

Law Changes for Food on the Bus

Risk Alert March 2018

Risk Alert

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Due to a recent incident in one of our schools, it has become necessary to distribute the following information regarding WAC 392-145-031. This change in state law became effective on September 1, 2016, and states:

- (7) Except in accordance with district policy, a school bus driver **shall not distribute anything edible** to students riding the bus (emphasis added).

Many districts have likely already responded to this change in the law, but if not, it is imperative that you provide the appropriate guidance and training to your bus drivers. The district can choose to simply adhere to this WAC and prohibit drivers from providing edible items to students, or the district can choose to allow drivers to provide edible items to students only under defined circumstances. Regardless, the district must develop and distribute a policy to guide drivers on what is expected, **including** substitute drivers. In addition, bus drivers should be made aware of any student riders with known food allergies or medically-related issues that could require aid from the driver.

Although this WAC would not apply to other district drivers, including coaches, advisors, volunteers, etc., who do not drive school busses, it would be a good practice to include them in the district's policy. Distributing and providing the appropriate information and training regarding expectations for providing edible items to student riders is also recommended.

We offer the following suggestions to help in the distribution and notification of this alert to district drivers:

- Post a copy of the WAC, district policy, and this Risk Alert on the driver's bulletin board in the driver lounge.
- Provide a copy of the WAC and district policy in the driver/employee handbook and/or orientation materials.
- Share a copy of the WAC and district policy as part of your next monthly meeting for bus drivers.
- Place a copy of the WAC and district policy in each of the busses where drivers can readily observe and be reminded of this important issue.
- Include a copy of the WAC, district policy, and this Risk Alert as an email/attachment or reminder sent to all bus drivers, including substitute drivers.

Please contact your local broker or your Clear Risk Solutions Risk Control Specialist if you have any questions.