

Students with Disabilities Transport Program

Policy and Procedures
January 2016



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Contents

1. Introduction	1
2. Criteria Determining Eligibility for the SDTP	2
Criteria 1 – Be eligible for the Program for Students with Disabilities (PSD)	2
Criteria 2 – Reside in the Designated Transport Area (DTA) of the school attended	2
Criteria 3 – Be enrolled for three or more days per week	2
Criteria 4 – Be of school age and reside in Victoria	2
Other important information	2
Exemptions to the eligibility criteria	4
Other exceptional circumstances or appeals or special cases	5
3. Types of Assistance Available	7
SDTP specialist school buses	7
SDTP specialist school taxis	7
Conveyance allowance	7
Travel education	8
School Bus Program (SBP)	8
4. Administration of the SDTP	9
Emergency management	9
Responsibilities of schools	9
Responsibilities of bus operators	16
Responsibilities of parents/guardians	21
Responsibilities of the STU	22
Responsibilities of the Department’s regional offices	22
5. Provision of Transport Services	23
Annual route review process	23
Procurement	23
Travel time	23
Transport routes	24
Modification of services	24
Special safety requirements	26
Pupil free days	26
Appendix 1 – Glossary	27
Appendix 2 – Contact details	28
Appendix 3 – Privacy information	29

1. Introduction

While parents/guardians have primary responsibility for transporting their children to and from school, to facilitate substantive equality for students with a disability, the Department of Education and Training (the Department) may offer travel assistance to students attending their designated government specialist school.

The Students with Disabilities Transport Program (SDTP) is a contribution towards and an acknowledgement of the additional costs families may incur as a result of attending a specialist school. Attendance at a specialist school does not automatically entitle a student to assistance or preclude parents from being primarily responsible for their child's transport arrangements.

The SDTP is guided by the transport regulations under the Education and Training Reform Regulations 2017 and the Bus Safety Act 2009.

This policy and procedures document sets out the specific roles and responsibilities of all parties involved in the provision and management of disability transport assistance.

This policy is effective from January 2016 and replaces all previously published procedural guidelines for the SDTP.

2. Criteria Determining Eligibility for the SDTP

This section explains the criteria used to determine a student's eligibility to claim transport assistance under the SDTP. A student must meet all of the criteria detailed below to be considered eligible.

Criteria 1 – Be eligible for the Program for Students with Disabilities (PSD)

The PSD supports the education of a defined population of students with moderate to severe disabilities in Victorian government schools by providing schools with additional resources.

For further information regarding this program, please refer to the PSD guidelines. www.education.vic.gov.au/school/teachers/health/Pages/disabilities.aspx.

Criteria 2 – Reside in the Designated Transport Area (DTA) of the school attended

A DTA has been established for each government specialist school to ensure the efficient provision of transport services. To be eligible for transport assistance, students must reside within the DTA of the specialist school attended.

Parents/guardians may choose to enrol their child at any specialist school outside of their DTA however this precludes the student from accessing any transport assistance.

Criteria 3 – Be enrolled for three or more days per week

Students must be enrolled at a specialist school for three or more days per week to be eligible for transport assistance.

Criteria 4 – Be of school age and reside in Victoria

School is compulsory for all Victorian children aged between six and 17 years of age. For the purposes of the SDTP, students are eligible for assistance if they are aged between five and 18 years of age at the time of their application, and reside in Victoria.

Note: Students who turn 19 years of age during their time at school remain eligible for transport assistance until they complete their schooling.

Other important information

Change of address

If a student changes residential address, a new application must be made to the school and assessed against all criteria.

Priority of transport considerations

Once the school has determined that transport is required, together the principal, family and Student Transport Unit (STU) will determine the most appropriate form of transport assistance for the student. Determining the type of travel assistance must be made considering the nature of the child's disability and, if possible, link to the student's learning plan with the view to developing life-long skills. In some cases travel arrangements may be a combination of travel assistance such as free bus travel and conveyance allowance.

The Department acknowledges that due to the nature of students' disabilities, travel arrangements will vary for individual students.

If bus travel is determined as the most appropriate form of travel assistance, specialist school principals are responsible for assessing a student's travel application and for informing parents/guardians of the conditions for travel.

Principals must consider the following factors prior to placing a student on a Department-provided transport service:

- As parents/guardians have primary responsibility for transporting their children to and from school, what contribution are they able to make in the transport arrangement?
- Does the student have the capacity to learn to travel independently? If so, the student should have travel education included as part of their learning plan and have the goal of being able to travel independently to and from school.
- Is it possible for rural and regional students to travel on existing public transport or School Bus Program services?

With some services the demand for seats can exceed the carrying capacity of the bus. In these situations the principal should give preference to students with higher needs or those traveling five days a week. If after applying these criteria there is more seating available, preference should be given to those who have the greatest distance to travel and to the youngest students.

Pick-up points

Where appropriate, students are expected to meet the bus at pick-up points. This ensures time spent on the bus is kept to a minimum for all students and bus services run efficiently as possible.

The principal must submit an application for special consideration if they determine a student is unable to access a pick-up point and requires an alternative transport arrangement. The STU will consider each application for an alternative arrangement on a case by case basis.

Students residing less than 4.8km from the specialist school

Parents/guardians are deemed responsible for their child's travel arrangements if they reside less than 4.8km by shortest practicable route from their local specialist school.

Access to a bus service may be provided to students residing less than 4.8km from their local specialist school if:

- seating is available on the service after all students with a higher priority of access have been accommodated
- the student's parents/guardians accept the conditions of travel (which include restrictions such as relinquishing the seat should a student with a higher priority of access require the seat)
- the Department incurs no additional cost.

If the principal deems it necessary for the student to have unrestricted access to a seat then the parents/guardians may apply through the school for the STU to consider.

Conveyance allowance is generally not provided to students residing less than 4.8km from the school. If the principal deems it necessary for the student to receive conveyance allowance below this distance, the parents/guardians may apply through their school for the STU to consider.

Students travelling independently to and from school will have their public transport ticket (commonly the Victorian Student Pass) reimbursed by the Department through a conveyance allowance even if they reside less than 4.8km from the school/campus attended.

Students who reside at more than one address

SDTP-provided transport services

Principals may approve students who reside at more than one address to access more than one service.

The student must be assessed against all criteria from each address. For example, if a student is eligible from two addresses, they may be permitted to access two bus services.

As students residing at more than one address will not be accessing either service fulltime, where spare capacity is limited, priority of access to each service must be considered by the principal using the advice above.

An eligible student who is accessing more than one service only contributes to a case for the addition, modification or retention of the service from their primary address. In situations where there is an equal time spent at each address, the parents/guardians must specify the primary address. Each student then only counts as one eligible student over the whole network.

Conveyance allowance

A student who resides at more than one address can be assessed for eligibility from both the primary and secondary residence.

For students who are eligible from only the primary or secondary address, payment will be at a pro-rata amount based on the number of days they reside at the address.

For students eligible from both addresses, the school will claim a full allowance from the primary address and allocate appropriate amounts to the parents/guardians.

This also applies for multimode allowances.

Exemptions to the eligibility criteria

Interstate students

Each Australian state is responsible for the school transport of students residing in that state. Interstate students attending Victorian specialist schools may be permitted to travel on a Department-provided bus service subject to the following conditions:

- seating is available on the service after all students with a higher priority of access have been accommodated.
- the student's parents/guardians accept the conditions of travel (which include restrictions such as relinquishing the seat should a student with a higher priority of access require the seat).
- The Department incurs no additional cost.

Interstate students cannot form part of a case for addition, retention or modification of service.

Early Childhood Intervention Services (ECIS)

Transport services are not provided to Early Childhood Intervention Services. ECIS students may be permitted to travel on a Department provided bus service subject to the following conditions:

- seating is available on the service after all students with a higher priority of access have been accommodated
- the student's parents/guardians accept the conditions of travel (which include restrictions such as relinquishing the seat should a student with a higher priority of access require the seat)
- the Department incurs no additional cost
- the student resides in the school's DTA.

ECIS students cannot form part of a case for addition, retention or modification of service.

Travel to alternative locations

The Department only provides services between a student's residence and their school. The Department does not provide shuttle services between school campuses or to any programs not located on the main school site or campus.

Travel to alternative locations, such as respite care, therapy or out of school hours' care, can only be accommodated if:

- students can be dropped off or picked up on their existing bus route
- the alternative location is within the school's DTA
- the arrangement does not adversely affect the other passengers or the existing timetable
- the Department incurs no additional cost
- arrangements have been made for supervision at pick-up and drop-off points (for example, with respite facility staff).

Other exceptional circumstances or appeals or special cases

Parent/guardians wishing to apply for special consideration or appeal a transport decision must make an application through their school. Schools must have the application endorsed by their regional office prior to submitting it to the STU at **student.transport@edumail.vic.gov.au**.

Special case applications will be considered by the STU if the application falls into one of the following categories:

- The student has commenced the final year of the school they attend and changes residential address.
- Students who are the subject of specific court orders that stipulate the student must continue their education at a particular location (copy of court order is required with the application).
- In circumstances where a student has moved school for reasons of:
 - o Genuine concern for personal safety or for the safety of other students (documentation from the original school of enrolment and the student welfare coordinator will be required to support the exemption; information will be also accepted from external welfare agencies).

- o Consistent with the staged approach recommended in the student engagement policy guidelines, the school has developed flexible learning options for the student, which may include transfer of a student to another school setting (this does not include intercampus movements). This recommendation must be supported by DET's regional director and the two principals of the schools involved in the student transfer.

Requests for special case approval that are complex in nature may be reviewed by an independent panel known as the Transport Special Cases Consideration Panel, and is convened by the Department's chief finance officer. Representation on the panel includes members from the Student Transport and Family Allowances Branch, practising principals and when required, a representative from the Department's Disability and Inclusion Branch and PTV.

The panel meets monthly in term one and once per term thereafter. Prior to the panel hearing, the STU may seek further advice from the lodging government school's regional director. The student's application must include applicable supporting documentation such as recommendations from the school's student support group (as defined by the student engagement guidelines), and any individual education and/or behavioural plans.

Transport assistance will not be available to a student until such time as the panel meets and considers their application.

All recommendations of the panel will be forwarded to the Department's Deputy Secretary, Infrastructure and Finance Services Group, for approval.

The following applies to special case approval:

- special case approval is limited to the student and transport service involved in the application. Sibling rights do not apply
- special case approval will cease if the student moves residential address, changes school or transport mode
- special case approval is not automatic. Each case will be considered on merit with reference to the transport infrastructure in the area and precedents established.

3. Types of Assistance Available

The Department offers several different types of transport assistance under the SDTP. It is recommended schools discuss with parents/guardians the types of transport assistance at enrolment time. It is an opportunity for parents/guardians to consider how they may contribute towards their child's transport needs and also consider their child's long-term transport-related education goals, which may include learning to be an independent traveller.

SDTP specialist school buses

The Department offers bus services to and from government specialist schools. Each bus service has a supervisor on board in addition to the driver.

SDTP specialist school taxis

Taxis may be considered as feeder services to a SDTP-provided bus service or in a situation where it can be demonstrated that a taxi service is more cost efficient in the long-term than a bus service.

These will be considered on a case-by-case basis and will be strongly weighted by the number of students requesting the service and the cost of the service. Supervision is not provided during taxi travel. Students requiring supervision during transport will generally not be considered for taxi travel.

Taxi travel will not be allowed without the documented authorisation of the STU and students may not access existing taxi services without applying and being approved by the STU.

Conveyance allowance

Conveyance allowance provides financial assistance to parents/guardians transporting their child to and from school or to students travelling independently to and from school using public transport.

Conveyance allowance cannot be paid if there is a bus service available and a family chooses not to access the bus service. However, the student may be eligible for the conveyance allowance if a physical, behavioural or health reason prevents them from accessing the bus. The STU will require documentation supporting the conveyance allowance claim before it can be submitted to the Conveyance Allowance Unit for payment.

Travel educated students travelling independently to and from school may claim the conveyance allowance to access public transport irrespective of the availability of a SDTP-provided service.

For more information, please refer to the Conveyance Allowance Program Policy and Procedures available here:

www.education.vic.gov.au/school/teachers/management/finance/Pages/conveyance.aspx

Multimode conveyance allowances

Multimode conveyance allowance applies when a student uses more than one mode of transport (e.g. private car and SDTP specialist school bus) for a journey between home and school.

A conveyance allowance may be granted at the appropriate rate for private car or public transport where the distance travelled is 4.8km or more for each leg of the journey. This provision does not apply if the journey could have been undertaken using a single mode transport or one leg of the journey is less than 4.8km.

Travel education

There is an expectation that students with access to public transport and assessed as cognitively, emotionally and behaviourally able will or will be taught to travel independently to and from school.

Students travelling independently to and from school will have their public transport ticket (commonly the Victorian Student Pass) reimbursed by the Department through a conveyance allowance.

Subject to discussion with the STU, students may retain their seat on a specialist school bus service while they are learning to travel independently.

The Department has developed the Travel Education Framework (TEF) to assist specialist schools in the development of their travel education program. The TEF can be found at **www.education.vic.gov.au/studenttransport**

School Bus Program (SBP)

The SBP provides transport to students attending government and non-government schools in rural and regional Victoria. In some situations it may be deemed appropriate for a student attending a specialist school to access an SBP service. Specialist school students are assessed under the SDTP criteria and where deemed appropriate should access SBP services that operate within the DTA of their specialist school.

Students accessing SBP services must be able to travel independently as no supervisors are on the buses or at interchange points.

For more information, please refer to the School Bus Program Policy and Procedures available here: **www.education.vic.gov.au/studenttransport**

4. Administration of the SDTP

Emergency management

All schools should refer to the SDTP Emergency Management Operational Guidelines, which is separate to this policy and procedures document. A copy of the Emergency Management Operational Guidelines can be found at www.education.vic.gov.au/studenttransport

Each specialist school must have an emergency management plan that includes emergency procedures in the event of a breakdown, accident, bushfire or other emergency situation. All emergency management plans must be consistent with the plans of bus operators providing services to the school.

All groups involved in the administration of the SDTP must familiarise themselves with the school's EMP.

Responsibilities of schools

All specialist schools receive a transport administration allowance to assist with the costs associated with administering the SDTP.

Principals have overall responsibility for the day-to-day management of Department-provided services within their school.

Principals may delegate the coordination of the transport services to a member of staff; however the principal must oversee associated tasks and accept and maintain full responsibility for any decisions made by the delegate.

Individual travel plans

All students in receipt of transport assistance must have an individual travel plan. Travel plans are designed to ensure the school, parents/guardians and bus operators (where appropriate) are informed and able to meet each child's needs and cater for their disabilities. Parents/guardians should be involved in the development of their child's travel plan.

Where appropriate, specialist schools are strongly encouraged to include travel education in an individual student's broader education plan.

Data collection and procedures

Principals must collate and maintain the following up-to-date information on behalf of the Department and distribute to all bus operators:

- Route and passenger details
 - o a roll/database of approved passengers, their bus stops and timings for pick-up and drop-off
 - o students' residential addresses
 - o seat allocations
 - o authorised bus stops
 - o medical information
 - o emergency contact information for each passenger
 - o details of any extra safety needs of a passenger while in transit.

- **Route maps**

A map of the approved route(s) with a list of each services authorised bus stops and the location of where each bus will be garaged overnight. The STU can provide route maps to schools.

- **Timetable**

A bus timetable with scheduled departure and arrival times for the school(s) and all authorized bus stops on the route. Bus operators are expected to assist schools with timetabling.

- **Emergency management**

The procedures to be adopted in the event of a breakdown, accident, bushfire, or other emergency.

Reviews of DTAs

A review of DTAs may be undertaken when the demographics of an area changes significantly, a new school is established, the enrolment criteria of the abutting schools changes or when considered appropriate by the Department.

Where a DTA is altered for any reason, a student may continue to be eligible for transport assistance to their current school but should be encouraged to consider transferring to the school in the DTA in which they reside. The STU provides schools with detailed maps of their DTAs, which can be shared with operators and parents/guardians.

Any review of DTAs must involve the schools concerned and be chaired by a nominated officer from the Department. Where a consensus cannot be reached between the schools concerned, the Department will make the determination.

Travel approval

Principals are responsible for coordinating and seeking approval for all applications to access a SDTP-provided service.

Principals are responsible for coordinating applications for conveyance allowance and submitting applications onto the Student Conveyance Allowance System (SCAS) for approval.

Once a student's travel plan is completed, schools must send parents/guardians a letter confirming the agreed travel arrangements, including pick-up and drop-off times and bus operator information.

Information from the travel application is entered into CASES21 and a copy is retained by the school.

Applications for travel for the new school year should be received by the end of November of the previous year. This will ensure adequate time is provided to operators for the scheduling of services. Late applications may be accepted at the discretion of the principal.

All changes to a student's travel arrangements must be done in consultation with their parents/guardians and confirmed in writing to all parties. All changes must be recorded in the database and the STU notified.

Central data management

The Department provides schools with a database that assists with the management and reporting of student travel data. Schools are required to hold accurate data at all times particularly for emergency management purposes.

All changes to passenger details or services must be recorded in the database and submitted to the STU each term or as and when a change occurs.

Annual route review process

The STU starts its annual review of student numbers in November and takes into account the December release of the outcomes of applications for the PSD.

The Department aims to accommodate all eligible students with minimal disruption. It regularly looks at the number of students on each service, the route on which they travel and the time students spend on each route. Schools assist the review process by advising the STU when service numbers increase and decrease.

Risk management and incident reporting

A duty of care is owed to all students accessing Department-provided services. All staff must continually assess, mitigate, treat and monitor risks that may be associated with bus travel such as:

- the actual or potential for challenging behaviours during transit
- the actual or potential for conflict between students
- the actual or potential hazards that exist at bus stops, while taking into account the mobility needs of the student and the proximity of the bus stop to other hazards
- the ability of students to board and alight from the bus.

The bus operator should be included in the risk management process and any risk raised by them or any other party must be taken seriously by a school. Where a risk is identified, principals should apply the Department's Risk Management Framework, to assist in the assessment, treatment and monitoring of the risk. All risk management processes, including treatment strategies, follow-up action and the consultation undertaken, must be documented in the framework.

If there is an incident or near miss involving a bus service, schools should immediately refer to their emergency management plan on whether the incident is notifiable and what steps the school should take.

Student behaviour

Principals are responsible for student behaviour on Department-provided services and have the authority to take disciplinary action for challenging behaviour including temporary or permanent removal from a bus service. Principals are the central point for reporting all incidents.

Prior to a student commencing travel, the principal must inform parents/guardians of the conditions of travel, which include standards of behaviour and schools must regularly hold student forums to discuss appropriate travel behaviour.

If a principal is sufficiently concerned about a student's behaviour, they must issue a *Notice of Concern – Behaviour* to the student's or parent/guardian. The principal must document all incidents of misbehaviour, which may support decisions made in relation to discipline.

If the principal believes an incident is particularly serious, a student's access to transport may be immediately suspended and a report forwarded to the STU. Any subsequent and formal advice of a suspension from bus travel must be provided to the student, his/her parents/guardians and the bus operator and the driver of the bus service.

During a period of suspension, a student's transport is the responsibility of their parent/guardian. A conveyance allowance may be available to families of students permanently removed from services.

Issues that threaten the safety of bus staff in their place of work must be immediately addressed in line with WorkSafe legislation. Principals and operators may be required to work together to seek suitable outcomes in these circumstances.

Preparing a student to travel

Schools must prepare a student for travel at the end of the school day.

Bus services are not safely able to facilitate rest stops and are not equipped to provide medical intervention other than basic emergency responses (supervisors are trained in first aid). To minimise the risk of choking, allergic reactions or other adverse situations, food and beverages are not permitted on SDTP-provided services.

Training for bus operators

Schools are expected to provide any training they deem necessary to bus operators. This may include inviting them to school-run programs or more ad-hoc sessions at times of mutual agreement.

The training provided by a school may include:

- clear communication of roles and responsibilities
- guidance on communication with the school, students and parents/guardians
- an explanation of safety obligations and reporting arrangements
- consideration of each student travelling and of any necessary information to ensure safe passage and individual requirements or concerns
- a review of proposed routes and stop locations.

It is important this training is appropriate given the roles of the drivers and supervisors.

Schools should note that the bus operator contracts include financial provision for staff to attend training offered by schools.

Authorising bus operators claim for payments

Bus operators are required to submit monthly payment claim forms or invoices to the principal for checking and endorsement within 10 working days from month end.

Principals are to note any issues with a service (for example, timekeeping or cleanliness of the bus) for that month on the claim for payment or invoice. This provides a record for all parties and enables the bus operator to address any issues promptly. It also helps to form a case if issues continue with the bus operator. However, principals are encouraged to try and resolve any issues as they arise with a bus operator.

Once satisfied the claim for payment accurately reflects the services delivered for the month, the principal may sign and return it to the bus operator.

Claims for payments are also used to review loadings, determine vehicles in use and the operator's monthly payment.

It is important that principals return authorised claims for payment promptly as the Department does not pay bus operators who have not submitted a completed form within the prescribed time.

Authorising taxi operator payments

All taxi invoices are forwarded directly to the school. Schools must endorse each invoice confirming the service has been delivered and charged accurately. Schools must also attach a list of the students who travel in each taxi service and then forward the invoices to the STU who will arrange payment for services delivered.

Memorandums of Understanding (MOUs)

Each bus operator is required to enter a memorandum of understanding (MOU) with their school. The MOU sets out all conditions of engagement, expectations and communication between the school and bus operator. Schools are required to insert additional information that is specific to their school and the bus services provided.

A template MOU is available here: www.education.vic.gov.au/studenttransport.

MOUs must be reviewed annually and updated and submitted to the STU before the start of the following year. If schools and bus operators are unable to agree on any items in the MOU, they should seek assistance from the STU to resolve the issue.

Self-managed buses (SMB)

Self-managed buses are purchased by the Department but are managed by the school and used for the purpose of transporting students to and from school. SMBs operate under by a Memorandum of Understanding (MOU) between the school and the Department and it details the roles and responsibilities of each party in relation to the reimbursement of costs, insurance, and student eligibility. MOUs are reviewed annually and a template MOU can be obtained at www.education.vic.gov.au/studenttransport.

Communication with the STU

The STU must be advised of any operational issue that may affect students or the provision of a transport service.

Requests for new services, service variations, safety-related issues and continuity of service matters should be forwarded to the STU for consideration.

Reporting operator and driver conduct

The principal must report the following to the STU:

- failure of a bus operator to provide a service on a particular day(s)
- more than three occasions of lack of punctuality according to the timetable (taking into consideration schools' timely dismissal of students in the afternoons)
- concerns about the suitability of a driver or supervisor
- an offence allegedly committed by a bus operator or a driver and any subsequent police or court action
- an unauthorised substitution of a vehicle (except in a rapid onset emergency)
- an accident directly, indirectly or incidentally related to the operation of a Department-provided SDTP vehicle
- a bus operator who does not keep the interior of the vehicle(s) clean
- use of an unsuitable or unsafe vehicle, or a vehicle that repeatedly suffers mechanical difficulties
- the death of an operator.

An apparent breach of contract must be immediately brought to the Department's attention. The principal is to fully document all matters related to a possible breach of contract and is not to make any statement that would jeopardise the Department's legal standing in pursuing a breach of contract claim.

Temporary service variations

The principal must report any temporary service variations, including any variation to kilometres travelled or vehicle used, to the STU.

Temporary service variations often relate to route or vehicle alterations in unforeseen circumstances. A temporary service variation to a route may be needed in response to flooding, bridge closure, road maintenance, or bushfire. A revised route should be determined in consultation with the bus operator, STU and VicRoads/local council. A temporary service variation to a vehicle may be needed when a vehicle is undergoing maintenance or has a breakdown or is being used in alternative charter arrangements. The STU must approve any temporary service that lasts longer than 48 hours.

Maintaining a bus service

Principals must inform the STU of all students accessing a Department-provided bus service and ensure any route variation that involves an extension or a reduction to a current service is reported. Principals must also advise the STU when a service is nearing capacity so the STU can manage resources appropriately.

Principals must report to STU any instances where students on a lightly loaded service can be transferred and safely accommodated on alternative services, or where there are or will be less than seven eligible students using a service.

Communication with bus operators

The principal is required to develop effective working relationships with the bus operators and their drivers and supervisors. Principals must communicate regularly with bus operators to ensure the transport arrangements meet the needs and safety of students.

As drivers and supervisors are employees of the bus operators, principals should involve the driver and supervisor in any discussions with the bus operator on any issues concerning service performance.

Under the contract, the bus operator is required to comply with the reasonable directions of the principal. Any issues that cannot be resolved locally should be escalated to the STU who will work with both parties in an effort to resolve the issue.

Communication with parents/guardians

The principal is responsible for informing parents/guardians of the travel options available to them at the school at the time of enrolment. Applications for travel need to be completed at this time.

Once an application is approved, parents/guardians need to be made aware that access to the transport service is not immediate and it may take up to 10 working days before their child can access the service. During this time, parents/guardians are responsible for their child's transport arrangements.

The principal must keep parents/guardians informed about transport assistance arrangements, school bus safety education and the obligations of parents/guardians.

Principals must provide advice to parents/guardians of when bus and taxi services will not be running within a reasonable time period.

When a student is new to a school bus or taxi service, parents/guardians must be provided with the following documents:

- conditions of travel (included in the application to travel)
- a bus timetable with scheduled departure times for all stops on the route
- procedures to be adopted in the event of a breakdown, accident, bushfire, or any other emergency.

Parents/guardians must be notified of any misbehaviour and advised the travel arrangements for a student suspended or permanently removed from a service will become their responsibility.

Principals must ensure parents/guardians understand that it is their responsibility to list their child's medical conditions on the application to travel. Where appropriate, the principal should provide the operator with details of the medical condition. The parents/ guardians should work with the principal to agree on a suitable medical management plan. Where appropriate, the principal will notify the operator of the plan.

Parents/guardians must be made aware that bus drivers are not medically trained and not expected to perform any medical procedures or administer medication.

Responsibilities of bus operators

Under the Bus Safety Act 2009 (the Act), operators of buses or vehicles with more than 12 seats (including that of the driver) must be accredited by Transport Safety Victoria (TSV). Operators must display the number plates showing the appropriate accredited service category and their accreditation number.

The Act requires bus operators to take steps to eliminate the risks to health and safety arising from the provision of bus services. Obligations under the Act have been incorporated into the contracts between the bus operators and the Department. Operators are required to:

- ensure drivers are licensed in line with the Act and Vic Roads requirements
- have a zero alcohol and drug policy for bus drivers while engaged in delivery of a service
- advise schools if any risk arises during the delivery of a service or at a bus stop.

The Bus Safety Regulations 2010 also provide additional specific obligations for notification of incidents and near misses.

Bus operators are required to provide services in line with appropriate legislation, the contract and these policy and procedures.

Under the provisions of the *Public Administration Act 2004*, a government school teacher is not permitted to hold or have an interest in a school bus contract without written permission of the Department.

Reporting

Bus operators and drivers are required to report the following matters to the principal:

- all instances of student misbehaviour; any action taken in response to the misbehaviour; as well as recommendations for changes to seating allocations as a disciplinary measure by completing the form titled *Notice of Concern – Behaviour*, as soon as possible
- loading issues – over or under loaded
- detours or delays due to exceptional circumstances – where possible, delays should be reported immediately by telephone
- any issues that may affect ongoing operation of services
- any accident that has a direct, indirect or incidental relationship to a SDTP school bus service.

Claim for payments

Bus operators are required to submit monthly payment claim forms or invoices to the principal for checking and endorsement within 10 working days from month end.

Any issues with a service (for example, timekeeping or cleanliness of the bus) will be noted by the principal on the claim for payment or invoice. This provides a record for all parties and enables the bus operator to address any issues promptly although both parties are encouraged to try and resolve any issues as they arise.

Once signed, the claim for payment is returned to the bus operator who submits it to the STU for payment.

Claims for payments are also used to review loadings, determine vehicles in use and the operator's monthly payment.

Bus operations

The following applies to all bus services:

- bus operators must transport all passengers approved by the principal and the STU (a bus roll will be provided to validate approved passengers)
- bus operators must operate the contracted vehicle over the approved route in accordance with the timetable set down by the principal
- bus operators and drivers have no authority to determine a student's eligibility to travel or can refuse to pick-up any approved passenger(s)
- bus operators are not permitted to carry goods or other passengers while the vehicle is servicing the approved route, except with prior written approval from the STU
- a vehicle should not arrive at or leave the school earlier or later than the time stated in the timetable unless directed by the principal
- a bus route may not be varied, except in an emergency, without the approval of the STU
- all buses must avoid travelling in reverse gear where possible, particularly in pick-up and setdown areas.
- school bus lights and signage compliant with Vic Roads requirements must be displayed while students are travelling on the bus. Flashing lights must be operating while the bus is stopped.

Bus operators are expected to:

- discuss travel needs, routes and arrangements with the school
- work with the school to respond to any daily transport issues as they arise
- develop an emergency management plan with the school and comply with the provisions of the plan (see School Bus Emergency Management Procedures)
- be contactable if parents/guardians need to advise their child will not need to be picked-up
- ensure the driver and supervisor have a thorough and detailed knowledge of the service and timetable
- assist the supervisor to document and communicate any safety issues to the school as they arise
- submit monthly contract claim forms to the school for endorsement

- using information provided by the school to maintain accurate records for each student, including their travel schedule and designated pick-up point
- provide the school and STU with details of the bus, driver and supervisor on a service at the start of each year. Notify the school of any changes within five working days
- ensure drivers and supervisors participate in relevant training offered by the school or required by the Department
- report any injury to any person in transit to the principal
- make every attempt to notify the principal of any change to the approved service (route and timetable) due to emergency.

Contract variations

Any reduction in distance must be reported to the STU. Contracts incorporate remuneration for a specific distance, regardless of whether it is travelled by car, bus or both. A change of driver, garaging or the type of vehicle used to travel any of these distances could alter the contract rate of payment.

Vehicles

To operate a school bus service, a bus operator must:

- provide the contract vehicle in a satisfactory condition in accordance with the terms of the contract with the STU
- have the vehicle inspected as prescribed by regulations and legislation by an authorised vehicle safety inspector
- when instructed, repair or replace the vehicle.

If a vehicle is deemed unsafe, a written report from a licensed bus examiner recommending its replacement must be issued to the STU. The operator must then provide a suitable replacement vehicle.

Voluntary replacement

If an operator elects to voluntarily replace a bus, they must do so in accordance with the requirements in the specialist school bus service contract.

Temporary replacement

The operator must provide a suitable replacement vehicle if the contract vehicle is being repaired.

This vehicle must be approved by the STU. A bus operator must not stop operating the vehicle specified in the contract without prior permission from the STU.

Bus drivers

Bus drivers drive to and from the school, from the first pick-up point to the last and drop-off point within an agreed timeframe and on an agreed route. Drivers focus on driving the bus and the operation of accessibility equipment to aid the safe loading and unloading of passengers.

As drivers are not medically trained they are not expected to perform any medical intervention.

Under the provisions of the Public Administration Act 2004, a government school teacher is not permitted to be employed as a school bus driver without written permission from their DET regional director.

Drivers have a role in the safety and supervision of students while on board school buses. The principal should liaise with bus drivers to ensure the conduct and behaviour of all passengers is satisfactory and does not jeopardise safe travel.

Driver punctuality is vital for an efficient school bus service office. Principals will report consistently late running to the STU.

Bus drivers must:

- hold a valid driver's license appropriate to the size of vehicle being driven
- hold a 'Driver's Accreditation' issued by the Taxi Services Commission (TSC). Generally, a certificate is not issued to an applicant under the age of 21 years
- hold a current Working with Children Check
- ensure that students are only picked up and dropped off at designated points
- adhere to the timetable agreed with the school and only vary it with the approval of the school and bus operator
- adhere to emergency plans developed by the principal and the bus operator
- participate in relevant training offered by the school where required
- work with the supervisor to document and communicate any safety issues that arise and report behavioural issues to the school's representatives
- understand how to operate any accessibility equipment fitted to the bus such as a wheelchair hoist
- ensure one staff member remains on the bus while students are on board.
- **IMPORTANT:** Bus Drivers must ensure all students have exited the vehicle prior to leaving the school following the AM service to the school. A physical walk through of the bus interior must be completed.

Circumstances that may indicate the unsuitability of a driver include:

- poor driving procedure
- any allegation of an offence that results in police or court prosecution.

Bus supervisors

Bus services have supervisors who have a role in ensuring student safety. They are not expected to perform medical intervention beyond basic first aid in the event of an emergency.

If any student requires toilet facilities during transit, arrangements will be made in advance to ensure they have appropriate protective products to minimise discomfort if an incident occurs.

Supervisors are required to focus on the safety of all students and must be alert and available at all times and therefore must not attempt to change students or clean the bus during transit.

Supervisors must:

- hold a first aid qualification that includes cardiopulmonary resuscitation (CPR) and anaphylaxis training and is obtained from a recognised training provider
- attend annual first aid refresher courses
- hold a current Working with Children Check
- participate in relevant training offered by the school

- work with the driver to document and communicate any safety issues that arise to the bus operator who will then communicate with the school
- mark the travel rolls as students' board the service (at pick-up and drop-off). This also includes handover of students to and from the school.
- report behavioural issues to the principal via the bus operator
- ensure either the driver or supervisor remains on the bus at all times
- secure wheelchairs in position, check that wheelchair brakes are on and electric wheelchairs are off and activate wheelchair restraints
- where fitted, check students' seatbelts are secured and secure the seatbelts of students who require assistance
- supervise the students while in transit
- report any injury to a person in transit to the principal
- **IMPORTANT:** Bus Drivers must ensure all students have exited the vehicle prior to leaving the school following the AM service to the school. A physical walk through of the bus interior must be completed.

Circumstances that may indicate the unsuitability of a supervisor include:

- inability to supervise students and maintain control
- any allegation of an offence that results in police or court prosecution.

Training

It is a requirement under each bus operator's contract that drivers and supervisors be allowed to attend any training offered by the schools. School-run sessions are usually held at the start of each year and at other mutually agreed times.

Student behaviour on school buses

In the event a student does not comply with the conditions of travel, drivers and supervisors are advised to follow the procedures below:

- the driver will stop the vehicle
- the student's name and full details of the breach will be recorded
- the student will be transported to school or to their designated stop
- the breach will be reported to the principal and the operator
- the principal will take disciplinary measures in accordance with the policy below.

Additionally, under Transport (Passenger Vehicles) Regulations 2005 bus drivers have the authority to eject passengers they reasonably believe are:

- a threat to the safety of passengers in the vehicle
- behaving in a violent, noisy or offensive manner
- intoxicated to the point of being offensive.

Ejecting a student from a bus service

Ejecting a student must be considered a measure of last resort. The bus driver must speak with the principal before ejecting a student from the bus.

In deciding whether to eject a student, drivers should take into consideration the potential danger presented by the road conditions, the age and ability of the student, and the distance to be travelled.

It is the responsibility of the principal to inform the parents/guardians of their child's ejection from the bus and where they can be picked up. The principal may choose to pick up the student from where they have been ejected and return them back to school or home.

Vandalism

In all cases of vandalism by students, the principal and parents/guardians of those responsible must be informed. The students or their parent/guardian will be required to meet the cost of repair.

Responsibilities of parents/guardians

Parents/guardians are required to:

- discuss their child's travel needs and requirements with the school
- prepare their child for travel, giving consideration to toileting, hydration and medical needs
- work cooperatively with schools and bus operator regarding day-to-day travel issues and be available to offer support when any issues arise
- assist the supervisor as required to get their child on and off the school bus or in and out of the taxi service
- report a recent change in their child's condition that might affect the safety of their child or other passengers
- ensure their child is at the pick-up point at least five minutes prior to the departure time
- provide the receipt, use and return of specialised travel equipment required during transit
- ensure the school has their current contact numbers in the event of emergency
- Report any incidents regarding travel that is a cause for concern to the school. If an issue is significant or of ongoing concern it may be addressed in writing to the STU using the contact details provided in Appendix 2.

Parents/guardians must communicate directly with the school and not bus operators, except in the following circumstances:

- in the event of absence of their child from the morning bus run
- in the event of an emergency.

The Department requires all students accessing a SDTP-provided service to be accompanied to and from the bus or taxi. Alternative arrangements may only be made with the written agreement of the school and the parents/guardians. Students may return home without being met by an adult only when both the school and parents/guardians agree that the student has reached a suitable level of maturity.

The Department may require parents/guardians to seek alternative transport arrangements if their child poses a health or safety risk to other students, staff and/or property on a service.

Preparing a child to travel

Parents/guardians must understand their child's travel arrangements and appropriately prepare their child for the journey to school.

Bus and taxi services are not safely able to facilitate rest stops and are not equipped to provide medical intervention (other than basic emergency responses on bus services where supervisors are trained in first aid). To minimise risk of choking, allergic reactions or other adverse events, food and beverages are not permitted on SDTP-provided bus services.

Responsibilities of the STU

The STU is responsible for:

- developing and communicating the SDTP policy and procedures with specialist schools
- procuring SDTP-provided transport to and from specialist schools
- administering the contracts and managing operators who provide the services under the SDTP (including reimbursement of operators in accordance with the contracts).
- assisting the Family Payments Unit with students receiving the conveyance allowance as their transport assistance
- providing advice and support to regional offices on transport-related matters
- providing advice and support to schools on transport-related matters
- considering applications for exemption outside the standard policy
- processing and assessing transport special case consideration applications
- assisting transport services during an emergency in accordance with the Student Transport Emergency Management Procedures.

Responsibilities of the Department's regional offices

Regional offices are responsible for:

- providing advice and support to schools on transport-related matters including applications for transport special case consideration
- assisting schools with applications for a new service or an alteration to existing service
- providing advice on transport-related matters to parents/guardians
- escalating transport-related issues that cannot be resolved at a local level to the STU
- providing local knowledge to the STU
- liaising with the STU on determinations from exemptions
- managing transport services during an emergency in accordance with the Student Transport Emergency Management Procedures and a school's emergency management plan.

5. Provision of Transport Services

Transport services are provided and funded through the Department's STU. Any changes or variation to SDTP-provided transport services remain the responsibility of the STU, as this ensures bus services continue to meet demand and comply with departmental policy.

The Department actively discourages the disruption of students once a travel routine is established. However, bus timetables and travel routes are subject to change, particularly as students start and stop attending each school.

Annual route review process

Prior to the start of each school year all SDTP-provided travel services are reviewed by the STU who looks into the efficiency and viability of each bus route and assesses it against demand.

Depending on demand the STU either adds, removes or changes resources or routes.

The STU starts its annual review of student numbers in November and takes into account the December release of the outcomes of applications for the PSD. The Department recognises it is not always possible to confirm student numbers prior to the end of the school year, so in some cases other arrangements need to be made.

Where practicable the STU will contact bus operators to discuss changes and seek suggestions before advising a school of any areas where potential changes can be made.

Bus operators are invited to assist their school with its annual review.

Submissions should be received by the STU prior to the end of November so adequate time is allowed for planning.

The STU endeavours to balance families' needs with the requirement to run efficient services within its funding provision.

Procurement

The engagement of bus operators for one or more specialist schools requires the completion of a formal procurement process and a contract between the Department and the company providing the service.

The STU will undertake the procurement process in accordance with the Victorian Government Purchasing Board and the Department's requirements.

Travel time

Students are not permitted to travel more than 120 minutes per trip and services are not timetabled beyond that limit. However, emergency situations or unforeseen traffic conditions may result in the travel time going beyond the 120 minute time limit.

The STU, when reviewing service demand, may consider variations to services that extend student travel time up to the 120 minute per trip limit.

Transport routes

Bus stops

Bus stops must be established in safe locations where all activities at the stop are conspicuous and visible to road users. There should be sufficient space for parents/guardians to wait for or with their children without impeding the safe arrival or departure of the bus and where students can board and alight safely. As far as is practicable, buses should be able to stop clear of passing traffic. The reversing of a bus at a pick-up or drop-off point is not permitted.

Suitable bus stops can be suggested by the principal in consultation with the bus operator and the STU. Where required, a site assessment will be sought from the relevant road authority (VicRoads or the local council). The STU must approve all bus stops before they are put in use.

Road suitability

The STU and bus operators are responsible for ensuring roads used by school buses are suitable for use in all weather conditions. New housing estates with narrow cul-de-sac-style streets, (often known as 'courts'), are not considered safe for vehicles to enter or exit and must not be used as pick-up or drop-off points.

Any long-term interim, alternative route must be approved by VicRoads or the local council as suitable for school bus traffic in all weather conditions and approved by the STU.

A bus service should not be withdrawn from a section of a route except:

- in cases of emergency
- when the appropriate road authority is unable to certify the route is suitable for school bus traffic in all weather conditions.

Modification of services

New bus services

A proposal for a new service will be considered if:

- there is a minimum of seven students eligible for the service. If there are less than seven eligible students, the STU will review the need for a service on a case by case basis
- it is possible to implement the service without a decrease in future demand.

The STU will review the service after six months to determine whether the service is removed or maintained.

In instances where a bus service is not appropriate, due to student numbers or locations, the STU will provide alternative travel assistance, such as access to a conveyance allowance.

New taxi services

A proposal for a new service will be considered if:

- there is a minimum of three students eligible for the service
- it is possible to implement the service without a decrease in future demand.

The STU will review the service after six months to determine whether the service is removed or maintained.

Extensions and variations to existing services

The STU must approve any change to travel services that will affect student travel or the cost of the service.

Schools are required to make an application for the extension or variation of an existing service using Form X and submit it to the STU. The application must include the following details:

- an assessment of existing passengers against travel criteria
- consideration of students who may be able to travel independently
- consideration of larger vehicle against time, future capacity (coming/going), toilet requirements whether a conveyance allowance is suitable for any families.

Maintaining a service

Over time students accessing a service may decrease. A bus service will continue to be offered for as long as the number of eligible students who cannot be accommodated on another bus service remains at six or more. If the number of students falls below six the bus service will be removed.

A taxi service will continue to be offered for as long as the number of eligible students who cannot be accommodated on another service remains at three or more. If the number of students falls below three the taxi service will be removed. Where appropriate, a taxi service will be phased out when the student it was established for no longer attends school or requires transport assistance. The STU reviews and authorises all taxi routes during Term 4 for the following school year.

Exceptions to the total number of students required to maintain a service will be rare but may occur in isolated areas. Cases are considered on their merits by the STU.

Dead running (bus services only)

A student is not permitted to access a bus during dead running time. If a student lives close to a bus service's 'dead running' route, the principal can put forward a case to the STU for the route to be extended to allow for student access. These are assessed on a case-by-case basis.

Special safety requirements

The Department recognises that some students travelling on an SDTP-provided service may require support or equipment additional to standard seatbelts to ensure their safety and comfort during the journey.

The STU has developed a good practice guide that provides information about what a student's travel needs are and how to identify and respond to these needs. It provides advice on issues to be taken into account when thinking about safe travel, such as the different types of equipment available, who is involved in determining safe travel and legal considerations. Parents/guardians must be involved in the decision to use additional safety equipment. Additional equipment is to be supplied by the student's parents/guardians.

The good practice guide can be found here: www.education.vic.gov.au/studenttransport.

Seatbelts and child restraints

All new buses used on SDTP-provided services are required to have seatbelts. There may be a number of old vehicles that cannot be retrofitted with seatbelts and these are exempt from seatbelt legislation. Seatbelt laws do not apply for buses that seat more than 12 adults (including the driver). If seatbelts are available, they must be used.

VicRoads can provide advice child restraints in vehicles and the use of a front seat. The information can be found on their website at: www.vicroads.vic.gov.au. SDTP- provided buses and taxis must comply with these regulations at all times.

Pupil free days

Services will not operate on pupil free days. On non-state wide pupil free days, schools are required to advise the STU and bus operators when services are not required. The claim for payment advice submitted for this period should indicate that services were not provided on such days.

Appendix 1 – Glossary

This glossary is intended to assist the users of this document in understanding the terms that have been used throughout this document.

Bus operator	A bus operator is a company or sole trader operating a bus service. For the purposes of the SDTP, a bus operator is a company or sole trader who is contracted by the Department operates a school bus service along a specified route. Bus operators must be accredited with Transport Safety Victoria (TSV) and meet safety obligations under the <i>Bus Safety Act 2009</i> .
CAU	The Conveyance Allowance Unit within the Department. The CAU manage the Conveyance Allowance Program which includes the Student Conveyance Allowance System (SCAS).
Contract vehicle	The contract vehicle is the vehicle specified in the contract between the bus operator and the Department for a particular bus route.
Dead running	The distance that the Department pays the operator for the vehicle to travel between the overnight garage and the first authorised pick-up point each morning, and the reverse in the afternoon.
DET	The Department of Education and Training
DET region	DET has four regions in Victoria: <ul style="list-style-type: none"> • South Eastern Victoria Region (SEVR) • North Eastern Victoria Region (NEVR) • South Western Victoria Region (SWVR) • North Western Victoria Region (NWVR).
EMP	Emergency Management Plan – a plan developed by schools to address risks identified at the school. All school where students access school bus services must address the student transport risks to students in their EMP.
Loadings	The number of students accessing a bus service. Prior to the start of each school year all SDTP-provided travel services are reviewed by the STU who looks into the efficiency and viability of each bus route and assesses it against demand. Depending on demand the STU either adds, removes or changes resources or routes.
PTV	Public Transport Victoria
SCAS	The Student Conveyance Allowance system (SCAS) is the online system used to process conveyance allowance claims.
SDTP	Student with Disabilities Transport Program
Shortest practicable route	The shortest practicable route between the student’s residence to the main entrance of the school/campus they attend is measured using all-weather public roads drivable by car.
Student Transport and Family Allowances Branch	The Student Transport and Family Allowances Branch is made up of two units; the Conveyance Allowance Unit (CAU) and the Student Transport Unit (STU).
STU	DET Student Transport Unit
Victorian Student Pass (VSP)	The VSP is a public transport concession ticket which entitles the student to unlimited travel on regional bus services, V/Line train and coach services (except for special or chartered services), and metropolitan trains, trams, and buses, operating wholly within Victoria.

Appendix 2 – Contact details

Department of Education and Training (DET)

The Student Transport Unit is located at 2 Treasury Place, East Melbourne 3002
GPO Box 4367, Melbourne 3001

Phone: (03) 9637 2200

Email: student.transport@edumail.vic.gov.au

School website: www.education.vic.gov.au/studenttransport

Parent website: www.education.vic.gov.au/travellingtoschool

Public Transport Victoria

To determine where public transport is available for independent travel education, contact PTV.

Website: www.ptv.vic.gov.au

Phone: 1800 800 007

VicRoads

For advice about child restraints and seating positions in a vehicle, contact VicRoads.

Website: www.vicroads.vic.gov.au

Phone: 131 171

Appendix 3 – Privacy information

The release of any personal information concerning students, including their names or addresses, must be in accordance with the *Health Records Act 2001* and the *Privacy and Data Protection Act 2014* and the Charter of Human Rights and Responsibilities. The principal should obtain the consent of parents/guardians for the release of information during the school's enrolment process and when applying for travel.

In completing the application to travel, parents/guardians are providing informed consent to the use their or their child's residential information for the purpose of planning and operating transport services. Parents/guardians should be made aware their residential information may be disclosed to other families as the address for a central pick-up point.

Schools must only use personal information for the purpose detailed above or when required by law.

