

# Parkrose School District 3

\*\*\*\*\* In OSBA but not Parkrose  
\*\*\*\*\* Change in OSBA

Code: EEA  
Adopted: 10/23/95  
Revised: 03/13/00  
Re-Adopted: 6/24/02  
Re-Adopted: 10/27/03

## Student Transportation Services \*

School transportation services will be provided for students to and from school and for transporting students to and from curricular and extracurricular activities sponsored by the district and school-sponsored field trips that are extensions of classroom learning experiences. Transportation will be provided for homeless students to and from the student's school of origin<sup>1</sup> as required by the No Child Left Behind Act of 2001 (NCLBA). These services shall be provided throughout the regularly scheduled year and during the regular school day as determined by the Board.

Elementary students grades K-8 who live more than one mile from school will be transported. Secondary students grades 9-12 who live more than one and one-half miles from school will be transported. Mileage exceptions for health, safety or disability will be made in accordance with the district's approved supplemental plan.

Miles from school will be determined by the transportation supervisor in accordance with OAR 581-023-0040 (1)(c).

Transportation will be provided to a student of a school receiving Title I funds to attend a district school out of the student's attendance area because his/her home school has been identified as in need of improvement, corrective action or restructuring. Such transfers will be permitted and transportation provided only to a safe school that has not been identified for improvement, corrective action or restructuring. The obligation of the district to provide for transportation will terminate at the end of the school year if the school from which the student transferred is no longer in school improvement.

In the event all other district schools a student may transfer to have also been identified as in need of improvement, corrective action or restructuring or there is no other district school to which the student may transfer<sup>2</sup>, the district shall, to the extent practicable, establish a

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<sup>1</sup>"School of origin" means the school that the student attended when permanently housed or the school in which the student was last enrolled.

<sup>2</sup>If there are no district schools to which students can transfer because: (1) all schools at a grade level are in school improvement; (2) there is only one school in the district; or (3) the rural or isolated nature of the school district prevents choice, the district must notify the parents that the student's school has been identified for school improvement but that no choices are currently available.

cooperative agreement with other districts in the area for a transfer. Transportation for students who transfer for such purposes will be provided for in accordance with the agreement<sup>3</sup>.

The district may also provide transportation using federal funds<sup>4</sup> or through cooperative agreements with local victims assistance units for a student to attend a safe district school<sup>5</sup> out of the student's attendance area for any student who is a victim of a violent criminal offense occurring in or on the grounds of the school the student attends or the student attends a school identified as persistently dangerous.

Transportation provided will, to the extent possible, be to a school that is making adequate yearly progress and that has not been identified as in need of improvement, corrective action or restructuring. If there are no other schools within the district a student may transfer to, the district may establish a cooperative agreement with other districts in the area for a transfer. Transportation for students who transfer for such purposes will be provided in accordance with the agreement.

Students attending any private, parochial or public charter school under the compulsory school attendance laws will, where the private, parochial or public charter school is along or near the bus route, be provided equally the riding privileges given to public school students.

A seat that fully supports each ~~student~~ *person and meets the minimum standards and specifications or law* will be provided at all times. A ~~child person who four or five years of age or who weighs between 40 and 60 pounds, regardless of age, shall~~ *or less must be properly secured with a child safety system that meets the minimum standards and specifications requirements of law established by the Department of Transportation under ORS 815.055. A person who is at least four year of age and under six years of age or weighs between more than 40 and 60 pounds, who is four feet nine inches or shorter and under eight years of age must be properly secured with a child safety system that elevates the person so that a safety belt or safety harness properly fits the person.*<sup>6</sup> *A person who is taller than four feet nine inches or eight years of age or older must be properly secured with a safety belt or harness that meets requirements under ORS 815.055.* In accordance with ORS 811-210 and 811.215 vehicles in excess of 10,000 pounds used for student transportation are exempt from statutory requirements unless they have been equipped with lap belts. Vehicles in excess of 10,000 pounds that have been equipped with lap belts must meet child car seat requirements as set forth in law.

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<sup>3</sup>Inter-district transportation under NCLBA does not appear to be a district responsibility. Districts should consult with their attorney.

<sup>4</sup>Federal funds means funds available through Title IV, Part A, and Title V, Part A.

<sup>5</sup>If there is not another school in the district to which students can transfer, districts are encouraged, but not required to, explore other appropriate options, i.e., an agreement with a neighboring district.

<sup>6</sup> *"Proper fit" means the lap belt of the safety belt or safety harness is positioned low across the thighs and the shoulder belt is positioned over the collarbone and away from the neck.*

~~A district vehicle over 10,000 pounds or equipped with a lap belt only is exempt from child safety system requirements. Seating capacity will be in compliance with vehicle design and student grade levels.~~

School buses carrying students will be considered extensions of the school experience. All students using school transportation will abide by the code of conduct posted in each school bus or school activity vehicle. Violations of such code, as well as other conduct which is improper or which jeopardizes the safety of self or others, will be reported by the school bus vehicle driver to the supervisor. The transportation supervisor will, as soon as possible, inform the appropriate building principal of such occurrence. Violators may be denied use of transportation for a period of time as deemed proper by the building principal.

The building principal or designee shall ensure transportation officials and drivers receive notification of students having special medical or behavioral protocols identified in student records.

~~Information and/or training~~ Appropriate training related to specific protocols, including confidentiality requirements, will be provided to drivers, ~~as appropriate.~~

The school bus vehicle driver will be responsible for the school vehicle at all times from departure until return. The driver will not participate in any activities that might impair his/her driving abilities.

The district will comply with all state and federal laws and regulations pertaining to school bus transportation.

END OF POLICY

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Legal Reference(s):

ORS 327.006  
ORS 327.033  
ORS 327.043  
ORS 332.405  
ORS 332.415  
ORS 339.240 - 339.250

ORS 343.155 - 343.246  
ORS 343.533  
ORS 343.155-343.243  
ORS 811.210  
ORS 811.215  
ORS 815.055  
ORS 815.080  
ORS 820.100 - 820.190

OAR 581-021-0050 to -0075  
OAR 581-022-1530  
OAR 581-023-0040  
OAR 581-053-0002 to -0015  
OAR 735-102-0010

~~Letter Opinion, Office of the Attorney General (Nov. 22, 1988).~~

No Child Left Behind Act of 2001, ~~P.L. 107-110, Title I, Section 1116 and Title IX, Section 9532.~~ 20 U.S.C. §6315 (2006).

McKinney-Vento Homeless Education Assistance Improvements Act of 2001, P.L. 107-110, 42 U.S.C. Sections §§ 11431-11435 (2005).