

Final Rule Head Start Transportation

In January 2001, the U.S. Department of Health and Human Services issued its final rules for Head Start Transportation establishing the nation's first official regulations for the transportation of Head Start children. The final rule implements the statutory provision for establishing requirements for the safety features and the safe operation of vehicles used by Head Start agencies to transport students. The development of the final rule is a result of the Head Start Improvement Act of 1992 which required the Head Start Bureau to develop regulations for the safe transportation of Head Start children, the Final Report of the Advisory Committee on Head Start Quality and Expansion, and the recommendations of the National Transportation Safety Board.

The rule:

- establishes requirements for transportation services for all Head Start, Early Head Start and delegate agencies that transport children to and from program activities.
- requires that, beginning five years from the publication of the regulation, vehicles used to provide transportation services to Head Start, Early Head Start, and delegate agency program activities be either "school buses" or "allowable alternate vehicles" as those terms are defined in the regulation.
- requires that children receiving Head Start, Early Head Start and delegate agency transportation services be seated in height and weight-appropriate child restraint systems when the vehicle is equipped for use of such devices.
- describes the minimum qualifications for operators of vehicles that are used to provide transportation services to children enrolled in Head Start, Early Head Start and delegate agency program activities.
- describes the training requirements for operators of vehicles that are used to provide transportation service to enrolled children.
- describes the vehicle and pedestrian safety training requirements for parents and children.
- describes the requirements for transportation of children with disabilities
- defines the role of agencies in local efforts to plan and implement coordinated transportation systems in order to achieve greater overall cost effectiveness in providing safe transportation.

Many Head Start agencies have routinely provided transportation although there has not been a requirement to do so. Until the development of the final rule, information on transportation provided by Head Start programs has been limited to documents that provide guidance, but do not require any action on the part of Head Start agencies. As a result, there has been limited and varied implementation of transportation services. Because of the impact on the overall quality of services provided to children and families and to assure them access to services, the final rule establishes safety and quality regulations that all Head Start agencies must meet.

The Final Rule establishes deadlines for Head Start agency compliance to the standards. It is first required that all Head Start agencies use either a school bus or an "allowable alternate vehicle" within 5 years (January 18, 2006). While the regulation allows up to five years for this implementation, the full five years will not be available if vehicles are being used that cannot accommodate, or be safely retrofitted to accommodate child restraint systems. Also effective on January 18, 2006, each agency must ensure that the vehicles are adapted or designed for transportation of children with disabilities available as necessary to transport such children enrolled in the program.

Within three years, all vehicles must be equipped for use of child restraint systems. In addition, drivers must have a Commercial Drivers License (CDL) and undergo appropriate criminal history and background checks as well as appropriate physical ability requirements. The drivers must receive proper training, including a combination of both classroom and behind the wheel instruction. Beginning on January 20, 2004, all Head Start vehicles must have at least one bus monitor on board at all times.

Provisions that are effective in one year are related to child passenger safety and pose less burden to grantees than the vehicle, safety restraint and monitor provisions. Pedestrian safety training is required for parents and children within the first 30 days of the program year.

There are a variety of resources to assist Head Start agencies in conforming to the regulations. The Head Start Act requires that an allotment of Head Start and Early Head Start funding be dedicated to training and technical assistance for staff and parents. Each region has a Quality Improvement Center (QIC), which supplies the Head Start and Early Head Start programs with a variety of training opportunities that are responsive to program needs and emerging issues. The Head Start Publications Management Center distributes information material to all of the Head Start and Early Head Start Grantees and delegate agencies including the "Transportation Tool Kit" which provides resources and information related to transportation services. Each State Department of Transportation offers additional training opportunities and several national organizations including the International Center for Injury Prevention and the Community Transit Assistance Program, have volunteered to participate in providing training to Head Start programs. The National Highway Traffic Safety Program also offers extensive training resources.