

Public Notice

Education

State Board of Education

Notice of Receipt of Petition for Rulemaking

Student Transportation

Safety

District Board of Education Safety Policies

N.J.A.C. 6A:27-11.1

Petitioner: Jamie Epstein, Esq.

Take notice that on July 26, 2023, the New Jersey State Board of Education (State Board) received a petition for rulemaking from the above petitioner, requesting the State Board amend N.J.A.C. 6A:27-11.1(c) to add a requirement that bus contractors must provide district boards of education with a live video feed of the interior of their buses while transporting students.

N.J.A.C. 6A:27-1.1(c) requires district boards of education to develop a policy to ensure that the school administration conducts ongoing random checks of school bus transportation operations. The subsection requires the checks to include, but not be limited to, the following:

- Verifying that drivers possess a valid commercial driver's license (CDL) with proper endorsements to operate the type(s) and class(es) of vehicle(s) used to transport students as set forth at N.J.A.C. 6A:27-12.1(d);
- Verifying that the vehicle(s) being used to transport students has a valid registration, insurance, and inspection sticker as set forth at N.J.A.C. 6A:27-1.6 and 7.1; and
- Conducting a pre-trip inspection of buses.

The petitioner seeks to amend N.J.A.C. 6A:27-11.1(c) to add the following as a fourth requirement: “‘FAJR's LAW’, Bus contractors shall provide a live video monitor feed to the District Boards of Education of the interior of their buses while transporting students.”

The petitioner’s request included an excerpt from a July 20, 2023, *New York Times* article titled “6-Year-Old Suffocated and Bus Monitor Didn’t Notice, Prosecutor Says.” The article excerpt stated that Fajr Williams, who was in a wheelchair and unable to speak, suffocated after the bus hit a bumpy patch of road, she slid down in her chair, and the strap that was supposed to secure her in the seat ended up tight against her throat. The excerpt also stated that bus monitor Amanda Davila was focused on her cellphone and wearing earbuds and that she has been charged with second-degree manslaughter and second-degree endangering the welfare of a child. Fajr Williams was a student in Franklin Township, Somerset County.

The petitioner states the request is being made pursuant to N.J.S.A. 18A:1-1, 18A:4-15, and 18A:39-21, 24, and 33.

Full text of the requested amendment is as follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

Subchapter 11. Safety

6A:27-11.1 District board of education safety policies

(a) – (b) (No change.)

(c) District boards of education shall develop a policy to ensure that the school administration conducts ongoing random checks of school bus transportation operations. The checks shall include, but not be limited to:

1. (No change.)

2. Verifying that the vehicle(s) being used to transport students has a valid registration, insurance, and inspection sticker as set forth at N.J.A.C. 6A:27-1.6 and 7.1; [and]

3. Conducting a pre-trip inspection of buses[.]; **and**

4. **“FAJR's LAW’ Bus contractors shall provide a live video monitor feed to the district boards of education of the interior of their buses while transporting students.**

In accordance with N.J.A.C. 1:30-4.2, the Department shall subsequently mail to the petitioner, and file with the Office of Administrative Law, a notice of action on the petition as it relates to N.J.A.C. 6A:14-2.7.