requires that the primary consideration in the determination of the fixed routes be the safety of the children. The basic principles included in paragraph (a)(2)-(6) are adopted from the National Standards for School Bus Operations and Special Report 222. They include such requirements as locating stops to minimize traffic disruptions and to minimize the need for children to cross in front of the bus. Where children are required to cross the street to board or exit the bus, there are strict procedures for escorting children across the street or highway. Loading of vehicles beyond their capacity is prohibited, as is arrangement of routes such that vehicles would be required to back up or negotiate "U" turns.

Finally, paragraph (a)(1) of this section limits the amount of time children may be in transit to and from the classroom to one hour in each direction. Anything beyond one hour is considered in terms of "best practice" to be detrimental to the quality of the preschool experience for the children.

Section 1310.21—Safety Education

According to Special Report 222, most child deaths in school bus-related accidents occur off the bus in school bus loading zones, resulting in the need for safety education programs that specifically address appropriate behavior in school bus loading zones. Likewise, Guideline 17 includes the recommendation that "All children should be instructed in safe transportation practices for walking to and from school."

This section prescribes the safety training to be provided to children and their parents in both pedestrian safety and safe riding practices. It requires that the initial transportation and pedestrian safety training for children and parents occur within the first five days of the program year. It requires Head Start agencies to teach the parents what is being taught to the children so that safe pedestrian behavior can be reinforced in the home and during non-school hours.

This section also requires Head Start agencies to instruct children in safe riding practices (including the use of the child restraint system), safety procedures for boarding and leaving the bus and in crossing the street in front of the bus, and in recognizing the danger zones around the bus. Children must be instructed in emergency evacuation procedures and participate in at least three emergency evacuation drills over the course of the year.

Finally, this section requires classroom teachers to develop activities to remind children of the safety procedures prior to departing the classroom at the end of the day.

Section 1310.22—Children With Disabilities

This section cross-references the proposed rules for transportation with the Head Start Program Performance Standards on Services for Children with Disabilities. It places joint responsibility for compliance on the Disabilities Coordinator and the Transportation Supervisor and requires that any special transportation requirements for children with disabilities, such as special pickup and drop-off locations, special seating requirements, special equipment, etc., be specified in the Individual Education Plan for the child.

Section 1310.23—Coordinated Transportation

The Administration for Children and Families is a participant in the Joint Department of Health and Human Services/Department of Transportation Coordinating Council on Human Services Transportation, which was formed in October 1986 through a Memorandum of Understanding between the Department of Health and Human Services and the Department of Transportation. One of the goals of the Council is to achieve the most cost effective use of Federal, State and local resources for specialized and human services transportation. The requirements in this section are designed to promote this goal.

This section requires Head Start agencies, whenever possible and to the extent feasible, to coordinate transportation resources with other human services transportation agencies in the community in order to control costs and to maximize the quality and extent of transportation services provided to Head Start families.

This section also requires Head Start agencies to determine the true cost of providing transportation services in their locality so that they can make knowledgeable choices between transportation options. Additionally, it requires Head Start agencies to be proactive in serving on local transportation councils, or in forming a local council where none exists, in order to promote the concept of coordinated transportation.

We acknowledge that the degree and manner to which Head Start programs participate in coordinated systems may, to some extent, depend upon whether or not the services provided by the coordinated system comply with these standards. As drafted, this proposed rule requires that if a Head Start agency is using a coordinated system, they have

to be sure that the system is operating the way the rule proposes. We want to continue to support coordination as much as possible without undermining concerns for the safety of Head Start children. However, we are concerned that there are now children, especially geographically isolated children, being served through coordinated systems which may not meet the safety standards contained in this proposed rule. Therefore, we are especially interested in soliciting comments on this issue. For example, should there be a "reasonableness exception clause" for individual cases in which a child might otherwise remain unserved by Head Start? If so, what rules should apply?

V. Impact Analysis

Executive Order 12866

Executive Order 12866 requires that regulations be drafted to ensure that they are consistent with the priorities and principles set forth in this Executive Order. The Department has determined that this rule is consistent with these priorities and principles. This Notice of Proposed Rulemaking implements the statutory authority to promulgate regulations for the safe transportation of Head Start children. Congress made no additional appropriation to fund this new authority, however, and so any money spent toward the purchase of vehicles, additional personnel, training or other purposes related to this regulation is money that would have been spent otherwise by the program or other programs from the same appropriation amount. We believe that we have focused these proposed rules in ways that encourage maximum costeffectiveness in transportation spending decisions. We request comments on possible improvements.

Regulatory Flexibility Act of 1980

The Regulatory Flexibility Act (5 U.S.C. Ch. 6) requires the Federal government to anticipate and reduce the impact of rules and paperwork requirements on small businesses. For each rule with a "significant economic impact on a substantial number of small entities" an analysis must be prepared describing the rule's impact on small entities.

Small entities are defined by the Act to include small businesses, small nonprofit organizations and small governmental entities. These regulations would affect small entities. However, it should be noted that many grantees already provide transportation services in accordance with State and local requirements. We believe meeting these