



Iowa  
a place to grow

STATE OF IOWA • DEPARTMENT OF PUBLIC INSTRUCTION

GRIMES STATE OFFICE BUILDING • DES MOINES, IOWA 50319

ROBERT D. BENTON, Ed.D., STATE SUPERINTENDENT  
David H. Bechtel, M. S., Administrative Assistant  
JAMES E. MITCHELL, Ph.D., DEPUTY SUPERINTENDENT

DECLARATORY RULING #24

(Cite as 1 D.P.I. Dec. Rul. 52)

October 10, 1978

Ms. Flora Lou Finley  
Box 102  
Montour, Iowa 50173

Dear Ms. Finley:

Your "Petition for Declaratory Ruling" was filed in my office on September 29, 1978. In it you raise the issue of the need for faculty members acting as chaperones on school buses transporting students between student collection points (i.e., attendance centers) in a school district and after hours school activities within the same district, such as dances and football games. Your "Petition" indicates that some persons have interpreted Departmental Rule 670--22.10, Iowa Administrative Code, to require such a result. The relevant portions of 670--22.10 read as follows:

670--22.10(285) Permitted uses listed. School buses may be used to transport pupils under the following conditions:

22.10(1) The program is a part of the regular or extra-curricular program of a public school and has been so adopted and made a matter of record in the minutes of all the boards involved.

\* \* \* \* \*

22.10(3) The program activity must be sponsored by a school or group of schools co-operatively and be under the direct control of a qualified teacher or recreational or playground director of some school district.

\* \* \* \* \*

22.10(4) The bus shall be driven by a regularly approved driver holding a chauffeur's license and a school bus driver's permit. In addition thereto, buses must be accompanied by a member of the faculty of said school who will be responsible for the conduct and general supervision of the pupils on the bus and at the place of the activity. If the faculty member is an approved driver he can act both as a driver and faculty member. [emphasis added]

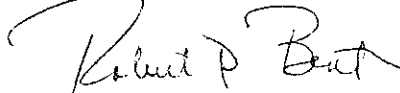
October 10, 1978

The specific question you raise is as follows:

Are faculty members required when a school districts [sic] buses are driven between their own centers for activities within their own district?

After reviewing the Rule and the general policy considerations involved, I have concluded that the proper response to your question is in the negative. Subrule 22.10(4) was primarily adopted to require appropriate supervision of students transported to activities outside the district. I do not feel that the Rule requires that intra-district transportation to activities be chaperoned. The decision to require chaperones on intra-district transportation is discretionary with each district.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert D. Benton".

Robert D. Benton, Ed.D.

State Superintendent of Public Instruction

RDB:tag-d