Legalfocus on School Bus

Welcome to the RC Kelly Law Associates' Legal Focus...on School Bus Keyword Index.

The following keywords may be used to find articles and information relevant to the student transportation industry. Under each keyword, articles are organized by their edition number and date of publication and have appeared in various state School Bus Industry Forums. If you are interested in obtaining a copy of an article or would like permission to re-print an article in your publication, you may **contact RC Kelly Law Associates at 215-896-3846 or help@rckelly.com.**

RC Kelly is also available to provide speakers for your organization on these topics, and any other legal or Human Resources related topics that may affect your organization. We look forward to discussing how we may help.

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24 PS 1-121 (keystone exams)

• 128.0 July 2018 – Act 39/HB 1448 New Rule for Service Contracts that Displace Unionized School Employees

24 PS 5-528 (third party school employer contracts)

 128.0 July 2018 – Act 39/HB 1448 New Rule for Service Contracts that Displace Unionized School Employees

24 PS 8-807.1 (district purchase of school supplies)

• 15.0 August 2012 - Pennsylvania Laws Regarding Student Transportation Contract Bids

24 PS 12-1205.6 (Act 126 reporting and recognition training)

- 20.0 June 2015 Act 126 for School Bus Drivers Update
- 30.0 June 2011 School District Exempted from Negligence Claim In Evacuation Drill Injury Lawsuit



24 PS 14-1414.2 (school administration of EpiPens)

• 65.0 December 2015 - Evolving Rules Involving Epinephrine Auto-Injectors (Epi Pens)

65 PS 67.101, 67.708, 67.305, 67.703, 67.705, 67.1101, 67.1304, 67.1305, 67.1701, 67.1702 (Sunshine Act, Right to Know Law, ethics, open meetings)

• 5.0 December 2011 - Assuring Fair Process in Pennsylvania – Open Meetings, Right to Know, and Conflicts of Interest

35 PS 780-101 (Pennsylvania Controlled Substance, Drug, Device, and Cosmetic Act)

• 48.0 December 2014 - Volunteer Background Clearances Required by HB 435/Act 153

35 PS 4009.1

• 113.0 March 2018 – Pennsylvania's Diesel-Powered Motor Vehicle Idling Act

35 PS 4601-4610

• 113.0 March 2018 – Pennsylvania's Diesel-Powered Motor Vehicle Idling Act

35 PS 6021.1306, 6021.1307, 6021.1310

- 91.0 May 2017 Small Above-Ground Storage Tank Inspections
- 91.1 June 2017 Underground Storage Tanks: Assure Compliance to Avoid Penalties
- 15.0 August 2012 Pennsylvania Laws Regarding Student Transportation Contract Bids
- 77.0 September 2016 Access to School Bus Video

21 USC 811

 73.2 July 2017 - New York's Medical Marijuana Law: What Does it Mean for School Bus Contractors

26 USC 4041

• 105.0 October 2017 – Use of Red Dyed Fuel in School Buses

26 USC 4082

• 105.0 October 2017 – Use of Red Dyed Fuel in School Buses

26 USC 6715

• 105.0 October 2017 – Use of Red Dyed Fuel in School Buses

26 USC 99514

• 105.0 October 2017 – Use of Red Dyed Fuel in School Buses

29 USC 654 (Title 29 Employer/Employee Duties)

- 79.1 September 2016 Avoiding OSHA Violations for Workplace Violence
- 79.2 September 2017 Avoiding OSHA Violations for School Bus Violence
- 84.0 March 2017 Special Needs Challenges: Handling Aggressive Behavior on the School Bus



42 USC 7401 (Clean Air Act)

• 95.0 March 2017 – Diesel Emissions Reduction Incentives

42 USC 11433

• 86.0 September 2017 – Federal Grants for Homeless Student Transportation

42 USC 2000 (Use of conviction and arrest records)

- 31.0 May 2011 Driver Disqualification for Criminal Conduct What is the Law?
- 25.0 July 2013 Pennsylvania Background Check Updates

49 USC 14504(a)

- 75.0 July 2018 Interstate Operating Authority
- 115.0 June 2018 Unified Carrier Registration

CBM Ministries of S Cent Pa, Inc. v. Pa. DOT

• 67.0 January 2016 - Are Religious Non-Profits Exempt from School Bus Regulations?

Central Dauphin School District v. Sneeringer and PA Office of Open Records, CCP Dauphin Co. Doc. No. 2016 CV 440 MP (6/9/16)

• 77.0 September 2016 – Access to School Bus Video

Child Protective Services Law (CPSL)

• See Pennsylvania Child Protective Services Law

Clark v. Public Parking Authority of Pittsburgh, 372 Pa. 481 (1953)

• 128.0 July 2018 – Act 39/HB 1448 New Rule for Service Contracts that Displace Unionized School Employees

<u>Cleveland Bros v. Worker's Comp. Appeal Bd. (Hazlett)</u>, 2012 Pa. Commw. Unpub. LEXIS 649 (Pa. Commw. Ct. 2012)

• 17.0 September 2012 Pennsylvania Employer's Worker's Compensation Obligations

Commonwealth v. Petroll, 558 PA 565

• 41.0 May 2014 - Complying with Hours of Service Regulations on Activity Runs

Component Bar Products, Inc., and James Stout (Case 14-CA-145064)

 57.0 October 2015 - Look Who's Talking: NLRB Limits Management Control of Employee Speech

Controlled Substances Act P.L. 91-513

• 73.0 May 2016 - Pennsylvania's New Medical Marijuana Law: What Does it Mean for School Bus Contractors?

Croll v Harrisburg School Dist., 2012 WL 8668130

• 109.0 December 2017 – Disqualifying Events for School Bus Drivers



Curry v. Miller Coors, Inc., No. 12-cv-02471-JLK, 2013 WL 4494307 D. Colo. August 21, 2013

- 73.0 May 2016 Pennsylvania's New Medical Marijuana Law: What Does it Mean for School Bus Contractors?
- 73.1 January 2017 State Laws Legalizing Medical Marijuana: What Does it Mean for School Bus Contractors?
- 73.2 July 2017 New York's Medical Marijuana Law: What Does it Mean for School Bus Contractors

Dukane Precast, Inc. v. Perez, 785 F.3d 252, 256 (7th Cir. 2015)

• 79.1 September 2016 – Avoiding OSHA Violations for Workplace Violence

EEOC notice 915.061 (Use of convictions and arrest records)

- 3.0 January 2011- Background Check Changes in Pennsylvania
- 25.0 July 2013 Pennsylvania Background Check Updates

<u>Furnival State Machinery/Transamerica Ins. Group v. Worker's Compensation Appeal Bd.</u> (Slye), 757 A. 2d 433 (Pa. Commw. Ct. 2000)

• 17.0 September 2012 - Pennsylvania Employer's Worker's Compensation Obligations

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- 73.0 May 2016 Pennsylvania's New Medical Marijuana Law: What Does it Mean for School Bus Contractors?
- 73.0 January 2017 State Laws Legalizing Medical Marijuana: What Does it Mean for School Bus Contractors?
- 73.2 July 2017 New York's Medical Marijuana Law: What Does it Mean for School Bus Contractors

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• 15.0 August 2012 - Pennsylvania Laws Regarding Student Transportation Contract Bids

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- 77.0 September 2016 Access to School Bus Videos
- 83.0 January 2017 Legal Updates for School Bus Contractors The 2016 Year in Review

PA House Bill 1276

• See "Pennsylvania Child Protective Services"

PA House Bill 2274

- 83.0 January 2017 Legal Updates for School Bus Contractors The 2016 Year in Review
- 80.0 September 2016 Proposed Bill's Significant Impact on All School Transportation Contracts

Hurst v. First Student Inc. 2016 U.S. Dist. LEXIS 52631



 83.0 January 2017 - Legal Updates for School Bus Contractors – The 2016 Year in Review

H.R. 2160 BUS Act of 2017

• 120.0 August 2018 – Seat Belt Summary

H.R. 3703 No School Bus Drivers with DUIs Act

- 109.0 December 2017 Disqualifying Events for School Bus Drivers
- 109.1 December 2017 Disqualifying Events for School Bus Drivers

H.R. 5984 SECURES Act

• 120.0 August 2018 – Seat Belt Summary

Internal Revenue Code, Section 2704

 82.0 September 2016 – U,S, Treasury Department Proposes New Regulations that Would Impact Transfers of Family Controlled Companies

<u>I.R. v. Peirce et. al.</u>, 2011 U.S. Dist. LEXIS 725 (M.D. Pa. Jan. 5, 2011)

• 30.0 June 2011 - School District Exempted from Negligence Claim In Evacuation Drill Injury Lawsuit

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• 109.0 December 2017 – Disqualifying Events for School Bus Drivers

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• 77.0 September 2016 – Access to School Bus Videos

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• 15.0 August 2012 - Pennsylvania Laws Regarding Student Transportation Contract Bids

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• 70.0 April 2016 – Heightened Standard of Care for Special Needs Students

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• 77.0 September 2016 – Access to School Bus Videos

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• 79.1 September 2016 – Avoiding OSHA Violations for Workplace Violence

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- 57.0 October 2015 Look Who's Talking: NLRB Limits Management Control of Employee Speech
- 93.0 June 2017 Social Media and School Bus Drivers



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• 83.0 January 2017 - Legal Updates for School Bus Contractors – The 2016 Year in Review

NLRB v Costco Wholesale Corp., No. 34-CA-012421

• 93.0 June 2017 – Social Media and School Bus Drivers

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• 73.2 July 2017 - New York's Medical Marijuana Law: What Does it Mean for School Bus Contractors

NY PUB HEALTH § 3369

• 73.2 July 2017 - New York's Medical Marijuana Law: What Does it Mean for School Bus Contractors

OSHA 17-003 BHC Northwest Psychiatric Hospital dba Brooke Glen Behavioral Hospital

• 79.2 September 2017 – Avoiding OSHA Violations for School Bus Violence

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• 77.0 September 2016 – Access to School Bus Videos

PA Senate Bill 3 – Medical Marijuana Legalization Bill

• 73.0 May 2016 - Pennsylvania's New Medical Marijuana Law: What Does it Mean for School Bus Contractors?

<u>Pennsylvania State Police v Grove</u>, 2015 Pa. Commw. Unpub. LEXIS 714 (Pa. Commw. Ct. March 20, 2015)

• 77.0 September 2016 – Access to School Bus Videos

<u>Save Small Schools v. Everett Area Sch. Dist.</u>, 2008 Pa. Commw. Unpub. LEXIS 155 (Pa. Commw. Ct. 2008)

• 15.0 August 2012 - Pennsylvania Laws Regarding Student Transportation Contract Bids

<u>Secretary of Labor v UHS of Westwood Pembroke, Inc. dba Lowell Treatment Center, No. 15-0964, OSHRC Region I (US 2015)</u>

• 79.2 September 2017 – Avoiding OSHA Violations for School Bus Violence

<u>Steele v. Stallion Rockies, Ltd.</u>, No. 14-cv-02376-CMA/BNB, 2015 WL 3396417 D. Colo. May 26, 2015

- 73.0 May 2016 Pennsylvania's New Medical Marijuana Law: What Does it Mean for School Bus Contractors?
- 73.1 January 2017 State Laws Legalizing Medical Marijuana: What Does it Mean for School Bus Contractors?
- 73.2 July 2017 New York's Medical Marijuana Law: What Does it Mean for School Bus Contractors



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- 110.0 January 2018 Positive Drug Tests: A Tale of Two Terminations
- 110.1 January 2018 Legal Updates for School Bus Contractors 2017 in Review

Title VII of the Civil Rights Act of 1964 and Amendments (1982)

- 3.0 January 2011 Background Check Changes in Pennsylvania
- 26.0 August 2013 Supreme Court Clarifies Specifications of Supervisors under Title VII

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• 36.0 December 2013 - U.S. Supreme Court Invalidates EEOC Guidance Allowing Summary Dismissal of Retaliation Claims

<u>Upper Merion Area School District v. Teamsters Local #384, 165 A.3d 56 (June 23, 2017)</u>

- 110.0 January 2018 Positive Drug Tests: A Tale of Two Terminations
- 110.1 January 2018 Legal Updates for School Bus Contractors 2017 in Review

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• 38.0 March 2014 - School District Challenges Multiple Bus Stop Locations

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• 128.0 July 2018 – Act 39/HB 1448 New Rule for Service Contracts that Displace Unionized School Employees

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• 15.0 August 2012 - Pennsylvania Laws Regarding Student Transportation Contract Bids

