



## FLATHEAD COUNTY TRANSPORTATION COMMITTEE RULES AND POLICIES

**PHILOSOPHY:** The goal of the County Transportation Committee is to provide a safe, efficient and economical pupil transportation system within the County and to perform the duties set forth in **Montana Code Annotated** §20-10-132 in a consistent and equitable manner.

*M.C.A. §20-10-121. (1) The trustees of a district may furnish transportation to an eligible transportee who attends a school of the district . . .*

**CHANGES AND ADMENDMENTS:** Proposed changes and/or amendments to policy will be presented in writing to the County Superintendent of Schools forty-five days prior to the annual July meeting. Voting will occur at that meeting and approval will require the affirmative vote of a majority of the members present. If approved, implementation is immediate.

**Suspension of a Policy:** A policy will be suspended immediately by a two-thirds majority vote of the Committee.

**MEMBERSHIP:** Committee membership is defined in **M.C.A.** §20-10-131.

**DUTIES:** Duties and responsibilities of the County Transportation Committee are outlined in **M.C.A.** §20-10-132.

**DEFINITIONS:** Definitions of *bus route, school bus, eligible transportee, route change, individual transportation, transportation service area*, and other terms dealing with transportation are in **M.C.A.** §20-10-101.

**MEETINGS:** The County Superintendent is the presiding officer of the County Transportation Committee and a quorum is a majority of membership. A quorum must be present for the Committee to conduct business. An annual meeting is required.

**M.C.A.** §20-10-131(3) **A.R.M.** 10.7.101(2)(a)

**BUS ROUTES:** All routes, including new routes and route changes, must be approved annually by the County Transportation Committee (**M.C.A.** §20-10-132). Routes are preferably run on county and highway-maintained roads to insure safety, road construction standards, and winter maintenance. Routes are approved in their entirety. [**A.R.M.** 10.7.112(2)(b)]

Any request for the consideration of a new route or for a change in an existing route must include the following [**M.C.A.** §20-10-132 (3)]:

1. route map showing old and new route;
2. description of turnarounds;
3. conditions affecting safety;
4. total mileage and change in mileage;
5. approximate total cost;
6. reasons for the proposed bus route change;
7. number of children to be served; (**FCTC requires 10 eligible riders to create or extend a bus route unless there is an overriding circumstance accepted by the Committee.**)
8. a copy of the official minutes of the meeting at which the school trustees approved the new bus route or route change;
9. any other information that the County Transportation Committee considers relevant.  
The FCTC requires:
  - (a.) identification as to whether or not a route or a portion of the route is in a private subdivision,
  - (b.) copy of annual notice to HOA of criteria/conditions to run a bus route in the subdivision.

If a district has no other alternative than to bus through a subdivision where no turnaround or stop has been designated or completed, the Transportation Committee may approve such routing on a year-by-year basis. The aforementioned information must be presented along with a written document that the HOA (Homeowners' Association) received and will comply with the "Criteria"--conditions for school bus passage. If these conditions are not met, the bus will not enter the subdivision and the parents must be notified.

**Criteria:**

1. *If in the development of the subdivision, it had in its "Conditions for Approval" the request for land set aside for common loading and unloading of school bus passengers, that designated area must be functional before another school year begins.*
2. *Roads in the subdivision must meet construction standards of a county road so there exists an expected level of safety.*
3. *Roads in the subdivision must be plowed and icy areas sanded in the morning prior to bus arrival. The same maintenance must exist for after-school delivery.*

4. *Passage through the subdivision must provide clear visibility for oncoming motor and foot traffic.*
5. *The stops or turnarounds should not be on a curve, at the bottom of a hill, over the brow of a hill, by a railroad crossing, on a steep grade, or any location that might pose a safety risk.*
6. *Bus traffic might result in wear and tear on subdivision roads for which the school district will NOT be liable.*

Dissenting homeowners within the subdivision may send a letter to the district school board and to the County Superintendent so consultation and resolution may be pursued.

**Downsizing a Bus Route:** If a route extension or spur exists where the bus has to retrace a section of the route that is one (1) mile or more in length and serves less than ten (10) students, the following alternatives must be considered:

1. If the section contains between eight (8) and nine (9) student riders, consider a two (2) year probation wherein if the section does not reach ten (10) riders, that section can be discontinued.
2. If the section contains six (6) or seven (7) student riders, consider a one (1) year probation wherein if the section does not reach ten (10) riders, that section can be discontinued.
3. If the section contains five (5) or fewer student riders, consider an immediate dropping of that section of a route.

When routes are reduced in length due to loss of transportees during the course of a school year, no route change application is necessary. However, the County Superintendent of Schools is to be notified so the change in mileage can be recorded for correct county and state reimbursement. Notification is to include a secondary TR-1. (The TR-1 process applies to route extensions as well.)

**TRANSPORTATION SERVICE AREAS (TSAs):** The transportation service area of school districts is defined in **M.C.A.** §20-10-126 and it is normally the school district boundary. However, when factors of pupil safety, efficiency or economics are in conflict with this, the County Transportation Committee may vote to adjust areas.

Bus routes will not be extended to pick up or discharge elementary students outside their own TSAs unless a written agreement is approved by trustees of the TSAs involved. A copy of that agreement must be submitted to the Flathead County Superintendent. Once approved, such agreements are in force for the current school year.

**INDIVIDUAL TRANSPORTATION:** When an application for increased reimbursement due to isolation status for individual transportation is presented to the Flathead County Transportation Committee, it shall include the following:

1. a fully completed, signed transportation contract (Form TR-4). There must be sufficient information to make a determination pursuant to **Administrative Rules of Montana** (A.R.M.) 10.7.116.
2. a copy of the official minutes of the school board meeting at which the trustees acted on the request for increased reimbursement.

Applications for increased reimbursement due to isolated conditions will be considered and processed in accordance with **M.C.A.** §20-10-142 and any other pertinent statutes. A majority of the Transportation Committee members present at an official meeting must approve the request for increased reimbursement.

**PENALTIES:** Every district and every person under a transportation contract with a district is subject to the policies prescribed by the Board of Public Education and the rules prescribed by the Superintendent of Public Instruction. A violation of any policies may result in temporary or permanent withholding of transportation reimbursement to the school district (**M.C.A.** §20-10-104). Decisions based on false information will be considered null and void and must be reapproved following the same standards as were applied to the original request.

*References: A.R.M., M.C.A., Montana Pupil Transportation Handbook; Montana School Boards Association (model policy 8110); Office of Public Instruction; Montana Department of Transportation*

Revised and approved this \_\_\_\_\_ day of \_\_\_\_\_, **2010**, by the Flathead County Transportation Committee.

\_\_\_\_\_  
(signature) Marcia M. Sheffels, FCTC Chair

\_\_\_\_\_  
(signature) Mary Juntunen, FCTC Clerk

\_\_\_\_\_  
(signature) FCTC Member

Consultant approval of form and content:

\_\_\_\_\_  
(signature) Tara Fugina, Deputy Flathead County Attorney

*The office of the County Superintendent of Schools would like to offer a special thank you to the **Flathead County Transportation Committee** members who worked over a span of two years (2008-2010) to revise and update the 1992 **Rules and Policies** document.*

**Tim Bartholomew**, Trustee of Olney-Bissell School District #58

**Reenie Clock**, Transportation Director of Bigfork Schools, District #38

**Kay Evans**, Transportation Director of Kalispell Schools, District #5

**Wade Fish**, Transportation Director, Columbia Falls Schools, District #6

**Casey Heupel**, Trustee of West Glacier School District #8

**Kristy Pancoast**, Trustee of Swan River School District #4

**Dave Prunty**, County Commissioners' Designee

**Danelle Reisch**, Business Manager of Whitefish Public Schools, District #44

**Jane Wheeler**, Trustee of West Valley School District #1

**Mary Juntunen**, Clerk to the Board

*In appreciation,*

*Marcia Sheffels, Chair  
County Superintendent of Schools  
November 30, 2010*



