

OFFICE OF CHIEF ACCOUNTABILITY OFFICER
Summary of State Board of Education Agenda Items
Consent Agenda
April 19, 2023

OFFICE OF SAFE AND ORDERLY SCHOOLS
DIVISION OF PUPIL TRANSPORTATION

- K. Approval to establish Miss. Admin. Code 7-3: 81.15, State Board Policy Chapter 81, Rule 81.15: Minimum Specifications for School Buses
(Has cleared the Administrative Procedures Act process without public comments)
When initially sent out for APA comment, the date of February 16, 2023 was provided as an effective date. However, the correct effective date should have been July 1, 2023. This revision has been made to the *Mississippi Minimum School Bus Standards and Specifications*.

Background Information: Miss. Code Ann. § 37-41-1 authorizes, empowers, and directs the State Board of Education to promulgate rules and regulations relating to the transportation of students enrolled in the public school districts, including rules and regulations for setting standards for public school district buses. The *Mississippi Minimum School Bus Standards and Specifications* provides state and federal regulations governing school bus body and chassis specifications, specially equipped school bus specifications, pupil transportation service vehicle specifications, multi-function school activity bus specifications, alternative power specifications, and equipment for the transportation of Pre-K children.

The temporary rule and final action are necessary to implement the policy revisions immediately upon its filing with the Secretary of State in accordance with Miss. Code Ann. § 25-43-3.113(2)(b)(ii). See also Miss. Code Ann. § 25-43-3.108. For a rule to become effective immediately upon its filing, the Board is required to make a finding that the rule only confers a benefit or removes a restriction on the public or some segment thereof.

The public comment period was open from February 16, 2023, through 5:00 p.m. March 17, 2023. The MDE received no public comments.

Recommendation: Approval

Back-up material attached

Rule 81.15 MINIMUM STANDARDS AND SCHOOL BUS SPECIFICATIONS

The Mississippi Minimum School Bus Standards and Specifications provides state and federal regulations governing school bus body and chassis specifications, specially equipped school bus specifications, pupil transportation service vehicles specifications, multifunction school activity bus specifications, alternative power specifications, and equipment for the transportation of Pre-K Children.

All school buses and multifunction school activity buses sold by approved vendors and purchased or leased by a local education agency or private contractor shall meet the Mississippi Minimum School Bus Standards and Specifications approved by the State Board of Education and all applicable federal motor vehicle safety standards.

All used school buses purchased by a local education agency or private contractor shall meet the Mississippi Minimum Standards for School Buses for the year in which the bus was manufactured.

As evaluation suggests the need for changes in the minimum standards on the state or federal level, staff in the Office of Safe and Orderly Schools, Division of Pupil Transportation is authorized to make those changes and recommend them to the Mississippi Board of Education. Upon approval by the Mississippi Board of Education, those changes should be disseminated to the appropriate individuals in the education community.

Source: Miss. Code Ann. § 37-41-1