

MILFORD SCHOOL DISTRICT
Milford, Delaware 19963

POLICY

3403

**CANCELLATION PROCEDURES OF CONTRACTED SCHOOL BUSES
DUE TO DECREASE IN NUMBER OF STUDENTS BEING TRANSPORTED**

PREFACE

Nothing contained in this policy shall reduce or change the rights and obligations of the Milford Board of Education and the school bus contractors' obligations as defined and described in each transportation contract, the State of Delaware laws, and the regulations of the Department of Public Instruction of the State of Delaware.

GENERAL POLICY STATEMENTS

1. A school bus contractor holding only one school bus contract SHALL BE EXEMPT from cancellations under the terms of this policy.
2. School bus contractors holding more than one school bus contract shall be subject to the cancellation procedures under this policy. When a husband and wife each hold a school bus contract, for the purpose of this policy, they are considered as a family school bus contractor and are subject to cancellation procedures under this policy.
3. For the purpose of this policy, school bus contractors holding more than one school bus contract shall not have more than one (1) cancellation in any one school year.

CANCELLATION PROCESS

1. There shall be an annual review of the students currently eligible for school transportation to determine the estimated number of students eligible for transportation for the next school year.
2. Giving primary consideration to service, safety and economy, any necessary

revisions of the bus routes for the next school year shall be made based on the estimated number of students eligible for transportation. Administrative decisions shall be made on the total number of routes and buses needed for the next school year and the number of cancellations required.

3. This information shall be made available to the bus contractors prior to the ending of the current school year and prior to the identification of the school bus routes to be canceled. Upon receiving this information, the existing school bus contractors may voluntarily cancel a combined total up to or equal to the number of pending school bus cancellations. If this action is taken, it shall decrease the number of pending cancellations by the same number. In the event there are more volunteers for cancellation than needed, the school bus contracts needed for cancellation shall be chosen by lottery from those volunteered by contractors. This lottery shall be conducted by the Superintendent of the Milford School District.
4. The following step procedures shall be used in identifying the contracted school buses which shall be canceled. They are designed to function at the lowest level possible. When a "tie" exists between two or more bus contractors, the next step procedure shall be used with those identified "tied" bus contractors. A total of five (5) steps are available, if needed, in resolving this cancellation process.

Step One - Identify for canceling school bus contract(s) with the least seniority.

Seniority of school bus contracts shall be determined by counting the number of years from the original date of award to an existing school bus contractor to the current date. This count shall be made from the records of the Milford School District and the State of Delaware.

Step Two - Identify for canceling the school bus contractor(s) with least seniority.

a) Seniority of the bus contractors shall be determined by counting the number of years from the earliest date a school bus contractor entered into a school bus contract with the Milford School District to the current date. These years of contractor seniority shall also include, when applicable, school bus contracts held prior to consolidation with any school district that was later consolidated with the Milford School District in the State of Delaware School Consolidation Law of 1969. This count shall be made from the records of the Milford School District and the State of Delaware.

b) In the event a husband and wife have both held school bus contracts, for the purpose of this policy they shall be considered as a family contractor. The earliest date either held a school bus contract shall be counted in determining their seniority.

c) Seniority for corporation contractors shall be determined by the above process and, when applicable, counting from the date the corporate officer originally held a school bus contract prior to incorporation.

Proceed to cancel the school bus contract(s) held by the contractor(s) with the least seniority. If a tie occurs, proceed to Step Three.

Step Three - Identify for canceling the school bus contractor(s) holding the more or most school bus contracts and proceed to cancel. If a tie occurs, proceed to Step Four.

Step Four - Identify for canceling the school bus contractor(s) with the older or oldest bus(es) and proceed to cancel. If a tie occurs, proceed to Step Five.

Step Five - Lottery conducted by the Superintendent of the Milford School District.

REINSTATEMENT OF CANCELED SCHOOL BUS CONTRACT(S)

Should the estimated number of students eligible for transportation be inaccurate, causing reinstatement(s) of canceled school bus contract(s), these reinstatement(s) shall be offered in reverse order of cancellation(s) to the contractor(s) canceled under this policy.

Should a contractor(s) refuse an offer or reinstatement of a school bus contract, he shall receive no further offer of same.

ADOPTED: 4/24/78