



# IOWA DEPARTMENT OF EDUCATION

## School Bus Inspection Call-Back Criteria, August 2014

### Basis for Call-Backs

Depending upon the number of deficiencies found during an initial inspection, Department of Education (Department) inspectors will conduct random call-backs to ensure repairs are being made in a timely manner.

As a reminder, school bus deficiencies fall into one of the three following categories:

- **Notes:** Items that are minor and typically do not require an immediate repair; however, they do provide an alert to upcoming concerns.
- **30-day repairs:** Items that need to be repaired within 30 calendar days and are typically not major safety concerns. The vehicle is allowed to be used for student transportation during the 30-day repair timeframe.
- **Out-of service (OOS):** Items that impact the immediate safety of the vehicle and must be repaired prior to the vehicle being used for student transportation.

Additionally, once a 30-day repair item exceeds the maximum number of days allowed for repair, the impacted item moves to the OOS category. Thus, the vehicle is not allowed to transport students until repairs have been made.

### Call-Back Process

During call-backs, Department inspectors will check reported repairs to verify the two criteria listed below have been met.

- 30-day repairs are completed in the allotted timeframe.
- OOS vehicles are not used for student transportation until the vehicle has been repaired.

Call-back inspections will be made on all school vehicles found to have deficiencies; however, priority will be given to those vehicles with the most serious initial inspection concerns. This includes issues with brakes, tires, and/or suspension.

**Special effort will be made to ensure OOS vehicles are not used for student transportation until repairs have been completed.**

### Response to Call-Back Findings

In at least three instances in the spring of 2014, call-back inspections found that districts reported repairs completed when the repairs were not done. *Please be aware this is considered fraud and, more importantly, potentially puts students in harm's way.* In the event Department inspectors determine OOS vehicles were used prior to completion of repairs, and/or have been falsely reported as being repaired, the following process and protocol will be put into place.

1. Report the situation to local school district officials, including:
  - A. Transportation Director
  - B. Superintendent
  - C. School Board President
2. Report the situation to the Iowa State Patrol for any possible legal action or charges.

Per the Iowa Freedom of Information Act and Open Records Law, when requested, the Department is also obligated to share any and all inspection records with any member of the public, including the media. It is the expectation of the Department that OSS and 30-day repairs are made properly and in a timely way.

**Fraudulent activity may lead to legal action and is a clear ethical violation related to educational licensure.**

## Basis for Legal Action – Iowa Code § 285.15

Iowa Code § 285.15 states the following (emphasis added):

The failure of any local district to comply with the provisions of this chapter or any other laws relating to the transportation of pupils, or any rules made by the department of education under this chapter or the final decisions of the area education agency board, or the final decisions of the department of education shall during the period such failure to comply existed forfeit the rights to collect transportation costs from school or parents while operating in such illegal manner. ***Any superintendent, board, or board member who knowingly operates or permits to be operated any school bus transporting public school pupils in violation of any school transportation law shall be deemed guilty of a simple misdemeanor.***

## Recommended Practices

The ability to report repairs online gives the person assigned to complete the report a large responsibility for recording accurate and timely repairs. Recording false information regarding repairs can result in substantial legal action against the reporting party and his/her district. To prevent legal problems from developing, the following practices are recommended.

- Always handwrite the repairs on the Inspection System Summary sheet, then sign and submit a copy to the Department via FAX (515-242-5988, Attn: Transportation Department).
- Keep a copy of the signed Inspection System Summary in every vehicle at all times.
- Make and report repairs in a timely manner.
- Honestly report all repairs. **DO NOT FALSIFY REPAIR RECORDS!**

## Questions

Questions regarding school bus inspection processes, including call-back criteria, can be directed to the following individuals in the Bureau of Finance, Facilities, Operation and Transportation Services.

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