

**HEAD START 45 CFR PART 1303 - TRANSPORTATION WAIVER REQUEST
DATA COLLECTION FORM**

Grant Number 06CH010743

Legal Name of Grantee LIFT Community Action Agency, Inc.

Name, Title and Signature of Authorized Official Requesting Waiver

Mrs. Rebecca Porter, Executive Director

Phone Number (580) 326-7581

Fax Number (580) 326-7584

Email Address

darla.galyon@liftca.org

1. Number of Children Served

Head Start 387 Early Head Start 48 Early Head Start – Child Care 120

2. Number of Children Provided Transportation Services:

Head Start 225 Early Head Start 0 Early Head Start – Child Care 0

a. Using Grantee Owned or Leased Vehicles 17

b. Through Grantee Contracted Transportation Services 85

c. Through Interagency Agreement, Memorandum of Understanding or Informal Agreement at No Cost to Grantee 140

3. Proposed Number of Children Who Will be Covered by Waiver

Head Start 387 on Field Trips & 225 Daily EHS 0 EHS-CC 0

4. Requesting Waiver Of:

X Child safety restraint systems requirement (45CFR 1303.71(d))

X Bus monitor requirement (45CFR 1303.72(a) (4))

5. Waiver Request Applies to the Following:

 X Grantee Delegate(s) (please list)

6. Grantee's Justification for Requesting a Waiver (attach no more than 5 pages).

Please explain fully as each request will be considered separately and waivers will not receive automatic approval.

If requesting waivers of both 45CFR 1303.71(d), child safety restraint systems requirement, and 45CFR 1303.72(a)(4), bus monitor requirement, you must provide justification for each requirement.

Each waiver approved will be effective for a period not to exceed 12 months (one year).

LIFT Community Action Agency, Inc.

JUSTIFICATION FOR WAIVER

LIFT Community Action Agency, Inc. is requesting a waiver of both 45CFR 1303.71(d) Child Restraint Systems and 45CFR 1303.72(a)(4) Bus Monitors.

The Head Start program operates in three counties served by LIFT Community Action Agency, Inc. (Choctaw, McCurtain and Pushmataha Counties). The three counties have a total population of 55,830 people living in a 4,000 plus square mile area served by 26 separate rural school districts. The target area is located in extremely rural Oklahoma and is among the poorest in the nation. Choctaw County has 14,204 people, 6,074 families, and 5,198 children under 18 below poverty. Pushmataha County has 10,812 people, 4,477 families, and 2,281 children under 18 below poverty level. McCurtain County has 30,814 people, 12,651 families, and 10,261 children under 18 below poverty. This is an indicator that transportation is one of many services needed by our parents.

Head Start is funded for 387 children within 28 classrooms. Currently our program has a partnership and contract with LIFT Transit to transport up to 90 Head Start children to and from class. Nine rural public schools in our three counties transport up to 140 Head Start children on approximately 40 rural bus routes with an average of 3 children per bus route. Therefore, approximately 53% of LIFT Head Start children are transported by public schools and Transit.

At this time, the impact of the Head Start transportation regulations would force our public schools to discontinue transportation services for the up to 140 Head Start children as these services are not mandated by the state of Oklahoma.

1310.15(c)(1) Bus Monitors

Because of the rural nature of our program covering 4,000 square miles of service area, it is unrealistic to provide enhanced transportation services with bus monitors to our Head Start students. With approximately 40 rural bus routes scattered throughout the public schools in our three counties, it would require considerable additional resources to meet this requirement. We are therefore requesting a waiver of this requirement so that we may continue to transport these children through public school routes that do not have these requirements.

1303.71(d) Child Restraint Systems

Not allowing children to be transported on public school buses without these requirements would most certainly disenfranchise many of our families who are the neediest of the needy and do not have the ability to get their children to and from the Head Start center. This would also pose significant safety risks for other children who, instead of being transported on a school bus, would be transported in private vehicles which have been shown in studies by the National Highway Transportation Safety Administration (NHTSA) to put children at greater risk. According to NHTSA – School Bus Crashworthiness Research Report, “American students are nearly eight times safer riding in a school bus than with their own parents and guardians in cars.” Buses differ greatly from passenger vehicles in that they are larger and therefore have a high ground clearance; they are heavier with less crash forces; and their structure provides for different crash force distribution. “The fatality rate for school buses is 0.2 fatalities per 100 million vehicle miles traveled compared to 1.5 fatalities per 100 million VMT for cars.” Between 2011 to 2020 there were 113 fatalities (Among all school bus occupants killed, 3 (3%) were under the age of 5, 20 (18%) were 5 to 10 years old, 7 (6%) were 11 to 13 years old, 14 (12%) were 14 to 18 years old, and 69 (61%) were 19 and older) related to large school bus crashes, which indicates a low probability of fatal injuries. Occupants of school transportation vehicles accounted for 10 percent of these fatalities, and

nonoccupants (pedestrians, bicyclists, etc.) accounted for 20 percent of these fatalities. Most (70%) of the people who died in these crashes were occupants of other vehicles involved. This record is in part due to large school buses being required to have compartmentalization. Compartmentalization requires that the interior of large school buses provide occupant protection so that children are protected without the need to buckle-up. They have energy absorbing seat back structures with padded seat backs and strong, closely spaced seats. Because of this, of the estimated 8,500 school bus injuries per year, 86% were minor, 10% moderate, and 4% serious to critical. "Given that school buses are the safest way to and from school, even the smallest reduction in the number of bus riders could result in more children being killed or injured when using alternative forms of transportation."

As outlined in ACF-IM-HS-06-05, waivers will not be granted in the following three circumstances:

1. A grantee transporting EHS children will not be given a waiver for the child restraint requirement. *LIFT EHS and EHS-CC does not transport any EHS or EHS-CC children and is not requesting a waiver from this requirement.*
2. A grantee transporting children in a vehicle other than a bus (i.e. a van) will not be given a waiver for the child restraint requirement. *LIFT Head Start does not transport children in a vehicle other than a bus.*
3. A grantee transporting Head Start children on a bus in which there are adult non-Head Start riders will not be granted a waiver for the monitor requirement. *LIFT Head Start does not transport children on a bus with adult non-Head Start riders.*

Therefore, we are requesting a waiver of both 45CFR 1303.71(d) Child Restraint Systems and 45CFR 1303.72(a)(4) Bus Monitors for all 387 LIFT Head Start children during field trips and for up to 225 LIFT Head Start children on a daily basis so these children may continue to receive transportation services.