

SUBJECT: TRANSPORTATION PROGRAM

It is the intent of the Board of Education to comply with the letter and spirit of the New York State Education Law; with the regulations of the Department of Motor Vehicles and of the Department of Transportation and with the Commissioner of Education's regulations and decisions pertinent to student transportation, and these shall govern any questions not covered by specific declaration of policy herein.

The purposes of the transportation program are to transport students to and from school, to transport them for extracurricular activities, to transport them on field trips, and to transport those requiring special services.

The Board of Education recognizes and assumes the responsibility for all aspects of the transportation of children wherein the health and safety of students are involved, for the Board of Education has a legal obligation to safeguard the welfare of bus-riding children.

Scheduling and Routing

Bus routes are authorized by the Board of Education and any requests for a change must be submitted to the Superintendent or his/her designee.

Transportation services shall be provided to meet the needs of the students of the District within specified limits and areas established by the Board of Education.

At least once a year school bus schedules and routing plans will be reviewed to ensure that maximum efficiency is maintained.

For reasons of safety, the District will provide to parents or guardians only, the pick-up/drop-off schedule specific to their child(ren).

Education Law Sections 1501-b, 3602(7), 3620-3628, 3635 and 3636

Adoption Date: 12/16/15

SUBJECT: TRANSPORTATION OF STUDENTS

Resident Student Eligibility for Bus Service within the District

Transportation will be provided for resident students in grades K-5 who live further than one-half (1/2) mile from District schools and for resident students in grades 6-12 who live further than one (1) mile from District schools. Students in grades K-5 may be expected to walk up to one-half (1/2) mile to an authorized bus stop; and students in grades 6-12 may be expected to walk up to one (1) mile to an authorized bus stop.

Measurement of Walking Distances

- a) Mileage from a student's home to school grounds will be measured by a District vehicle.
- b) Walking distances to bus stops will be measured from the end of the property line of the student's own driveway to the bus stop.
- c) Walking distances to school will be measured from the end of the property line of the student's driveway to the nearest available driveway of the school.
- d) All walking distances will be measured over publicly-maintained roads, sidewalks, or paths. (Transportation can be provided to students living on private roads with the written consent of the homeowners association for those private roads. In such cases, distances will also be measured over private roads.)

Requests for Transportation to and from Nonpublic Schools

The parent or person in parental relation of a parochial or private school child residing in the School District who desires that the child be transported to a parochial or private school during the next school year must submit a written request to the District Transportation office no later than April 1 of the preceding year, or within thirty (30) days of moving into the District.

All late requests, however, shall be considered by the Board of Education/Superintendent of Schools or his/her designee on the basis of each case's merits. Criteria used in judging whether to accept a late request may include, but not be limited to, the following:

- a) Whether transportation will require an additional cost, or
- b) The reasonableness of the excuse for the late request.

All late request decisions shall be made in the sole discretion of the Board of Education, the Superintendent of Schools or his/her designee.

No late request of a parent or person in parental relation shall be denied where a reasonable explanation, as determined by the Board of Education, the Superintendent of Schools or his/her designee, is provided for the delay.

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SUBJECT: TRANSPORTATION OF STUDENTS (Cont'd.)

Late Bus Service

Late bus service will be provided for public school students. The Commissioner of Education has held that a school district is not required to provide late bus service for individual or for unreasonably small groups of students and Section 3635 of the Education Law imposes upon boards of education the responsibility of providing transportation in a reasonable and economic manner. Therefore, for non-public school students late bus service will be provided only in situations where it may be provided at a cost per student similar to the cost per student for public school late bus service.

Transportation to Nonpublic Schools on Holidays

Transportation will be provided to nonpublic schools between September 1st and June 30th according to each school's calendar unless the calendar includes Federal holidays. No transportation will be provided on Federal holidays. Disruption of transportation may occur due to inclement weather or emergency, as determined by the Superintendent of Schools.

Transportation for Nonpublic School Students with Disabilities who are Parentally Placed

For students with disabilities (ages 5 through 21) who are parentally placed in nonpublic schools outside their district of residency, if special education services are to be provided to a student at a site other than the nonpublic school, the school district of location is responsible for providing the special education services, including, as applicable, arranging and providing transportation necessary for the student to receive special education services. The proportionate share of IDEA Part B dollars could be used for such purpose.

The school district of residence remains responsible to provide transportation to parentally placed nonpublic school students from the student's home to the nonpublic school.

Transportation of Students with Disabilities

Students with disabilities in the District shall be transported up to fifty (50) miles (one way) from their home to the appropriate special service or program, unless the Commissioner certifies that no appropriate nonresidential special service or program is available within fifty (50) miles. The Commissioner may then establish transportation arrangements.

Student Information

Any mode of transportation used on a regular basis to transport students with a disability on a regularly scheduled route shall, upon written consent of the parent or person in parental relation, have maintained on such mode of transportation the following information about each student being transported:

- a) Student's name;
- b) Nature of the student's disability;

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SUBJECT: TRANSPORTATION OF STUDENTS (Cont'd.)

- c) Name of the student's parent, guardian or person in a position of loco parentis (person in parental relation) and one or more telephone numbers where such person can be reached in an emergency; and/or
- d) Name and telephone number of any other person designated by such parent, guardian or person in a position of loco parentis as a person who can be contacted in an emergency.

Such information shall be used solely for the purpose of contacting such student's parent, guardian, person in a position of loco parentis, or designee in the event of an emergency involving the student, shall be kept in a manner which retains the privacy of the student, and shall not be accessible to any person other than the driver or a teacher acting in a supervisory capacity. In the event that the driver or teacher is incapacitated, such information may be accessed by any emergency service provider for such purpose.

Such information shall be updated as needed, but at least once each school year and shall be destroyed if parental consent is revoked, the student no longer attends such school, or the disability no longer exists.

Herein the term "disability" shall mean a physical or mental impairment that substantially limits one or more of the major life activities of the student, whether of a temporary or permanent nature.

Transportation of Non-Resident Students

Non-resident families must provide their own transportation.

Transportation to School Sponsored Events

Where the District has provided transportation to students enrolled in the District to a school sponsored field trip, extracurricular activity or any other similar event, it shall provide transportation back to either the point of departure or to the appropriate school in the District unless the parent or legal guardian of a student participating in such event has provided the District with written notice, consistent with District policy, authorizing an alternative form of return transportation for such student or unless intervening circumstances make such transportation impractical. In cases where intervening circumstances make transportation of a student back to the point of departure or to the appropriate school in the District impractical, a representative of the School District shall remain with the student until such student's parent or legal guardian has been contacted and informed of the intervening circumstances which make such transportation impractical; and the student has been delivered to his/her parent or legal guardian.

Transportation in Personal Vehicles

Personal cars of teachers and staff shall not be used to transport students except in the event of extenuating circumstances and authorized by the administration.

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SUBJECT: TRANSPORTATION OF STUDENTS (Cont'd.)

Education Law Sections 1604, 1709, 1804, 1903, 1950, 2503, 2554, 2590-e, 3242, 3602-c, 3621(15),
3623-a(2c), 3635, 4401-a, 4401(4), 4402, 4404, 4405, and 4410-6
Vehicle and Traffic Law Section 375(20)(1) and 375(21-i)

NOTE: Refer also to Policy #7131 -- Education of Homeless Children and Youth

Adoption Date: 12/16/15

SUBJECT: SCHOOL BUS SAFETY PROGRAM

The safe transportation of students to and from school is of primary concern in the administration of the school bus program. All state laws and regulations pertaining to the safe use of school buses, including the use of personal electronic devices, shall be observed by drivers, students and school personnel.

To assure the safety and security of students boarding or exiting school buses on school property, it shall be unlawful for a driver of a vehicle to pass a stopped school bus when the red bus signal is in operation.

The Purchasing and Transportation Agent and/or the Supervisor of Transportation, in cooperation with the Principals, have the responsibility of developing and publishing safety rules to be followed by drivers and passengers, including rules of student conduct. In order to ensure maximum safety to those riding school buses, it is necessary that students and drivers cooperate in this effort.

All buses and other vehicles owned by vendors/contract bus companies with whom the District contracts will have frequent safety inspections and be serviced regularly. The contractor will maintain a comprehensive record of all maintenance performed on each vehicle and such records shall be provided upon request.

Every bus driver is required to report promptly any school bus accident involving death, injury, or property damage. All accidents, regardless of damage involved, must be reported at once to the Purchasing and Transportation Agent by the vendors/contract bus companies.

Education Law Section 3623

Vehicle and Traffic Law Sections 509-a(7), 509-1(1-b), 1174(a) and 1174(b)

8 New York Code of Rules and Regulations (NYCRR) Section 156.3

NOTE: Refer also to Policies #5683 -- Fire Drills, Bomb Threats and Bus Emergency Drills
#5741 -- Drug and Alcohol Testing for School Bus Drivers and Other Safety-Sensitive Employees

Adoption Date: 12/16/15

SUBJECT: IDLING SCHOOL BUSES ON SCHOOL GROUNDS

The Board of Education recognizes the need to promote the health and safety of District students and staff and to protect the environment from harmful emissions found in bus and vehicle exhaust. In accordance with Education Law and Commissioner's Regulations, the District will minimize, to the extent practicable, the idling of all school buses and other vehicles owned or leased by the District while such bus or vehicle is parked or standing on school grounds or in the front of any school. This policy also applies to contractor owned and operated school buses under contract with the District.

The District shall ensure that each driver of a school bus or other vehicle owned, leased or contracted for by the District turn off the engine of the bus or vehicle while waiting for passengers to load or off load on school grounds, or while such vehicle is parked or standing on school grounds or in front of or adjacent to any school.

Exceptions

Unless otherwise required by State or local law, the idling of a school bus or vehicle engine may be permitted to the extent necessary to achieve the following purposes:

- a) For mechanical work; or
- b) To maintain an appropriate temperature for passenger comfort; or
- c) In emergency evacuations where necessary to operate wheelchair lifts.

Private Vendor Transportation Contracts

All contracts for pupil transportation services between the School District and a private vendor that are entered into on or after August 21, 2008, shall include a provision requiring such vendor's compliance with the provisions of reducing idling in accordance with Commissioner's Regulations Section 156.3(h).

Education Law Section 3637
Vehicle and Traffic Law Section 142
8 New York Code of Rules and Regulations (NYCRR) Section 156.3(h)

Adoption Date: 12/16/15

SUBJECT: QUALIFICATIONS OF BUS DRIVERS AND BUS MONITORS

The physical examinations of drivers shall be at the driver's or the contracted bus company's expense. All examinations will be completed consistent with the regulations of the Commissioner of Motor Vehicles and the Commissioner of Education.

As the school district does not directly employ bus drivers or bus monitors, all transportation personnel shall be the responsibility of the contracted bus company and shall be employees of the contracted bus company. Physical examinations of drivers will be completed consistent with the regulations of the Commissioner of Motor Vehicles and the Commissioner of Education. All drivers, mechanics and bus monitors must meet all legal and regulatory requirements for holding their respective positions, and shall in all respects be in compliance with all requirements of law, ordinance, or regulation of the Commissioner of Education, including all required driving, licensing, training and certification. In addition, the contracted bus company will be responsible for fulfilling the fingerprinting requirements, background check requirements, and drug and alcohol testing requirements pursuant to all Federal Department of Transportation, State Education Department, and State Department of Motor Vehicles regulations.

It is recognized that for the protection of the children, drivers and all other persons coming in contact with the children must be of stable personality and of the highest moral character. The school district places upon the contracted bus company and the contracted bus company agrees to accept, the full responsibility of assuring such qualities in personnel. The contracted bus company agrees not to allow any person to drive a bus or act as a bus monitor whose moral character is not of the highest level or whose conduct might in any way expose any child to any impropriety of word or conduct whatsoever. Nor shall the contracted bus company allow any person to drive a school bus or act as a bus monitor who is not physically and/or emotionally capable of performing the essential functions of their job, with or without accommodation. All drivers and bus monitors must understand and speak English with proficiency.

The responsibility for hiring and discharging personnel shall rest entirely upon the contracted bus company and the contracted bus company agree not to enter into any agreement or arrangement with any employee, person, group or organization which will in any way interfere with the ability to comply with this requirement, except as otherwise required or permitted by law. The contracted bus company further agree that the Superintendent or his/her designee shall have the right to require removal from services to the school district of any driver or bus monitor who in her/his opinion will detract from the safe and efficient operation of buses and/or the safety of the pupils thereon under the contract. The Superintendent or his/her designee reserves the right, in the exercise of its sound discretion, to reject drivers, or to direct that they be replaced, without being limited to considerations of health and driving records.

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SUBJECT: QUALIFICATIONS OF BUS DRIVERS AND BUS MONITORS (Cont'd.)

Each driver performing services pursuant to the contract shall successfully complete all safety programs that are or may be required by the laws, rules and regulations of the State of New York or Federal agencies.

All driver, mechanic and bus monitor records will be maintained as prescribed by all state and federal regulations by the contracted bus company. Such records will be available to the Purchasing and Transportation Agent.

Occasional Drivers

Under Commissioner's Regulations, an occasional driver is defined as a certified teacher employed by a school district or Board of Cooperative Educational Services (BOCES) who is not primarily employed as a school bus driver or substitute bus driver on either a full-time or part-time basis. Occasional drivers used for other than regular routes are not required to fulfill the training required for regular school bus drivers.

An occasional driver is defined as a certified teacher employed by a school district and must possess a valid driver's license and be approved to drive by the Superintendent of Schools or his/her designee.

For teachers who transport students in their own vehicles, their own auto insurance policy will be primary and the school district will not reimburse for collision, comprehensive, personal injury protection, or uninsured motorist. The school district's auto insurance policy covers liability over and above the teacher's policy up to \$1,000,000 per accident.

Omnibus Transportation Employee Testing Act of 1991, (Public Law 102-143)
49 United States Code (USC) Section 521(b)
49 Code of Federal Regulations (CFR) Parts 40, 382, 391, 392 and 395
Education Law Section 3624
Vehicle and Traffic Law Sections 509-c, 509-cc and Article 19-A
8 New York Code of Rules and Regulations (NYCRR) Section 156.3
15 New York Code of Rules and Regulations (NYCRR) Part 6

NOTE: Refer also to Policy #5741 -- Drug and Alcohol Testing For School Bus Drivers and Other Safety-Sensitive Employees

Adoption Date: 12/16/15

SUBJECT: CAMERAS ON SCHOOL BUSES

The Board of Education recognizes its responsibility to maintain and improve discipline and to insure the safety and welfare of its staff and students on school transportation vehicles.

After having carefully considered and balanced the rights of privacy with the district's duty to ensure discipline, health, welfare and safety of staff and students on school transportation vehicles, the Board supports the use of cameras on its school buses.

Cameras to be used to monitor student behavior, as well as driver/bus monitor behavior will be installed on all school vehicles transporting students to and from school or extracurricular activities.

Students in violation of bus conduct rules shall be subject to disciplinary action in accordance with established Board policy and regulations governing student conduct and discipline.

The district shall comply with all applicable state and federal laws related to student records when such recordings are considered for retention as part of the student's record.

Recordings shall be used primarily for the purpose of evidence for disciplining of students. However, the district may use such recordings for any other purpose it deems appropriate.

The Superintendent is directed to develop regulations governing the use of cameras in accordance with the provision of law and established Board policies and regulations.

Review of recordings will be conducted by the Purchasing and Transportation Agent and/or the Supervisor of Transportation and/or the Building Principal/Administrator or his/her designee. A representative of the vendors/bus contracts may also review the recording.

Ref: 20 U.S.C. §1232g (FERPA)
Arts & Cultural Affairs Law, Art. 57-A (Local Government Records Law)
Public Officers Law §87
8 NYCRR Part 156.9(d)
Records Retention & Disposition Schedule for Use by School Districts,
Schedule ED-1 (1991)

Adoption Date: 12/16/15