



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

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To: Superintendents of Schools with Prekindergarten Programs  
Prekindergarten Program Contacts

From: The Office of Early Learning and the Office of Educational Management Services

Subject: Information on Transportation of Prekindergarten Students under Four Years of Age

This memorandum responds to questions our office receives in regard to the provision of transportation to prekindergarten students who are under four years of age.

**What is the law regarding seat belt use on school buses?**

New York State's school bus seat belt law requires all school buses manufactured after July 1, 1987 to be equipped with seat belts. New York State does not currently mandate seat belt use on school buses, but their use is recommended. If you are unsure whether or not the use of seat belts on school buses is mandated by your locality, check with your school board.

**Are children under the age of four required to be restrained in a car seat while riding on a school bus?**

Yes. The law states that children under the age of four must be restrained in a federally approved car seat while riding on a school bus [Section 1229-c (1-2), NYS Vehicle & Traffic Law].

See section 1229-c (13) for children riding in other school type vehicles. Vehicles of these types include school cars, vans, suburbans and SUVs.

**Different Types of Car Seats**

The appropriate type of car seat depends on the weight and height of the child. Always read the manufacturer's instructions for installation and use to ensure the child's safety. There are three car seat types to consider when transporting students under the age of four years, each appropriate for a certain age, weight, or height.

- 1) A rear-facing car seat is the best option for young children between the ages of birth and two years. This type of seat moves with the child during a crash to reduce stress on the child's neck and spinal cord. The rear facing car seat may still be appropriate for children over the age of 2 years until they reach the height and weight requirement for a forward facing car seat as recommended by the manufacturer.

- 2) Generally, a forward facing car seat is appropriate for children between the ages of 2 and 3 years. This type of seat reduces the child's forward movement during a crash.
- 3) When a child outgrows the forward facing car seat, a booster seat is the next appropriate restraining system. This is usually reached between the ages of 4 and 7. A booster seat positions the seat belt to fit over the stronger parts of the child's body. There are two types of booster seats including backless or low-back and high-back seats. Backless or low-back booster seats are best for vehicles with high seat back. The child's head will be fully supported from the head restraint or the vehicle seat back. The high-back booster seats can be used for vehicles with low seat back, no seat back, or no head restraint to support the child's head and neck.

### **Utilization of School Bus Monitors**

Increased transportation of children who are 4-years old or younger leads to an increased need for school bus monitors to assist in loading and managing younger students. Targeted training is conducted to ensure such staff is prepared for the needs of the younger children.

### **Driver/Attendant Training on Prekindergarten Student Needs**

Drivers and attendants receive specialized training in dealing with and safely transporting prekindergarten students.

### **Safety Drills for Prekindergarten Students**

Currently, all students (even those who do not normally ride the bus and non-public students as well) are required to have three safety drills every year. The content and scope are outlined in NYS Education Department regulation, and drivers are instructed on the conduct of the drills. Considerable thought will have to be given to the content and extent of the drills for three and four year old children, especially those components that deal with evacuation, emergencies or related incidents. Consideration also will need to be given to instructing other children on the school bus about their interaction with the prekindergarten students in the event of an emergency or evacuation.

### **Questions?**

Questions regarding the transportation of prekindergarten students should be directed to Mary Sansaricq in Pupil Transportation Services in the Office of Educational Management Services by e-mail at [Mary.Sansaricq@nysesd.gov](mailto:Mary.Sansaricq@nysesd.gov) or by calling (518) 474-6541.