

## **Business/Non-Instructional Operations**

### **Transportation**

#### **Introduction**

The Board of Education will provide transportation for students under provisions of state law and regulations for all students who qualify for such service. The Superintendent of Schools or designee shall administer the operation so as to:

1. Provide for the maximum safety of students.
2. Supplement and reinforce desirable student behavior patterns.
3. Assist disabled students appropriately.
4. Enrich the instructional program through carefully planned field trips as recommended by the staff and approved by the appropriate administrator.

#### **1. Definitions**

**A. “School transportation”** means the procedure, program or fully effective and implemented plan by which an eligible student is conveyed, at public expense, whether by use of publicly owned equipment or by contract to or from his/her residence to or from the school in which he/she is enrolled by the Board.

**B. “Walking distance”** means the linear measure of a prescribed or authorized pedestrian route between the student’s residence and his/her school from a point at the curb or edge of a public road or highway nearest the student’s residence to the nearest allowable access of the school, or the bus pickup area; or the route traversed nearest the residence to the school bus (or vehicle) embarkation point (bus stop) established by the Board.

**C. “One mile”** means a reasonable measurement of a route to be traversed extending from the point of a measurement at least 5,280 feet.

**D. “Grade K”** means kindergarten, or a school program appropriate to a beginning student under age six (6).

**E. “Raised walk area”** means (1) a sidewalk or (2) a portion of the right of way at least three feet wide, usually parallel to the traffic lanes, which may be paved or unpaved, distinguished by some elevation above the street pavement level and marked by curbing, drainage ditch, grass area, and fencing, apart from and independent of any highway safety markings along the street pavement.

**F. “Walking route”** means the most direct appropriate route which the student would

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### **1. Definitions (continued)**

normally be expected to travel between his/her residence and the school to which he/she is assigned by the Board.

**G. “Hazard”** means (1) exposure to molestation considered morally degrading or physically harmful, or (2) an unsafe thing or condition or a possible source of peril, danger, duress, or difficulty presenting a problem, the solution of which is beyond the ordinary capability of a student of a given grade or including specifically the following:

(1) A walking route along a street or road having an adjacent or parallel raised walk area is a hazard where any of the following conditions exist along said walking route:

(a) Speed limits for motor vehicles are in excess of forty (40) miles per hour and there are no pedestrian crossing lights or crossing guards or other safety provisions at points where students must cross said street or road in going to and from school;

(b) The usual or frequent presence of any nuisance, such as open manholes or construction; snow plowed or piled on the raised walk area making such areas unusable; loading zones where delivery trucks are permitted to park in alleys; commercial entrances and exits where cars are crossing raised walk areas at speeds in excess of five (5) miles per hour, and the like, including such nuisance which is dangerous or attractive to students of a given grade;

(c) For students enrolled in Grades Pre-Kindergarten through 3, absence of pedestrian crossing light, or crossing guard where three (3) or more streets intersect, and at a street crossing where there are no stop signs or crossing guards; and,

(d) For students enrolled in Grades 4 through 12, absence of a traffic light, or stop sign, or crossing guard at street crossings where three (3) or more streets intersect, and have an average traffic count which exceeds 120 vehicles per hour during the time that students are walking to and from school.

(2) Any street, road or highway which has no sidewalks or raised walk areas shall be deemed unduly hazardous for students enrolled in Grades Pre-Kindergarten through 8, unless all of the following conditions are met:

(a) The line-of-sight visibility together with posted speed limits permit vehicular braking/stopping distances in accordance with the Connecticut Drivers Manual.

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### **1. Definitions (continued)**

- (b) Man-made hazards including attractive nuisances are absent.
  - (c) The roadway available to vehicles, when plowed free of snow accumulation, has a minimum width of at least ten (10) feet per driving lane.
- (3) Any walkway or path in an area adjacent to, and parallel to railroad tracks shall be considered a hazard, unless suitable physical barriers along the walking routes are present and fixed between the tracks and the walking route (such as guard railings). Tracks that carry moving trains during hours that students are walking to or from school will be deemed hazardous unless the following conditions exist:
- (a) A crossing guard is present; or,
  - (b) An automatic control bar is present at crossings used by students, or a bar, or red flashing signal light is operational when the crossing is used for students.
- (4) A lake, stream, culvert or waterway will be deemed a hazard in the absence of a fence or other suitable barrier fixed between the walking route and the water.
- (5) Any street, road, walkway or path designed as a walking route for school Students which passes through an area which has a history of assaults or molestation resulting in actual or threatened physical harm, or moral degradation, during the hours when students ordinarily walk to and from school.
- (6) A situation shall be considered hazardous wherein students enrolled in a Grade Pre-Kindergarten through Grade 6 are required to walk to or from school or to or from a bus stop at any time prior to one-half hour before sunrise or after one-half hour after sunset.

## **2. Duties of the Superintendent**

It shall be the responsibility of the Superintendent of Schools or designee to manage and supervise the school transportation service and, in connection therewith, to do the following:

- A. Determine eligibility for school transportation in accordance with these guidelines and Section 10-186 of the Connecticut General Statutes and in compliance with applicable portions of the No Child Left Behind Act pertaining to homeless students and school choice.
- B. Establish school transportation routes and designate locations for pick-up points (bus stops).
- C. Develop, circulate and enforce codes of behavior for those students who are transported to and from school via school transportation.
- D. Develop procedures for responding to requests pertaining to matters of school transportation or other school accommodations.
- E. Give due consideration to requests for extension of school transportation service.
- F. Perform all other duties and responsibilities related to the furnishing of school accommodations by school transportation or otherwise in a manner not inconsistent with Section 10-186 of the Connecticut General Statutes and these guidelines.

## **3. Eligibility for School Transportation**

Students will be eligible for school transportation if one or more of the following criteria is present:

- A. The walking distance for the student is in excess of the guidelines established by the Board which shall not exceed the following maximum distances:
  - (1) For students in grades K through 3, up to .25 miles;
  - (2) For students enrolled in the equivalent of Grades 4 through 8, at middle schools or junior high school, up to one (.5) miles; and,
  - (3) For students enrolled in Grades 9 through 12, up to one (1) mile.
- B. The walking route does not exceed the limits set forth in Paragraph (1), but presents a hazard; and the hazard is not eliminated by and abated by the Board.
- C. The student is physically handicapped, or required by PPT.

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### **3. Eligibility for School Transportation (continued)**

D. The student, per the provisions of the No Child Left Behind Act, is classified as a homeless student, attends a school identified as in need of improvement, is a victim of a violent criminal offense, or attends a school identified as persistently dangerous.

Reasonable transportation or prescribed walking routes or the sum of both shall not exceed one hour each way from home to school or returning

### **4. Eligibility for Out-of-Town Transportation**

A. Any resident of the school district under twenty-one (21) years of age who is not a high school or vocational school graduate and who is attending a state vocational school shall be eligible for transportation.

B. A student who is placed by a Planning and Placement Team for special education reasons in either a public or private educational institution out-of-town shall be provided the necessary transportation.

C. A student who transfers to an out-of-district school under a cooperative arrangement because their District home school has been identified as in need of improvement under the No Child Left Behind Act.

### **5. Appeals**

Any parent, guardian, student at majority, or any agent or officer whose duty it is to compel the observance of the laws concerning attendance at school may appeal any administrative decision concerning school transportation in the following manner:

A. Discuss the matter with the Principal of the school to which the student is assigned.

B. If no resolution is reached under (A) above, discuss the matter with the transportation coordinator or designee.

C. If no resolution is reached under (B) above, discuss the matter with the Superintendent of Schools or designee.

Any parent, guardian, student at majority, or officer whose duty it is to compel the observance of the laws concerning attendance at school, who believes that the Superintendent or designee is not furnishing school accommodations, by transportation or otherwise, to himself or herself or to his/her student in a manner consistent with the laws of the State of Connecticut or these regulations may, in writing, request a hearing before the Board to show the Board the manner in which the Superintendent or designee has so failed to furnish such accommodations.

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### **5. Appeals (Continued)**

The Board shall hold a hearing within ten (10) days following receipt of such request. The hearing before the Board will be in compliance with the provisions of Section 4-177 to 4-180 inclusive of the Connecticut General Statutes.

A stenographic record or tape recording shall be made of such hearing.

Legal Reference: Connecticut General Statutes

10-76d re transportation for special education program services.

10-97 Transportation to vocational schools.

10-186 Duties of local and regional boards of education re school attendance. Hearings. Appeals to state board. Establishment of hearing board.

10-220 Duties of boards of education.

10-220c Transportation of children over private roads. Immunity from liability.

10-273a Reimbursement for transportation to and from elementary and secondary schools.

10-280a Transportation for students in non-profit private schools outside school district.

10-281 Transportation for students in non-profit private school within school district.

14-275a Use of standard school bus required, when.

14-275b Transportation of handicapped students.

14-275c Regulations re school buses and motor vehicles used to transport special education students.

14-280 Letters and signals to be concealed when not used in transporting children. Signs on other vehicles.

20 U.S.C. NCLB Act of 2001, P.L. 107-110, Title I, Section 1116

McKinney-Vento Homeless Education Assistance Act of 2001, P.L. 107-110, 42 U.S.C., Sections 11431-11435

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