

BOARD POLICY 751

**SWALLOW SCHOOL DISTRICT
BOARD OF EDUCATION POLICY**

STUDENT TRANSPORTATION

Eligibility for resident student transport to and from school is determined by the statutes and laws of the State of Wisconsin and the Arrowhead District Transportation Cooperative (ADTC).

On days school is held, the District will provide, or otherwise contract or arrange for the provision of, student transportation to and from public school in all situations where state or federal law establishes a District transportation obligation, including at least all of the following:

1. Students who reside in the District two miles or more as measured by the usually-travelled route.
2. Students who live in areas of unusual hazard as defined and identified in the District's transportation plan or as otherwise identified pursuant to procedures found in state law.
3. Students with disabilities who have individualized education programs (IEPs) that require transportation as a necessary service, and where applicable law requires the District to provide the service.
4. Students with disabilities as required by an order of the state superintendent of public instruction.
5. Any student who is homeless or an unaccompanied youth, as defined under federal law, and who has a legal right to District-provided transportation.
6. If a student is living outside the District, but is enrolled in the District as a resident student because the student's parents or guardians have joint legal custody, the District will transport the student to and from an agreed-upon location within the District upon request from the student's parent or guardian.

The District will provide, or otherwise contract or arrange for the provision of, student transportation to and from school for residents of the District who attend private schools to the extent required by state law.

Aside from transportation to and from school, as described above, the District shall also:

1. Fulfill all other student transportation obligations identified under state or federal law.

2. In addition to providing legally-mandated student transportation, the District shall also provide student transportation services in other situations where permitted by state law and where such transportation has been appropriately authorized by (a) a Board policy or (b) a motion or resolution of the Board or whichever may be applicable. To the extent permitted by law, the District may charge fees related to such additional transportation.

The Superintendent and the ADTC shall determine and schedule regular bus routes, taking into account factors such as the number and location of children, the safety of students, and the cost efficiency of the route. Changes to routes and schedules may be required from time-to-time during a school year, and the Superintendent and/or ADTC will provide advance notification of such changes to affected families.

Vehicle and Driver Requirements

The District Administrator and any other administrator or supervisor with responsibilities related to the oversight of student transportation services shall, upon recognition of any deficiency, recommend changes to District policies, procedures, guidelines, and contracts that will facilitate the ability of the District and any contracted service providers to maintain compliance with all vehicle, operator, insurance, and contract requirements established by state or federal law. The District shall not purchase, lease, rent, use, or contract for the use of a motor vehicle for student transportation, other than a properly marked and equipped school bus or authorized motor bus, if the motor vehicle is designed to transport 10 or more passengers in addition to the driver.

Student Conduct

To the fullest extent that state law considers a student who is utilizing the District's transportation services to be (1) at school; (2) under the supervision of a school authority; or (3) otherwise subject to the District's disciplinary jurisdiction or oversight or control, the student must abide by all applicable policies, procedures, rules, and directives that govern student conduct. Rules and directives may be established and enforced that are specific to the context of transportation and/or transportation-related safety. Students using transportation services are subject to appropriate discipline or other consequences or interventions related to their conduct, up to and including loss of transportation services and/or suspension or expulsion from school.

A complete copy of the ADTC Student Transportation Policy is available on the district website and can also be obtained from the school office. Student discipline issues will be handled in accordance with Policy 443. Complaints that arise will be handled in accordance with Policy 872.

The district is not liable for transporting a student to a bus stop and is not liable for the safety and health of a pupil at a bus stop while the student is not under the supervision of a school authority.

Transportation for Non-Qualifying Resident and Open Enrollment Students

Except as specifically provided, student transportation shall be the responsibility of the resident or nonresident open enrolled student's parent/guardian.

The District shall also provide transportation to non-qualifying resident and nonresident full-time open enrollment students if there is room available on a bus on a regular route where the District is required to provide transportation, the student is picked up or dropped off at a regular bus stop within the District, and the transportation has been approved by the Superintendent or designee. The provision of this transportation can be rescinded, in the District's sole discretion if the number of resident route riders increases after the initial acceptance of the non-resident pupil's transportation.

Low income parents and guardians may apply to the DPI for reimbursement of costs of transportation in accordance with DPI's procedures.

The District shall provide transportation for nonresident students with disabilities attending school full-time in the District if it is required in the student's Individual Educational Plan or otherwise required by law.

The parent or guardian of a nonresident open enrollment student who attends school in the District may request to contract with the District for transportation. The Superintendent or his/her designee may evaluate such requests and may approve such a transportation contract. Upon approval the District shall charge a fee reflective of the reasonable per student costs of the transportation except that the fee may be waived in whole or in part for any person who is unable to pay provided that the District determines that the final net actual cost to the District (after accounting for the amount of any waiver) does not materially exceed the average per student cost of transportation in the District.

The Superintendent shall deny such a request for a parent contract if either (a) the Superintendent or his/her designee determines that there would be a significant administrative burden involved in arranging for or implementing the necessary transportation.

References:

Wisconsin Statutes

Section 115.76	[students with disabilities; definitions]
Section 118.15(2)(d)	[technical college attendance for children at risk of not graduating from high school; transportation requirement]
Section 118.51(14)	[full-time public school open enrollment; transportation provisions]
Subchapter IV of Chapter 121	[student transportation and transportation aid]
Section 340.01(56)	[state law definition of school bus]

Section 345.05 [municipal liability for motor vehicle accidents]

Wisconsin Administrative Code

PI 7 [unusually hazardous areas; parent contracts]

TRANS 300 [state rules governing the transportation of school children, including driver and passenger requirements]

Federal Law

Section 504 of the Rehabilitation Act of 1973 [programs/services for handicapped students]

Individuals with Disabilities Education Act [programs/services for students with disabilities]

McKinney-Vento Homeless Assistance Act [equal access for homeless students; includes transportation provisions]

Omnibus Transportation Employee Testing Act of 1991 [alcohol and controlled substances use and testing requirements for individuals holding commercial drivers' licenses)

Swallow School Board Policy and Guidelines

Policy 423 Open Enrollment and Guidelines

Policy 443 Student Rights and Responsibilities and Guidelines

ADTC Transportation Policy

Policy 872 Concerns or Complaints Regarding School or School Personnel

APPROVED: February 16, 2000

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Confirmed by: _____, President

_____, Clerk