

## *EEC Transportation Training Frequently Asked Questions*

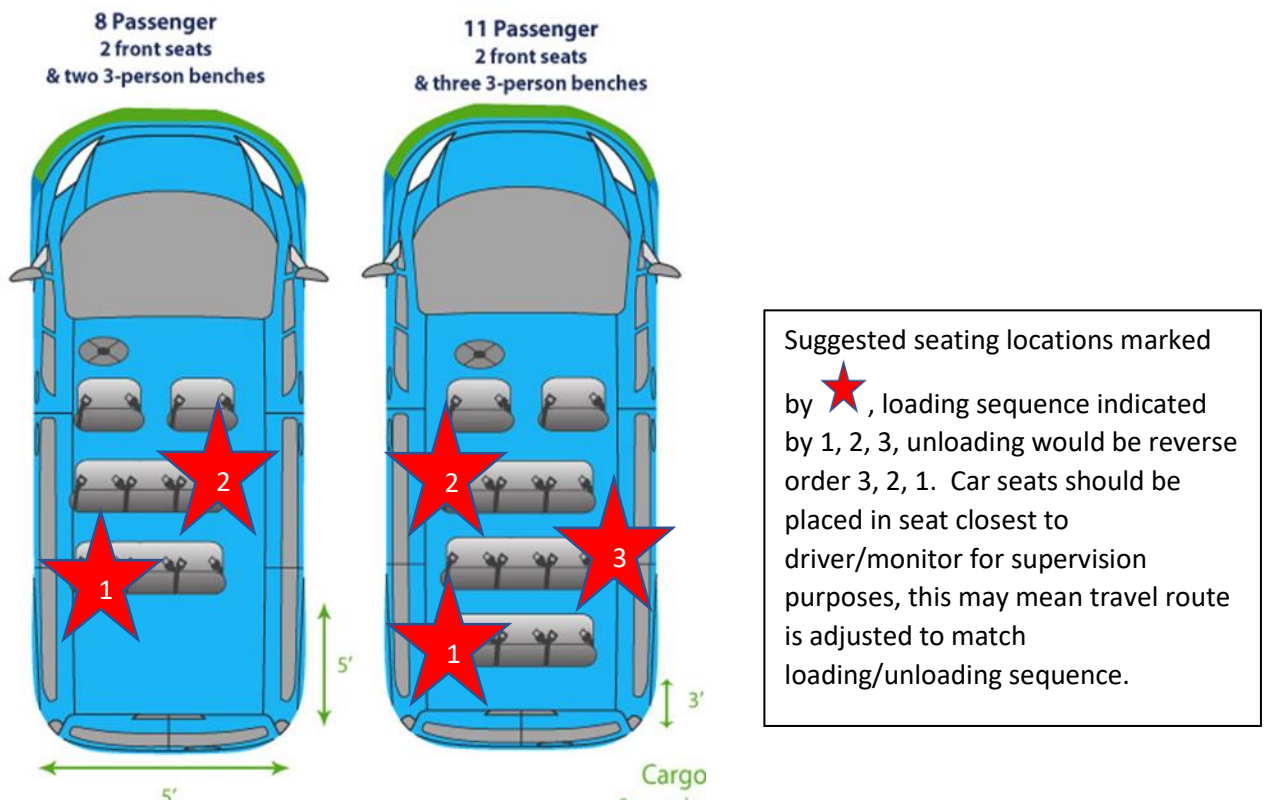
### **Background Record Checks**

1. Can transportation contractors directly enter their staff for an EEC BRC and will programs have access to suitability determinations?
  - a. Yes, transportation companies that are applying for an account for purposes of obtaining suitability determinations on their staff that provide services to EEC licensed, approved or funded programs should contact the BRC Contact center at 617-988-7841 and request an application for an Agency Account. Once the application is returned and processed, EEC will send instructions on how to set up their BRC Manager account.
  - b. Licensed approved and/or funded programs that need to establish a BRC Manager account for purposes of affiliating with transportation companies can contact EEC's BRC helpdesk at 617-988-7841 and specify that they need to establish a BRC manager account for the purposes of affiliating with a transportation company. Note: if you had a BRC manager account before switching to using BRC Navigator, that account is still available for the purposes of establishing affiliations. You will be provided instructions based on what accounts are currently set up and what staff are currently listed as BRC administrators for those accounts.
2. Do transportation personnel have to be found fully suitable prior to driving or being a monitor?
  - a. Yes, a final suitable determination letter is needed for all transportation personnel before they can work in the vehicle. Neither drivers nor monitors are eligible for provisional status.
3. If a driver is also a licensed FCC provider do they still need to be suitable by EEC?
  - a. Yes. The individual must submit a BRC for their role as a driver regardless and receive a suitability determination for that application.

4. Do transportation personnel need a suitability letter if have they already been working for the program three years and are redoing their BRC?
  - a. All transportation personnel should have a valid/current suitability determination on file at all times. A new BRC is required every three years and is calculated from the date of the fingerprint check; therefore, agencies and programs must ensure that a new BRC is submitted prior to the previous one expiring. If the current BRC has not expired and the new BRC is in process, the individual is still suitable unless otherwise notified by EEC that the suitability determination has been revoked or they receive an updated “not suitable” letter from EEC.
5. Can you explain how to access BRC Manager and BRC Navigator?
  - a. If you are a licensed, funded, or approved program your agency should already have access to BRC Navigator. If you have questions about how to access the account, please check with your internal agency BRC administrator or contact the BRC Contact center at 617-988-7841. Note: Transportation companies cannot establish a BRC Navigator account. For instructions on requesting a BRC manager account refer to question 1.
6. If a candidate is hired as a bus monitor and childcare staff they are able to work in the room with a provisional letter but not able to ride the bus with another staff person who has a suitable determination?
  - a. Correct, all transportation personnel need a final suitable determination letter before they can work in the vehicle.
7. If we hire a bus for field trips or if transportation is provided by a public school bus or a contracted bus company for the public school system, is a final suitable determination letter needed for those drivers?
  - a. Transportation drivers hired for field trips or public school transportation drivers do not require an EEC BRC. If a program contracts with a bus company to transport children on a fixed-route then the transportation personnel assigned to the program need an EEC BRC final suitable determination letter.

## **COVID Related**

8. What are acceptable seating arrangements to maintain physical distancing requirements in an 8 or 11 seat van?
- a. Physical distancing of at least 6 feet must be maintained to the greatest extent possible while in transit. The number of children allowed depends on variables including size of vehicle, seat locations/distance from other seating, and are siblings on the vehicle. Below is a sample of suggested seating for typical van seating arrangements along with sequence of loading and unloading in order to minimize contact between riders. Programs should review their specific vehicle situation for seating that complies with this requirement.



9. What is the COVID notification process for subcontracted transportation staff who test positive for COVID?

- a. Transportation personnel that test COVID positive should quarantine per DPH rules, the program notifies the transported children's family to quarantine per DPH rules, the program reports in LEAD only if a child tests COVID positive; Family Child Care Systems should notify the affected programs, programs will notify affected families and DPH as required.

10. How should the Daily Health Attestation be completed?

- a. All children attending child care, including those attending in-person instruction prior to attending child care must have a completed health attestation, signed by a parent/guardian each time they arrive at care. The health attestation does not need to be completed when they arrive at care. A parent may complete the attestation in the morning, even if the child does not attend care until several hours later. Child care providers must still complete a visual screen for symptoms to confirm that the health status of the child has not changed since the completion of the health attestation.

Alternatives to a paper-based Health Attestation are allowed. On-line forms, third party apps, text messages, emails, are all acceptable forms through which to collect answers to the required questions in the Health Attestation

11. Who is responsible for maintaining Daily Health Attestations?

- a. Programs are responsible for maintaining on file the daily health attestation form.

12. What should you do if a child arrives at the program without a health attestation?

- a. The Child Care Playbook section 2 prohibits entry to the program without the daily health attestation. Programs should develop and share with parents the protocol when the program does not receive the daily health attestation form. This might include a phone call to the parent, a text message, or some other communication form to confirm the items on the health attestation.

13. Who should supply the daily health attestation form for afterschool?
  - a. The program is responsible for providing the daily health attestation form to families for completion.
14. Who needs the copy of the daily health attestation form? Does driver need to keep one in addition to the program?
  - a. Only the program needs to keep the daily health attestation form.
15. EEC and DESE have developed a document of how the two agencies have aligned their procedures in relation to COVID protection, why are they different for transportation?
  - a. Transportation guidance is different due to age based masking requirements for children and the type of vehicles used to transport children.
16. Do vehicle windows still need to be open during cold or inclement weather?
  - a. Transportation personnel should provide the maximum amount of ventilation possible while considering the safety and comfort of the children.
17. What is the EEC protocol for children that may become sick while at child care?
  - a. This is described in the Child Care Playbook section 3.

## **EEC Regulations**

### *Pre- and Post-Trip Inspections and Passenger Logs*

18. What is the difference between the terms “trip” and “route” when used in having a second reviewer of the vehicle?
  - a. A trip is the transportation of children on a pre-determined daily/regular basis to and from a set location. For example, after the last child of a scheduled route is delivered to the program or after the last child is dropped off with their parent/guardian, the trip is over and the vehicle must be inspected by the driver and a second

reviewer. A route is the specific path a vehicle follows to pick-up/drop-off children.

19. For the post inspection do we need the signature on the log and the RMV post inspection form as well?

- a. Yes, the RMV forms and Transportation Passenger Log are separate requirements for each department.

20. Should there be second signature on the Transportation Passenger Log even with the child reminder system required by RMV?

- a. Currently the second signature indicating a second adult review of the vehicle after each trip is still required. Note that the child reminder system required by RMV applies only to vehicles model year 2018 and newer.

21. If there is no monitor to conduct the second inspection at a child's home drop off/last stop, is it OK to ask a parent to physically board the van and inspect during COVID and sign the log?

- a. Per the EEC Policy Statement: Procedures for the Drop-Off and Pick-Up of Children by Transportation Providers and Parent/Program Notification, the Transportation Provider must designate an employee or other person as the additional reviewer of the vehicle after the driver completes their review of the vehicle.

22. Are EEC pre- and post-trip checklists required in addition to the RMV pre- and post-trip checklists?

- a. At a minimum, the RMV required pre- and post-trip checklists or equivalent should be used.

### *Public School/School Age Transportation Service*

23. The public school provides transportation of children to our location as part of the regular bus route, do the EEC regulations on transportation apply to their vehicles and drivers?

- a. If the public school has included the program's location as a regular bus stop, then the driver and vehicle compliance requirements do not apply.

### *Transportation Documentation Requirements*

24. What is needed on file at the program site regarding the vehicle/insurance/contract, etc.?
- a. Programs that provide or contract out for transportation need to have documentation on transportation personnel, vehicles, transportation plan and transportation oversight plan, if applicable. The transportation plan requires evidence of appropriate insurance coverage and the contract if a transportation contractor is hired by the program.
25. Does the vehicle insurance requirement include contracted vehicles?
- a. *Any vehicle* used to transport children must have minimum insurance including vehicles used by contracted transportation providers.
26. Do all transportation staff (program and contract) need to be noted on the Staff Records Checklist?
- a. If transportation personnel are employed by the program then yes, they should be listed on the Staff Records Checklist. Contracted transportation personnel do not need to be on the Staff Records Checklist but their information must be documented using the Transportation Checklist for Drivers and Monitors.
27. Is a separate Transportation Plan required if we already have an Oversight Plan?
- a. Yes, the Transportation Plan and Transportation Oversight Plan have specific, distinct elements that must be included in each plan. Note that the Transportation Oversight Plan is required only for programs receiving EEC subsidy for children's transportation.

28. Are the bound books required by RMV to log training hours enough documentation for EEC?

- a. The RMV training requirements are separate from the EEC requirement for completion of the StrongStart Transporting Children course. EEC does not review RMV training logs.

29. If a 7D driver is out for a day can you use a non-7D driver for that day as long as a CORI has been done?

- a. No, current EEC requirements are that transportation personnel fully comply with RMV and EEC regulations, this includes substitute transportation personnel.

30. Do field trip drivers need to have the EEC BRC, trainings and full file compliance?

- a. Field trip transportation is not considered fixed-route transportation and drivers do not need to comply with the requirements for fixed-route drivers.

31. What documentation is needed for transportation personnel and vehicles?

- a. Please see the EEC Transportation Driver and Monitor File Checklist and Transportation Vehicle File Checklist for a complete listing of what documentation is required.

### *Transportation Incidents*

32. What happens when a complaint is filed against a program from a parent that the contracted transportation company has terminated their transportation?

- a. EEC will ask the parent if they have contacted their program for assistance since it is the program responsibility for managing transportation service issues even when it is contracted out. The contract between the program and transportation company should include the protocols for how to communicate with families and which party determines transportation eligibility.

33. If a 51A is filed on a transportation driver/monitor who works for multiple programs, is it the responsibility of the contracted transportation company



to ensure that the driver does not drive until EEC and DCF have completed their investigation? Should the drive be re-BRC'd prior to driving again?

- a. EEC would seek to find out which programs the person works for and then notify the programs that that person could not be in a vehicle with children until the investigation is completed. If the 51B is supported, a new BRC would need to be done to determine suitability. Children in transport are still in the care of the program and are responsible for ensuring allegations are managed according to law.

### *Transportation Training*

34. How do contracted transportation staff access the annual StrongStart Transporting Children training if they do not have a PQR number?

- a. All transportation personnel need evidence of Professional Qualification Registry (PQR) number in order to access the annual required StrongStart Transporting Children course. For information on how to obtain a PQR, please review the EEC Single Sign In User Guide.

[https://www.eec.state.ma.us/SSI\\_V2/docs/EECSSIUserGuide\\_7Aug2020.pdf](https://www.eec.state.ma.us/SSI_V2/docs/EECSSIUserGuide_7Aug2020.pdf)

35. Will the StrongStart Transporting Children training be updated?

- a. The current StrongStart Transporting Children course is consolidated to include the Look Before You Lock training. The course has been updated and re-released for annual training.

### *Subcontracted Transportation*

36. Does a program need to keep a file for the transportation personnel and vehicles that are provided by a transportation contractor?

- a. Yes, the program needs to be able to demonstrate the transportation personnel and vehicles are in compliance with 7.13(4)(a) or (b), programs may use the EEC Transportation Driver and Monitor File Checklist and Transportation Vehicle File Checklist.

37. What information must a program obtain from a contracted transportation company on their transportation personnel?

- a. The program needs to have a file on all contracted transportation personnel that includes the items shown on the Transportation Driver and Monitor File Checklist.

38. How often do transportation contracts need to be signed?

- a. 7.13(3)(c) requires appending copy of the **current** contract to the transportation plan, as long as the plan is still current there is no other requirement for duration of the contract.

39. What training is required of contracted transportation personnel?

- a. All transportation personnel, regardless of employer, need to complete the StrongStart Transporting Children course annually.

### **Other**

40. Where can programs find guidance on the use of full-sized school buses?

- a. Please see the DESE guidance Fall Reopening Transportation Guidance, July 22, 2020 found at [Coronavirus/COVID-19: Guidance/On the Desktop Messages \(mass.edu\)](#) for full sized school bus (seating of 24 or more) information. Note that the seating is based on passengers wearing masks and thus allowed to have 3 foot seating distance. EEC requires physical distancing of at least 6 feet to the greatest extent possible while children are in transit, and this is based on children not wearing masks.

41. Why does DESE allow different bus seating from EEC?

- a. DESE allows school bus seating arrangements based on larger school buses and all passengers wearing masks. EEC guidance is based on 7D vehicles with the school pupil plates.

### **Program Practices**

42. Instead of using paper forms, can a program use an app or other technical devices for managing transportation log attendance?

- a. Use of technology is an area likely to grow! For now, as long as the program can provide all elements of the required information to EEC when required, then there is no issue using technology.

43. Are there any requirements for training for installing car seats?

- a. No, none at this time. Assistance for car seat installation can be found at this Center for Disease Control resource <https://cert.safekids.org/>.

### **Registry of Motor Vehicles**

44. Why are vehicle capacities limited to just 8 passengers if more seats are available?

- a. Two Reasons: The Federal Government always said with regard to school children that if you exceeded 10 passengers the students should be in a school bus. Having said that, Massachusetts allowed the vans. Some companies would do student transportation during the day and would cover their school bus sign and do passenger for hire work evenings and on week-ends. So that is why 10, and 12 passenger vans continued to be used.

45. Why are 7D vehicles now limited to just 11 total seats (including the driver)?

- a. Because the law passed stating "All 7D vehicles must have a seating capacity of no more than 10 passengers plus the driver."

46. Why are 15 seat vans no longer allowed?

- a. The RMV originally notified all of the 7D companies in early 2018 that the 15 passenger vans had to come off the road. For many years the 15 passenger vans were deemed unsafe which is why the RMV restricted the van from carrying more than 8 passengers plus the driver.

47. Vehicle inspectors are not providing the inspection completion forms as they used to, what should be done?

- a. Please contact RMV at [SchoolBus7DNotify@dot.state.ma.us](mailto:SchoolBus7DNotify@dot.state.ma.us).

48. Shouldn't the 7D be described as 10 Passenger because it is normally 8 + 2. Is still considered 7D

- a. You are still allowed to use a ten passenger van plus the driver for 7D transportation. However, you may only carry 8 plus the driver for 7D work.

49. Where can programs purchase the required child minder system?

- a. Typically, any company that sells school bus equipment may have the child reminder system. Example: First aid kit, fire extinguisher. There is a company in Canada called Child Check-Mate that sells the device as well.

50. If we have a 15 passenger van can we take seats out and still use the van?

- a. You may not use the 15 passenger vans to transport 7D students and you may not remove seats to do so.

51. With a Memorandum of Understanding from the RMV can programs use the 15 passenger van?

- a. You may not use the 15 passenger van for student transportation. The memorandum of understanding is for the 12 passenger van and that allows you to transport students through 08/31/2021.

52. Drivers are now required to do 8 hours a training each year and new incoming drivers are required to do 2 hours of training. Can you explain?

- a. The RMV requires 2 hours of pre-service training and that is needed before you apply to become a 7d driver. The training may consist of a variety of topics. EEC has an excellent training program and may be able to guide you. The eight hours of in-service should be given throughout the year so when it is time to renew your 7D certificate you will have completed the required training.

### **Subsidy Billing**

53. Will EEC increase the transportation rate?

- a. EEC knows that this is an issue and we know that there is a lot of advocacy around it. This is top on our list to consider as soon as we have a solidified budget.

54. Are we able to bill for transportation for families that would normally utilize transportation services and have yet to return to programming?
- Yes, if the child is appropriately enrolled, but not attending in your program, is eligible for transportation service funding, and the program has incurred costs to maintain transportation services. If the child is attending your program, was previously eligible for transportation, but the program is currently not providing transportation, then transportation services cannot be billed.
55. Are Independent Providers that provide transportation to children eligible for funding?
- If the children in the program are receiving a voucher and are eligible to receive transportation through the subsidy, then an Independent Provider must obtain a Transportation Addendum from their Child Care Resource and Referral Agency (CCRR) to which they have a voucher agreement with. Only the CCRR can authorize children that are eligible for transportation through the subsidy.
56. How do programs not currently providing transportation bill EEC for transportation demonstrate that we are incurring costs?
- Incurred costs include cost needed to maintain transportation services. Your programs accounting or financial system must be able to reflect these costs.
57. Can we bill transportation for supportive children?
- Transportation services for supportive is included in the Daily Add on rate and not a separate rate.
58. Can programs bill for transportation even if the child is known to be absent?
- Yes, program can bill for transportation for children attending and approved to receive transportation even if absent.
59. Does "incurred costs" include insurance costs, vehicle leases, driver costs even if only transporting one child?

- a. Incurred costs are all these items and programs will be paid up to the approved transportation rates in effect.
60. Can programs bill for children only if they are actually transported?
- a. The transportation subsidy allows billing for all children enrolled and approved for transportation services.
61. Are Transportation Monitoring Visits only for programs receiving transportation reimbursement?
- a. Yes, only programs receiving EEC transportation subsidy are subject to Audit and Compliance Monitoring.
62. If a program reassessed a family and not currently providing transportation but has monthly transportation costs, can we still bill?
- a. If the child is attending your program, was previously eligible for transportation, but the program is currently not providing transportation, then transportation services cannot be billed.
63. Do programs continue to bill for incurred transportation costs if the schools close again? If a child is re-authorized during a closure time are we assuming that they will re-open or do we change it as the schools change?
- a. Yes, you can still bill for children authorized for transportation as noted in the Financial Assistance Policy Guide September 29, 2020, Appendix: C.

### **Audit and Documentation Questions**

64. Is the transportation request form required to be completed for all IE children?
- a. Yes, Subsidy Administrator must have a Parent Transportation Request form on file for all IE children receiving transportation services through the subsidy.
65. We do not always have access to parent request forms for transportation if the child has a voucher thru CCR&R. Should we ask for copies of these when voucher is issued?

- a. The EEC Audit Unit conducts transportation compliance reviews based on the contract placement and voucher placement separately. Contract Providers and FCC Systems do not need to request the Transportation Parent need forms for their voucher placements.

66. We often have situations where the DCF authorization does not identify transportation but then the parent requests it (car breaks down). I assume we must now get a new authorization? Or the authorization has transportation but then the parents can transport themselves - do we need a new authorization?

- a. The subsidy administrator needs to determine transportation eligibility and any changes in family circumstances related to transportation; this can be confirmed from DCF via email.

67. If a child with confirmed enrollment but not attending aged up to afterschool in September should we enter the transportation they would have used if attending school. The child was not on transportation prior to aging up to school age.

- a. If a subsidy parent meets the eligibility requirements for transportation through the subsidy, and the program will provide it when the child attends, then transportation can be added to the placement as long as costs are being incurred.