 of the *Pupil Conveyance and Lodging Regulation* states:

The superintendent of the school district shall

maintain or cause to be maintained all school vehicles for the school district, other than contracted vehicles, in good mechanical condition in accordance with the manufacturer's manual and the preventative maintenance program as prescribed by the Department of Transportation, and

require owners of contracted vehicles to maintain all contracted vehicles in good mechanical condition in accordance with the manufacturer's manual for each vehicle.

3.203 Superintendents we interviewed have what we would consider to be a very "hands-off" approach in regards to vehicle maintenance. All superintendents informed us "the Department of Transportation looks after this". When questioned further, none could describe to us in any fashion what was in fact being done with regard to maintenance of vehicles. Given the clear assignment of responsibility in Regulation, we would expect superintendents to have some knowledge as to the prescribed maintenance regime and whether or not it was indeed being done.

Recommendation

3.204 We recommended the Department ensure superintendents understand their responsibilities regarding vehicle maintenance and that they are fulfilling these responsibilities.

Departmental response

3.205 *The revised Pupil Transportation Regulation states that the superintendents are responsible for ensuring that all school vehicles in the school districts are in good mechanical condition. However, per section 48(3) of the Education Act, the superintendent may delegate his/her authority to one of his/her staff. The responsibility for maintenance has*

been delegated to the School District Transportation Manager who is responsible for the overall management of pupil transportation service in the school district. The Department will work with school districts to design an accountability model to ensure that the Superintendent has an appropriate level of assurance that maintenance is being properly carried out.

Superintendent has other responsibilities

3.206 As discussed in the first criterion, Regulation stipulates that superintendents may authorize transportation for students living within 2.4 kilometres of their school. Superintendents are also responsible for designating loading points and ensuring driver abstracts are obtained. From our interviews with superintendents there seemed to be a feeling that these responsibilities could be delegated to other staff. It is not possible to delegate responsibility. It would be acceptable for a Superintendent to assign the authority to a staff member to undertake certain tasks, but he or she would have to have some system in place to ensure that the tasks were fulfilled.

Recommendation

3.207 We recommended that all superintendents be reminded of all their responsibilities under Regulation and that they clearly understand that these responsibilities cannot be delegated.

Departmental response

3.208 *We agree and superintendents were reminded in September 2001.*

Confusion over chain of command

3.209 During our audit we had numerous discussions with staff at the Pupil Transportation Branch level. One area of confusion arising from these discussions was determining whose responsibility it is to ensure superintendents are fulfilling their responsibilities as per Regulation. The Pupil Transportation Manager informed us he is unclear of his role in this matter. We would encourage the Department to clarify this monitoring role to ensure all departmental staff are fulfilling their regulatory responsibilities.

Recommendation

3.210 We recommended that the Department review systems in place to ensure superintendents are fulfilling their responsibilities as described in Regulation.

Departmental response

3.211 *Superintendents will be reminded of their responsibilities.*

Principals' responsibilities

3.212 In our opinion, the majority of principals interviewed were aware of their responsibilities and for the most part fulfilling them adequately. We were encouraged by the fact that principals appeared to have a good working relationship with their drivers, stating it is something they feel to be critical to bus safety. We note however some areas which we feel are in need of improvement.

Principals not providing supervision at all times for loading and unloading

3.213 Loading and unloading of school vehicles relates to the times when the bus either arrives in the morning and students are exiting the vehicle or leaves in the afternoon and students are entering the vehicle.

3.214 Section 11(1) of the *Pupil Conveyance and Lodging Regulation* states:

The principal of each school shall

maintain a satisfactory plan for the loading and unloading of school vehicles at the school, and

ensure supervision of the loading and unloading of school vehicles at the school.

3.215 The principals we interviewed did maintain what we would consider to be a satisfactory plan for loading and unloading of school vehicles. All principals knew where buses were to come and go and at what times. Most were able to produce a schedule for us.

3.216 While most principals were providing for the supervision of students while loading (leaving in the afternoon) and unloading (arriving in the morning), some were not providing supervision for the loading and unloading of all grades. One high school principal we interviewed stated they only provide supervision in the afternoons when loading takes place. We were informed that unloading in the morning was less hazardous as students quickly exited the bus and went into school. This particular principal felt that disciplinary issues occurred when students were waiting for the bus after school, thus necessitating supervision at this time. Some principals informed us they felt this aspect of Regulation was impractical and unnecessary. We would encourage the Department to evaluate the need for supervision of high school age students while unloading and loading and amend the Regulation if necessary.

3.217 Another principal we interviewed was not providing supervision for the unloading of Kindergarten age students. This particular principal informed us this was due to the fact that kindergarten students are required to come straight into school anyway; thus they wouldn't be "hanging around" the bus area. Again, this is a violation of Regulation and in our opinion, not a safe practice.

Recommendation

3.218 We recommended that the Department ensure supervision for both loading and unloading of all students as per Regulation. If certain aspects of Regulation are deemed impractical, the Regulation should be amended accordingly.

Departmental response

3.219 *The Department will work with school districts to ensure that loading and unloading of school vehicles is properly supervised and complies with the Regulation.*

Poor or non-existent signage

3.220 As discussed earlier in this chapter, national accident statistics show the majority of fatalities occur not in, but around, a bus. Given this, it is important in our opinion to have clearly marked bus areas, where no other vehicles or pupils are permitted.

3.221 Section 11(2) of the *Pupil Conveyance and Lodging Regulation* states:

The principal shall

where school vehicles enter onto school property, designate part of the school grounds as a loading zone to give school vehicles unrestricted passage to the entrance of the school and determine periods of time during which no pupil is permitted in such zone

3.222 A number of school grounds we observed had poor or non-existent signage that would clearly delineate bus zones. The Department was unclear in this regard as to whose responsibility this was. One staff member informed us they thought it was up to the Department of Transportation.

Recommendation

3.223 **We recommended that the Department ensure adequate signage at all schools, clearly delineating school-loading zones.**

Departmental response

3.224 *The Department will work with school districts to ensure that proper signage is in place at all schools.*

Principals not providing for emergency evacuation exercise two times a year

3.225 While no one would wish for the necessity of its use, emergency evacuations do occur. For this reason, section 12(1) of the *Pupil Conveyance and Lodging Regulation* clearly stipulates it is the responsibility of the principal to:

at the beginning of each school term...conduct a loading and unloading practice exercise, including emergency evacuation, for those pupils being conveyed by school vehicles.

3.226 We have interpreted “each school term” to refer to September and January, as another part of the Regulation requires drivers to “instruct at least twice yearly as to the correct procedures of emergency evacuation in co-operation with the principal of the school.”

3.227 The Department informed us there have been huge improvements in this area. Despite a long-standing requirement to do so, one school principal informed us the first time they ever did emergency evacuation exercises was last year. The Pupil Transportation Branch Manager now sends reminders to all districts to perform these exercises.

3.228 While principals we interviewed are now doing the exercise, the majority are only doing it once a year. In addition, the exercises are done in a staggered fashion, and some students are not provided with the training until well into the year, in some cases as late as March or April. In some cases it appeared that staff feel it is simply a regulatory requirement and didn’t often see the real safety benefits of such training.

Recommendation

3.229 We recommended that the Department ensure emergency evacuation drills are provided twice a year as per Regulation.

Departmental response

3.230 *The refresher course for school bus drivers for the school year 2000-2001 included a reminder of the proper way to conduct an emergency evacuation exercise. The Department received confirmation from school districts' officials that an emergency evacuation exercise was conducted for all students during the school year 2000-2001. A monitoring process will be developed to ensure that evacuation drills are conducted in accordance with Regulations.*

Conclusion

3.231 This criterion was not met. The Department does not have adequate systems in place to ensure departmental staff are fulfilling their responsibilities as per Regulation. The Department is not monitoring staff that have been assigned specific responsibilities under the Regulation. We feel there is a lack of clarification and understanding of roles and responsibilities, particularly in the case of superintendents.

Ensuring safe condition of vehicles

3.232 Our sixth criterion states:

The Department of Education should have systems and practices in place that ensure the safe condition of vehicles transporting students.

3.233 Safe vehicles help contribute to the safe transportation of pupils. Obviously, an adequate maintenance program is an important part of ensuring safe vehicles. The Department informed us the Department of Transportation (DOT) provides maintenance for all province-owned school vehicles. There are approximately 1,200 of these vehicles, of which 40% were ten years or older in the year 2000. There are a further 66 contracted buses in the Province. The owners of these buses are not required to have servicing performed at DOT garages, but are required to have valid Motor Vehicle Inspections. As discussed earlier, it is the responsibility of the Superintendent to maintain or cause to be maintained all school vehicles and to require owners of contracted vehicles to keep them in good mechanical condition.

Lack of monitoring of completion of vehicle maintenance

3.234 There are three components regarding maintenance standards. First, statute requires a Motor Vehicle Inspection be performed every six months. Secondly, there is a preventative maintenance program in place for all school buses serviced at DOT. Thirdly, maintenance is performed based on items bus drivers have reported in their logbooks. For instance, if a bus driver noted a rattling noise in the engine, the driver would note this in their logbook. As copies of logbooks are sent to DOT on a weekly basis, the garage staff would book appointments to perform the required work.

3.235 During our audit, we requested a report from DOT that detailed all overdue Motor Vehicle Inspections and preventative maintenance checks as of the date requested. Though this was not difficult for us to obtain, we

were surprised to determine that the Department of Education itself has never requested this information. We noted instances whereby Motor Vehicle Inspections and preventative maintenance checks were reported as being overdue. While we do not expect the departmental staff to request and review a report on every single vehicle serviced, we feel they should conduct regular reviews to ensure the contracted work is being done. For any vehicles showing up as overdue for servicing, the Department of Education should investigate the reason.

Recommendations

3.236 We recommended that the Department monitor driver compliance with maintenance schedules as provided by DOT.

3.237 We recommended that the Department become familiar with reports on vehicle maintenance available from DOT vehicle maintenance. The Department should review appropriate reports on a regular basis.

Departmental response

3.238 *The Department will develop a formalized and frequent mechanism for receiving reports from DOT.*

No formal policies regarding when a vehicle is out of service

3.239 Drivers we interviewed were often confused over when not to drive a vehicle due to a given malfunction. For instance drivers informed us of numerous mechanical deficiencies in the current crossing arm. Due to its construction and exposure to the elements it is often malfunctioning. The Department in this case has provided no clear guidelines on whether or not to drive a vehicle with a malfunctioning crossing arm. We suggested the Department formalize conditions by which a bus is considered to be disabled and ensure all staff are made aware of such.

Recommendation

3.240 We recommended that the Department formalize policy regarding when a vehicle is considered to be out of service. The Department should ensure that all drivers are made aware of such policy and it is consistently applied.

Departmental response

3.241 *The Department agrees with the Auditor General and will formalize a policy in consultation with the school districts and the Vehicle Management Agency.*

No policy on garbage can placement on buses

3.242 During our audit we had the opportunity to walk aboard several buses in the Province. While we were not formally auditing the condition of buses, we did observe some safety issues that we felt were in need of attention. One of these was the placement of garbage cans. We often noted large metal garbage cans (in most cases overflowing with garbage) placed in the middle of the aisle close to the bus driver. In all but one case, this garbage can was not secured in any way. In discussions with the Department on this issue, staff admitted to us that while they have no policy, they have been trying to come up with a solution to this problem.

Recommendation

3.243 We recommended that the Department formalize policy regarding placement of garbage cans on buses. The Department should ensure that all drivers are made aware of such policy and it is consistently applied.

Departmental response

3.244 *The Department agrees that the garbage container must be properly secure, and corrective measures will be taken.*

Inconsistent application of communication devices

3.245 The Department does not currently mandate the installation of radio devices, cell phones or other modes of communication. It is up to the individual districts to decide whether they need these devices or not, and subsequently to pay for them. We noted the frequency of installation of communication devices varied around the Province.

3.246 Three Administration Unit Transportation Managers informed us that the majority of their buses are equipped with communication devices. They feel this to be an important feature for both every day and emergency situations. Drivers are able to communicate with the district office if a bus is broken down, a student is ill, the bus is late, etc. The Department informed us they do try to promote the usage of communication devices in special needs buses and rural routes.

3.247 Another Transportation Manager informed us very few of their buses had any form of communication devices, despite the fact that the majority of this district's routes were rural. Some district staff informed us this decision was due solely to the lack of funding and not need. One driver of a rural route informed us of an incident whereby they had to walk a busload of kindergarten children in the winter to a house down the road in order to use the phone to obtain assistance with a broken down bus. This driver shared with us the dilemma over leaving the children alone on the bus versus walking fifty children along a road for help.

Recommendation

3.248 We recommended that the Department evaluate the cost/benefit of radio devices on buses. Safety equipment purchases should be applied consistently on a province-wide basis.

Departmental response

3.249 *Currently, some school districts are using cell phones on school buses while others are using two-way radios. The Department will evaluate the cost/benefit of installing radio devices on all buses.*

Lack of inspection**No formal agreement with Commercial Vehicle Enforcement**

3.250 A number of years ago, the Department initiated a working relationship with Commercial Vehicle Enforcement in order to ensure that contracted vehicles were subject to an inspection as well as ensuring that the Department's fleet was inspected by an independent body from time to time. This seemed to be a valuable practice to ensure vehicle safety. Originally the target was 10% of vehicles, approximately 150 per year. At best Commercial Vehicle Enforcement is currently inspecting between 40-50 buses a year. Despite the fact the original intent of the inspection process was mainly to ensure inspection of contracted buses, in the past

two years only two contracted buses have been inspected. Both of these buses were inspected in 1999 and both were placed out of service.

3.251 Departmental officials informed us that to date no formal agreement has been signed. In our opinion, such an agreement should clearly stipulate the number of vehicles in each category (contracted or Province owned) to be inspected yearly, and the types of inspections to be performed. The Department should ensure appropriate and adequate coverage around the Province.

Recommendation

3.252 We recommended that the Department obtain formal agreement from the Department of Public Safety regarding the number and types of random inspections on vehicles. If this is not possible, the Department should seek alternative arrangements for the service.

Departmental response

3.253 A proposal to formalize the current verbal agreement was initiated prior to this audit and shared with the Department of Public Safety. This agreement will be implemented during the school year 2001-2002.

Lack of corrective action taken on behalf of Department

3.254 As part of our audit, we obtained Commercial Vehicle inspections for 1999 and 2000 and analyzed these findings in detail. For the year 1999 we determined that 19 of the 43 buses stopped by Commercial Vehicle Enforcement were placed out of service and taken off the road. In 2000, there was improvement with 9 out of 46 vehicles stopped being placed out of service. The most common deficiencies noted were brake problems, indicator lights not working, emergency exit doors being jammed and fire extinguishers being outdated.

3.255 We were disappointed to note that despite poor inspection results, the Department took no action to increase the number of vehicles inspected by Commercial Vehicle Enforcement or to seek alternate inspection methods. Perhaps more importantly, the Department has not, in our opinion, taken appropriate steps to determine both the causes and solutions for the high number of buses placed out of service upon inspection.

3.256 We feel that the Department should review and respond to inspection findings in a timely fashion. The purpose would not only be to identify causal factors for poor inspections (such as absence of pre-trip inspections or problems with servicing), but to ensure adequate follow up for vehicles placed out of service. The Department currently requires no follow up on vehicles placed out of service. It informed us they assume the necessary work has been done to bring these vehicles up to standard. We would suggest the Department take a more active role by monitoring the work subsequently done on vehicles placed out of service.

Recommendations

3.257 We recommended that the Department develop and implement a formal process for responding to Commercial Vehicle Enforcement findings, not only for those vehicles that have been placed out of service, but for correcting the shortcomings in the system that such findings may expose.

3.258 We recommended that the Department ensure adequate coverage of inspection of all school vehicles.

Departmental response

3.259 *It is agreed that both Departments' officials and the Vehicle Management Agency will review the content of the inspections and corrective measures will be taken, if necessary.*

Lack of monitoring of maintenance of contracted buses

3.260 The Department currently has 66 contracted buses in the Province. Contracts for service are signed and valid for three years. Departmental officials informed us they expect owners of contracted buses to maintain the buses to the same degree as the provincial fleet. They are not required, however, to have servicing done at the provincial garage and may go to any private vendor they wish.

3.261 As discussed earlier, the Regulation states that the Superintendent of each school district shall

require owners of contracted vehicles to maintain all contracted vehicles in good mechanical condition in accordance with the manufacturer's manual for each vehicle.

3.262 Superintendents we interviewed had no knowledge of their responsibilities regarding maintenance of contracted buses. Nor does the Department monitor the adequacy or timeliness of maintenance on contracted buses in any fashion. Department officials informed us that similar to provincial bus drivers, drivers of contracted buses are provided with a copy of the daily inspection check list. They are however not provided with a log book whereby they would sign off as to whether it has been completed or not. Despite the fact that provincially owned buses are required to follow a rigorous maintenance regime as prescribed by DOT, Department officials informed us they do not know what maintenance is done on contracted buses.

Recommendation

3.263 We recommended the Department monitor the maintenance and condition of contracted buses.

Departmental response

3.264 *It is clearly stated in the contracted conveyance agreement between the school districts and the contractors that contracted school buses must respect and meet all federal, provincial and municipal laws and regulations pertaining to the use of a motor vehicle. A formal monitoring process will be developed to ensure compliance.*

Conclusion

3.265 This criterion was not met. While we do not dispute the fact that the Department has a program for maintenance for province-owned

vehicles, it does little to ensure the maintenance has been carried out as required. The Department has no program in place for monitoring maintenance of contracted vehicles. The Department has not ensured adequate inspection coverage. While the Department hoped to have 150 vehicles a year inspected, only 40-50 are being done. The Department has not provided for timely and corrective action for the high percentage of buses that have been placed out of service by Commercial Vehicle Enforcement.

Safety training for students

3.266 Our seventh criterion states:

Students should be adequately trained on safety issues.

3.267 Given the fact that students play a vital role in their own safety, adequate training on safety issues is imperative in our opinion. It is important to have programs that provide children with information that will keep them safe both in and around a bus. Further, the Department should not only promote every day safety but emergency procedures as well. It is not only important to educate students and educators, but parents as well so that they might reinforce such training.

3.268 We noted that safety training provided to students varies greatly around the Province. One part of the Province may have actual safety training on a bus, watch a bus safety video, and be provided with take home safety material. Another part of the Province may have nothing other than a routine emergency evacuation exercise once a year.

3.269 The Department has developed training material for students in Kindergarten to grade 5. The material consists of slide presentations, take home safety brochures and, in some districts, a bus safety video. The Department has provided no training material for Grades 6-12.

3.270 Despite the fact the Department developed bus safety training material, not all districts are using it. It is up to each individual school, or in some cases the districts, to decide the quantity, content, and frequency of such training.

Recommendations

3.271 We recommended that the Department ensure province-wide standards with respect to the quantity and content of training provided to students.

3.272 We recommended that the Department provide appropriate bus safety training for middle and high school age students. The material should emphasize the role that these older children play in helping younger children follow the rules and assisting in emergency situations.

3.273 We recommended that the Department consider a requirement to include a “hands-on” training element to its program.

This would include an actual bus demonstration of lights, signals, crossing arm, stop arm, and emergency exits.

Departmental response

3.274 *The Department has two instructional programs for students. The target audience for “The First Rider’s Program” is children entering kindergarten and parents or tutors of those children. The second program is for students from Kindergarten to Grade 5 and focuses on the safety rules around school buses. The Department has also incorporated in its web site a brochure that explains the safety rules around school buses. This brochure is accessible to all school personnel and parents. A poster listing the basic rules around school buses has been produced and distributed to all middle and high schools. The Department of Education, in collaboration with the Department of Transportation promotes safety around school buses through television advertisement. In addition, videos that address safety around school buses are available to school districts.*

3.275 *The Department realizes that improvements can always be made. Therefore, in collaboration with the school districts, the Department will update and/or add instructional materials if required and develop a monitoring process to ensure that instruction is being provided.*

Training material provided does not reflect where the risks are

3.276 The Department’s training material includes a brochure and overheads that address some bus safety issues. While we were pleased to see this effort, we feel this material could be improved upon. The material provided does emphasize some safety issues. Missing, in our opinion, is information that clearly details where the major risks are. When we began our audit, we were surprised to learn that most injuries occur outside and around a bus rather than inside while riding on a bus. Knowing this fact alone could significantly change the children’s view of safety or the emphasis parents place on certain aspects of bus safety and behaviour.

3.277 We feel that information on where the significant risks are and how to mitigate these risks should be provided in the current safety material. Some examples might be not wearing clothing with drawstrings, not stopping outside the bus to pick up dropped items, or not pushing children around a bus.

Recommendation

3.278 **We recommended that the Department should clearly discuss the major risks of bus safety in its training material provided to students. The Department should consider the use of national accident statistics as a method of informing both children and parents where the risks are.**

Departmental response

3.279 *The Department will review all instructional material to ensure that information on major risks is identified.*

Lack of emergency response training

3.280 Some bus drivers we interviewed informed us of their concerns regarding lack of emergency response training for students. They have a fear that, given a situation in which a bus driver is injured, students will

not be prepared. While it is not a situation anyone likes to think about, bus drivers informed us it could happen and students (especially the young ones) wouldn't know what to do. Student training that is provided does not include protocol for such a situation.

3.281 We were pleased to note that one bus driver we interviewed had taken the initiative to teach some students travelling on his bus how to use the radio and contact help if needed.

Recommendation

3.282 We recommended that student training include training on protocol in emergency situations.

Departmental response

3.283 *The Department has added a protocol on emergency situations to its current instructions.*

Importance of parental involvement in safety education

3.284 Some district staff informed us they provide specific bus safety training for Kindergarten students. This training takes place during an orientation day (which parents attend) for new students and involves an actual bus ride. We would encourage the Department to ensure this practice is consistently applied throughout the Province. Departmental staff informed us safety material is provided to parents of kindergarten and grades 1-5 students. We applaud the Department in this effort.

Conclusion

3.285 This criterion was partially met. While the Department has developed some safety training material for students, its usage varies greatly around the Province. The Department is not ensuring that all bus students receive adequate safety training.

Alternate forms of transportation

3.286 As previously discussed, our audit objective was:

To determine if the Department of Education has adequate systems and practices in place for the safe transportation of pupils, including fulfilling its statutory and regulatory responsibilities.

3.287 We noted during our audit the Department not only provides transportation to students via regular school buses, but also utilizes the services of city transit and parent volunteer drivers to transport students to and from school or extra-curricular activities. As well, several student councils in the Province own vehicles for the purpose of pupil transportation. Because our audit focussed on the safe transportation of students (regardless of the type of vehicle used) we felt it necessary to look at these alternate types of vehicles used to transport the students of our Province.

City transit transportation

3.288 While the majority of students in the Province travel on either provincially owned or contracted buses and vehicles, approximately 3,000 are transported by city transit buses. These city buses are in Saint John, Fredericton, and Moncton. Children transported on city transit buses range from Grade 6-12.

3.289 Children are bussed on city transit vehicles based on their geographical location. If you live in a certain area of the city, this mode of transportation is all that is made available to you. The Department pays in advance for each student, and each student then receives a bus pass that he or she may use all year long.

3.290 While we feel it is not our role to comment on whether or not the Department should or should not use this mode of transportation, there are some safety issues that have come to our attention that we feel are noteworthy. The city transit vehicle is not the same as a “big yellow bus.” It is obviously a different type of transportation offering a different level of service to certain segments of the pupil population.

Inconsistent contract requirements between cities/ incidence of non-compliance

3.291 All school buses are required to be clearly marked. They are all painted yellow, and have signage clearly denoting the fact that this vehicle is a school bus, and is thus transporting students. Motorists are generally very aware of this fact. However, during our review of the contracts the Department has with various city transit agencies, we noted that only two of the three contracts require buses to display signage denoting the fact to motorists that there are students exiting the bus. Of these two, only one city is actually complying.

Recommendations

3.292 We recommended that the Department ensure consistency between cities regarding contract requirements as it relates to safety issues.

3.293 We recommended that the Department ensure that all city transit buses transporting students display appropriate signage denoting the fact that students are loading and unloading from the vehicle.

3.294 We recommended that the Department monitor and ensure contract compliance.

Departmental response

3.295 *The Department has contracted agreements with 3 cities (Moncton, Saint John and Fredericton) operating a city transit system. As these contracts are renewed, the Department will implement these recommendations.*

No review of performance by Department

3.296 We were pleased to note that all three contracts we reviewed state the Department is to conduct a review of performance utilizing given criteria at the end of each school year. The contracts state the purpose of this review is not to deal with operational issues, but to review the overall performance of city transit with the intent to make improvements to the system.

3.297 However, Department officials inform us this process is sporadic and inconsistent. District staff meet yearly to discuss operational issues, but not performance as described in the contracts. District staff would

only meet with city transit officials in this regard if a given problem arose. They are not using the criteria stated in the contract as a basis for evaluation. We would recommend that the Department fulfil its own responsibility under the contract, by evaluating performance of city transit on a yearly basis based on the stated criteria.

Recommendation

3.298 We recommended that the Department formally review and evaluate the performance of city transit based on appropriate, consistent criteria.

Departmental response

3.299 *In consultation with school districts, the Department will develop a formal review and evaluation process.*

Student council owned vehicles

3.300 During our audit it came to our attention that various schools in the Province have student council owned vehicles. These are vans or cars that the student councils own and operate for the purpose of transporting students to and from various school related activities. In some cases local service organizations have donated vehicles, and in some cases student council has raised the funds and purchased them. Both new and used vehicles can be acquired in this fashion. We noted one vehicle was as old as a 1988 model year.

3.301 During our discussions with Department officials we discovered some confusion over responsibility for these vehicles. Officials we interviewed admitted to us concern over this area. In some respects, no one is sure who would be held accountable if anything were to go wrong. Department officials we interviewed were unable to determine for us if student councils are a part of the Department of Education or a separate entity. We would encourage the Department to verify this issue. If student councils are indeed a part of the Department of Education, any vehicles owned and operated by the student council would in reality be the responsibility of the Department.

3.302 In keeping with safety concerns, the Department developed a document called "Provincial Guidelines—Student Council Vehicles". While not strict policy, these guidelines were forwarded to all principals for their use. The guidebook contains various suggestions for acquiring vehicles, registration/licensing, vehicle operation and maintenance, driver qualifications and training, liability and insurance coverage.

3.303 While we were pleased in our audit to note these guidelines were developed, we found that the Department does not in any way ensure these guidelines are indeed implemented.

3.304 The Department does not monitor the condition or maintenance of these vehicles. Motor vehicle inspection, maintenance, replacement of tires, etc. is left up to the student council or an assigned teacher. Though we did not audit the servicing aspect of these vehicles, most principals informed us that a Physical Education teacher or another assigned teacher

usually “looks after that”. We were told that teachers and principals are signing the vehicle registration.

3.305 The *Motor Vehicle Act* requires drivers of vans of more than ten passengers to obtain a class 4 license. For all other passenger vans and cars, a regular class 5 license is required. The Department does not monitor the validity of licenses of drivers of these vehicles. They informed us it would be up to the individual school principal to do this. One principal we spoke with informed us they had three licensed drivers and was indeed able to produce copies of valid licenses kept in their files. Another principal we spoke to wasn’t clear on who was authorized to drive their student council owned vehicles, or what licenses they were required to have.

3.306 The guidelines produced by the Department state that drivers must possess basic defensive driving skills and shall be trained in emergency first aid. While the Department informed us it encourages drivers of student council vehicles to obtain some training in these areas, it is not mandatory. While we did not audit this aspect of training, the Department admitted to us they are “quite sure” no training has been done. The Department informed us they would like to consider making a defensive driver training course mandatory, but again haven’t brought this to fruition yet.

Recommendations

3.307 We recommended that the Department establish responsibility for student council owned vehicles.

3.308 We recommended that the Department ensure drivers of student council owned vehicles are following the guidelines provided by the Department.

3.309 We recommended that the Department monitor the number, types, age, and condition of student council owned vehicles to ensure the safety of this mode of transportation.

3.310 We recommended that the Department consider an appropriate form of driver training for drivers of student council owned vehicles.

Departmental response

3.311 *In February 2000, the Department published a series of guidelines for the use of student council vehicles. The guidelines were the results of discussions with two ad-hoc committees (English and French) composed of school principals, school districts student services coordinators, physical education teachers and department staff. Copies of the guidelines were provided to all middle and high schools across the Province. Following the publication of those guidelines and feedback the Department is now developing a formal policy on these issues. This policy will be finalized during the 2001-2002 school year and will establish*

minimum training for the drivers of those vehicles and set safety standards.

Parent and volunteer owned vehicles

3.312 Given the fiscal constraints of Government today, the use of parent and volunteer owned vehicles to transport students to and from school has increased over the last number of years. The Department informs us that parents and volunteers are invaluable in transporting students to and from various field trips and sporting activities.

3.313 Similarly to student council owned vehicles, the Department developed some guidelines for parent and volunteer owned vehicles. The guidelines were meant to assist school administrators in this endeavour. Guidelines are provided on qualifications of drivers, drivers license requirements, basic safety rules, pre-trip inspection check list, etc.

3.314 These guidelines are on a page at the back of the student council owned vehicle guidelines. Because of this, principals we interviewed were often not aware of these particular guidelines. Principals from schools with no student council owned vehicles informed us they filed the document in a drawer, thinking it was not pertinent to them. They were not aware of the guidelines available for parent/volunteer drivers. While we do not wish to deter volunteer drivers from assisting in this manner, we would encourage the Department to provide drivers with the guidelines and a copy of Policy 701 (Pupil Protection Policy).

Recommendations

3.315 **We recommended that the Department ensure all parent/volunteer drivers are provided with Policy 701.**

3.316 **We recommended that the Department ensure parent/volunteer drivers are provided with guidelines as developed by the Department.**

Departmental response

3.317 *A process will be developed to ensure parents/volunteers are made aware of Policy 701.*

3.318 *Guidelines for parent/volunteer drivers will be included in the formal policy on the use of vehicles for student council activities scheduled for release during the 2001-02 school year.*