

Needham Public Schools
MFSAB Procedure Manual (August 2022)

I. OVERVIEW

- A. The Needham Public Schools (“the District”) have established these procedures governing the use and operation of District-owned Multi-Function School Activity Buses (“MFSAB”).

II. SCOPE

- A. These procedures apply to operators and users of a District-owned MFSAB.

III. APPLICABILITY

- A. MFSAB are vehicles with a passenger seating capacity of 12 - 15 (including a driver), which are required to meet all federal motor vehicle safety standards applicable to school buses, except for those requiring the installation of traffic control devices (flashing lights and stop arms.)
- B. The purpose of a MFSAB is student transportation other than ‘fixed route’ transportation. Fixed route transportation is defined as the transportation of pupils on a predetermined daily basis to and from a set location for the length of the pupil’s school year. Fixed routes include recurring transportation between: school and home; home-to-school-to an after-school activity; school to an after-school day care; school to school; or picking up and dropping off at established bus stops.
- C. MFSABs shall be used only for periodic or ad hoc extracurricular travel that occurs during, before or after the school day. Extracurricular travel includes, but is not limited to: field trips, sports trips, and travel to/from an extracurricular activity.
- D. MFSABs shall not be used to transport students who require child passenger restraints. These students are under eight (8) years of age and are 57 inches in height, or less.

IV. AUTHORIZED USES

- A. MFSABs shall be used exclusively for the conduct of official school business. The use of such vehicle for personal purposes, such as attending to personal affairs, social engagements, or commuting is strictly prohibited. Misuse of an MFSAB, or the appearance of misuse, shall be considered a violation of the Massachusetts Conflict of Interest law (MGL Ch. 268A).
- B. MFSABs must be garaged on Town of Needham property while not in use, and may not be garaged at a student or employee’s home. **The assigned garaging location of the MFSAB is: 1330 Highland Avenue, Needham MA (Emery Grover School Administration Building.)**
- C. District use of MFSABs shall conform to all applicable laws and regulations, including, but not limited to: MFSAB vehicle specifications, maximum capacity limitations, appropriate use, and the use of seat belts.
- D. Only Needham Public School **teachers, coaches and administrators** are permitted to operate the MFSAB. Hourly employees are prohibited from driving a MFSAB. (Massachusetts wage

and hour laws require hourly employees to be paid for all work performed for their employer, which represents an essential conflict for the vehicle, since MGL 90 s 7D requires the operator of an MFSAB to be uncompensated.)

- E. An employee's use of a MFSAB is strictly voluntary and shall be uncompensated. Under no circumstance shall an employee receive compensation to drive or supervise students in connection with use of a MFSAB. (MGL Ch. 90 s7D)
- F. Passengers of the MFSAB are limited to: District employees, students at least eight years of age (or who do not require the use of a child passenger restraint) and other authorized persons. Persons not directly connected to the Needham Public Schools, such as friends and family members, shall not be transported.
- G. Parents/ legal guardians must sign a liability release (Permission Form for School Sponsored Trips and Events) discharging the Town of Needham/ Needham Public Schools from any personal injury or property damage liability associated with their child's use of the MFSAB, and giving consent for their child to be transported by specific driver who is named in the release. Students for whom a release has not been signed are not permitted to ride the MFSAB.
- H. Operators also must sign a liability release discharging the Town of Needham/ Needham Public Schools from any personal injury or property damage liability associated with use of the MFSAB, as a precondition of operating the vehicle.
- I. The District shall not be held liable for the loss or damage of any personal property transported in a MFSAB.
- J. MFSABs shall be registered and insured as a Town of Needham/ Needham Public Schools-owned vehicle.

V. OVERSIGHT

The Director of Transportation is responsible for the safekeeping and daily operation of all school-owned pupil transportation vehicles, including the MFSAB.

VI. OPERATOR RULES & RESPONSIBILITIES

Operators of a District MFSAB are responsible for:

- A. Exercising sound judgment and prioritizing the health and safety of passengers at all times.
- B. Obeying applicable traffic and parking regulations, ordinances, and laws.
- C. Using an MFSAB for authorized school business only.
- D. Possessing a valid motor vehicle passenger (Class D) driver's license. Prospective operators must provide a copy of their driver's license to the Director of Transportation prior to initial operation, upon license renewal, and upon request by the Needham Public Schools. The Director of Transportation will ensure that a copy of each driver's license is on file with the Human Resources

Department. Drivers will not be permitted to operate an MFSAB if their driver's license has lapsed, been suspended, or been revoked.

- E. Maintaining a good driving record. Any prospective or current driver who has been convicted of a criminal driving offense, as revealed by a CORI check, will not be permitted to operate a MFSAB.
- F. Following District MFSAB policy and procedure. Drivers are expected to annually certify in writing that they will follow these requirements, until use of the MFSAB ceases.
- G. Participating in required training prior to initial use and at least once per year, thereafter, until use of the MFSAB ceases.
- H. Not operating the MFSAB under the influence of alcohol, illegal drugs, or any controlled substances.
- I. Not bringing alcoholic containers, illegal drugs, or controlled substances into the MFSAB.
- J. Not smoking or using tobacco products, including vapor/e-cigarettes, marijuana, steroids or any controlled substance, consuming alcoholic beverages, or engaging in any other activity that may interfere with the safe operation of the vehicle.
- K. Not allowing anyone but the assigned driver to operate a MFSAB.
- L. Enforcing the vehicle's maximum capacity of 15 passengers, including the driver.
- M. Ensuring that all passengers have signed the liability waiver (Permission form for School-Sponsored Trips and Events), which specifically names him/herself as the vehicle operator.
- N. Ensuring that no unauthorized persons, including students younger than the age of 8 who are less than 57 inches tall, are on board the vehicle.
- O. Never leaving the MFSAB unattended with the keys in the ignition or left anywhere in the vehicle.
- P. Ensuring that all passengers, including the driver, wear seat belts while the vehicle is in operation. (MGL Ch. 90 s. 7D)
- Q. Never using a MFSAB for out-of-state travel, without advance approval from the Director of Athletics (for athletics uses) or the Director of Transportation (for all other uses.)
- R. Conducting pre- and post-trip inspections of the vehicle, using the District's Circle Check Form.
- S. Removing all personal property or trash left on the vehicle after a trip. Operators are responsible for keeping the vehicle tidy and for reporting the need for additional cleaning or disinfecting to the Director of Transportation.
- T. Reporting any vehicle malfunction, damage, or needed repairs to the Director of Transportation.
- U. Returning the MFSAB to designated garaging location at the end of each use.

- V. Notifying the Director of Transportation immediately, when practicable, but in no case later than 24 hours, of any fine/citation issued during vehicle operation. Drivers will be held personally responsible for all parking and other fines/citations incurred while operating a MFSAB, unless payment of such fine/citation is approved by the Superintendent.
- W. Notifying the Director of Transportation immediately, when practicable, but in no case later than 24 hours, after being arrested or charged in connection with use of a MFSAB. Any employee who is arrested or charged with a motor vehicle offense while using a MFSAB will not be permitted to operate the vehicle, while the matter is under investigation, and may be subject to disciplinary action, up to and including dismissal.

VII. STUDENT AND ADULT PASSENGER RESPONSIBILITIES

- A. The MFSAB is considered an extension of the classroom. Students riding in MFSABs are subject to the Code of Conduct which appears in student/parent handbooks for that student's school. MFSAB operators are required to report misbehavior to a designated administrator, who will in turn, report to the Principal or designee. The Principal or their designee will take appropriate disciplinary action in accordance with the handbook. Students who become a serious disciplinary problem on a District MFSAB may have their school vehicle riding privileges suspended by the Principal or their designee. In such cases, the parents of the children involved become responsible for transporting their children to and from an extra-curricular event.
- B. If an adult passenger presents a behavior or disciplinary problem, the Operator shall report the adult's conduct to the Transportation Director.

VIII. CRIMINAL RECORDS CHECK

Employees who operate a MFSAB are subject to regular Criminal Offender Record Information (CORI) and a Sex Offender Registry Information (SORI) checks conducted by the Human Resources Department upon hire and at least every three years afterward. Employees also are subject to a fingerprint background check upon hire.

Employees who are convicted of any of the following offenses within the last three years shall not be approved to operate a MFSAB: a sex offense under MGL Ch. 6, s178; the use, sale, manufacture, distribution, possession with intent to distribute, or trafficking of controlled substances under MGL Ch. 94C s. 31; operating a motor vehicle under the influence within the prior five years; or other criminal driving offense.

IX. USE OF CELLULAR PHONES AND HANDHELD ELECTRONIC DEVICES

The use of cellular phones and handheld electronic devices is strictly prohibited while driving a MFSAB. If use of a cellular phone or handheld electronic device is needed, the operator should pull off the road and park in a safe place to make calls.

X. VEHICLE ACCIDENTS

When an employee who is operating a MFSAB is involved in a motor vehicle accident, the operator must:

1. Stop the vehicle in a safe location.
2. Immediately check to ensure that passengers are unharmed. Make passengers as safe and comfortable as possible, move them to a safe location away from the scene.
3. Contact the local or state police (major or minor incident)
4. Contact the Director of Transportation
5. Set out cones and reflectors, if possible.
6. Obtain the following information:
 - a) Name(s) and address(es) of the other driver(s);
 - b) Driver's license number(s) of the other driver(s);
 - c) Name(s) and address(es) of the owner(s); if different from the driver,
 - d) Registration number(s) of the other vehicle(s) involved;
 - e) Name(s) and address(es) of other driver(s) insurance company(ies); and,
 - f) Name(s) and address(es) of any witness(es) to the accident.
7. Take accident photos of all vehicles and property involved in an accident.
8. Make note of where each passenger was seated in the vehicle, prior to the accident.
9. Do not move the vehicle, or release passengers from the scene, until so authorized by the police.
10. Unless an injury prevents the operator from doing so, he/she must fill out a Vehicle Crash Operator Report within 24 hours of the accident and submit it to the Director of Transportation. Blank forms are available in the vehicle and for download from the Needham Public School's Transportation/ MFSAB website.

XI. MFSAB SPECIFICATIONS

Operators should refer to the owner's manual (located in the vehicle) regarding specifications for the MFSAB.

XII. FUEL

- A. The MFSAB will be fueled at the Town of Needham **Department of Public Works Fuel Depot, located at: 470 Dedham Avenue, Needham.**
- B. The fueling key is located in the vehicle. Operators shall not misuse this key for personal enrichment, and shall only use it to fuel the MFSAB.
- C. If a MFSAB needs to be refueled while on a trip, the operator should keep a copy of the receipt, record the trip number of the receipt and follow the Expense Reimbursement policy. The District's expense reimbursement form, with original receipt attached, should be forwarded to the Director of Transportation for approval.
- D. The MFSAB requires unleaded gasoline.
- E. Operators must never fuel the MFSAB while passengers are in the vehicle; passengers must disembark before fueling.

XIII. APPLYING TO BE A MFSAB VEHICLE OPERATOR

- A. Operators must apply and be approved to operate a District MFSAB before initial use. To apply, visit the Transportation Department /MFSAB website and complete the "[Application to Operate the MFSAB \(Google Form\)](#)" located at: Needham Public Schools/ Departments/ Business Operations/ Transportation/ Multi-Function Student Activity Bus (MFSAB.)
- B. Only Needham Public School staff who are employed as teachers, administrators and coaches will be allowed to operate the MFSAB.
- C. Applicants will be asked to upload a copy of their current driver's license (front and back), participate in video and behind the wheel training, and upload a signed MFSAB Operator Attestation and Liability Waiver Form (found in Section XXV of these procedures.)
- D. The Director of Transportation will review each application and conduct appropriate checks to ensure that the employee possesses a valid driver's license, has no criminal driving offenses, has signed the Operator Attestation and Liability Waiver Form, and has completed the required training. Employees who do not meet these requirements shall not be approved to operate a MFSAB.
- E. Upon approval, the employee will receive an email from the Transportation Director confirming approval to operate the MFSAB, and assigning the operator a fuel depot billing code (for use at the fuel depot.) In addition, the operator's approval status will be made known to the applicable Principal or Director, the Assistant Superintendent of Finance & Operations and the Assistant Superintendent for Human Resources.
- F. The Director of Transportation will provide a printed copy of the driver's license and signed Vehicle Use Agreement to the Director of Human Resources for placement in the employee's personnel file.

XIV. CONFIRMING MFSAB AVAILABILITY (CHECKING THE MFSAB SCHEUDLE)

- A. The Director of Transportation will maintain a calendar for use in scheduling each MFSAB.
- B. Operators should contact the Transportation Secretary to confirm availability, and reserve the vehicle by submitting the [Charter Request Form](#) to the Transportation Office.

XV. RESERVING THE MFSAB

- A. The MFSAB can be reserved for any approved school extracurricular purpose.
- B. Drivers must have been previously approved to operate the MFSAB using the procedures identified above.
- C. To reserve a vehicle:
 - 1. Contact the Transportation Secretary or complete the online charter request form located at: Needham Public Schools/ Departments/ Business Operations/ Transportation/ Multi-Function Student Activity Bus (MFSAB.) Vehicles must be reserved at least 48 hours in advance. As part of the application, operators will be asked to provide:
 - a) Name of authorized MFSAB driver.
 - b) Reservation contact name, email and phone (this is the name of the person to whom confirmation of the MFSAB reservation should be sent)
 - c) Department/ school requesting
 - d) Description of use
 - e) Team/club requesting
 - f) Address of Destination
 - g) # Round Trip Miles
 - h) Number of passengers
 - i) Date/Time of Vehicle Sign Out
 - j) Date/Time of Vehicle Anticipated Vehicle Return
 - 2. The Director of Transportation, or designee(s) will review each reservation request to ensure that the driver is authorized to drive the vehicle and that the use is considered appropriate under these guidelines. If any one of these conditions is not met, the use will not be approved.
 - 3. Upon approval, a trip number will be assigned. This trip number will be recorded on the circle check forms, accident reports, MFSAB calendar and trip invoices.
 - 4. Additionally, upon approval, both the driver and the individual identified as the reservation contact will receive an email confirmation of MFSAB reservation. The confirmation email will include the trip number (for use on associated forms and given to passengers for use with the liability waiver form), as well as the location of the vehicle. The Driver additionally will be reminded to verify that passengers have a consent and release form on file, to complete the pre and post-trip circle checks, to report vehicle

damage or malfunction, and to report any accident or collision that occurs.”

XVI. KEYS

- A. Vehicle keys are available from the Transportation Office at 1330 Highland Avenue, Needham.
- B. To check out a key, operators should present the reservation confirmation email they received to the Director of Transportation. Keys must be requested on a Friday for any weekend use.
- C. Vehicle keys should be returned to the Transportation Office at the conclusion of each trip. If after hours, operators ensure that all doors are locked and then leave the keys in the key lockbox, located outside of the Transportation Office.

XVII. PRE-TRIP AND POST-TRIP INSPECTION (CIRCLE CHECK)

- A. All operators are required to complete a daily pre-trip and post-trip inspection of the vehicle to ensure safe operation. Pre-trip and post-trip reports must be recorded using the Circle Check forms located inside the vehicle.
- B. Before a trip, operators should:
 - 1. Complete the pre-trip portion of the Circle Check Form, located in the vehicle.
 - 2. Familiarize themselves with the vehicle’s emergency exits and ensure that all are in good working order. (These should not be locked while the vehicle is in operation.)
 - 3. Unlock the back door latch (MFSAB will not start without doing this)
 - 4. Adjust mirrors
 - 5. **Know the height of the vehicle, which is 11 (eleven) ft.**
- C. After a trip, operators should:
 - 1. Complete the post-trip portion of the Circle Check Form, located in the vehicle. Be sure to report your actual mileage on this form.
 - 2. Close and lock all windows
 - 3. Close and lock the back door by engaging the back door latch.
 - 4. Check for any remaining students by looking under and behind seats.
 - 5. Inspect the vehicle for trash and personal property items, and remove both from the vehicle.
 - 6. Lock all doors
 - 7. Return the keys:
 - a) If the vehicle is returned during school hours, the operator should return the key to the Transportation Office.
 - b) If the vehicle is being returned after hours, leave the key in the Transportation Lock Box on the side of the vehicle.

XVIII. REPORT A PROBLEM WITH A MFSAB (NOT RELATED TO AN ACCIDENT OR COLLISION)

- A. If an operator notices a defect, malfunction or needed repair to the MFSAB, they should contact the Transportation Director to report the problem.
- B. Please note that, in the event of a vehicle accident or collision, operators must follow the procedures outlined in Section X, Vehicle Accidents, and report using the form “Report a Collision/ Accident while Using MFSAB.”

XIX. TRANSPORTING STUDENTS

The operator is responsible for:

- A. Ensuring that all passengers have signed the liability waiver (Permission form for School-Sponsored Trips and Events), which specifically names him/herself as the vehicle operator.
- B. Ensuring that no unauthorized persons, including students younger than the age of 8 who are less than 57 inches tall, are on board the vehicle.
- C. Ensuring that no more than 15 people will occupy the vehicle (including the driver.)
- D. Ensuring that doors are firmly closed while the vehicle is in motion.
- E. Assisting pupils to enter or exit the vehicle.
- F. Ensuring that all vehicle occupants are seated and properly restrained by a seat belt before putting the vehicle in motion.
- G. Never leaving the vehicle unattended while pupils are on board. This does not apply when a driver leaves the vehicle to assist pupils in entering and exiting the vehicle. If the driver must leave the vehicle to assist a pupil, first secure the emergency brake, shut off the engine, and remove the ignition key.
- H. Preventing anyone but the driver from occupying the driver’s seat.
- I. Ensuring that pupils cross the street in front of the vehicle. Students should NEVER cross the street behind the vehicle, where they may not be seen by the operator.
- J. Maintaining order in the vehicle. If a student presents a disciplinary problem, the operator should complete a Conduct Slip and submit it to the Director of Transportation. Blank conduct slips are stored in the vehicle. If an adult passenger presents a disciplinary problem, the adult shall be reported to the Director of Transportation.

XX. REGISTRATION AND INSURANCE

- A. The MFSAB is insured by the Town of Needham as a Town vehicle.

- B. The MFSAB is registered as a private passenger motor vehicle, per Registry of Motor Vehicle requirements.
- C. MSAB operators are covered by the Town's general liability insurance, for authorized and appropriate uses of the vehicle. However, as volunteer drivers, MFSAB operators are not covered by the Town's Workers' Compensation Insurance, for injuries sustained while using the MFSAB. In the event of an injury, the operator's personal health insurance will be in effect.

XXI. BILLING

- A. The MFSAB will be made available to Needham Public Schools departments on the same charter (for fee) basis as other extra-curricular vehicle uses, with the exception that driver time will not factor into the billing calculation. (Drivers and other MFSAB users shall not be compensated for their use of the vehicle; MFSAB use is provided on a strictly voluntary basis.) As such, users of the vehicle will be charged for mileage, fuel, tolls and other variable charges, but not driver time.
- B. The Transportation Department will invoice departments for their use of the MFSAB using established billing systems and procedures.

XXII. DISCIPLINE

- A. Failure to comply with any and all applicable provisions of these procedures may result in disciplinary action up to and including suspension or removal of vehicle privileges, suspension and/or termination of employment.

XXIII. SPECIAL CIRCUMSTANCES

- A. These procedures are intended to provide a basic framework governing the use of a District MFSAB and, as such, cannot contain procedures governing every situation that may arise. Employees seeking clarification should contact the Director of Transportation. Exemptions from certain provisions of these procedures may be authorized by the Superintendent

XXIV. APPENDIX

- A. School Committee Policy & Employee Handbook Policy
 - 1. [EEAFB: Multi-Function School Activity Bus Use Policy](#)
 - 2. [EEA: Student Transportation Services](#)
 - 3. [DKCA: Expense Reimbursements](#)
 - 4. [GBEA: Staff Ethics/Conflict of Interest](#)
 - 5. [JG: Student Discipline](#)
- B. Forms
 - 1. [Permission Form for School Sponsored Trips and Events](#)
 - 2. [Application to Operate the MFSAB \(Google Form\)](#)
 - 3. [Charter Request Form](#)
 - 4. [Commonwealth of Massachusetts Motor Vehicle Crash Operator Report](#)

XXV. OPERATOR ATTESTATION & LIABILITY WAIVER

I attest that I have read and understood the Needham Public Schools' Multi-Function Student Activity Bus (MSFAB) Procedure Manual, and that I agree to follow these procedures while operating or using the MFSAB. In addition, I agree that my use of the vehicle is strictly voluntary and that I will not be compensated for my operation of the MFSAB (per MGL Ch 90 s 7D.)

Further, I expressly release the Town of Needham, Needham Public Schools, and the School Committee (the "Releasees") from any and all claims, rights of action and causes of action that may have arisen in the past, or may arise in the future, directly or indirectly, from personal injuries or property damage resulting from my operation of the MFSAB.

I expressly agree to indemnify, defend, and hold harmless from and waive against the Town of Needham, the Needham Public Schools and the School Committee, any and all claims for medical expenses, loss of services, injury to person or property, death, loss of consortium or other claims that may occur as a result of my operation of the MFSAB.

I further consent to emergency treatment by a physician in the event of injury to or illness of my myself while operating or assigned responsibility for the MFSAB. I accept full responsibility for all costs for any such emergency treatment.

Driver's Name (Printed)

Driver's Signature *Date*