

Section: Non-Instructional Operations

Subject: Transportation

P-3541

**Board Policy
Milford Public Schools
Milford, CT**

TRANSPORTATION

I. General

The Milford Board of Education (Board) will provide safe, adequate, efficient and economical transportation for students under provisions of federal and state laws and regulations. In determining the provision of transportation, the Superintendent of Schools or designee shall take into consideration the physical and emotional wellbeing of students, encourage walking to school sites or bus stops where appropriate and reinforce desirable student behavior patterns to the greatest extent possible. The Superintendent of Schools or designee shall also use the guidelines contained in this policy and shall administer the operation so as to:

- A. Provide for the safety of students.
- B. Assist students with special needs appropriately.
- C. Enrich the instructional program through carefully planned field trips as recommended by the staff.

II. Definitions

- A. **“School transportation”** means the procedure, program, or implementation plan by which a student is transported to and/or from school from his/her assigned bus stop at public expense, whether by use of publicly owned equipment or by contract. Parents may be reimbursed for transportation of eligible students whenever such practice is more economical or convenient.
- B. **“Walking distance”** means the linear measure of a prescribed or authorized pedestrian route between the students residence and his/her school from a point at the curb or edge of a public road nearest the students residence to a point at a safe entrance to the school grounds or the route from the point on the public thoroughfare nearest the residence to the school bus stop assigned by the Board.
- C. **“One mile walking distance”** means a reasonable measurement of a route to be traversed extending from the point of measurement at least 5,280 feet.
- D. **“Grade K”** means kindergarten, or a school program appropriate to a beginning student generally under age 6.
- E. **“Preschool”** means pre-kindergarten, or a school program appropriate to a child who has not yet entered kindergarten, generally students under age 5.
- F. **“Hazard”** means a thing or condition or a possible source of peril, or danger, as prescribed in this policy under “hazardous conditions” that affects the safety and welfare of students walking to and from school and /or an assigned bus stop.
- G. **“Raised walk area”** means (1) a sidewalk or (2) a portion of the right of way (approximately) 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 white line safety markings along the street pavement.

- H. **“Walking route”** means the prescribed route which the child would be expected to travel between his/her residence to and from school and/or an assigned bus stop.
- I. **“Bus Stop”** shall be defined as a geographical location designated by the Board, school administration, or their designee where students can safely wait for purposes of boarding or debarking a school bus.

III. General Provisions

A. Eligibility for School Transportation

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

1. The walking distance for the student is in excess of the guidelines established by the Board which shall not exceed the following maximum distances:
 - a. For students enrolled in grades K through 5, up to one (1) mile;
 - b. For students enrolled in grades 6 through 8, up to one (1) mile;
 - c. For students enrolled in grades 9 through 12, up to one and one-half (1 ½) miles.
2. The walking route does not exceed the limits set forth in subsection 1 above, but where a hazard exists (as defined herein) with due consideration given to the age and grade of each child involved.
3. The student is physically handicapped, is a special education student, or is eligible for services under section 504 of the Rehabilitation Act.
4. The student, for reasons of health, should not walk.
(In both instances described in 3 and 4 above, duly prescribed forms, furnished by the Board, are to be filled out by a Doctor of Medicine and submitted annually to the Director of Pupil Personnel. Transportation for these students shall be determined by the Transportation Office on an individual basis.)
5. The student is enrolled in the Milford Public Schools Preschool Program and he/she meets the criteria as defined in Section IV B, below.

B. Eligibility for Out-of-Town Transportation

1. Any resident of the school district under twenty-one 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 provided they satisfy the conditions set forth in Section A above.
2. A resident of the district 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.
3. No other out-of-town transportation will be provided unless specifically required by State Statute.

C. Eligibility for Transportation of Students Attending Non-Public Schools in Milford

Milford residents attending private nonpublic schools in Milford will be provided with transportation in accordance with Section 10-281 of the Connecticut General Statutes. All aspects of this policy referring to public school students also pertain to private school students.

D. Boundaries, Routes, Scheduling and Bus Stops

1. The Transportation Office is responsible for planning efficient boundaries, routes, schedules, and bus stops. Students will be expected to walk a reasonable distance between home and the bus stop. This distance will not exceed the walking distances listed in Section A. 1 a, b, and c above. In planning bus stops, the Transportation Office will take into consideration the distance students are required to walk, the number of stops on the route, the total travel time for the route, any safety hazards as described in this policy, and the physical terrain at the bus stop.
2. Regular bus stops shall be posted with the schedule set, and all operators, students, teachers, administrators, and parents will be guided by those posted schedules.

E. Hazardous Conditions

1. A street or road having a sidewalk or raised walk area shall be deemed hazardous when any one of the following conditions exists:
 - a. For students in grades K through 5, the absence of a pedestrian crossing light or a crossing guard where three or more streets intersect, and at a street crossing where there are no stop signs or crossing guards and the traffic count during the time that pupils are walking to or from school exceeds sixty vehicles per hour at the intersection;
 - b. For students in grades 6 through 12, the absence of a traffic light or stop signs or a crossing guard where three or more streets intersect and has a traffic count which exceeds ninety vehicles per hour during the time that students are walking to or from school;
 - c. For all students, any street, road or highway with speed limits in excess of forty miles per hour which do not have pedestrian crossing lights or crossing guards or other safety provisions at points where students must cross when going to or from school or the bus stop; and
 - d. For all students, the usual or frequent presence of any nuisance such as open man-holes, long term construction, loading zones where delivery trucks are permitted to park on walkways, commercial entrances and exits where cars are frequently crossing walk areas at speeds in excess of five miles per hour, and the like, including such nuisance which is hazardous or attractive to children.
2. Any street, road or highway which has no sidewalks or raised walk areas shall be deemed hazardous if any one of the following conditions exist:
 - a. For students enrolled in grades K through 2, any street, road or highway possessing a traffic count of sixty or more vehicles per hour at the time that the students are walking to or from school;
 - b. For all students, the presence of man-made hazards including attractive nuisances, as stated in number 2d above; and
 - c. For students in grades K through 2, any street, road or highway possessing a speed limit in excess of thirty miles per hour.
3. Any street, road or highway which has no sidewalks or raised walk areas shall be deemed hazardous when the line-of-sight visibility together with posted speed limits do not permit vehicular braking/stopping in accordance with the Connecticut Department of Motor Vehicles, Connecticut Department of Transportation or other reasonable standard.
4. Any walkway, path or bridge in an area adjacent or parallel to railroad tracks shall be considered hazardous unless a suitable physical barrier along the entire pedestrian route is present and fixed between students and the track; and any crossing or railroad tracks that carry moving trains during hours that students are walking to or from school shall be deemed hazardous unless, (1) a crossing guard is present; or (2) an automatic control bar is present at crossing used by students under the age of ten, or, a bar or red flashing signal lights is operational when the crossing is used by students over ten years of age.
5. Any area adjacent to a roadway, walkway, sidewalk or bridge having a drop of three or more feet per four feet of travel length on either side of the established lanes, the absence of a fence or other suitable barrier shall be deemed hazardous for students in grades K through 5.
6. Walking to or from school or the bus stop at any time prior to one-half hour before sunrise or any time one-half hour after sunset shall be deemed hazardous for students in grades K through 5.
7. These guidelines are applicable to private roads approved for passage of school transportation vehicles in accordance with C.G.S. Section 10-220c.
8. Judgment of what constitutes a hazardous condition for a particular group rests solely with the Board

or their designee applying the guidelines as set forth above.

F. Parent/Guardian/Student Responsibility

1. Parents and/or guardians assume responsibility for ensuring the safety of their children up until the point when students board the school bus or other school provided transportation, and after students get off the bus after school. This responsibility includes the selection of walking routes to/from any bus stop and the provision of supervision that is appropriate to the student's age, maturity and conditions at the bus stop at all times. Given that bus pick up times may vary, it is expected that parents and/or guardians will ensure that their children arrive at the bus stop in advance of any scheduled pick up time.
2. Students are expected to adhere to all district rules and regulations and to display appropriate behavior at all times when utilizing school transportation. This includes while on the walking route, at the bus stop, and when riding the bus. School administration will take appropriate disciplinary action as a result of infractions to the rules. Parents will be notified. Serious or continued infractions may result in suspension of transportation privileges.

IV. Miscellaneous Provisions

A. Transportation of Kindergarten Students

All Kindergarten students will be dropped off at their assigned bus stops and must be met by a parent/guardian or a responsible caregiver (designated by the parent/guardian), or the student will be returned to his/her home school. In the event a student is returned to school more than three times due to a parent/guardian/caregiver not being available to meet him/her at the bus stop, the principal will address the issue with the parent/guardian. Repeated instances may result in suspension of transportation privileges.

B. Transportation of Preschool Students

1. Students who attend the Milford Public Schools preschool program will be eligible for transportation if one or more of the following criteria is present:
 - a. The student is receiving special education services.
 - b. The student is placed for early intervention.
2. Other students who attend the Milford Public School preschool program may be provided transportation for the following reasons:
 - a. The student attends a licensed daycare provided there are other students listed in Section B 1.a. and b. above who also attend the same daycare and provided there is available space on a bus going to that daycare and the same preschool session.
 - b. The student resides in the same household and attends the same preschool session as a student listed in Section B 1. a. and b. above and provided there is available space on the same bus.
3. The student must be picked up at the same location each day. The parent/guardian/caregiver with the student at the pickup location must put the child on the bus and fasten the seatbelt.
4. The drop-off location must be the same each day, but can differ from the pickup location. There must be a parent/guardian/caregiver present at the drop-off location to take the student off the bus.
5. The preschool program and transportation to same is not a required service under the law and, as such, is subject to funding by the Milford Board of Education.

C. Transportation To/From Daycare Providers

Transportation is provided to and/or from the student's residence and the school they are assigned to. Requests to have a student picked up and/or dropped off at a daycare provider must be made in writing to the Transportation Office. These requests will be honored only if there is an existing bus route

assigned to that location in the district, there is seating space available on the bus, and the bus route does not need to be altered. Seating priority will be given to students whose residences are located on an existing bus route.

D. Athletic and Extra-Curricular Transportation

The school principal in coordination with Athletic Directors, Club Advisors and teachers will have the authority to approve and arrange for transportation to athletic, extra-curricular, and educational field trips. Transportation to such events will be provided by the Board's contracted provider. In the event that the regular provider is unable to meet the needs of the school, another commercial carrier may be utilized with the permission of the Chief Operations Officer only if the carrier presents evidence of full liability and property insurance equal to the Board's insurance requirements.

E. Use of Private Vehicles

The Board does not encourage the use of private vehicles by staff, parents, or students to transport students to and from athletic, extra-curricular, or educational field trips unless determined to be absolutely necessary. The use of private vehicles may be authorized only by the Superintendent or designee upon written request by a parent or guardian.

F. Provision for Transportation of Non-Eligible Resident Students Under Certain Limited Conditions

1. This program provides for resident students who are presently not eligible for school transportation under this policy, to ride the bus, if approved, under limited and specific conditions, starting on or before October 1st of each school year.
2. Non-eligible students may be transported on a school bus within a school area where transportation is in effect, provided:
 - a. Seating space is available on a regularly scheduled bus.
 - b. The bus shall not deviate from the existing prescribed route.
 - c. No additional bus routes or stops will be created.
 - d. There will be no adverse result of adding the additional student to the bus (timing, cost, etc.).
3. Parents of students wishing to be considered for this program must apply yearly in writing on a form prescribed by the Board of Education.
4. The Transportation Office will not accept any application prior to the date that the bus schedules and routes are published.
5. Applications received by September 1st of each year will be considered using the following criteria in priority order:
 - a. Age of the student (with priority given to younger children).
 - b. Walking distance.
 - c. Date received (first come, first served).
 - d. If above criteria are equal, placement will be by lottery.
6. Applications received after September 1st of each year will be considered on a first come, first served basis until the bus is full.
7. For those requests which can be accommodated, the Transportation Office will contact the parent/guardian in writing.
8. This approval will be valid until the end of that school year, unless there are no longer seats available. In situations where seats are no longer available, every effort will be made to give advance notice of cancellation of this privilege; however, this will not always be possible.

V. Exceptions

The Board may grant an exception to any provision of this policy based upon the reasonable judgment of the Superintendent or designee that a peculiar condition or combination of conditions exist which necessitates a variance from these guidelines.

The Board is aware that the health and physical abilities of the student, the terrain to be traversed, physical security and environmental hazards, the opening and closing school hours and the statutes pertaining to children eligible for special education services will at times necessitate exceptions to the regulations on walking distances.

In determining the exceptions that are necessary, pertinent agencies (i.e., police, fire, and public works department) will be consulted in an attempt to make reasonable judgments.

VI. Appeals Process

A. Request for change in Bus/Van Transportation

1. Requests for a change in transportation service shall be made in writing on a form prescribed by the Board of Education (Form #TRN-F001).
2. Upon such request, the Transportation Coordinator, in conjunction with the bus contractor, will investigate the request and render a written decision. The Transportation Office may consult with city agencies such as the Police Department Traffic Division, the Department of Public Works Highway Division, the Engineering Department, or any other available resource. Every effort will be made to notify the parent within ten (10) school days of such decision however, this will not always be possible.

B. Appeal Procedure

Provision of an appeals procedure for matters relating to the furnishing of school transportation is as follows:

1. Any parent/guardian or student at majority age who believes that their student transportation needs are not being properly met should review this matter with the Transportation Coordinator.
2. If no resolution is reached under (B.1.) above, the matter should be referred in writing to the Chief Operations Officer who shall review the matter and issue a decision in writing within ten (10) working days after receipt of this request.
3. If no resolution is reached under (B.2.) above, the parent or guardian shall be advised of their right to request a hearing by the Board concerning their request for transportation services.
 - a. The Board shall give such parent or guardian (etc.) notice of the right to request a hearing concerning the denial of transportation accommodations;
 - b. The Board shall hold a hearing within ten (10) days of receipt of a written request by the parent or guardian;
 - c. The Board shall make a stenographic record or tape recording of such hearing and shall, upon written request, provide the parent or guardian with the transcript or the tape recording within thirty (30) days of such request;
 - d. The Board shall render a written finding within ten (10) days after such hearing;
 - e. Such hearing shall be held in accordance with the provisions of Sections 4-176e to 180a, inclusive, and 4-181a of the Connecticut General Statutes;
 - f. If a parent or guardian is aggrieved by the findings of the Board of Education, an appeal may be taken to the State Board of Education;
 - g. The findings of the Board shall be upheld by the State Board of Education unless it

is determined that such findings were illegal, arbitrary, capricious or unreasonable.

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 board 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.
10-221c Development of policy for reporting complaints re school transportation safety.
10-273a Reimbursement for transportation to and from elementary and secondary schools.
10-280a Transportation for pupils in non-profit private schools outside school district.
10-281 Transportation for pupils in non-profit private schools 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
14-276a(c) Town/school district may require its school bus operators to have completed a safety training course.
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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