

## Policy Information

### Series 5000 - NON-INSTRUCTIONAL/BUSINESS OPERATIONS

#### TRANSPORTATION

##### Transportation of Students

Policy # 5720

#### Transportation for Nonpublic School Students

Transportation requests for students attending nonpublic schools should be received by the District no later than the April 1 preceding the beginning of the next school year. If a student moves in to the District later than April 1, the request should be received within thirty (30) days of establishing residence in the District, but preferably no later than August 1.

All late requests, however, shall be considered by the Board of Education on the basis of each case's merits. Criteria used by the Board 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, and, if so;
- b) The reasonableness of the excuse for the late request.

#### Transportation to Nonpublic Schools on Holidays

When a holiday falls on a Saturday or Sunday, the Board of Education may choose to close on Friday or Monday in observance of the holiday. Schools that close may provide pupil transportation. However, if the District has not shared its calendar and informed nonpublic schools that it will not transport on the optional holiday, the District is required to provide pupil transportation services on that day to nonpublic schools that are open.

#### 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 Individuals with Disabilities Education Act (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;
- c) Name of the student's parent, guardian or person in a position of loco parentis (person in parental relation) and one (1) 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 (1) or more of the major life activities of the student, whether of a temporary or permanent nature.

### Fire Extinguishers

School buses manufactured on or after January 1, 1990 fueled with other than diesel fuel and used to transport three (3) or more students who use wheelchairs or other assistive mobility devices or with a total capacity of more than eight (8) passengers and used to transport such students shall be equipped with an automatic engine fire extinguishing system.

School buses manufactured on or after September 1, 2007 fueled with diesel fuel and used to transport three (3) or more students who use wheelchairs or other assistive mobility devices or with a total capacity of more than eight (8) passengers used to transport such students shall be equipped with an automatic engine fire extinguishing system.

The purchase of automatic engine fire extinguishing systems for school buses used to transport such students shall be deemed a proper School District expense.

### **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.

### **Mileage Restrictions**

The Board of Education shall provide transportation for resident pupils of this School District to and from their school of legal attendance, according to the following mileage restrictions:

- a) All Kindergarten students no matter how far the distance is from their legal residence to the school of their legal attendance.
- b) All students in grades 1 through 6 who reside outside of the corporate city limits of the City of Oswego, no matter how far the distance is from their legal residence to the school of their legal attendance.
- c) All other students in grades 1 through 6 who live more than one-half (1/2) mile from the school of their legal attendance or who must cross a main highway.
- d) All students in grades 7 and 8 who attend Oswego Middle School, no matter how far the distance is from their legal residence to the school.
- e) All other students in grades 7 through 8 and all students in grades 9 through 12 who live more than one (1) mile from the school of their legal attendance.
- f) Provide transportation to all students and their babies who participate in the Teen Pregnancy Program (TPP) regardless of distance to the Oswego BOCES Alternative High School.

Notwithstanding the statements above pertaining to legal residence, students whose parents have court-ordered split custody arrangements will be transported to either parent's residence that is within the attendance zone of the student's school.

Nonpublic school pupils who qualify under a), b), or c) above shall be entitled to transportation to the nonpublic school of their choice, up to a distance of fifteen (15) miles.

Non-resident students can receive transportation on regular school bus runs only. Parents will be responsible for non-resident student transportation from home to point of bus pickup and from point of bus drop off to home.

Students attending grades Kindergarten through eight, who are attending school from a before-and/or after-school child care location, may be eligible for transportation between the before- and/or after-school child care location and their school according to the following mileage restrictions. However, the parent or legal guardian of the student must apply in writing for transportation services prior to the first day of October. Applications will be accepted after September 30 for new residents to the District or upon provision in writing of extenuating circumstances acceptable by the Superintendent of Schools.

- a) All Kindergarten students are eligible for transportation to and from a before- and/or after-school child care location which is located within the attendance zone of the school the child attends. If the Kindergarten student attends a child care location licensed pursuant to Social Service Law Section 390, then the student is eligible for transportation, including across attendance zones to a distance of fifteen (15) miles.

- b) All students in grades 1 through 6 are eligible for transportation to and from a before- and/or after-school child care location which is located more than one-half (1/2) mile and within the attendance zone of the school the student attends or must cross a main highway.

Students in grades 1 through 6 who attend a child care location licensed pursuant to Section 390 of Social Service Law are eligible for transportation, including across attendance zones to a distance of fifteen (15) miles, as long as the child care location is situated between one-half (1/2) and fifteen (15) miles from the school the child attends.

- c) All students in grades 7 through 8 are eligible for transportation to and from a before- and after-school child care location which is located within the District.

**Eligibility For Such Transportation Will Be Based On:**

- a) The student's legal residence being within the City School District of Oswego.
- b) The before- and/or after-school child care location being able to meet the criteria of the mileage restrictions as set forth below.
- c) Transportation will only be provided on a regular basis to a single pickup or drop off point unless requests for Alternate Transportation, within the same bus route, can be accommodated without additional cost to the District.
- d) The day-care center or the babysitter's residence must be located in the City School District of Oswego.
- e) The Transportation Supervisor is authorized to waive strict compliance to the dates of filing applications for transportation service when the request can be honored without additional cost to the District.
- f) Information on attendance zones can be obtained from the Transportation Supervisor at 341-5858.

**Policy References:**

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

**Policy Cross References:**

- » 7132 - Non Resident Students

Adoption Date: 12/20/2011

5000 - NON-INSTRUCTIONAL/BUSINESS OPERATIONS

---