

# Princeton Public Schools - ISD 477

## School Board Meeting Agenda

Tuesday, February 19, 2019 at 5:00 PM  
Policy Committee Meeting  
District Office Board Room

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\* If any one board member wishes to remove an item from the consent agenda for discussion, that item should be added to the board meeting agenda prior to its approval.

## PRINCETON PUBLIC SCHOOLS

### POLICY 614 - SCHOOL DISTRICT TESTING PLAN

#### I. PURPOSE

It is the purpose of this policy to set forth the school district's testing plan and procedure.

#### II. GENERAL STATEMENT OF POLICY

It is the policy of the school district to implement procedures for testing, test security, documentation, and record keeping. Princeton Public Schools will follow all procedures and guidelines as outlined in the Procedures Manual for the Minnesota Assessments, published by the Minnesota Department of Education on an annual basis and found here:

<http://minnesota.pearsonaccessnext.com/policies-and-procedures/>

In addition, the Princeton District Test Security Procedure will be updated on an annual basis and is found here:

[2018-19 Princeton District Test Security Procedure](#)

#### III. DUTIES OF SCHOOL DISTRICT PERSONNEL REGARDING TEST ADMINISTRATION

A. The Superintendent will designate a District Assessment Coordinator and a District Technology Coordinator to follow all requirements as outlined in the Procedures Manual for the Minnesota Assessments.

##### 1. ~~Responsibilities before testing.~~

- ~~a) Designate a district assessment coordinator and district technology coordinator.~~
- ~~b) The superintendent, or a designee who has been authorized to be the identified official with authority by the school board, pre-authorizes staff access for applicable Minnesota Department of Education (MDE) secure systems.~~
- ~~c) Annually review and recertify staff who have access to MDE secure systems.~~
- ~~d) Read and complete the Assurance of Test Security and Non-Disclosure.~~
- ~~e) Establish a culture of academic integrity.~~
- ~~f) Fully cooperate with MDE representatives conducting site visits or Minnesota Test of Academic Skills (MTAS) audits during testing.~~
- ~~g) Ensure student information is current and accurate.~~

- ~~h) Ensure that a current district test security procedure is in place and that all relevant staff have been provided district training on test administration and test security. ¶~~
  - ~~i) Confirm the district assessment coordinator has current information and training specific to test security and the administration of statewide assessments. ¶~~
  - ~~j) Confirm the district assessment coordinator completes Pre-test Editing in the Test Web Edit System (WES). ¶~~
- ~~2. Responsibilities after testing. ¶~~
- ~~a) Confirm the district assessment coordinator and Minnesota Automated Reporting Student System (MARSS) coordinator complete Post test Editing in Test WES. ¶~~
  - ~~b) Verify with the district assessment coordinator that all test security issues have been reported to MDE and are being addressed. ¶~~
  - ~~c) Confirm the MARSS coordinator has updated all student records for Post test Editing. ¶~~
  - ~~d) Confirm the district assessment coordinator has finalized the district's assessment information prior to the close of Post test Editing in Test WES. ¶~~
  - ~~e) Confirm the district assessment coordinator, or designee, has access to the Graduation Requirements Records (GRR) system and enters necessary information. ¶~~
  - ~~f) Discuss assessment results with the district assessment coordinator and school administrators. ¶~~

~~B. District Assessment Coordinator. ¶~~

~~1. Responsibilities before testing. ¶~~

- ~~a) Serve as primary contact with MDE regarding policy and procedure questions related to test administration. ¶~~
- ~~b) Read and complete the Assurance of Test Security and Non-Disclosure. ¶~~
- ~~c) Confirm all staff who handle test materials, administer tests, or have access to secure test content have completed the Assurance of Test Security and Non-Disclosure. ¶~~
- ~~d) Maintain the completed Assurance of Test Security and Non-Disclosure for two years after the end of the academic school year in which testing took place. ¶~~
- ~~e) Review with all staff the Assurance of Test Security and Non-Disclosure and their responsibilities thereunder. ¶~~
- ~~f) Identify appropriate tests for students and ensure student data sent to service providers for testing are correct. ¶~~

- ~~g) Establish district testing schedule within the testing windows specified by the MDE and service providers.¶~~
  - ~~h) Prepare testing condition, including user access to service provider websites, preparing readiness for online testing, preparing a plan for tracking which students test on which computers or devices, ensure accommodations are indicated as necessary, providing students with opportunity to become familiar with test format, item types, and tools prior to test administration; establishing process for inventorying and distributing secure test materials where necessary; preparing procedures for expected and unexpected situations occurring during testing; planning for addressing technical issues while testing; identify staff who will enter student responses from paper accommodated test materials and scores from MTAS administration online.¶~~
  - ~~i) Train school assessment coordinators, test monitors, MTAS test administrators, and ACCESS (test for English language learners) and Alternate ACCESS test administrators.¶~~
    - ~~(1) Provide training on proper test administration and test security.¶~~
    - ~~(2) Verify staff complete any and all test specific training.¶~~
  - ~~j) Maintain security of test content, test materials, and record of all staff involved.¶~~
    - ~~(1) Receive secure paper test materials from the service provider and immediately lock them in a previously identified secure area, inventory same, and contact service provider with any discrepancies.¶~~
    - ~~(2) Organize secure test materials for online administration and keep them secure.¶~~
    - ~~(3) Define chain of custody for providing test materials to test monitors and administrators. The chain of custody must address the process for providing test materials on the day of testing, distributing test materials to and collecting test materials from students at the time of testing, keeping test materials secure between testing sessions, and returning test materials after testing is completed.¶~~
  - ~~k) Confirm that all students have appropriate test materials.¶~~
- ~~2. Responsibilities on testing day(s)¶~~

- a) ~~Conduct random, unannounced visits to testing rooms to observe staff adherence to test security and policies and procedures.~~
  - b) ~~Fully cooperate with MDE representatives conducting site visits or MTAS audits.~~
  - c) ~~Contact the MDE assessment contact within 24 hours of a security breach and submit the Test Security Notification in Test WES within 48 hours.~~
  - d) ~~Address invalidations and test or accountability codes.~~
3. ~~Responsibilities after testing.~~
- a) ~~Ensure that student responses from paper accommodated test materials and MTAS scores are entered.~~
  - b) ~~Arrange for secure disposal of all test materials that are not required to be returned within 48 hours after the close of the testing window.~~
  - c) ~~Return secure test materials as outlined in applicable manuals and resources.~~
  - d) ~~Collect security documents and maintain them for two years from the end of the academic school year in which testing took place.~~
  - e) ~~Review student assessment data and resolve any issues.~~
  - f) ~~Distribute Individual Student Reports no later than fall parent/teacher conferences.~~
  - g) ~~Enter Graduation Requirements Records in the GRR system.~~

### ~~C. School Principal~~

1. ~~Responsibilities before testing.~~
- a) ~~Designate a school assessment coordinator and technology coordinator for the building.~~
  - b) ~~Be knowledgeable about proper test administration and test security as outlined in manuals and directions.~~
  - c) ~~Read and complete the Assurance of Test Security and Non-Disclosure.~~
  - d) ~~Communicate the importance of test security and expectation that staff will keep test content secure and act with honesty and integrity during test administration.~~
  - e) ~~Provide adequate secure storage space for secure test materials before, during, and after testing until they are returned to the service provider or securely disposed of.~~
  - f) ~~Ensure adequate computers and/or devices are available and rooms appropriately set up for online testing.~~

~~¶~~

- ~~g) Verify that all test monitors and test administrators receive proper training for test administration.~~
- ~~h) Ensure students taking specified test have opportunity to become familiar with test format, item types, and tools prior to test administration.~~

~~2. Responsibilities on testing day(s)~~

- ~~a) Ensure that test administration policies and procedures and test security requirements in all manuals and directions are followed.~~
- ~~b) Fully cooperate with MDE representatives conducting site visits or MTAS audits.~~

~~3. Responsibilities after testing.~~

- ~~a) Ensure all secure test materials are collected, returned, and/or disposed of securely as required in any manual.~~
- ~~b) Ensure requirements for embargoed final assessment results are followed.~~

~~D. School Assessment Coordinator~~

~~1. Responsibilities before testing.~~

- ~~a. Implement test administration and test security policies and procedures.~~
- ~~b. Read and complete the Assurance of Test Security and Non-Disclosure.~~
- ~~c. Ensure all staff who handle test materials, administer test, or have access to secure test content read and complete the Assurance of Test Security and Non-Disclosure.~~
- ~~d. Identify appropriate test for students and ensure student data sent to service providers for testing are correct.~~
- ~~e. Prepare testing conditions, including the following: schedule rooms and computer labs; arrange for test monitors and administrators; arrange for additional staff to assist with technical issues; develop a plan for tracking which students test on which computers or~~

~~devices; plan seating arrangements for students; ensure preparations are completed for Optional Local Purpose Assessment (OLPA), Minnesota Comprehensive Assessment (MCA), and ACCESS online testing; ensure accommodations are properly reported; confirm how secure paper test materials will arrive and quantities to expect; address accommodations and specific test administration procedure; determine staff who will enter the student responses from paper accommodated test materials and scores from MTAS administration's online.~~ ¶

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~~f. Train staff, including all state provided training materials, policies and procedures, and test specific training.~~ ¶

~~g. Maintain security of test content and test materials.~~ ¶

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~~i. Receive secure paper test materials from the service provider and immediately lock them in a previously identified secure area, inventory same, and contact service provider with any discrepancies.~~ ¶

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~~ii. Organize secure test materials for online administrations and keep them secure.~~ ¶

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~~iii. Follow chain of custody for providing test materials to test monitors and administrators. The chain of custody must address the process for providing test materials on the day of testing, distributing test materials to and collecting test materials from students at the time of testing, keeping test materials secure between testing sessions, and returning test materials after testing is completed.~~ ¶

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~~iv. Identify need for additional test materials to district assessment coordinator.~~ ¶

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~~v. Provide MTAS student data collection forms if necessary.~~ ¶

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~~vi. Distribute applicable ACCESS and Alternate ACCESS Test Administrator Scripts and Test Administration Manuals to test administrators so they can become familiar with the script and prepare for test administration.~~ ¶

¶

~~vii. Confirm that all students taking ACCESS and Alternate-ACCESS have appropriate test materials and pre-printed student information on the label is accurate.~~

~~2. Responsibilities on testing day(s)~~

~~a. Distribute materials to test monitors and ACCESS test administrators and ensure security of test materials between testing sessions and that district procedures are followed.~~

~~b. Ensure Test Monitor and Student Directions and Test Administrator Scripts are followed and answer questions regarding same.~~

~~c. Fully cooperate with MDE representatives conducting site visits or MTAS audits, as applicable.~~

~~d. Conduct random, unannounced visits to testing rooms to observe staff adherence to test security and test administration policies and procedures.~~

~~e. Report testing irregularities to district assessment coordinator using the Test Administration Report.~~

~~f. Report security breaches to the district assessment coordinator as soon as possible.~~

~~3. Responsibilities after testing.~~

~~a. Ensure that all paper test materials are kept locked and secure and security checklists completed.~~

~~b. Ensure that student responses from paper accommodated test materials and MTAS scores are entered.~~

~~c. Arrange for secure disposal of all test materials that are not required to be returned within 48 hours after the close of the testing window.~~

~~d. Return secure test materials as outlined in applicable manuals and resources.~~

~~e. Prepare materials for pickup by designated carrier on designated date(s). Maintain security of all materials.~~

~~f. Ensure requirements for embargoed final assessment results are followed.~~

~~E. Technology Coordinator~~

~~1. Ensure all district is prepared for online test administration and provide technical support to district staff.~~

~~2. Acquire all necessary user identifications and passwords.~~

~~3. Read and complete the Assurance of Test Security and Non-Disclosure.~~

~~4. Fully cooperate with MDE representatives conducting site visits or MTAS audits.~~

~~5. Attend district training and any service provider technology training.~~

~~6. Review, use, and be familiar with all service provider technical documentation.~~

~~7. Prepare computers and devices for online testing.~~

~~8. Confirm site readiness.~~

~~9. Provide all necessary accessories for testing, technical support/troubleshooting during test administration and contact service provider help desks as needed.~~

~~F. Test Monitor~~

~~1. Responsibilities before testing.~~

~~a. Read and complete the Assurance of Test Security and Non-Disclosure.~~

~~b. Attend trainings related to test administration and security.~~

~~c. Complete required training course(s) for test administering.~~

~~d. Be knowledgeable about how to contact the school assessment coordinator during testing, where to pick up materials on day of test, and plan for securing test materials between test sessions.~~

~~e. Be knowledgeable regarding student accommodations.~~

~~f. Remove or cover any instructional posters or visual materials in the testing room.~~

## ~~2. Responsibilities on testing day(s).~~

~~a. Before Test.~~

~~i. Receive and maintain security of test materials.~~

~~ii. Verify that all test materials are received.~~

~~iii. Ensure proper number of computers/devices or paper accommodated test materials are present.~~

~~iv. Verify student testing tickets and appropriate allowable materials.~~

~~v. Assign numbered test books to individual student.~~

~~vi. Complete information as directed.~~

~~vii. Record extra test materials.~~

~~b. During test.~~

~~i. Verify that students are logged in and taking the correct test or using the correct grade level and tier~~

~~test booklet for students with paper accommodated test materials.~~

~~ii. Follow all directions and scripts exactly.~~

~~iii. Follow procedures for restricting student access to cell phones and other electronic devices.~~

~~iv. Stay in testing room and remain attentive during entire test session. Practice active monitoring by circulating throughout the room during testing.~~

~~v. Be knowledgeable about responding to emergency or unusual circumstances and technology issues.~~

~~vi. Do not review, discuss, capture, email, post or share test content in any format.~~

~~vii. Ensure all students have been provided the opportunity to independently demonstrate their knowledge.~~

~~viii. Fully cooperate with MDE representatives conducting site visits or MTAS audits.~~

~~ix. Document students who require a scribe or translated directions or any unusual circumstances and report to school assessment coordinator.~~

~~x. Report any possible security breaches as soon as possible.~~

~~c. After test.~~

~~i. Follow directions and scripts exactly.~~

~~ii. Collect all materials and keep secure after each session. Upon completion return to the school assessment coordinator.~~

- iii. Immediately report any missing test materials to the school assessment coordinator.

G. MTAS Test Administrator

1. Before testing.

- a. Read and complete the Assurance of Test Security and Non-Disclosure.
- b. Attend trainings related to test administration and security.
- c. Complete required training course(s) for test administering.
- d. Be knowledgeable as to when and where to pick up MTAS materials and the school's plan for keeping test materials secure.
- e. Prepare test materials for administration, including objects and manipulatives, special instructions, and specific adaptations for each student.

2. Responsibility on testing day(s)

- a. Before the test.
  - i. Maintain security of materials.
  - ii. Confirm appropriate MTAS materials are available and prepared for student.
- b. During the test.
  - i. Administer each task to each student and record the score.
  - ii. Be knowledgeable about how to contact the district or school assessment coordinator, if necessary, and responding to emergency and unusual circumstances.
  - iii. Fully cooperate with MDE representatives conducting site visits or MTAS audits.

~~iv. Document and report any unusual circumstances to district or school assessment coordinator.~~

~~c. After the test.~~

~~i. Keep materials secure.~~

~~ii. Return all materials.~~

~~iii. Return objects and manipulatives to classroom.~~

~~iv. Enter MTAS scores online or return data collection forms to the district or school assessment coordinator.~~

~~H. MARSS Coordinator~~

~~1. Responsibilities before testing.~~

~~a. Confirm all eligible students have unique state student identification (SSID) or MARSS numbers.~~

~~b. Ensure English language and special education designations are current and correct for students testing based on those designations.~~

~~c. Submit MARSS data on an ongoing basis to ensure accurate student demographic and enrollment information.~~

~~2. Responsibilities after testing.~~

~~a. Ensure accurate enrollment of students in schools during the accountability windows.~~

~~b. Ensure MARSS identifying characteristics are correct, especially for any student not taking an accountability test.~~

- c. ~~Work with district assessment coordinator to edit discrepancies during the Post test Edit window in Test WES.~~

¶

#### ~~IV. TEST SECURITY~~

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~~A. Test Security Procedures will be adopted by school district administration.~~

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~~B. Students will be informed of the following:~~

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~~1. The importance of test security;~~

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~~2. Expectation that students will keep test content secure;~~

¶

~~3. Expectation that students will act with honesty and integrity during test administration;~~

¶

~~4. Availability of the online Test Security Tip Line on the MDE website for reporting suspected incidents of cheating or other improper or unethical behavior.~~

¶

~~C. Staff will be informed of the following:~~

¶

~~1. Availability of the online Test Security Tip Line on the MDE website for reporting suspected incidents of cheating or other improper or unethical behavior.~~

¶

~~2. Other contact information and options for reporting security concerns.~~

¶

#### ~~V. REQUIRED DOCUMENTATION FOR PROGRAM AUDIT~~

~~A. The school district shall maintain records necessary for program audits conducted by MDE. The records must include documentation consisting of the following:~~

¶

~~1. Signed Assurance of Test Security and Non-Disclosure forms must be maintained for two years after the end of the academic year in which the testing took place.~~

¶

~~2. School district security checklists provided in the test materials shipment must be maintained for two years after~~

~~the end of the academic school year in which testing took place.~~

¶

~~3. School security checklists provided in the test materials shipment must be maintained for two years after the end of the academic school year in which testing took place.~~

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~~4. Test Monitor Test Materials Security Checklists provided for each group of students assigned to a test monitor must be maintained for two years after the end of the academic school year in which testing took place.~~

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~~5. ACCESS and Alternate ACCESS Packing List and Security Checklist provided in the test materials shipment must be maintained for two years after the end of the academic school year in which testing took place.~~

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~~6. Documentation of school district staff training on test administration and test security must be maintained for two years after the end of the academic school year in which testing took place.~~

¶

~~7. Test Security Notification must be maintained for two years after the end of the academic school year in which testing took place.~~

¶

~~4. Record of staff training and test specific trainings must be maintained for one year after the end of the academic year in which testing took place.~~

Legal References: Minn. Stat. § 13.34 (Examination Data)  
Minn. Stat. § 120B.11 (School District Process)  
Minn. Stat. § 120B.30 (Statewide Testing and Reporting System)  
Minn. Stat. § 120B.36, Subd. 2 (Adequate Yearly Progress)  
Minn. Stat. § 123B.143, Subd. 1 (Superintendent)  
Minn. Rules Parts 3501.0010-3501.0180 (Rules Relating to Graduation Standards - Mathematics and Reading)  
Minn. Rules Parts 3501.0200-3501.0290 (Rules Relating to Graduation Standards - Written Composition)  
Minn. Rules Parts 3501.0505-3501.0635 (K-12 Standards)

20 U.S.C. § 6301, et seq. (No Child Left Behind Act)

Cross References: MSBA/MASA Model Policy 601 (School District Curriculum and

Instruction Goals)

MSBA/MASA Model Policy 613 (Graduation Requirements)

MSBA/MASA Model Policy 615 (Basic Standards Testing, Accommodations, Modifications, and Exemptions for IEP, Section 504 Accommodation, and LEP Students)

MSBA/MASA Model Policy 616 (School District System Accountability)

Adopted: June 20, 1985

Revised: June 22, 1999

Adopted: April 23, 1996

Revised: July 21, 1998

Revised: April 22, 2008

Reviewed: October 20, 2015

Revised: January 17, 2017

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 614

Orig. 1997

Revised: \_\_\_\_\_

Rev. ~~2015~~ 2017

## **614 SCHOOL DISTRICT TESTING PLAN AND PROCEDURE**

### **I. PURPOSE**

The purpose of this policy is to set forth the school district's testing plan and procedure.

### **II. GENERAL STATEMENT OF POLICY**

The policy of the school district is to implement procedures for testing, test security, documentation, and record keeping.

### **III. DUTIES OF SCHOOL DISTRICT PERSONNEL REGARDING TEST ADMINISTRATION**

*[Note: This listing of school personnel may not be consistent with the personnel in the school district and, consequently, should be amended to reflect the personnel with responsibility for testing in the particular school district.]*

#### **A. Superintendent**

##### **1. Responsibilities before testing.**

- a. Designate a district assessment coordinator and district technology coordinator.
- b. The superintendent, or a designee who has been authorized to be the identified official with authority by the school board, pre-authorizes staff access for applicable Minnesota Department of Education (MDE) secure systems.
- c. Annually review and recertify staff who have access to MDE secure systems.
- d. Read and complete the *Assurance of Test Security and Non-Disclosure*.

*[Note: This form is included in the 614 Form file of the Policy Reference Manual.]*

- e. Establish a culture of academic integrity.

- f. Fully cooperate with MDE representatives conducting site visits or Minnesota Test of Academic Skills (MTAS) audits during testing.
- g. Ensure student information is current and accurate.
- h. Ensure that a current district test security procedure is in place and that all relevant staff have been provided district training on test administration and test security.
- i. Ensure that a current process is included for tracking which students tested with which test monitors and any other adult(s) who were present in the testing room (e.g., staff providing assistance, paraprofessionals, etc.).
- † j. Confirm the district assessment coordinator has current information and training specific to test security and the administration of statewide assessments.
- j k. Confirm the district assessment coordinator completes Pre-test Editing in the Test Web Edit System (WES).
- l. Post on the school district website the complete Parent/Guardian Guide and Refusal for Student Participation in Statewide Testing form.

2. Responsibilities after testing.

- a. Confirm the district assessment coordinator and Minnesota Automated Reporting Student System (MARSS) coordinator complete Post-test Editing in Test WES.
- b. Verify with the district assessment coordinator that all test security issues have been reported to MDE and are being addressed.
- c. Confirm the MARSS coordinator has updated all student records for Post-test Editing.
- d. Confirm the district assessment coordinator has finalized the district's assessment information prior to the close of Post-test Editing in Test WES.
- e. Confirm the district assessment coordinator, or designee, has access to the Graduation Requirements Records (GRR) system and enters necessary information.
- f. Discuss assessment results with the district assessment coordinator and school administrators.

B. District Assessment Coordinator

1. Responsibilities before testing.

- a. Serve as primary contact with MDE regarding policy and procedure questions related to test administration.
- b. Read and complete the *Assurance of Test Security and Non-Disclosure*.
- c. Confirm all staff who handle test materials, administer tests, or have access to secure test content have completed the *Assurance of Test Security and Non-Disclosure*.
  - (1) Maintain the completed *Assurance of Test Security and Non-Disclosure* for two years after the end of the academic school year in which testing took place.
- d. Review with all staff the *Assurance of Test Security and Non-Disclosure* and their responsibilities thereunder.
- e. Identify appropriate tests for students and ensure student data sent to service providers for testing are correct.
- f. Establish district testing schedule within the testing windows specified by the MDE and service providers.
- g. Prepare testing conditions, including user access to service provider websites, preparing readiness for online testing, preparing a plan for tracking which students test on which computers or devices, ensure accommodations are indicated as necessary, providing students with opportunity to become familiar with test format, item types, and tools prior to test administration; establishing process for inventorying and distributing secure test materials where necessary; preparing procedures for expected and unexpected situations occurring during testing; planning for addressing technical issues while testing; identify staff who will enter student responses from paper accommodated test materials and scores from MTAS administration online.
- h. Train school assessment coordinators, test monitors, MTAS test administrators, and ACCESS (test for English language learners) and Alternate ACCESS test administrators.
  - (1) Provide training on proper test administration and test security ([Pearson's Training Management System](#)).
  - (2) Verify staff complete any and all test-specific training.

- i. Maintain security of test content, test materials, and record of all staff involved.
    - (1) Receive secure paper test materials from the service provider and immediately lock them in a previously identified secure area, inventory same, and contact service provider with any discrepancies.
    - (2) Organize secure test materials for online administrations and keep them secure.
    - (3) Define chain of custody for providing test materials to test monitors and administrators. The chain of custody must address the process for providing test materials on the day of testing, distributing test materials to and collecting test materials from students at the time of testing, keeping test materials secure between testing sessions, and returning test materials after testing is completed.
  - j. Confirm that all students have appropriate test materials.
2. Responsibilities on testing day(s).
- a. Conduct random, unannounced visits to testing rooms to observe staff adherence to test security and policies and procedures.
  - b. Fully cooperate with MDE representatives conducting site visits or MTAS audits.
  - c. Contact the MDE assessment contact within 24 hours of a security breach and submit the *Test Security Notification* in Test WES within 48 hours.
  - d. Address invalidations and test or accountability codes.
3. Responsibilities after testing.
- a. Ensure that student responses from paper accommodated test materials and MTAS scores are entered.
  - b. Arrange for secure disposal of all test materials that are not required to be returned within 48 hours after the close of the testing window.
  - c. Return secure test materials as outlined in applicable manuals and resources.

- d. Collect security documents and maintain them for two years from the end of the academic school year in which testing took place.
- e. Review student assessment data and resolve any issues.
- f. Distribute Individual Student Reports no later than fall parent/teacher conferences.
- g. Enter Graduation Requirements Records in the GRR system.

C. School Principal

- 1. Responsibilities before testing.
  - a. Designate a school assessment coordinator and technology coordinator for the building.
  - b. Be knowledgeable about proper test administration and test security as outlined in manuals and directions.
  - c. Read and complete the *Assurance of Test Security and Non-Disclosure*.
  - d. Communicate the importance of test security and expectation that staff will keep test content secure and act with honesty and integrity during test administration.
  - e. Provide adequate secure storage space for secure test materials before, during, and after testing until they are returned to the service provider or securely disposed of.
  - f. Ensure adequate computers and/or devices are available and rooms appropriately set up for online testing.
  - g. Verify that all test monitors and test administrators receive proper training for test administration.
  - h. Ensure students taking specified tests have opportunity to become familiar with test format, item types, and tools prior to test administration.
  - i. Include the complete Parent/Guardian Guide and Refusal for Student Participation in Statewide Testing form in the student handbook.
- 2. Responsibilities on testing day(s).

- a. Ensure that test administration policies and procedures and test security requirements in all manuals and directions are followed.
  - b. Fully cooperate with MDE representatives conducting site visits or MTAS audits.
3. Responsibilities after testing.
- a. Ensure all secure test materials are collected, returned, and/or disposed of securely as required in any manual.
  - b. Ensure requirements for embargoed final assessment results are followed.

D. School Assessment Coordinator

1. Responsibilities before testing.
  - a. Implement test administration and test security policies and procedures.
  - b. Read and complete the *Assurance of Test Security and Non-Disclosure*.
  - c. Ensure all staff who handle test materials, administer tests, or have access to secure test content read and complete the *Assurance of Test Security and Non-Disclosure*.
  - d. Identify appropriate tests for students and ensure student data sent to service providers for testing are correct.
  - e. Prepare testing conditions, including the following: schedule rooms and computer labs; arrange for test monitors and administrators; arrange for additional staff to assist with unexpected situations; arrange for technology staff to assist with technical issues; develop a plan for tracking which students test on which computers or devices; plan seating arrangements for students; ensure preparations are completed for Optional Local Purpose Assessment (OLPA), Minnesota Comprehensive Assessment (MCA), and ACCESS online testing; ensure accommodations are properly reported; confirm how secure paper test materials will arrive and quantities to expect; address accommodations and specific test administration procedures; determine staff who will enter the student responses from paper accommodated test materials and scores from MTAS administrations online.

- f. Train staff, including all state-provided training materials, policies and procedures, and test-specific training.
- g. Maintain security of test content and test materials.
  - (1) Receive secure paper test materials from the service provider and immediately lock them in a previously identified secure area, inventory same, and contact service provider with any discrepancies.
  - (2) Organize secure test materials for online administrations and keep them secure.
  - (3) Follow chain of custody for providing test materials to test monitors and administrators. The chain of custody must address the process for providing test materials on the day of testing, distributing test materials to and collecting test materials from students at the time of testing, keeping test materials secure between testing sessions, and returning test materials after testing is completed.
  - (4) Identify need for additional test materials to district assessment coordinator.
  - (5) Provide MTAS student data collection forms if necessary.
  - (6) Distribute applicable ACCESS and Alternate ACCESS *Test Administrator Scripts* and *Test Administration Manuals* to test administrators so they can become familiar with the script and prepare for test administration.
  - (7) Confirm that all students taking ACCESS and Alternate ACCESS have appropriate test materials and preprinted student information on the label is accurate.

2. Responsibilities on testing day(s).

- a. Distribute materials to test monitors and ACCESS test administrators and ensure security of test materials between testing sessions and that district procedures are followed.
- b. Ensure *Test Monitor and Student Directions* and *Test Administrator Scripts* are followed and answer questions regarding same.
- c. Fully cooperate with MDE representatives conducting site visits or MTAS audits, as applicable.

- d. Conduct random, unannounced visits to testing rooms to observe staff adherence to test security and test administration policies and procedures.
- e. Report testing irregularities to district assessment coordinator using the *Test Administration Report*.

***[Note: This form is included in the 614 Form file of the Policy Reference Manual.]***

- f. Report security breaches to the district assessment coordinator as soon as possible.

3. Responsibilities after testing.

- a. Ensure that all paper test materials are kept locked and secure and security checklists completed.
- b. Ensure that student responses from paper accommodated test materials and MTAS scores are entered.
- c. Arrange for secure disposal of all test materials that are not required to be returned within 48 hours after the close of the testing window.
- d. Return secure test materials as outlined in applicable manuals and resources.
- e. Prepare materials for pickup by designated carrier on designated date(s). Maintain security of all materials.
- f. Ensure requirements for embargoed final assessment results are followed.

E. Technology Coordinator

- 1. Ensure that district is prepared for online test administration and provide technical support to district staff.
- 2. Acquire all necessary user identifications and passwords.
- 3. Read and complete the *Assurance of Test Security and Non-Disclosure*.
- 4. Fully cooperate with MDE representatives conducting site visits or MTAS audits.
- 5. Attend district training and any service provider technology training.

6. Review, use, and be familiar with all service provider technical documentation.
7. Prepare computers and devices for online testing.
8. Confirm site readiness.
9. Provide all necessary accessories for testing, technical support/troubleshooting during test administration and contact service provider help desks as needed.

F. Test Monitor

1. Responsibilities before testing.
  - a. Read and complete the *Assurance of Test Security and Non-Disclosure*.
  - b. Attend trainings related to test administration and security.
  - c. Complete required training course(s) for tests administering.
  - d. Be knowledgeable about how to contact the school assessment coordinator during testing, where to pick up materials on day of test, and plan for securing test materials between test sessions.
  - e. Be knowledgeable regarding student accommodations.
  - f. Remove or cover any instructional posters or visual materials in the testing room.
2. Responsibilities on testing day(s).
  - a. Before test.
    - (1) Receive and maintain security of test materials.
    - (2) Verify that all test materials are received.
    - (3) Ensure proper number of computers/devices or paper accommodated test materials are present.
    - (4) Verify student testing tickets and appropriate allowable materials.
    - (5) Assign numbered test books to individual students.
    - (6) Complete information as directed.

(7) Record extra test materials.

b. During test.

(1) Verify that students are logged in and taking the correct test or using the correct grade-level and tier test booklet for students with paper accommodated test materials.

(2) Follow all directions and scripts exactly.

(3) Follow procedures for restricting student access to cell phones and other electronic devices, including wearable electronic devices.

(4) Stay in testing room and remain attentive during entire test session. Practice active monitoring by circulating throughout the room during testing.

*[Note: School districts may allow test monitors to use their cell phones only to alert other staff of issues. If allowed, the school district should train the test monitors on proper and improper use.]*

(5) Be knowledgeable about responding to emergency or unusual circumstances and technology issues.

(6) Do not review, discuss, capture, email, post, or share test content in any format.

(7) Ensure all students have been provided the opportunity to independently demonstrate their knowledge.

(8) Fully cooperate with MDE representatives conducting site visits or MTAS audits.

(9) Document the students who tested with the test monitor and any other adult(s) who were present in the testing room (e.g., staff providing assistance, paraprofessionals, etc.).

~~(9)~~ 10) Document students who require a scribe or translated directions or any unusual circumstances and report to school assessment coordinator.

~~(10)~~ 11) Report any possible security breaches as soon as possible.

c. After test.

- (1) Follow directions and scripts exactly.
- (2) Collect all materials and keep secure after each session. Upon completion return to the school assessment coordinator.
- (3) Immediately report any missing test materials to the school assessment coordinator.

G. MTAS Test Administrator

1. Before testing.
  - a. Read and complete the *Assurance of Test Security and Non-Disclosure*.
  - b. Attend trainings related to test administration and security.
  - c. Complete required training course(s) for tests administering.
  - d. Be knowledgeable as to when and where to pick up MTAS materials and the school's plan for keeping test materials secure.
  - e. Prepare test materials for administration, including objects and manipulatives, special instructions, and specific adaptations for each student.
2. Responsibility on testing day(s).
  - a. Before the test.
    - (1) Maintain security of materials.
    - (2) Confirm appropriate MTAS materials are available and prepared for student.
  - b. During the test.
    - (1) Administer each task to each student and record the score.
    - (2) Be knowledgeable about how to contact the district or school assessment coordinator, if necessary, and responding to emergency and unusual circumstances.
    - (3) Fully cooperate with MDE representatives conducting site visits or MTAS audits.

- (4) Document and report and unusual circumstances to district or school assessment coordinator.
- c. After the test.
  - (1) Keep materials secure.
  - (2) Return all materials.
  - (3) Return objects and manipulatives to classroom.
  - (4) Enter MTAS scores online or return data collection forms to the district or school assessment coordinator.

H. MARSS Coordinator

- 1. Responsibilities before testing.
  - a. Confirm all eligible students have unique state student identification (SSID) or MARSS numbers.
  - b. Ensure English language and special education designations are current and correct for students testing based on those designations.
  - c. Submit MARSS data on an ongoing basis to ensure accurate student demographic and enrollment information.
- 2. Responsibilities after testing.
  - a. Ensure accurate enrollment of students in schools during the accountability windows.
  - b. Ensure MARSS identifying characteristics are correct, especially for any student not taking an accountability test.
  - c. Work with district assessment coordinator to edit discrepancies during the Post-test Edit window in Test WES.

I. Any Person with Access to Test Materials

Read and complete the Assurance of Test Security and Non-Disclosure.

IV. **TEST SECURITY**

- A. Test Security Procedures will be adopted by school district administration.

*[Note: A sample procedure that has been approved by MDE is included in the 614 Form file of the Policy Reference Manual.]*

B. Students will be informed of the following:

1. The importance of test security;
2. Expectation that students will keep test content secure;
3. Expectation that students will act with honesty and integrity during test administration;
4. Expectation that students will not access cell phones, wearable technology (e.g., smart watches, fitness trackers), or other devices that can electronically send or receive information. The test of a student who wears a device during testing must be invalidated.

If a student completes testing and then accesses a cell phone or other prohibited device (including wearable technology), the school district must take further action to determine if the test should be invalidated, rather than automatically invalidating the test.

- 4 5. Availability of the online Test Security Tip Line on the MDE website for reporting suspected incidents of cheating or other improper or unethical behavior.

C. Staff will be informed of the following:

1. Availability of the online Test Security Tip Line on the MDE website for reporting suspected incidents of cheating or other improper or unethical behavior.
2. Other contact information and options for reporting security concerns.

## V. **REQUIRED DOCUMENTATION FOR PROGRAM AUDIT**

A. The school district shall maintain records necessary for program audits conducted by MDE. The records must include documentation consisting of the following:

1. Signed *Assurance of Test Security and Non-Disclosure* forms must be maintained for two years after the end of the academic year in which the testing took place.
2. School district security checklists provided in the test materials shipment must be maintained for two years after the end of the academic school year in which testing took place.

3. School security checklists provided in the test materials shipment must be maintained for two years after the end of the academic school year in which testing took place.
4. Test Monitor Test Materials Security Checklist provided for each group of students assigned to a test monitor must be maintained for two years after the end of the academic school year in which testing took place.

*[Note: This form is included in the 614 Form file of the Policy Reference Manual.]*

5. School district test monitor tracking documentation must be maintained for two years after the end of the academic year in which the tracking took place.
- ~~5~~ 6. ACCESS and Alternate ACCESS Packing List and Security Checklist provided in the test materials shipment must be maintained for two years after the end of the academic school year in which testing took place.
- ~~6~~ 7. Documentation of school district staff training on test administration and test security must be maintained for two years after the end of the academic school year in which testing took place.
- ~~7~~ 8. *Test Security Notification* must be maintained for two years after the end of the academic school year in which testing took place.
- ~~8~~ 9. *Test Administration Report* must be maintained for one year after the end of the academic school year in which testing took place.
- ~~9~~ 10. Record of staff trainings and test-specific trainings must be maintained for one year after the end of the academic year in which testing took place.

***Legal References:***

Minn. Stat. § 13.34 (Examination Data)  
Minn. Stat. § 120B.11 (School District Process)  
Minn. Stat. § 120B.30 (Statewide Testing and Reporting System)  
Minn. Stat. § 120B.36, Subd. 2 (Adequate Yearly Progress)  
Minn. Rules Parts 3501.0010-3501.0180 (Graduation Standards – Mathematics and Reading) (repealed Minn. L. 2013, Ch. 116, Art. 2, § 22)  
Minn. Rules Parts 3501.0200-3501.0290 (Graduation Standards – Written Composition) (repealed Minn. L. 2013, Ch. 116, Art. 2, § 22)  
Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)  
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)  
Minn. Rules Parts 3501.0800-3501.0815 (Academic Standards for the Arts)  
Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)

Minn. Rules Parts 3501.1000-3501.1190 (Graduation-Required Assessment for Diploma) (repealed Minn. L. 2013, Ch. 116, Art. 2, § 22)  
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)

[Minn. Rules Parts 3501.1400-3501.1410 \(Academic Standards for Physical Education\)](#)

20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)

***Cross References:*** MSBA/MASA Model Policy 601 (School District Curriculum and Instruction Goals)  
MSBA/MASA Model Policy 613 (Graduation Requirements)  
MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)  
MSBA/MASA Model Policy 616 (School District System Accountability)

**PRINCETON PUBLIC SCHOOLS****POLICY 615 - BASIC STANDARDS AND GRADUATION REQUIRED TESTING,  
ACCOMMODATIONS, MODIFICATIONS, AND EXEMPTIONS FOR IEP, SECTION 504  
ACCOMMODATION, AND LEP STUDENTS****I. PURPOSE**

The purpose of the policy is to provide adequate opportunity for students identified as having IEP, Section 504 Accommodation, or LEP needs to meet the graduation requirements of state-required basic skills and graduation required testing.

**II. GENERAL STATEMENT OF POLICY**

- A. The school district will utilize the existing annual review of Individualized Education Programs (IEPs) or Section 504 Accommodation plans to review, on a case-by-case basis, the extent of student participation in basic standards testing.
- B. Students with LEP needs must be identified and accommodations made.

**III. DEFINITION OF TERMS**

See the "Procedures Manual for the Minnesota Assessments" which is produced by the Minnesota Department of Education and available through [personaccess.com](http://personaccess.com)

**IV. GRANTING AND DOCUMENTING ACCOMMODATIONS, MODIFICATIONS, OR EXEMPTIONS FOR BASIC STANDARDS TESTING**

See chapter 5 of the current "Procedures Manual for the Minnesota Assessments."

**V. RECORDS**

All test accommodations, modifications, or exemptions shall be reported to the School District Test Administrator. The School District Teaching and Learning Administrator shall be responsible for keeping a list of all such test accommodations, modifications,

and exemptions for school district audit purposes. This will be done annually by December 1. Testing results will be documented and reported.

**Legal References:** Minn. Stat. § 120B.11 (School District Process)  
 Minn. Stat. § 120B.30 (Statewide Testing and Reporting System)  
 Minn. Stat. § 125A.08(a)(1) (Individualized Education Programs)  
 Minn. Rules Parts 3501.0640-3501.0635 (Academic Standards for Language Arts)  
 Minn. Rules Parts 3501.0800-3501.0815 (Academic Standards for the Arts) Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)  
 Minn. Rules Parts 3501.1000-3501.1190 (Graduation-Required Assessment for Diploma) (repealed Minn. L. 2013, Ch. 116, Art. 2, § 22)  
 Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)

**Cross References:** Princeton Policy 104 (School District Mission Statement)  
 Princeton Policy 601 (School District Curriculum and Instruction Goals)  
 Princeton Policy 613 (Graduation Requirements)  
 Princeton Policy 614 (School District Testing Plan and Procedure)  
 Princeton Policy 616 (School District System Accountability)

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Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 615

Orig. 1997

Revised: \_\_\_\_\_

Rev. ~~2015~~ 2017

## 615 TESTING ACCOMMODATIONS, MODIFICATIONS, AND EXEMPTIONS FOR IEPS, SECTION 504 PLANS, AND LEP STUDENTS

~~[Note: In 2013, the Minnesota legislature modified state graduation requirements by making the Graduation Required Assessments for Diploma (GRAD) tests optional for school districts. A district may decide whether individual students will meet graduation assessment requirements by meeting the GRAD requirements in reading, mathematics, and written composition; by taking the WorkKeys job skills assessment, the Compass college placement test, the ACT assessment for college admission, or a nationally recognized Armed Services Vocational Aptitude Battery test (ASVAB); or by receiving a score on an equivalent assessment. Refer to the Minnesota Assessment System and Requirements Changes 2014-2017 document, which is posted to the Test Administration page of the Minnesota Department of Education (MDE) website. While a district may choose not to include GRAD retests on the testing calendar, an individual student who requests a GRAD retest must be provided the opportunity to retest.]~~

### I. PURPOSE

The purpose of the policy is to provide adequate opportunity for students identified as having individualized education program (IEP), Rehabilitation Act of 1973, § 504 ~~(504)~~ accommodation plan (504 plan), or ~~limited English proficiency (LEP)~~ English Learner (EL) needs to ~~meet the graduation requirements of basic skills testings and graduation required assessments for diploma (GRAD) tests~~ participate in statewide assessment systems designed to hold schools accountable for the academic performance of all students.

### II. GENERAL STATEMENT OF POLICY

~~A. The school district will utilize the existing annual review of IEPs or 504 accommodation plans to review, on a case-by-case basis, the extent of student participation in basic skills testing and GRAD testing. For students subject to GRAD testing, the student's IEP or 504 accommodation plan must identify one of the following decisions for each subject area of GRAD:~~

- ~~1. the student is expected to achieve the statewide standard with or without testing accommodations resulting in a "pass" or "p" notation on the record when achieving a passing score; or~~

- ~~2. the student is expected to achieve the statewide standard at an individually modified level of difficulty, resulting in a “pass” or “p” notation on the record when achieving the modified level. A Minnesota alternative assessment must be used when an IEP team chooses to replace the GRAD. Adoption of modifications for a student must occur concurrently with the adoption of transition goals and objectives as required by Minn. Stat. § 125A.08(a)(1). The IEP or 504 accommodation plan must define an appropriate assessment of the statewide standard at a modified level of difficulty. Achievement of the individually modified standard shall be certified only through documented student performance of the defined assessment.~~

~~Students subject to GRAD testing also must be tested under standard conditions as specified by the developer of the test except those students whose IEP or 504 accommodation plan specifies other decisions consistent with the above stated requirements.~~

- ~~B. Students with LEP needs must be identified and accommodations made for students subject to basic skills testing. Students subject to GRAD testing are required to pass the GRAD if they have been enrolled in any Minnesota school for at least four consecutive years. An English language learner (ELL) student who first enrolls in a Minnesota school in grade 9 or above and who completes the coursework and any other state and district requirements to graduate within a four-year period is not required to pass the GRAD.~~

A. Minnesota Test of Academic Skills (MTAS)

1. The school district will utilize the existing annual review of IEPs or 504 plans to review, on a case-by-case basis, and determine how a student with a disability will participate in statewide testing.
2. Participation decisions will be made separately for mathematics, reading, and science. The assessment options are the Minnesota Comprehensive Assessment (MCA) and the MTAS.
3. Eligibility Requirements
  - a. The following requirements must be met for a student with a significant cognitive disability to be eligible for the MTAS:
    - (1) The IEP team must consider the student’s ability to access the MCA, with or without accommodations;

- (2) The IEP must review the student's instructional program to ensure that the student is receiving instruction linked to the general education curriculum to the extent appropriate. If instruction is not linked to the general education curriculum, the IEP team must review the student's goals and determine how access to the general curriculum will be provided;
- (3) The IEP team determined the student's cognitive functioning to be significantly below age expectations. The team also determined that the student's disability has a significant impact on his or her ability to function in multiple environments, including home, school, and community;
- (4) The IEP team determined that the student needs explicit and intensive instruction and/or extensive supports in multiple settings to acquire, maintain, and generalize academic and life skills in order to actively participate in school, work, home, and community environments;
- (5) The IEP team must document, in the IEP, reasons the MCA is or is not an appropriate measure of the student's academic progress and how the student would participate in statewide testing.

b. MTAS participation decisions must not be made on the following factors:

- (1) Student's disability category;
- (2) Placement;
- (3) Participation in a separate, specialized curriculum;
- (4) An expectation that the student will receive a low score on the MCA;
- (5) Language, social, cultural, or economic differences;
- (6) Concern for accountability calculations.

B. Alternate ACCESS for ELs

1. The school district will utilize the existing annual review of IEPs or 504 plans to review, on a case-by-case basis, and determine how an identified EL student with a disability will participate in statewide testing.
2. Eligibility Requirements
  - a. The student must be identified as EL in MARSS in order to take an English language proficiency assessment.
  - b. The student must have a significant cognitive disability. If the student has been identified as eligible to take the MTAS in mathematics, reading, or science, the student meets this criterion.
  - c. For students in grades that the MTAS is not administered:
    - (1) the student must have cognitive functioning significantly below age level;
    - (2) the student's disability must have a significant impact on his or her ability to function in multiple environments, including home, school, and community; and
    - (3) the student needs explicit and intensive instruction and/or extensive supports in multiple settings to acquire, maintain, and generalize academic and life skills in order to actively participate in school, work, home, and community environments.
  - d. The IEP team must consider the student's ability to access the ACCESS, with or without accommodations.
  - e. The IEP team must document, in the IEP, reasons the MCA is or is not an appropriate English language proficiency assessment for the student.
3. Alternate ACCESS participation decisions must not be made on the following factors:
  - a. Student's disability category;
  - b. Participation in a separate, specialized curriculum;
  - c. Current level of English language proficiency;

- d. The expectation that the student will receive a low score on the ACCESS for ELs;
- e. Language, social, cultural, or economic differences;
- f. Concern for accountability calculations.

C. EL Students New to the United States

EL students new to the United States will take all assessments, including all academic assessments (math, reading, and science), as well as the English Language Proficiency Assessment (ACCESS).

**III. DEFINITION OF TERMS**

See the current “Procedures Manual for the Minnesota Assessments” which is produced by the Minnesota Department of Education and available through [pearsonaccess.com](http://pearsonaccess.com).

**IV. GRANTING AND DOCUMENTING ACCOMMODATIONS, MODIFICATIONS, OR EXEMPTIONS FOR ~~BASIC SKILLS AND GRAD~~ TESTING**

See Chapter 5 of the current “Procedures Manual for the Minnesota Assessments.” [and 2017-18 Guidelines for Administration of Accommodations and Linguistic Supports \(http://minnesota.pearsonaccessnext.com/resources/resources-training/manuals/Guideline\\_sforAccommandLS\\_2018.pdf\)](http://minnesota.pearsonaccessnext.com/resources/resources-training/manuals/Guideline_sforAccommandLS_2018.pdf).

**V. RECORDS**

All test accommodations, modifications, or exemptions shall be reported to the school district test administrator. The school district test administrator shall be responsible for keeping a list of all such test accommodations, modifications, and exemptions for school district audit purposes. Testing results will be documented and reported.

- Legal References:**
- Minn. Stat. § 120B.11 (School District Process)
  - Minn. Stat. § 120B.30 (Statewide Testing and Reporting System)
  - Minn. Stat. § 125A.08(a)(1) (Individualized Education Programs)
  - Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)
  - Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)
  - Minn. Rules Parts 3501.0800-3501.0815 (Academic Standards for the Arts)
  - Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)

Minn. Rules Parts 3501.1000-3501.1190 (Graduation-Required Assessment for Diploma) (repealed Minn. L. 2013, Ch. 116, Art. 2, § 22)  
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)

[Minn. Rules Parts 3501.1400-3501.1410 \(Academic Standards for Physical Education\)](#)

[Eligibility Requirements for the Minnesota Test of Academic Skills \(MTAS\), https://education.mn.gov/mdeprod/groups/educ/documents/hiddencontent/mdaw/mda2/~edisp/006087.pdf](https://education.mn.gov/mdeprod/groups/educ/documents/hiddencontent/mdaw/mda2/~edisp/006087.pdf)

[Alternate ACCESS for ELLs Participation Guidelines, https://education.mn.gov/mdeprod/groups/educ/documents/hiddencontent/mdaw/mdq5/~edisp/049763.pdf](https://education.mn.gov/mdeprod/groups/educ/documents/hiddencontent/mdaw/mdq5/~edisp/049763.pdf)

***Cross References:*** MSBA/MASA Model Policy 104 (School District Mission Statement)  
MSBA/MASA Model Policy 601 (School District Curriculum and Instruction Goals)  
MSBA/MASA Model Policy 613 (Graduation Requirements)  
MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)  
MSBA/MASA Model Policy 616 (School District System Accountability)

**PRINCETON SCHOOL DISTRICT  
707-TRANSPORTATION OF PUBLIC SCHOOL STUDENTS**

**I. PURPOSE**

The purpose of this policy is to provide for the transportation of students consistent with the requirements of law.

**II. GENERAL STATEMENT OF POLICY**

- A. The policy of the school district is to provide for the transportation of students in a manner which will protect their health, welfare, and safety.
- B. The school district recognizes that transportation is an essential part of the school district services to students and parents but further recognizes that transportation by school bus is a privilege and not a right for an eligible student.

**III. DEFINITIONS**

- A. "Child with a disability" includes every child identified under federal and state special education law as deaf or hard of hearing, blind or visually impaired, deaf, blind, or having a speech or language impairment, a physical impairment, other health disability, developmental cognitive disability, an emotional or behavioral disorder, specific learning disability, autism spectrum disorder, traumatic brain injury, or severe multiple impairments, and who needs special education and related services, as determined by the rules of the Commissioner of Education. A licensed physician, an advanced practice nurse, or a licensed psychologist is qualified to make a diagnosis and determination of attention deficit disorder or attention deficit hyperactivity disorder for purposes of identifying a child with a disability. In addition, every child under age three, and at the school district's discretion from age three to seven, who needs special instruction and services, as determined by the rules of the Commissioner, because the child has a substantial delay or has an identifiable physical or mental condition known to hinder normal development is a child with a disability. A child with a short-term or temporary physical or emotional illness or disability, as determined by the rules of the Commissioner, is not a child with a disability. (Minn. Stat. § 125A.02)
- B. "Home" is the legal residence of the child. In the discretion of the school district, "home" also may be defined as a licensed day care

facility, school day care facility, a respite care facility, the residence of a relative, or the residence of a person chosen by the student's parent or guardian as the home of a student for part or all of the day, if requested by the student's parent or guardian, or an afterschool program for children operated by a political subdivision of the state, if the facility, residence, or program is within the attendance area of the school the student attends. Unless otherwise specifically provided by law, a homeless student is a resident of the school district if enrolled in the school district. (Minn. Stat. § 123B.92, Subd. 1(b)(1); Minn. Stat. § 127A.47, Subd. 2)

- C. "Homeless student" means a student, including a migratory student, who lacks a fixed, regular, and adequate nighttime residence and includes: students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; are awaiting foster care placement; have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings. (42 U.S.C. § 11434a).
- D. "Nonpublic school" means any school, church, or religious organization, or home school wherein a resident of Minnesota may legally fulfill the compulsory instruction requirements of Minn. Stat. §120A.22, which is located within the state, and which meets the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d, et seq.). (Minn. Stat. §123B.41, Subd. 9)
- E. "Nonresident student" is a student who attends school in the school district and resides in another district, defined as the "nonresident district." In those instances when the divorced or legally separated parents or parents residing separately share joint physical custody of a student and the parents reside in different school districts, the student shall be a resident of the school district designated by the student's parents. When parental rights have been terminated by court order, the legal residence of a student placed in a residential or foster facility for care and treatment is the district in which the student resides. (Minn. Stat. § 123B.88, Subd. 6; Minn. Stat. § 125A.51; Minn. Stat. § 127A.47, Subd. 3)

- F. "Pupil support services" are health, counseling, and guidance services provided by the public school in the same district where the nonpublic school is located. (Minn. Stat. § 123B.41, Subd. 4)
- G. "School of origin," for purposes of determining the residence of a homeless student, is the school that the student attended when permanently housed or the school in which the student was last enrolled. (42 U.S.C. § 11432(g)(3)(G))
- H. "Shared time basis" is a program where students attend public school for part of the regular school day and who otherwise fulfill the requirements of Minn. Stat. § 120A.22 by attendance at a nonpublic school. (Minn. Stat. § 126C.01, Subd. 8)
- I. "Student" means any student or child attending or required to attend any school as provided in Minnesota law and who is a resident or child of a resident of Minnesota. (Minn. Stat. § 123B.41, Subd. 11).

#### IV. ELIGIBILITY

- A. Upon the request of a parent or guardian, the school district shall provide transportation to and from school, at the expense of the school district, for all resident students who reside two miles or more from the school, except for those students whose transportation privileges have been revoked or have been voluntarily surrendered by the student's parent or guardian. (Minn. Stat. § 123B.88, Subd. 1)
- B. The school district may, in its discretion, also provide transportation to any student to and from school, at the expense of the school district, for any other purpose deemed appropriate by the school board.
- C. In the discretion of the school district, transportation along regular school bus routes may also be provided, where space is available, to any person where such use of a bus does not interfere with the transportation of students. The cost of providing such transportation must be paid by those individuals using these services or some third-party payor. Bus transportation also may be provided along school bus routes when space is available for participants in early childhood family education programs and school readiness programs if these services do not result in an increase in the school district's expenditures for transportation. (Minn. Stat. § 123B.88, Subd. 10, 11, 12, and 13)

- D. For purposes of stabilizing enrollment and reducing mobility, the school district may, in its discretion, establish a full-service school zone and may provide transportation for students attending a school in that full-service school zone. A full-service school zone may be established for a school that is located in an area with higher than average crime or other social and economic challenges and that provides education, health or human services, or other parental support in collaboration with a city, county, state, or nonprofit agency.

## **V. TRANSPORTATION OF NONRESIDENT STUDENTS**

- A. If requested by the parent of a nonresident student, the school district shall provide transportation to a nonresident student within its borders at the same level of service that is provided to resident students. (Minn. Stat. § 124D.04, Subd. 7; Minn. Stat. § 123B.92, Subd. 3)
- B. If the school district decides to transport a nonresident student within the student's resident district, the school district will notify the student's resident district of its decision, in writing, prior to providing transportation. (Minn. Stat. § 123B.88, Subd. 6)
- C. When divorced or legally separated parents or parents residing separately reside in different school districts and share physical custody of a student, the parents shall be responsible for the transportation of the student to the border of the school district during those times when the student is residing with the parent in the nonresident school district. (Minn. Stat. § 127A.47, Subd. 3(b))
- D. The school district may provide transportation to allow a student who attends a high-need English language learner program and who resides within the transportation attendance area of the program to continue in the program until the student completes the highest grade level offered by the program. (Minn. Stat. § 123B.92, Subd. 3(b))

## **VI. TRANSPORTATION OF RESIDENT STUDENTS TO NONDISTRICT SCHOOLS**

- A. In general, the school district shall not provide transportation between a resident student's home and the border of a nonresident district where the student attends school under the Enrollment Options Program. A parent may be reimbursed by the nonresident district for the costs of transportation from the pupil's residence to the border of the nonresident district if the student is from a family whose income is at or below the poverty level, as

determined by the federal government. The reimbursement may not exceed the pupil's actual cost of transportation or 15 cents per mile traveled, whichever is less. Reimbursement may not be paid for more than 250 miles per week. (Minn. Stat. § 124D.03, Subd. 8)

- B. Resident students shall be eligible for transportation to and from a nonresident school district at the expense of the school district, if in the discretion of the school district, inadequate room, distance to school, unfavorable road conditions, or other facts or conditions make attendance in the resident student's own district unreasonably difficult or impracticable. The school district, in its discretion, may also provide for transportation of resident students to schools in other districts for grades and departments not maintained in the district, including high school, for the whole or a part of the year or for resident students who attend school in a building rented or leased by the school district in an adjacent district. (Minn. Stat. § 123B.88, Subds. 1 and 4)
- C. In general, the school district is not responsible for transportation for any resident student attending school in an adjoining state under a reciprocity agreement but may provide such transportation services at its discretion. (Minn. Stat. § 124D.041)

**VII. SPECIAL EDUCATION STUDENTS/STUDENTS WITH A DISABILITY/STUDENTS WITH TEMPORARY DISABILITIES**

- A. Upon a request of a parent or guardian, the board must provide necessary transportation, consistent with Minn. Stat. § 123B.92, Subd.1(b)(4), for a resident child with a disability not yet enrolled in kindergarten, who requires special education services in a location other than the student's home, shall be provided transportation to and from the student's home at the expense of the school district and shall be subject to a 50 mile radius distance requirement. for the provision of special instruction and services. Special instruction and services for a child with a disability not yet enrolled in kindergarten include an individualized education program (IEP) team placement in an early childhood program when that placement is necessary to address the child's level of functioning and needs. (Minn. Stat. § 123B.88, Subd. 1)
- B. Resident students with a disability whose handicapped conditions are such that the student cannot be safely transported on the regular school bus and/or school bus route and/or when the student is transported on a special route for the purpose of attending an approved special education program shall be entitled to special transportation at the expense of the school district or the

day training and habilitation program attended by the student. The school district shall determine the type of vehicle used to transport students with a disability on the basis of the handicapping condition and applicable laws. This provision shall not be applicable to parents who transport their own child under a contract with the school district. (Minn. Stat. § 123B.88, Subd. 19; Minn. Rules Part 7470.1600)

- C. Resident students with a disability who are boarded and lodged at Minnesota state academies for educational purposes, but who also are enrolled in a public school within the school district, shall be provided transportation, by the school district to and from said board and lodging facilities, at the expense of the school district. (Minn. Stat. § 125A.65)
- D. If a resident student with a disability attends a public school located in a contiguous school district and the school district of attendance does not provide special instruction and services, the school district shall provide necessary transportation for the student between the school district boundary and the educational facility where special instruction and services are provided within the school district. The school district may provide necessary transportation of the student between its boundary and the school attended in the contiguous district, but shall not pay the cost of transportation provided outside the school district boundary. (Minn. Stat. § 125A.12)
- E. When a student with a disability or a student with a short-term or temporary disability is temporarily placed for care and treatment in a day program located in another school district and the student continues to live within the school district during the care and treatment, the school district shall provide the transportation, at the expense of the school district, to that student. The school district may establish reasonable restrictions on transportation, except if a Minnesota court or agency orders the child placed at a day care and treatment program and the school district receives a copy of the order, then the school district must provide transportation to and from the program unless the court or agency orders otherwise. Transportation shall only be provided by the school district during regular operating hours and within a 50 mile radius of the school district. (Minn. Stat. § 125A.15(b); Minn. Stat. § 125A.51(d))
- F. When a nonresident student with a disability or a student with a short-term or temporary disability is temporarily placed in a residential program within the school district, including correctional facilities operated on a fee-for-service basis and state institutions,

for care and treatment, the school district shall provide the necessary transportation at the expense of the school district within a 50 mile radius of the school district.

- G. Where a joint powers entity enters into a contract with a privately owned and operated residential facility for the provision of education programs for special education students, the joint powers entity shall provide the necessary transportation. (Minn. Stat. § 125A.15(c) and (d); Minn. Stat. § 125A.51(e))
- H. Each driver and aide assigned to a vehicle transporting students with a disability will be provided with appropriate training for the students in their care, will assist students with their safe ingress and egress from the bus, will ensure the proper use of protective safety devices, and will be provided with access to emergency health care information as required by law. (Minn. Rules Part 7470.1700)
- I. Any parent of a student with a disability who believes that the transportation services provided for that child are not in compliance with the applicable law may utilize the alternative dispute resolution and due process procedures provided for in Minn. Stat. Ch. 125A. (Minn. Rules Part 7470.1600, Subd. 2)

### VIII. HOMELESS STUDENTS

- A. Homeless students shall be provided with transportation services comparable to other students in the school district. (42 U.S.C. § 11432(e)(3)(C)(i)(III)(cc) and (g)(4)(A))
- B. Upon request by the student's parent, guardian, or homeless education liaison, the school district shall provide transportation for a homeless student as follows:
  - a. A resident student who becomes homeless and is residing in a public or private shelter location or has other non-shelter living arrangements within the school district shall be provided transportation to and from the student's school of origin and the shelter or other non-shelter location if the shelter or non-shelter location is two or more miles from the school of origin and the student's transportation privileges have not been revoked. (42 U.S.C. § 11432(g)(1)(J)(iii)(I)).
  - b. A resident student who becomes homeless and is residing in a public or private shelter location or has other non-shelter living arrangements outside of the school district shall be provided transportation to and from the student's school of

origin and the shelter or other non-shelter location if the shelter or non-shelter location is two or more miles from the school of origin and the student's transportation privileges have not been revoked, unless the school district and the school district in which the student is temporarily placed agree that the school district in which the student is temporarily placed shall provide transportation. (Minn. Stat. § 125A.51(f); 42 U.S.C. § 11432(g)(1)(J)(iii)(II)).

- c. If a nonresident student is homeless and is residing in a public or private homeless shelter or has other non-shelter living arrangements within the school district, the school district may provide transportation services between the shelter or non-shelter location and the student's school of origin outside of the school district upon agreement with the school district in which the school of origin is located. (Minn. Stat. § 125A.51(f)).

#### **IX. AVAILABILITY OF SERVICES**

Transportation shall be provided on all regularly scheduled school days or make-up days. Transportation will not be provided during the summer school break. Transportation may be provided for summer instructional programs for students with a disability or in conjunction with a learning year program. Transportation between home and school may also be provided, in the discretion of the school district, on staff development days. (Minn. Stat. § 123B.88, Subd. 21).

#### **X. MANNER OF TRANSPORTATION**

The scheduling of routes, establishment of the location of bus stops, manner and method of transportation, control and discipline of school children, the determination of fees, and any other matter relating thereto shall be within the sole discretion, control and management of the school board. The school district may, in its discretion, provide room and board, in lieu of transportation, to a student who may be more economically and conveniently provided for by that means. (Minn. Stat. § 123B.88, Subd. 1).

Each school year, the School Board authorizes the Superintendent and/or designee to determine the safest method to stop the buses. Locations will be along Hwy 95 and certain in town bus stops based on statute 169.443. The use of a 4-way light system versus using the 8-way amber light system will be labeled on all stops within the routing system. All drivers will be trained in the appropriate manner regarding both types of stopping.

## XI. RESTRICTIONS

Transportation by the school district is a privilege and not a right for an eligible student. A student's eligibility to ride a school bus may be revoked for a violation of school bus safety or conduct policies, or violation of any other law governing student conduct on a school bus pursuant to the school district's discipline policy. Revocation of a student's bus riding privilege is not an exclusion, expulsion, or suspension under the Pupil Fair Dismissal Act. Revocation procedures for a student who is an individual with a disability under 20 U.S.C. § 1415 (Individuals with Disabilities Act), 29 U.S.C. § 794 (the Rehabilitation Act), and 42 U.S.C. § 12132, (Americans with Disabilities Act) are governed by these provisions. (Minn. Stat. § 121A.59)

## XII. FEES

- A. In its discretion, the school district may charge fees for transportation of students to and from extracurricular activities conducted at locations other than school, where attendance is optional. (Minn. Stat. § 123B.36, Subd. 1(10))
- B. The school district may charge fees for transportation of students to and from school when authorized by law. If the school district charges fees for transportation of students to and from school, guidelines shall be established for that transportation to ensure that no student is denied transportation solely because of inability to pay. The school district also may waive fees for transportation if the student's parent is serving in, or within the past year has served in, active military service as defined in Minn. Stat. § 190.05. (Minn. Stat. § 123B.36, Subds. 1(11) and 6)
- C. The school district may charge reasonable fees for transportation of students to and from post-secondary institutions for students enrolled under the post-secondary enrollment options program. Families who qualify for mileage reimbursement may use their state mileage reimbursement to pay this fee. (Minn. Stat. § 123B.36, Subd. 1(13))
- D. Where, in its discretion, the school district provides transportation to and from an instructional community-based employment station that is part of an approved occupational experience vocational program, the school district may require the payment of reasonable fees for transportation from students who receive remuneration for their participation in these programs. (Minn. Stat. § 123B.36, Subd. 3)

**Legal References:** Minn. Stat. § 120A.22 (Compulsory Instruction)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.59 (Bus Transportation is a Privilege Not a Right) Minn. Stat. § 123B.36 (Authorized Fees)  
Minn. Stat. § 123B.41 (Educational Aids for Nonpublic School Children; Definitions)  
Minn. Stat. § 123B.44 (Provision of Pupil Support Services)  
Minn. Stat. § 123B.88 (Independent School District's, Transportation) Minn. Stat. § 123B.92 (Transportation Aid Entitlement)  
Minn. Stat. § 124D.03 (Enrollment Options Program)  
Minn. Stat. § 124D.04 (Enrollment Options Programs in Border States) Minn. Stat. § 124D.041 (Reciprocity with Adjoining States)  
Minn. Stat. Ch. 125A (Children With a Disability)  
Minn. Stat. § 125A.02 (Children With a Disability, Defined)  
Minn. Stat. § 125A.12 (Attendance in Another District)  
Minn. Stat. § 125A.15 (Placement in Another District; Responsibility) Minn. Stat. § 125A.51 (Placement of Children Without Disabilities; Education and Transportation)  
Minn. Stat. § 125A.515 (Placement of Students; Approval of Education Program)  
Minn. Stat. § 125A.65 (Attendance at Academies for the Deaf and Blind) Minn. Stat. § 126C.01 (General Education Revenue - Definitions)  
Minn. Stat. § 127A.47 (Payments to Resident and Nonresident Districts) Minn. Stat. § 190.05 (Definitions)  
Minn. Rules Part 7470.1600 (Transporting Pupils with Disability)  
Minn. Rules Part 7470.1700 (Drivers and Aides for Pupils with Disabilities)  
20 U.S.C. § 1415 (Individuals with Disabilities Education Improvement Act of 2004)  
29 U.S.C. § 794 (Rehabilitation Act of 1973, § 504)  
42 U.S.C. § 2000d (Prohibition Against Exclusion from Participation in, Denial of Benefits of, and Discrimination under Federally Assisted Programs on Ground of Race, Color, or National Origin)  
42 U.S.C. § 11431, et seq. (McKinney-Vento Homeless Assistance Act of 2001)  
42 U.S.C. § 12132, et seq. (Americans With Disabilities Act)

**Cross References:** MSBA/MASA Model Policy 708 (Transportation of Nonpublic School Students)

MSBA/MASA Model Policy 709 (Student Transportation Safety Policy) MSBA/MASA Model Policy 710 (Extracurricular Transportation) MSBA Service Manual, Chapter 2, Transportation

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MSBA/MASA Model Policy 707

Orig. 1995

Revised: \_\_\_\_\_

Rev. ~~2015~~ 2017

## **707 TRANSPORTATION OF PUBLIC SCHOOL STUDENTS**

*[Note: The obligations stated in this policy are largely governed by statute. Statutory references are included throughout the policy. A school district may choose to add obligations to the model policy.]*

### **I. PURPOSE**

The purpose of this policy is to provide for the transportation of students consistent with the requirements of law.

### **II. GENERAL STATEMENT OF POLICY**

- A. The policy of the school district is to provide for the transportation of students in a manner which will protect their health, welfare, and safety.
- B. The school district recognizes that transportation is an essential part of the school district services to students and parents but further recognizes that transportation by school bus is a privilege and not a right for an eligible student.

### **III. DEFINITIONS**

- A. “Child with a disability” includes every child identified under federal and state special education law as deaf or hard of hearing, blind or visually impaired, deafblind, or having a speech or language impairment, a physical impairment, other health disability, developmental cognitive disability, an emotional or behavioral disorder, specific learning disability, autism spectrum disorder, traumatic brain injury, or severe multiple impairments, and who needs special education and related services, as determined by the rules of the Commissioner of Education. A licensed physician, an advanced practice nurse, or a licensed psychologist is qualified to make a diagnosis and determination of attention deficit disorder or attention deficit hyperactivity disorder for purposes of identifying a child with a disability. In addition, every child under age three, and at the school district’s discretion from age three to seven, who needs special instruction and services, as determined by the rules of the Commissioner, because the child has a substantial delay or has an identifiable physical or mental condition known to hinder normal development is a child with a disability. A child with a short-term or temporary physical or emotional illness or disability, as determined by the rules of the Commissioner, is not a child with a disability. (Minn. Stat. § 125A.02)
- B. “Home” is the legal residence of the child. In the discretion of the school district, “home” also may be defined as a licensed day care facility, school day care

facility, a respite care facility, the residence of a relative, or the residence of a person chosen by the student's parent or guardian as the home of a student for part or all of the day, if requested by the student's parent or guardian, or an afterschool program for children operated by a political subdivision of the state, if the facility, residence, or program is within the attendance area of the school the student attends. Unless otherwise specifically provided by law, a homeless student is a resident of the school district if enrolled in the school district. (Minn. Stat. § 123B.92, Subd. 1(b)(1); Minn. Stat. § 127A.47, Subd. 2)

- C. "Homeless student" means a student, including a migratory student, who lacks a fixed, regular, and adequate nighttime residence and includes: students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; are awaiting foster care placement; have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings, and migratory children who qualify as homeless because they are living in any of the preceding listed circumstances. (42 U.S.C. § 11434a)
- D. "Nonpublic school" means any school, church, or religious organization, or home school wherein a resident of Minnesota may legally fulfill the compulsory instruction requirements of Minn. Stat. §120A.22, which is located within the state, and which meets the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d, *et seq.*). (Minn. Stat. §123B.41, Subd. 9)
- E. "Nonresident student" is a student who attends school in the school district and resides in another district, defined as the "nonresident district." In those instances when the divorced or legally separated parents or parents residing separately share joint physical custody of a student and the parents reside in different school districts, the student shall be a resident of the school district designated by the student's parents. When parental rights have been terminated by court order, the legal residence of a student placed in a residential or foster facility for care and treatment is the district in which the student resides. (Minn. Stat. § 123B.88, Subd. 6; Minn. Stat. § 125A.51; Minn. Stat. § 127A.47, Subd. 3)
- F. "Pupil support services" are health, counseling, and guidance services provided by the public school in the same district where the nonpublic school is located. (Minn. Stat. § 123B.41, Subd. 4)
- G. "School of origin," for purposes of determining the residence of a homeless student, is the school that the student attended when permanently housed or the school in which the student was last enrolled. (42 U.S.C. § 11432(g)(3)(G))
- H. "Shared time basis" is a program where students attend public school for part of the regular school day and who otherwise fulfill the requirements of Minn. Stat. §

120A.22 by attendance at a nonpublic school. (Minn. Stat. § 126C.01, Subd. 8)

- I. “Student” means any student or child attending or required to attend any school as provided in Minnesota law and who is a resident or child of a resident of Minnesota. (Minn. Stat. § 123B.41, Subd. 11)

#### **IV. ELIGIBILITY**

- A. Upon the request of a parent or guardian, the school district shall provide transportation to and from school, at the expense of the school district, for all resident students who reside two miles or more from the school, except for those students whose transportation privileges have been revoked or have been voluntarily surrendered by the student’s parent or guardian. (Minn. Stat. § 123B.88, Subd. 1)
- B. The school district may, in its discretion, also provide transportation to any student to and from school, at the expense of the school district, for any other purpose deemed appropriate by the school board.

*[Note: In this section, school districts may wish to outline those discretionary areas where they intend to provide transportation. For example, some school districts may provide that transportation shall be provided for all resident elementary students who reside one mile or more from the school.]*

- C. In the discretion of the school district, transportation along regular school bus routes may also be provided, where space is available, to any person where such use of a bus does not interfere with the transportation of students. The cost of providing such transportation must be paid by those individuals using these services or some third-party payor. Bus transportation also may be provided along school bus routes when space is available for participants in early childhood family education programs and school readiness programs if these services do not result in an increase in the school district’s expenditures for transportation. (Minn. Stat. § 123B.88, Subd. 10, 11, 12, and 13)
- D. For purposes of stabilizing enrollment and reducing mobility, the school district may, in its discretion, establish a full-service school zone and may provide transportation for students attending a school in that full-service school zone. A full-service school zone may be established for a school that is located in an area with higher than average crime or other social and economic challenges and that provides education, health or human services, or other parental support in collaboration with a city, county, state, or nonprofit agency.

#### **V. TRANSPORTATION OF NONRESIDENT STUDENTS**

- A. If requested by the parent of a nonresident student, the school district shall provide transportation to a nonresident student within its borders at the same level of service that is provided to resident students. (Minn. Stat. § 124D.04, Subd. 7; Minn. Stat. § 123B.92, Subd. 3)

- B. If the school district decides to transport a nonresident student within the student's resident district, the school district will notify the student's resident district of its decision, in writing, prior to providing transportation. (Minn. Stat. § 123B.88, Subd. 6)
- C. When divorced or legally separated parents or parents residing separately reside in different school districts and share physical custody of a student, the parents shall be responsible for the transportation of the student to the border of the school district during those times when the student is residing with the parent in the nonresident school district. (Minn. Stat. § 127A.47, Subd. 3(b))
- D. The school district may provide transportation to allow a student who attends a high-need English language learner program and who resides within the transportation attendance area of the program to continue in the program until the student completes the highest grade level offered by the program. (Minn. Stat. § 123B.92, Subd. 3(b))

## **VI. TRANSPORTATION OF RESIDENT STUDENTS TO NONDISTRICT SCHOOLS**

- A. In general, the school district shall not provide transportation between a resident student's home and the border of a nonresident district where the student attends school under the Enrollment Options Program. A parent may be reimbursed by the nonresident district for the costs of transportation from the pupil's residence to the border of the nonresident district if the student is from a family whose income is at or below the poverty level, as determined by the federal government. The reimbursement may not exceed the pupil's actual cost of transportation or 15 cents per mile traveled, whichever is less. Reimbursement may not be paid for more than 250 miles per week. (Minn. Stat. § 124D.03, Subd. 8)
- B. Resident students shall be eligible for transportation to and from a nonresident school district at the expense of the school district, if in the discretion of the school district, inadequate room, distance to school, unfavorable road conditions, or other facts or conditions make attendance in the resident student's own district unreasonably difficult or impracticable. The school district, in its discretion, may also provide for transportation of resident students to schools in other districts for grades and departments not maintained in the district, including high school, for the whole or a part of the year or for resident students who attend school in a building rented or leased by the school district in an adjacent district. (Minn. Stat. § 123B.88, Subds. 1 and 4)
- C. In general, the school district is not responsible for transportation for any resident student attending school in an adjoining state under a reciprocity agreement but may provide such transportation services at its discretion. (Minn. Stat. § 124D.041)

**VII. SPECIAL EDUCATION STUDENTS/STUDENTS WITH A DISABILITY/  
STUDENTS WITH TEMPORARY DISABILITIES**

- A. Upon a request of a parent or guardian, the board must provide necessary transportation, consistent with Minn. Stat. § 123B.92, Subd. 1(b)(4), for a resident child with a disability not yet enrolled in kindergarten for the provision of special instruction and services. Special instruction and services for a child with a disability not yet enrolled in kindergarten include an individualized education program (IEP) team placement in an early childhood program when that placement is necessary to address the child's level of functioning and needs. (Minn. Stat. § 123B.88, Subd. 1)
- B. Resident students with a disability whose handicapped conditions are such that the student cannot be safely transported on the regular school bus and/or school bus route and/or when the student is transported on a special route for the purpose of attending an approved special education program shall be entitled to special transportation at the expense of the school district or the day training and habilitation program attended by the student. The school district shall determine the type of vehicle used to transport students with a disability on the basis of the handicapping condition and applicable laws. This provision shall not be applicable to parents who transport their own child under a contract with the school district. (Minn. Stat. § 123B.88, Subd. 19; Minn. Rules Part 7470.1600)
- C. Resident students with a disability who are boarded and lodged at Minnesota state academies for educational purposes, but who also are enrolled in a public school within the school district, shall be provided transportation, by the school district to and from said board and lodging facilities, at the expense of the school district. (Minn. Stat. § 125A.65)
- D. If a resident student with a disability attends a public school located in a contiguous school district and the school district of attendance does not provide special instruction and services, the school district shall provide necessary transportation for the student between the school district boundary and the educational facility where special instruction and services are provided within the school district. The school district may provide necessary transportation of the student between its boundary and the school attended in the contiguous district, but shall not pay the cost of transportation provided outside the school district boundary. (Minn. Stat. § 125A.12)
- E. When a student with a disability or a student with a short-term or temporary disability is temporarily placed for care and treatment in a day program located in another school district and the student continues to live within the school district during the care and treatment, the school district shall provide the transportation, at the expense of the school district, to that student. The school district may establish reasonable restrictions on transportation, except if a Minnesota court or agency orders the child placed at a day care and treatment program and the school district receives a copy of the order, then the school district must provide transportation to and from the program unless the court or agency orders

otherwise. Transportation shall only be provided by the school district during regular operating hours of the school district. (Minn. Stat. § 125A.15(b); Minn. Stat. § 125A.51(d))

- F. When a nonresident student with a disability or a student with a short-term or temporary disability is temporarily placed in a residential program within the school district, including correctional facilities operated on a fee-for-service basis and state institutions, for care and treatment, the school district shall provide the necessary transportation at the expense of the school district. Where a joint powers entity enters into a contract with a privately owned and operated residential facility for the provision of education programs for special education students, the joint powers entity shall provide the necessary transportation. (Minn. Stat. § 125A.15(c) and (d); Minn. Stat. § 125A.51(e))
- G. Each driver and aide assigned to a vehicle transporting students with a disability will be provided with appropriate training for the students in their care, will assist students with their safe ingress and egress from the bus, will ensure the proper use of protective safety devices, and will be provided with access to emergency health care information as required by law. (Minn. Rules Part 7470.1700)
- H. Any parent of a student with a disability who believes that the transportation services provided for that child are not in compliance with the applicable law may utilize the alternative dispute resolution and due process procedures provided for in Minn. Stat. Ch. 125A. (Minn. Rules Part 7470.1600, Subd. 2)

## VIII. HOMELESS STUDENTS

- A. Homeless students shall be provided with transportation services comparable to other students in the school district. (42 U.S.C. § 11432(e)(3)(C)(i)(III)(cc) and (g)(4)(A))
- B. Upon request by the student's parent, guardian, or homeless education liaison, the school district shall provide transportation for a homeless student as follows:
  - 1. A resident student who becomes homeless and is residing in a public or private shelter location or has other non-shelter living arrangements within the school district shall be provided transportation to and from the student's school of origin and the shelter or other non-shelter location ~~if the shelter or non-shelter location is two or more miles from the school of origin and the student's transportation privileges have not been revoked on the same basis as transportation services are provided to other students in the school district.~~ (42 U.S.C. § 11432(g)(1)(J)(iii)(I))
  - 2. A resident student who becomes homeless and is residing in a public or private shelter location or has other non-shelter living arrangements outside of the school district shall be provided transportation to and from the student's school of origin and the shelter or other non-shelter location ~~if the shelter or non-shelter location is two or more miles from the school~~

~~of origin and the student's transportation privileges have not been revoked on the same basis as transportation services are provided to other students in the school district~~, unless the school district and the school district in which the student is temporarily placed agree that the school district in which the student is temporarily placed shall provide transportation. (Minn. Stat. § 125A.51(f); 42 U.S.C. § 11432(g)(1)(J)(iii)(II))

3. If a nonresident student is homeless and is residing in a public or private homeless shelter or has other non-shelter living arrangements within the school district, the school district may provide transportation services between the shelter or non-shelter location and the student's school of origin outside of the school district upon agreement with the school district in which the school of origin is located. (Minn. Stat. § 125A.51(f))
4. A homeless nonresident student enrolled under Minn. Stat. § 124D.08, Subd. 2a, must be provided transportation from the student's district of residence to and from the school of enrollment. (Minn. Stat. § 123B.92, Subd. 3(c)).

## **IX. AVAILABILITY OF SERVICES**

Transportation shall be provided on all regularly scheduled school days or make-up days. Transportation will not be provided during the summer school break. Transportation may be provided for summer instructional programs for students with a disability or in conjunction with a learning year program. Transportation between home and school may also be provided, in the discretion of the school district, on staff development days. (Minn. Stat. § 123B.88, Subd. 21)

## **X. MANNER OF TRANSPORTATION**

The scheduling of routes, establishment of the location of bus stops, manner and method of transportation, control and discipline of school children, the determination of fees, and any other matter relating thereto shall be within the sole discretion, control and management of the school board. The school district may, in its discretion, provide room and board, in lieu of transportation, to a student who may be more economically and conveniently provided for by that means. (Minn. Stat. § 123B.88, Subd. 1)

## **XI. RESTRICTIONS**

Transportation by the school district is a privilege and not a right for an eligible student. A student's eligibility to ride a school bus may be revoked for a violation of school bus safety or conduct policies, or violation of any other law governing student conduct on a school bus pursuant to the school district's discipline policy. Revocation of a student's bus riding privilege is not an exclusion, expulsion, or suspension under the Pupil Fair Dismissal Act. Revocation procedures for a student who is an individual with a disability under 20 U.S.C. § 1415 (Individuals with Disabilities Act), 29 U.S.C. § 794 (the Rehabilitation Act), and 42 U.S.C. § 12132, (Americans with Disabilities Act) are governed by these provisions. (Minn. Stat. § 121A.59)

## **XII. FEES**

- A. In its discretion, the school district may charge fees for transportation of students to and from extracurricular activities conducted at locations other than school, where attendance is optional. (Minn. Stat. § 123B.36, Subd. 1(10))
- B. The school district may charge fees for transportation of students to and from school when authorized by law. If the school district charges fees for transportation of students to and from school, guidelines shall be established for that transportation to ensure that no student is denied transportation solely because of inability to pay. The school district also may waive fees for transportation if the student's parent is serving in, or within the past year has served in, active military service as defined in Minn. Stat. § 190.05. (Minn. Stat. § 123B.36, Subds. 1(11) and 6)
- C. The school district may charge reasonable fees for transportation of students to and from post-secondary institutions for students enrolled under the post-secondary enrollment options program. Families who qualify for mileage reimbursement may use their state mileage reimbursement to pay this fee. (Minn. Stat. § 123B.36, Subd. 1(13))
- D. Where, in its discretion, the school district provides transportation to and from an instructional community-based employment station that is part of an approved occupational experience vocational program, the school district may require the payment of reasonable fees for transportation from students who receive remuneration for their participation in these programs. (Minn. Stat. § 123B.36, Subd. 3)

***Legal References:*** Minn. Stat. § 120A.22 (Compulsory Instruction)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.59 (Bus Transportation is a Privilege Not a Right)  
Minn. Stat. § 123B.36 (Authorized Fees)  
Minn. Stat. § 123B.41 (Educational Aids for Nonpublic School Children; Definitions)  
Minn. Stat. § 123B.44 (Provision of Pupil Support Services)  
Minn. Stat. § 123B.88 (Independent School Districts, Transportation)  
Minn. Stat. § 123B.92 (Transportation Aid Entitlement)  
Minn. Stat. § 124D.03 (Enrollment Options Program)  
Minn. Stat. § 124D.04 (Enrollment Options Programs in Border States)  
Minn. Stat. § 124D.041 (Reciprocity with Adjoining States)  
Minn. Stat. § 124D.08 (School Board's Approval to Enroll in Nonresident District)  
Minn. Stat. Ch. 125A (Children With a Disability)  
Minn. Stat. § 125A.02 (Children With a Disability, Defined)  
Minn. Stat. § 125A.12 (Attendance in Another District)  
Minn. Stat. § 125A.15 (Placement in Another District; Responsibility)

Minn. Stat. § 125A.51 (Placement of Children Without Disabilities; Education and Transportation)  
Minn. Stat. § 125A.515 (Placement of Students; Approval of Education Program)  
Minn. Stat. § 125A.65 (Attendance at Academies for the Deaf and Blind)  
Minn. Stat. § 126C.01 (General Education Revenue - Definitions)  
Minn. Stat. § 127A.47 (Payments to Resident and Nonresident Districts)  
Minn. Stat. § 190.05 (Definitions)  
Minn. Rules Part 7470.1600 (Transporting Pupils with Disability)  
Minn. Rules Part 7470.1700 (Drivers and Aides for Pupils with Disabilities)  
20 U.S.C. § 1415 (Individuals with Disabilities Education Improvement Act of 2004)  
29 U.S.C. § 794 (Rehabilitation Act of 1973, § 504)  
42 U.S.C. § 2000d (Prohibition Against Exclusion from Participation in, Denial of Benefits of, and Discrimination under Federally Assisted Programs on Ground of Race, Color, or National Origin)  
42 U.S.C. § 11431 *et seq.* (McKinney-Vento Homeless Assistance Act of 2001)  
42 U.S.C. § 12132 *et seq.* (Americans With Disabilities Act)

***Cross References:*** MSBA/MASA Model Policy 708 (Transportation of Nonpublic School Students)  
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)  
MSBA/MASA Model Policy 710 (Extracurricular Transportation)  
MSBA Service Manual, Chapter 2, Transportation

**PRINCETON PUBLIC SCHOOLS**  
**708 - TRANSPORTATION OF NONPUBLIC SCHOOL STUDENTS**

**I. PURPOSE**

The purpose of this policy is to address transportation rights of nonpublic school students and to provide equality of treatment in transporting such students pursuant to law.

**II. GENERAL STATEMENT OF POLICY**

It is the policy of the school district to recognize the rights of nonpublic school students and to provide equal transportation to those students as required by law.

**III. ELIGIBILITY**

- A. The school district shall provide equal transportation within the school district for all students to any school when transportation is deemed necessary by the school district because of distance or traffic conditions in like manner and form as provided in Minn. Stat. §§ 123B.88 and 123B.92 when applicable. (Minn. Stat. § 123B.86, Subd. 1)
- B. Upon the request of a parent or guardian, the school district shall provide school bus transportation to the school district boundary for students residing in the school district at least the same distance from a nonpublic school actually attended in another school district as public school students are transported in the transporting school district. Such transportation shall be provided whether there is or is not another nonpublic school within the transporting school district, if the transportation is to schools maintaining grades or departments not maintained in the school district or if the attendance of such students at school can more safely, economically, or conveniently be provided for by such means. (Minn. Stat. § 123B.86, Subd. 2(a))
- C. The school district may provide school bus transportation to a nonpublic school in another school district for students residing in the school district and attending that school, whether there is or is not another nonpublic school within the transporting school district, if the transportation is to schools maintaining grades or departments not maintained in the school district or if the attendance of such students at school can more safely,

economically, or conveniently be provided for by such means. If the school district transports students to a nonpublic school located in another school district, the nonpublic school shall pay the cost of such transportation provided outside the school district boundaries. (Minn. Stat. § 123B.86, Subd. 2(b))

- D. The school district shall provide the necessary transportation within school district boundaries between the nonpublic school and a public school or neutral site for nonpublic school students who are provided pupil support services, if the school district elects to provide pupil support services at a site other than a nonpublic school. (Minn. Stat. § 123B.44, Subd. 1)
- E. When transportation is provided, the scheduling of routes, manner and method of transportation, control and discipline of students and any other matter relating thereto shall be within the sole discretion, control and management of the school district. (Minn. Stat. § 123B.86, Subd. 3; Minn. Stat. § 123B.91, Subd. 1a)
- F. Additional transportation to and from a nonpublic school may be provided at the expense of the school district where such services are provided in the discretion of the school district.

#### **IV. SPECIAL EDUCATION/DISABLED STUDENTS**

- A. If a resident student with a disability attends a nonpublic school located within the school district, the school district shall provide necessary transportation for the student within the school district between the nonpublic school and the educational facility where special instruction and services are provided on a shared-time basis. If a resident student with a disability attends a nonpublic school located in another school district and if no agreement exists for the provision of special instruction and services on a shared time basis to that student by the school district of attendance and where the special instruction and services are provided within the school district, the school district shall provide necessary transportation for that student between the school district boundary and the educational facility. The school district may provide necessary transportation for that student between its boundary and the nonpublic school attended, but the nonpublic school shall pay the cost of transportation provided outside the school district. School districts may make agreements for who provides transportation. Parties serving students on a shared time basis have access to a due process hearing system as provided by law. (Minn. Stat. § 125A.18)

- B. Disabled students whose handicapped conditions are such that the student cannot be safely transported on the regular school bus and/or school bus route and/or when the student is transported on a special route for the purpose of attending an approved special education program shall be entitled to special transportation at the expense of the school district. The school district shall determine the type of vehicle used to transport disabled students on the basis of the handicapping condition and applicable laws. This section shall not be applicable to parents who transport their own child under a contract with the school district. (Minn. Rules Part 7470.1600, Subd. 1)
- C. Each driver and aide assigned to a vehicle transporting students with a disability will be provided with appropriate training for the students in their care, will assist students with their safe ingress and egress from the bus, will ensure the proper use of protective safety devices, and will be provided with access to emergency health care information as required by law. (Minn. Rules Part 7470.1700)
- D. Any parent of a disabled student who believes that the transportation services provided for that child are not in compliance with the applicable law may utilize the alternative dispute resolution and due process procedures provided for in Minn. Stat. Ch. 125A. (Minn. Rules Part 7470.1600, Subd. 2)

## V. APPLICATION OF GENERAL POLICY

The provisions of the school district's policy on transportation of public school students [*Model Policy 707*] shall apply to the transportation of nonpublic school students except as specifically provided herein.

**Legal References:** Minn. Stat. § 123B.44 (Provision of Pupil Support Services)  
 Minn. Stat. § 123B.84 (Policy)  
 Minn. Stat. § 123B.86 (Equal Treatment)  
 Minn. Stat. § 123B.88 (Independent School District's, Transportation)  
 Minn. Stat. § 123B.91, Subd. 1a (Compliance by Nonpublic and Charter School Students)  
 Minn. Stat. § 123B.92 (Transportation Aid Entitlement)  
 Minn. Stat. Ch. 125A (Children With a Disability)  
 Minn. Rules Part 7470.1600 (Transporting Pupils with Disability)

Minn. Rules Part 7470.1700 (Drivers and Aides for Pupils with Disabilities)

*Americans United, Inc. as Protestants and Other Am. United for Separation of Church and State, et al. v. Independent Sch. Dist. No. 622, et al.*, 288

Minn. 1996, 179 N.W.2d 146 (Minn. 1970)

*Eldredge v. Independent Sch. Dist. No. 625*, 422 N.W.2d 319 (Minn. Ct. App. 1988)

*Healy v. Independent Sch. Dist. No. 625*, 962 F.2d 1304 (8th Cir. 1992)

**Cross References:** MSBA/MASA Model Policy 707 (Transportation of Public School Students)  
 MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)  
 MSBA Service Manual, Chapter 2, Transportation

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MSBA/MASA Model Policy 708

Orig. 1995

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Rev. ~~2008~~ 2017

## **708 TRANSPORTATION OF NONPUBLIC SCHOOL STUDENTS**

*[Note: The obligations stated in this policy are largely governed by statute. Statutory references are included throughout the policy. A school district may choose to add obligations to the model policy.]*

### **I. PURPOSE**

The purpose of this policy is to address transportation rights of nonpublic school students and to provide equality of treatment in transporting such students pursuant to law.

### **II. GENERAL STATEMENT OF POLICY**

The policy of the school district is to recognize the rights of nonpublic school students and to provide equal transportation to those students as required by law.

### **III. ELIGIBILITY**

- A. The school district shall provide equal transportation within the school district for all students to any school when transportation is deemed necessary by the school district because of distance or traffic conditions in like manner and form as provided in Minn. Stat. § 123B.88 and § 123B.92 when applicable. (Minn. Stat. § 123B.86, Subd. 1)
- B. Upon the request of a parent or guardian, the school district shall provide school bus transportation to the school district boundary for students residing in the school district at least the same distance from a nonpublic school actually attended in another school district as public school students are transported in the transporting school district. Such transportation shall be provided whether there is or is not another nonpublic school within the transporting school district, if the transportation is to schools maintaining grades or departments not maintained in the school district or if the attendance of such students at school can more safely, economically, or conveniently be provided for by such means. (Minn. Stat. § 123B.86, Subd. 2(a))
- C. The school district may provide school bus transportation to a nonpublic school in another school district for students residing in the school district and attending that school, whether there is or is not another nonpublic school within the transporting school district, if the transportation is to schools maintaining grades or departments not maintained in the school district or if the attendance of such students at school can more safely, economically, or conveniently be provided for by such means. If the school district transports students to a nonpublic school located in another school district, the nonpublic school shall pay the cost of such

transportation provided outside the school district boundaries. (Minn. Stat. § 123B.86, Subd. 2(b))

- D. The school district shall provide the necessary transportation within school district boundaries between the nonpublic school and a public school or neutral site for nonpublic school students who are provided pupil support services if the school district elects to provide pupil support services at a site other than a nonpublic school. (Minn. Stat. § 123B.44, Subd. 1)
- E. When transportation is provided, the scheduling of routes, manner and method of transportation, control and discipline of students, and any other matter relating thereto shall be within the sole discretion, control, and management of the school district. (Minn. Stat. § 123B.86, Subd. 3; Minn. Stat. § 123B.91, Subd. 1a)
- F. Additional transportation to and from a nonpublic school may be provided at the expense of the school district where such services are provided in the discretion of the school district.

#### IV. ~~SPECIAL EDUCATION/DISABLED~~ STUDENTS WITH DISABILITIES

- A. If a resident student with a disability attends a nonpublic school located within the school district, the school district shall provide necessary transportation for the student within the school district between the nonpublic school and the educational facility where special instruction and services are provided on a shared-time basis. If a resident student with a disability attends a nonpublic school located in another school district and if no agreement exists for the provision of special instruction and services on a shared time basis to that student by the school district of attendance and where the special instruction and services are provided within the school district, the school district shall provide necessary transportation for that student between the school district boundary and the educational facility. The school district may provide necessary transportation for that student between its boundary and the nonpublic school attended, but the nonpublic school shall pay the cost of transportation provided outside the school district. School districts may make agreements for who provides transportation. Parties serving students on a shared time basis have access to a due process hearing system as provided by law. (Minn. Stat. § 125A.18)
- B. ~~Disabled students whose handicapped conditions~~ When the disabling conditions of a student with a disability are such that the student cannot be safely transported on the regular school bus and/or school bus route and/or when the student is transported on a special route for the purpose of attending an approved special education program shall be entitled to special transportation at the expense of the school district or the day training and habilitation program attended by the student. The school district shall determine the type of vehicle used to transport ~~disabled students on the basis of the handicapping condition~~ students with a disability on the basis of the disabling conditions and applicable laws. This section shall not be applicable to parents who transport their own child under a contract with the school district. (Minn. Stat. § 123B.88, Subd. 19; Minn. Rules

Part 7470.1600, Subd. 1)

- C. Each driver and aide assigned to a vehicle transporting students with a disability will be provided with appropriate training for the students in their care, will assist students with their safe ingress and egress from the bus, will ensure the proper use of protective safety devices, and will be provided with access to emergency health care information as required by law. (Minn. Rules Part 7470.1700)
- D. Any parent of a **disabled** student with a disability who believes that the transportation services provided for that child are not in compliance with the applicable law may utilize the alternative dispute resolution and due process procedures provided for in Minn. Stat. Ch. 125A. (Minn. Rules Part 7470.1600, Subd. 2)

## V. APPLICATION OF GENERAL POLICY

The provisions of the school district's policy on transportation of public school students [Model Policy 707] shall apply to the transportation of nonpublic school students except as specifically provided herein.

- Legal References:**
- Minn. Stat. § 123B.44 (Provision of Pupil Support Services)
  - Minn. Stat. § 123B.84 (Policy)
  - Minn. Stat. § 123B.86 (Equal Treatment)
  - Minn. Stat. § 123B.88 (Independent School Districts, Transportation)
  - Minn. Stat. § 123B.91, Subd. 1a (Compliance by Nonpublic and Charter School Students)
  - Minn. Stat. § 123B.92 (Transportation Aid Entitlement)
  - Minn. Stat. Ch. 125A (Children With a Disability)
  - Minn. Stat. § 125A.18 (Special Instruction; Nonpublic Schools)
  - Minn. Rules Part 7470.1600 (Transporting Pupils with Disability)
  - Minn. Rules Part 7470.1700 (Drivers and Aides for Pupils with Disabilities)
  - Americans United, Inc. as Protestants and Other Am. United for Separation of Church and State, et al. v. Independent Sch. Dist. No. 622, et al.*, 288 Minn. 1996, 179 N.W.2d 146 (Minn. 1970)
  - Eldredge v. Independent Sch. Dist. No. 625*, 422 N.W.2d 319 (Minn. Ct. App. 1988)
  - Healy v. Independent Sch. Dist. No. 625*, 962 F.2d 1304 (8<sup>th</sup> Cir. 1992)
  - Minn. Op. Atty. Gen. 166a-7 (June 3, 1983)
  - Minn. Op. Atty. Gen. 166a-7 (Sept. 14, 1981)
  - Minn. Op. Atty. Gen. 166a-7 (July 15, 1976)
  - Minn. Op. Atty. Gen. 166a-7 (July 17, 1970)
  - Minn. Op. Atty. Gen. 166a-7 (Oct. 3, 1969)
  - Minn. Op. Atty. Gen. 166a-7 (Sept. 12, 1969)

- Cross References:**
- MSBA/MASA Model Policy 707 (Transportation of Public School Students)

MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)  
MSBA Service Manual, Chapter 2, Transportation

**PRINCETON PUBLIC SCHOOLS  
POLICY 709-STUDENT TRANSPORTATION SAFETY POLICY**

**I. PURPOSE**

The purpose of this policy is to provide safe transportation for students and to educate students on safety issues and the responsibilities of school bus ridership.

**II. PLAN FOR STUDENT TRANSPORTATION SAFETY TRAINING**

A. School Bus Safety Week

The school district may designate a school bus safety week. The National School Bus Safety Week is the third week in October.

B. Student Training

1. The school district shall provide students enrolled with age-appropriate school bus safety training of the following concepts:
  - a) transportation by school bus is a privilege, not a right;
  - b) school district policies for student conduct and school bus safety;
  - c) appropriate conduct while on the bus;
  - d) the danger zones surrounding a school bus;
  - e) procedures for safely boarding and leaving a school bus;
  - f) procedures for safe vehicle lane crossing; and
  - g) school bus evacuation and other emergency procedures.
2. All students in grades Pre K through 6 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training by the end of the third week of school. All students in grades 7 through 10 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training or receive bus safety instruction materials by the end of the sixth week of school, if they have not previously received school bus training. Students in grades Pre K through 10 who enroll in a school after the second week of school, are transported by school bus, and have not received training in

their previous school districts shall undergo school bus safety training or receive bus safety instructional materials within 4 weeks of their first day of attendance.

3. The school district and a nonpublic school with students transported by school bus at public expense must provide students enrolled in grades Pre K through 3 school bus safety training twice during the school year.
4. Students taking driver's training instructional classes must receive training in the laws and proper procedures for operating a motor vehicle in the vicinity of a school bus as required by Minn. Stat. § 169.446, Subd. 2.
5. The school district and a nonpublic school with students transported by school bus at public expense must conduct a school bus evacuation drill at least once during the school year.
6. The school district will make reasonable accommodations in training for students known to speak English as a second language and students with disabilities.
7. The school district may provide kindergarten students with school bus safety training before the first day of school.
8. The school district may provide student safety education for bicycling and pedestrian safety for students in grades Pre K through 5.
9. The school district shall adopt and make available for public review a curriculum for transportation safety education.
10. Nonpublic school students transported by the school district will receive school bus safety training by their nonpublic school. The nonpublic schools may use the school district's school transportation safety education curriculum. Upon request by the school district superintendent, the nonpublic school must certify to the school district's school transportation safety director that all students enrolled in grades Pre K through 10 have received the appropriate training.

### **III. CONDUCT ON SCHOOL BUSES AND CONSEQUENCES FOR MISBEHAVIOR**

- A. Riding the school bus is a privilege, not a right. The school district's general student behavior rules are in effect for all students on school buses, including nonpublic and charter school students.

B. Consequences for school bus/bus stop misconduct will be imposed by the school district under adopted administrative discipline procedures. In addition, all school bus/bus stop misconduct will be reported to the school district's transportation safety director. Serious misconduct may be reported to local law enforcement.

1. School Bus and Bus Stop Rules. The school district school bus safety rules are to be posted on every bus. If these rules are broken, the school district's discipline procedures are to be followed. In most circumstances, consequences are progressive and may include suspension of bus privileges. It is the school bus driver's responsibility to report unacceptable behavior to the school district's Transportation Office/School Office.

2. Rules at the Bus Stop

- a) Get to your bus stop 5 minutes before your scheduled pick up time. The school bus driver will not wait for late students.
- b) Respect the property of others while waiting at your bus stop.
- c) Keep your arms, legs, and belongings to yourself.
- d) Use appropriate language.
- e) Stay away from the street, road, or highway when waiting for the bus.
- f) Wait until the bus stops before approaching the bus.
- g) After getting off the bus, move away from the bus.
- h) If you must cross the street, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.
- i) No fighting, harassment, intimidation, or horseplay.
- j) No use of alcohol, tobacco, e-cigarettes or drugs.

3. Rules on the Bus

- a) Immediately follow the directions of the driver.
- b) Sit in your seat facing forward.

- c) Talk quietly and use appropriate language.
- d) Keep all parts of your body inside the bus.
- e) Keep your arms, legs, and belongings to yourself.
- f) No fighting, harassment, intimidation, or horseplay.
- g) Do not throw any object.
- h) No eating, drinking, or use of alcohol, tobacco, e-cigarettes or drugs.
- i) Do not bring any weapons or dangerous objects on the school bus.
- j) Do not damage the school bus.

#### 4. Consequences

Consequences for school bus/bus stop misconduct will apply to all regular and late routes. Decisions regarding a student's ability to ride the bus in connection with cocurricular and extracurricular events (for example, field trips or competitions) will be in the sole discretion of the school district. Parents or guardians will be notified of any suspension of bus privileges.

The administration will develop procedures for appropriate education and consequences for students at the bus stop and riding the bus.

#### Elementary (Pre K-6)



~~1st offense – warning~~

~~2nd offense – 3 school day suspension from riding the bus~~

~~3rd offense – 5 school day suspension from riding the bus~~

~~4th offense – 10 school day suspension from riding the~~

~~bus/meeting with parent~~

~~Further offenses – individually considered. Students may be suspended for longer periods of time, including the remainder of the school year.~~



## Secondary (7-12)

1st offense — warning

2nd offense — 5 school day suspension from riding the bus

3rd offense — 10 school day suspension from riding the bus

4th offense — 20 school day suspension from riding the

bus/meeting with parent

5th offense — suspended from riding the bus for the

remainder of the school year

Note: When any student goes 60 transportation days without a report, the student's consequences may start over at the first offense.

## Other Discipline

Based on the severity of a student's conduct, more serious consequences may be imposed at any time. Depending on the nature of the offense, consequences such as suspension or expulsion from school also may result from school bus/bus stop misconduct.

## Records

Records of school bus/bus stop misconduct will be forwarded to the individual school building and will be retained in the same manner as other student discipline records. Reports of student misbehavior on a school bus or in a bus-loading or unloading area that are reasonably believed to cause an immediate and substantial danger to the student or surrounding persons or property shall be provided by the school district to local law enforcement and the Department of Public Safety in accordance with state and federal law.

## Vandalism/Bus Damage

Students damaging school buses will be responsible for the damages. Failure to pay such damages (or make

arrangements to pay) within 2 weeks may result in the loss of bus privileges until damages are paid.

**Notice**

School bus and bus stop rules and consequences for violations of these rules will be reviewed with students annually and copies of these rules will be made available to students. School bus rules are to be posted on each school bus.

**Criminal Conduct**

In cases involving criminal conduct (for example, assault, weapons, drug possession, or vandalism), the appropriate school district personnel and local law enforcement officials will be informed.

**IV. PARENT AND GUARDIAN INVOLVEMENT**

- A. Parent and Guardian Notification: The school district school bus and bus stop rules will be provided to each family. Parents and guardians are asked to review the rules with their children.
- B. Parents/Guardians Responsibilities for Transportation Safety: Parents/Guardians are responsible to:
  - 1. Become familiar with school district rules, policies, regulations, and the principles of school bus safety, and thoroughly review them with their children;
  - 2. Support safe riding and walking practices, and recognize that students are responsible for their actions;
  - 3. Communicate safety concerns to their school administrators;
  - 4. Monitor bus stops, if possible;
  - 5. Have their children to the bus stop 5 minutes before the bus arrives;
  - 6. Have their children properly dressed for the weather; and
  - 7. Have a plan in case the bus is late.

**V. SCHOOL BUS DRIVER DUTIES AND RESPONSIBILITIES**

- A. School bus drivers shall have a valid Class A, B, or C Minnesota driver's license with a school bus endorsement. A person possessing a

valid driver's license, without a school bus endorsement, may drive a type III vehicle set forth in Sections VII.B. and VII.C., below. Drivers with a valid Class D driver's license, without a school bus endorsement, may operate a "type A-I" school bus as set forth in Section VII.D., below.

- B. The school district shall conduct mandatory drug and alcohol testing of all school district bus drivers and bus driver applicants in accordance with state and federal law and school district policy.
- C. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a commercial driver's license and who is convicted of a criminal offense, a serious traffic violation, or of violating any other state or local law relating to motor vehicle traffic control, other than a parking violation, in any type of motor vehicle in a state or jurisdiction other than Minnesota, shall notify the Minnesota Division of Driver and Vehicle Services (Division) of the conviction within 30 days of the conviction. For purposes of this paragraph, a "serious traffic violation" means a conviction of any of the following offenses:
  - 1. excessive speeding, involving any single offense for any speed of 15 miles per hour or more above the posted speed limit;
  - 2. reckless driving;
  - 3. improper or erratic traffic lane changes;
  - 4. following the vehicle ahead too closely;
  - 5. a violation of state or local law, relating to motor vehicle traffic control, arising in connection with a fatal accident;
  - 6. driving a commercial vehicle without obtaining a commercial driver's license or without having a commercial driver's license in the driver's possession.
- D. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a commercial driver's license and who is convicted of violating, in any type of motor vehicle, a Minnesota state or local law relating to motor vehicle traffic control, other than a parking violation, shall notify the person's employer of the conviction within 30 days of conviction. The notification shall be in writing and shall contain all the information set forth in Attachment A accompanying this policy.
- E. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a Minnesota commercial driver's

license suspended, revoked, or cancelled by the state of Minnesota or any other state or jurisdiction and who loses the right to operate a commercial vehicle for any period or who is disqualified from operating a commercial motor vehicle for any period shall notify the person's employer of the suspension, revocation, cancellation, lost privilege, or disqualification. Such notification shall be made before the end of the business day following the day the employee received notice of the suspension, revocation, cancellation, lost privilege, or disqualification. The notification shall be in writing and shall contain all the information set forth in Attachment B accompanying this policy.

- F. A person who operates a type III vehicle and who sustains a conviction as described in Section VII.C.1.g. (i.e., driving while impaired offenses), VII.C.1.h. (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor), or VII.C.1.i. (multiple moving violations) while employed by the entity that owns, leases, or contracts for the school bus, shall report the conviction to the person's employer within 10 days of the date of the conviction. The notification shall be in writing and shall contain all the information set forth in Attachment C accompanying this policy.

## **VI. SCHOOL BUS DRIVER TRAINING**

### **A. Training:**

1. All new school bus drivers shall be provided with pre-service training, including in-vehicle (actual driving) instruction, before transporting students and shall meet the competency testing specified in the Minnesota Department of Public Safety Model School Bus Driver Training Manual. All school bus drivers shall receive in-service training annually. For purposes of this section, "annually" means at least once every 380 days from the initial or previous evaluation and at least once every 380 days from the initial or previous license verification. The school district shall retain on file an annual individual school bus driver "evaluation certification" form for each school district driver as contained in the Model School Bus Driver Training Manual.
2. All bus drivers operating a type III vehicle will be provided with annual training and certification as set forth in Section VII.C.1.b., below, by either the school district or the entity from whom such services are contracted by the school district.

B. Evaluation: School bus drivers with a Class D license will be evaluated annually and all other bus drivers will be assessed periodically for the following competencies:

1. Safely operate the type of school bus the driver will be driving;
2. Understand student behavior, including issues relating to students with disabilities;
3. Ensure orderly conduct of students on the bus and handling incidents of misconduct appropriately;
4. Know and understand relevant laws, rules of the road, and local school bus safety policies;
5. Handle emergency situations; and
6. Safely load and unload students.

The evaluation must include completion of an individual “school bus driver evaluation form” (road test evaluation) as contained in the Model School Bus Driver Training Manual.

## VII. OPERATING RULES AND PROCEDURES

### A. General Operating Rules

1. School buses shall be operated in accordance with state traffic and school bus safety laws and the procedures contained in the Minnesota Department of Public Safety Model School Bus Driver Training Manual.
2. Only students assigned to the school bus by the school district shall be transported. The number of students or other authorized passengers transported in a school bus shall not be more than the legal capacity for the bus. No person shall be allowed to stand when the bus is in motion.
3. The parent/guardian may designate, pursuant to school district policy, a day care facility, respite care facility, the residence of a relative, or the residence of a person chosen by the parent or guardian as the address of the student for transportation purposes. The address must be in the attendance area of the assigned school and meet all other eligibility requirements.

4. Bus drivers must minimize, to the extent practical, the idling of school bus engines and exposure of children to diesel exhaust fumes.
5. To the extent practical, the school district will designate school bus loading/unloading zones at a sufficient distance from school air-intake systems to avoid diesel fumes from being drawn into the systems.
6. A bus driver may not operate a school bus while communicating over, or otherwise operating, a cellular phone for personal reasons, whether hand- held or hands free, when the vehicle is in motion or a part of traffic. For purposes of this paragraph, "school bus" has the meaning given in Minn. Stat. § 169.011, Subd. 71. In addition, "school bus" also includes type III vehicles when driven by employees or agents of the school district. "Cellular phone" means a cellular, analog, wireless, or digital telephone capable of sending or receiving telephone or text messages without an access line for service.

B. Type III Vehicles

1. Type III vehicles are restricted to passenger cars, station wagons, vans, and buses having a maximum manufacturer's rated seating capacity of 10 or fewer people including the driver and a gross vehicle weight rating of 10,000 pounds or less. A van or bus converted to a seating capacity of 10 or fewer and placed in service on or after August 1, 1999, must have been originally manufactured to comply with the passenger safety standards.
2. Type III vehicles must be painted a color other than national school bus yellow.
3. Type III vehicles shall be state inspected in accordance with legal requirements.
4. A type III vehicle cannot be older than 12 years old unless excepted by state and federal law.
5. If a type III vehicle is school district owned, the school district name will be clearly marked on the side of the vehicle. The type III vehicle must not have the words "school bus" in any location on the exterior of the vehicle or in any interior location visible to a motorist.

6. A “type III vehicle” must not be outwardly equipped and identified as a type A, B, C, or D bus.
7. Eight-lamp warning systems and stop arms must not be installed or used on type III vehicles.
8. Type III vehicles must be equipped with mirrors as required by law.
9. Any type III vehicle may not stop traffic and may not load or unload before making a complete stop and disengaging gears by shifting into neutral or park. Any type III vehicle used to transport students must not load or unload so that a student has to cross the road, except where not possible or impractical, then the driver or assistant must escort a student across the road. If the driver escorts the student across the road, then the motor must be stopped, the ignition key removed, the brakes set, and the vehicle otherwise rendered immobile.
10. Any type III vehicle used to transport students must carry emergency equipment including:
  - i. Fire extinguisher. A minimum of one 10BC rated dry chemical type fire extinguisher is required. The extinguisher must be mounted in a bracket, and must be located in the driver’s compartment and be readily accessible to the driver and passengers. A pressure indicator is required and must be easily read without removing the extinguisher from its mounted position.
  - ii. First aid kit and body fluids cleanup kit. A minimum of a 10-unit first aid kit and a body fluids cleanup kit is required. They must be contained in removable, moisture- and dust-proof containers mounted in an accessible place within the driver’s compartment and must be marked to indicate their identity and location.
  - iii. Passenger cars and station wagons may carry a fire extinguisher, a first aid kit, and warning triangles in the trunk or trunk area of the vehicle if a label in the driver and front passenger area clearly indicates the location of these items.
11. Students will not be regularly transported in private vehicles that are not state inspected as type III vehicles. Only emergency, unscheduled transportation may be conducted in vehicles with a seating capacity of 10 or fewer without meeting the requirements for a type III vehicle. Also, parents may use a private vehicle to

transport their own children under a contract with the district. The school district has no system of inspection for private vehicles.

12. All drivers of type III vehicles will be licensed drivers and will be familiar with the use of required emergency equipment. The school district will not knowingly allow a person to operate a type III vehicle if the person has been convicted of an offense that disqualifies the person from operating a school bus.

13. Type III vehicles will be equipped with child passenger restraints, and child passenger restraints will be utilized to the extent required by law.

C. Type III Vehicle Driven by Employees with a Driver's License Without a School Bus Endorsement

1. The holder of a Class A, B, C, or D driver's license, without a school bus endorsement, may operate a type III vehicle, described above, under the following conditions:

a. The operator is an employee of the entity that owns, leases, or contracts for the school bus, which may include the school district.

b. The operator's employer, which may include the school district, has adopted and implemented a policy that provides for annual training and certification of the operator in:

- 1) safe operation of a type III vehicle;
- 2) understanding student behavior, including issues relating to students with disabilities;
- 3) encouraging orderly conduct of students on the bus and handling incidents of misconduct appropriately;
- 4) knowing and understanding relevant laws, rules of the road, and local school bus safety policies;
- 5) handling emergency situations;
- 6) proper use of seat belts and child safety restraints;
- 7) performance of pre trip vehicle inspections;
- 8) safe loading and unloading of students, including, but not limited to:

- a. utilizing a safe location for loading and unloading students at the curb, on the non traffic side of the roadway, or at off-street loading areas, driveways, yards, and other areas to enable the student to avoid hazardous conditions;
  - b. refraining from loading and unloading students in a vehicular traffic lane, on the shoulder, in a designated turn lane, or a lane adjacent to a designated turn lane;
  - c. avoiding a loading or unloading location that would require a student to cross a road, or ensuring that the driver or an aide personally escort the student across the road if it is not reasonably feasible to avoid such a location;
  - d. placing the type III vehicle in “park” during loading and unloading;
  - e. escorting a student across the road under clause (c) only after the motor is stopped, the ignition key is removed, the brakes are set, and the vehicle is otherwise rendered immobile; and
- 9) compliance with paragraph V.F. concerning reporting convictions to the employer within 10 days of the date of conviction.
- c. A background check or background investigation of the operator has been conducted that meets the requirements under Minn. Stat. § 122A.18, Subd. 8, or Minn. Stat. § 123B.03 for school district employees; Minn. Stat. § 144.057 or Minn. Stat. Ch. 245C for day care employees; or Minn. Stat. § 171.321, Subd. 3, for all other persons operating a type III vehicle under this section.
  - d. Operators shall submit to a physical examination as required by Minn. Stat. § 171.321, Subd. 2.
  - e. The operator’s employer requires pre employment drug testing of applicants for operator positions. Current operators must comply with the employer’s policy under Minn. Stat. § 181.951, Subds. 2, 4, and 5. Notwithstanding any law to the contrary, the operator’s employer may use a breathalyzer or similar device to fulfill random alcohol testing requirements.

- f. The operator's driver's license is verified annually by the entity that owns, leases, or contracts for the type III vehicle as required by Minn. Stat. § 171.321, Subd. 5.
  - g. A person who sustains a conviction, as defined under Minn. Stat. § 609.02, of violating Minn. Stat. § 169A.25, § 169A.26, § 169A.27 (driving while impaired offenses), or § 169A.31 (alcohol- related school bus driver offenses), or whose driver's license is revoked under Minn. Stat. §§ 169A.50 to 169A.53 of the implied consent law, or who is convicted of violating or whose driver's license is revoked under a similar statute or ordinance of another state, is precluded from operating a type III vehicle for 5 years from the date of conviction.
  - h. A person who has ever been convicted of a disqualifying offense as defined in Minn. Stat. § 171.3215, Subd.1(c), (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor) may not operate a type III vehicle.
  - i. person who sustains a conviction, as defined under Minn. Stat. § 609.02, of a moving offense in violation of Minn. Stat. Ch. 169 within 3 years of the first of 3 other moving offenses is precluded from operating a type III vehicle for 1 year from the date of the last conviction.
  - j. Students riding the type III vehicle must have training required under Minn. Stat. § 123B.90, Subd. 2 (See Section II.B., above).
  - k. Documentation of meeting the requirements listed in this section must be maintained under separate file at the business location for each type III vehicle operator. The school district or any other entity that owns, leases, or contracts for the type III vehicle operating under this section is responsible for maintaining these files for inspection.
2. The type III vehicle must bear a current certificate of inspection issued under Minn. Stat. § 169.451.
  3. An employee of the school district who is not employed for the sole purpose of operating a type III vehicle may, in the discretion of the school district, be exempt from paragraphs VII.C.1.d. (physical examination) and VII.C.1.e. (drug testing), above.

D. Type A-I “Activity” Buses Driven by Employees with a Driver’s License Without a School Bus Endorsement

1. The holder of a Class D driver’s license, without a school bus endorsement, may operate a type A-I school bus or a Multi-function School Activity Bus (MFSAB) under the following conditions:
  - a. The operator is an employee of the school district or an independent contractor with whom the school district contracts for the school bus and is not solely hired to provide transportation services under this paragraph.
  - b. The operator drives the school bus only from points of origin to points of destination, not including home-to-school trips to pick up or drop off students.
  - c. The operator is prohibited from using the 8-light system if the vehicle is so equipped.
  - d. The operator has submitted to a background check and physical examination as required by Minn. Stat. § 171.321, Subd. 2.
  - e. The operator has a valid driver’s license and has not sustained a conviction of a disqualifying offense as set forth in Minn. Stat. § 171.02, Subd. 2a(h) - 2a(j).
  - f. The operator has been trained in the proper use of child safety restraints as set forth in the National Highway Traffic Safety Administration’s “Guideline for the Safe Transportation of Preschool Age Children in School Buses,” if child safety restraints are used by passengers, in addition to the training required in Section VI., above.
  - g. The bus has a gross vehicle weight rating of 14,500 pounds or less and is designed to transport 15 or fewer passengers, including the driver.
2. The school district shall maintain annual certification of the requirements listed in this section for each Class D license operator.
3. A school bus operated under this section must bear a current certificate of inspection.
4. The word “School” on the front and rear of the bus must be covered by a sign that reads “Activities” when the bus is being

operated under authority of this section.

### **VIII. SCHOOL DISTRICT EMERGENCY PROCEDURES**

- A. If possible, school bus drivers or their supervisors shall call “911” or the local emergency phone number in the event of a serious emergency.
- B. School bus drivers shall meet the emergency training requirements contained in Unit III “Crash & Emergency Preparedness” of the Minnesota Department of Public Safety Model School Bus Driver Training Manual. This includes procedures in the event of a crash (accident).
- C. School bus drivers and bus assistants for special education students requiring special transportation service because of their handicapping condition shall be trained in basic first aid procedures, shall within 1 month after the effective date of assignment participate in a program of in-service training on the proper methods for dealing with the specific needs and problems of students with disabilities, assist students with disabilities on and off the bus when necessary for their safe ingress and egress from the bus; and ensure that protective safety devices are in use and fastened properly.
- D. Emergency Health Information shall be maintained on the school bus for students requiring special transportation service because of their handicapping condition. The information shall state:
  - 1. the student’s name and address;
  - 2. the nature of the student’s disabilities;
  - 3. emergency health care information; and
  - 4. the names and telephone numbers of the student’s physician, parents, guardians, or custodians, and some person other than the student’s parents or custodians who can be contacted in case of an emergency.

### **IX. SCHOOL DISTRICT VEHICLE MAINTENANCE STANDARDS**

- A. All school vehicles shall be maintained in safe operating conditions through a systematic preventive maintenance and inspection program adopted or approved by the school district.
- B. All school vehicles shall be state inspected in accordance with legal requirements.
- C. A copy of the current daily pre-trip inspection report must be carried in the bus. Daily pre-trip inspections shall be maintained on file in

accordance with the school district's record retention schedule. Prompt reports of defects to be immediately corrected will be submitted.

- D. Daily post-trip inspections shall be performed to check for any children or lost items remaining on the bus and for vandalism.

## **X. SCHOOL TRANSPORTATION SAFETY DIRECTOR**

The school board has designated an individual to serve as the school district's school transportation safety director. The school transportation safety director shall have day-to-day responsibility for student transportation safety, including transportation of nonpublic school children when provided by the school district. The school transportation safety director will assure that this policy is periodically reviewed to ensure that it conforms to law. The school transportation safety director shall certify annually to the school board that each school bus driver meets the school bus driver training competencies required by Minn. Stat. § 171.321, Subd. 4. The transportation safety director also shall annually verify or ensure that the private contractor utilized by the school has verified the validity of the driver's license of each employee who regularly transports students for the school district in a type A, B, C, or D school bus, type III vehicle, or MFSAB with the National Driver Register or the Department of Public Safety. Upon request of the school district superintendent or the superintendent of the school district where nonpublic students are transported, the school transportation safety director also shall certify to the superintendent that students have received school bus safety training in accordance with state law. The name, address and telephone number of the school transportation safety director are on file in the school district office. Any questions regarding student transportation or this policy may be addressed to the school transportation safety director.

## **XI. STUDENT TRANSPORTATION SAFETY COMMITTEE**

The school board may establish a student transportation safety committee. The chair of the student transportation safety committee is the school district's school transportation safety director. The school board shall appoint the other members of the student transportation safety committee. Membership may include parents, school bus drivers, representatives of school bus companies, local law enforcement officials, other school district staff, and representatives from other units of local government.

**Legal References:** Minn. Stat. § 122A.18, Subd. 8 (Board to Issue Licenses)  
Minn. Stat. § 123B.03 (Background Check)  
Minn. Stat. § 123B.42 (Textbooks; Individual Instructor or Cooperative Learning Material; Standard Tests)

Minn. Stat. § 123B.88 (Independent School District's; Transportation) Minn. Stat. § 123B.885 (Diesel School Buses; Operation of Engine; Parking)  
Minn. Stat. § 123B.90 (School Bus Safety Training)  
Minn. Stat. § 123B.91 (School District Bus Safety Responsibilities)  
Minn. Stat. § 144.057 (Background Studies on Licensees and Other Personnel)  
Minn. Stat. Ch. 169 (Traffic Regulations)  
Minn. Stat. § 169.011, Subds. 15, 16, and 71 (Definitions)  
Minn. Stat. § 169.02 (Scope)  
Minn. Stat. § 169.443 (Safety of School Children; Bus Driver's Duties) Minn. Stat. § 169.446, Subd. 2 (Driver Training Programs)  
Minn. Stat. § 169.451 (Inspecting School and Head Start Buses; Rules; Misdemeanor)  
Minn. Stat. § 169.454 (Type III Vehicle Standards)  
Minn. Stat. § 169.4582 (Reportable Offense on School Buses)  
Minn. Stat. §§ 169A.25-169A.27 (Driving While Impaired)  
Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Bus Driving)  
Minn. Stat. §§ 169A.50-169A.53 (Implied Consent Law)  
Minn. Stat. § 171.02, Subds. 2, 2a, and 2b (Licenses; Types, Endorsements, Restrictions)  
Minn. Stat. § 171.168 (Notification of Conviction for Violation by a Commercial Driver)  
Minn. Stat. § 171.169 (Notification of Suspension of License of Commercial Driver)  
Minn. Stat. § 171.321 (Qualifications of School Bus Driver)  
Minn. Stat. § 171.3215, Subd. 1(c) (Canceling Bus Endorsement for Certain Offenses)

**Cross References:** Minn. Stat. §181.951 (Authorized Drug and Alcohol Testing)  
Minn. Stat. Ch. 245C (Human Services Background Studies)  
Minn. Stat. § 609.02 (Definitions)  
Minn. Rules Parts 7470.1000-7470.1700 (School Bus Inspection)  
49 C.F.R. § 383.31 (Notification of Convictions for Driver Violations) 49 C.F.R. § 383.33 (Notification of Driver's License Suspensions)  
49 C.F.R. § 383.5 (Transportation Definitions)  
MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)  
MSBA/MASA Model Policy 506 (Student Discipline)

MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

MSBA/MASA Model Policy 707 (Transportation of Public Students) MSBA/MASA Model Policy 708 (Transportation of Nonpublic Students) MSBA/MASA Model Policy 710 (Extracurricular Transportation)

[Princeton Public Schools Guidelines and Consequences for Bus Stop and Bus Procedures](#)

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## **709 STUDENT TRANSPORTATION SAFETY POLICY**

*[Note: School districts are required by statute to have a policy addressing these issues.]*

### **I. PURPOSE**

The purpose of this policy is to provide safe transportation for students and to educate students on safety issues and the responsibilities of school bus ridership.

### **II. PLAN FOR STUDENT TRANSPORTATION SAFETY TRAINING**

#### **A. School Bus Safety Week**

The school district may designate a school bus safety week. The National School Bus Safety Week is the third week in October.

#### **B. Student Training**

1. The school district shall provide students enrolled in grades kindergarten (K) through 10 with age-appropriate school bus safety training of the following concepts:
  - a. transportation by school bus is a privilege, not a right;
  - b. school district policies for student conduct and school bus safety;
  - c. appropriate conduct while on the bus;
  - d. the danger zones surrounding a school bus;
  - e. procedures for safely boarding and leaving a school bus;
  - f. procedures for safe vehicle lane crossing; and
  - g. school bus evacuation and other emergency procedures.
2. All students in grades K through 6 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training by the end of the third week of school. All students in grades 7 through 10 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training or receive bus safety instruction materials by the end of the sixth week of school, if they have not previously received school bus

training. Students in grades K through 10 who enroll in a school after the second week of school, are transported by school bus, and have not received training in their previous school districts shall undergo school bus safety training or receive bus safety instructional materials within 4 weeks of their first day of attendance.

3. The school district and a nonpublic school with students transported by school bus at public expense must provide students enrolled in grades K through 3 school bus safety training twice during the school year.
4. Students taking driver's training instructional classes must receive training in the laws and proper procedures for operating a motor vehicle in the vicinity of a school bus as required by Minn. Stat. § 169.446, Subd. 2.
5. The school district and a nonpublic school with students transported by school bus at public expense must conduct a school bus evacuation drill at least once during the school year.
6. The school district will make reasonable accommodations in training for students known to speak English as a second language and students with disabilities.
7. The school district may provide kindergarten students with school bus safety training before the first day of school.
8. The school district may provide student safety education for bicycling and pedestrian safety for students in grades K through 5.
9. The school district shall adopt and make available for public review a curriculum for transportation safety education.
10. Nonpublic school students transported by the school district will receive school bus safety training by their nonpublic school. The nonpublic schools may use the school district's school transportation safety education curriculum. Upon request by the school district superintendent, the nonpublic school must certify to the school district's school transportation safety director that all students enrolled in grades K through 10 have received the appropriate training.

### **III. CONDUCT ON SCHOOL BUSES AND CONSEQUENCES FOR MISBEHAVIOR**

- A. Riding the school bus is a privilege, not a right. The school district's general student behavior rules are in effect for all students on school buses, including nonpublic and charter school students.
- B. Consequences for school bus/bus stop misconduct will be imposed by the school district under adopted administrative discipline procedures. In addition, all school bus/bus stop misconduct will be reported to the school district's transportation

safety director. Serious misconduct may be reported to local law enforcement.

1. School Bus and Bus Stop Rules. The school district school bus safety rules are to be posted on every bus. If these rules are broken, the school district's discipline procedures are to be followed. In most circumstances, consequences are progressive and may include suspension of bus privileges. It is the school bus driver's responsibility to report unacceptable behavior to the school district's Transportation Office/School Office.
2. Rules at the Bus Stop
  - a. Get to your bus stop 5 minutes before your scheduled pick up time. The school bus driver will not wait for late students.
  - b. Respect the property of others while waiting at your bus stop.
  - c. Keep your arms, legs, and belongings to yourself.
  - d. Use appropriate language.
  - e. Stay away from the street, road, or highway when waiting for the bus.
  - f. Wait until the bus stops before approaching the bus.
  - g. After getting off the bus, move away from the bus.
  - h. If you must cross the street, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.
  - i. No fighting, harassment, intimidation, or horseplay.
  - j. No use of alcohol, tobacco, or drugs.
3. Rules on the Bus
  - a. Immediately follow the directions of the driver.
  - b. Sit in your seat facing forward.
  - c. Talk quietly and use appropriate language.
  - d. Keep all parts of your body inside the bus.
  - e. Keep your arms, legs, and belongings to yourself.

- f. No fighting, harassment, intimidation, or horseplay.
- g. Do not throw any object.
- h. No eating, drinking, or use of alcohol, tobacco, or drugs.
- i. Do not bring any weapons or dangerous objects on the school bus.
- j. Do not damage the school bus.

4. Consequences

- a. Consequences for school bus/bus stop misconduct will apply to all regular and late routes. Decisions regarding a student’s ability to ride the bus in connection with cocurricular and extracurricular events (for example, field trips or competitions) will be in the sole discretion of the school district. Parents or guardians will be notified of any suspension of bus privileges.

(1) Elementary (K-6)

1st offense – warning

2nd offense – 3 school-day suspension from riding the bus

3rd offense – 5 school-day suspension from riding the bus

4th offense – 10 school-day suspension from riding the bus/meeting with parent

Further offenses – individually considered. Students may be suspended for longer periods of time, including the remainder of the school year.

(2) Secondary (7-12)

1st offense – warning

2nd offense – 5 school-day suspension from riding the bus

3rd offense – 10 school-day suspension from riding the bus

4th offense – 20 school-day suspension from riding the bus/meeting with parent

5th offense – suspended from riding the bus for the remainder of the school year

Note: When any student goes 60 transportation days without a report, the student’s consequences may start over at the first offense.

(3) Other Discipline

Based on the severity of a student’s conduct, more serious consequences may be imposed at any time. Depending on the nature of the offense, consequences such as suspension

or expulsion from school also may result from school bus/bus stop misconduct.

(4) Records

Records of school bus/bus stop misconduct will be forwarded to the individual school building and will be retained in the same manner as other student discipline records. Reports of student misbehavior on a school bus or in a bus-loading or unloading area that are reasonably believed to cause an immediate and substantial danger to the student or surrounding persons or property shall be provided by the school district to local law enforcement and the Department of Public Safety in accordance with state and federal law.

(5) Vandalism/Bus Damage

Students damaging school buses will be responsible for the damages. Failure to pay such damages (or make arrangements to pay) within 2 weeks may result in the loss of bus privileges until damages are paid.

(6) Notice

School bus and bus stop rules and consequences for violations of these rules will be reviewed with students annually and copies of these rules will be made available to students. School bus rules are to be posted on each school bus.

(7) Criminal Conduct

In cases involving criminal conduct (for example, assault, weapons, drug possession, or vandalism), the appropriate school district personnel and local law enforcement officials will be informed.

#### **IV. PARENT AND GUARDIAN INVOLVEMENT**

A. Parent and Guardian Notification

The school district school bus and bus stop rules will be provided to each family. Parents and guardians are asked to review the rules with their children.

B. Parents/Guardians Responsibilities for Transportation Safety

Parents/Guardians are responsible to:

1. Become familiar with school district rules, policies, regulations, and the principles of school bus safety, and thoroughly review them with their children;
2. Support safe riding and walking practices, and recognize that students are responsible for their actions;
3. Communicate safety concerns to their school administrators;
4. Monitor bus stops, if possible;
5. Have their children to the bus stop 5 minutes before the bus arrives;
6. Have their children properly dressed for the weather; and
7. Have a plan in case the bus is late.

**V. SCHOOL BUS DRIVER DUTIES AND RESPONSIBILITIES**

- A. School bus drivers shall have a valid Class A, B, or C Minnesota driver’s license with a school bus endorsement. A person possessing a valid driver’s license, without a school bus endorsement, may drive a type III vehicle set forth in Sections VII.B. and VII.C., below. Drivers with a valid Class D driver’s license, without a school bus endorsement, may operate a “type A-I” school bus as set forth in Section VII.D., below.
- B. The school district shall conduct mandatory drug and alcohol testing of all school district bus drivers and bus driver applicants in accordance with state and federal law and school district policy.
- C. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a commercial driver’s license and who is convicted of a criminal offense, a serious traffic violation, or of violating any other state or local law relating to motor vehicle traffic control, other than a parking violation, in any type of motor vehicle in a state or jurisdiction other than Minnesota, shall notify the Minnesota Division of Driver and Vehicle Services (Division) of the conviction within 30 days of the conviction. For purposes of this paragraph, a “serious traffic violation” means a conviction of any of the following offenses:
  1. excessive speeding, involving any single offense for any speed of 15 miles per hour or more above the posted speed limit;
  2. reckless driving;
  3. improper or erratic traffic lane changes;
  4. following the vehicle ahead too closely;

5. a violation of state or local law, relating to motor vehicle traffic control, arising in connection with a fatal accident;
  6. driving a commercial vehicle without obtaining a commercial driver's license or without having a commercial driver's license in the driver's possession.
- D. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a commercial driver's license and who is convicted of violating, in any type of motor vehicle, a Minnesota state or local law relating to motor vehicle traffic control, other than a parking violation, shall notify the person's employer of the conviction within 30 days of conviction. The notification shall be in writing and shall contain all the information set forth in Attachment A accompanying this policy.
- E. A school bus driver, with the exception of a driver operating a type A-I school bus ~~or type III vehicle~~, who has a Minnesota commercial driver's license suspended, revoked, or cancelled by the state of Minnesota or any other state or jurisdiction and who loses the right to operate a commercial vehicle for any period or who is disqualified from operating a commercial motor vehicle for any period shall notify the person's employer of the suspension, revocation, cancellation, lost privilege, or disqualification. Such notification shall be made before the end of the business day following the day the employee received notice of the suspension, revocation, cancellation, lost privilege, or disqualification. The notification shall be in writing and shall contain all the information set forth in Attachment B accompanying this policy.
- F. A person who operates a type III vehicle and who sustains a conviction as described in Section VII.C.1.g. (i.e., driving while impaired offenses), VII.C.1.h. (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor), or VII.C.1.i. (multiple moving violations) while employed by the entity that owns, leases, or contracts for the school bus, shall report the conviction to the person's employer within 10 days of the date of the conviction. The notification shall be in writing and shall contain all the information set forth in Attachment C accompanying this policy.

## **VI. SCHOOL BUS DRIVER TRAINING**

### **A. Training**

1. All new school bus drivers shall be provided with pre-service training, including in-vehicle (actual driving) instruction, before transporting students and shall meet the competency testing specified in the Minnesota Department of Public Safety Model School Bus Driver Training Manual. All school bus drivers shall receive in-service training annually. For

purposes of this section, “annually” means at least once every 380 days from the initial or previous evaluation and at least once every 380 days from the initial or previous license verification. The school district shall retain on file an annual individual school bus driver “evaluation certification” form for each school district driver as contained in the Model School Bus Driver Training Manual.

***[Note: The Model School Bus Driver Training Manual is available online through the Minnesota Department of Public Safety State Patrol web page.]***

2. All bus drivers operating a type III vehicle will be provided with annual training and certification as set forth in Section VII.C.1.b., below, by either the school district or the entity from whom such services are contracted by the school district.

#### B. Evaluation

School bus drivers with a Class D license will be evaluated annually and all other bus drivers will be assessed periodically for the following competencies:

1. Safely operate the type of school bus the driver will be driving;
2. Understand student behavior, including issues relating to students with disabilities;
3. Ensure orderly conduct of students on the bus and handling incidents of misconduct appropriately;
4. Know and understand relevant laws, rules of the road, and local school bus safety policies;
5. Handle emergency situations; and
6. Safely load and unload students.

The evaluation must include completion of an individual “school bus driver evaluation form” (road test evaluation) as contained in the Model School Bus Driver Training Manual.

***[Note: The school district may use alternative assessments rather than those set forth in the Model School Bus Driver Training Manual for bus driver training competencies with the approval of the Commissioner of Public Safety. A driver also may receive at least 8 hours of school bus in-service training in any year as an alternative to being assessed for bus driver competencies after the initial year of being assessed for bus driver competencies.]***

## VII. OPERATING RULES AND PROCEDURES

A. General Operating Rules

1. School buses shall be operated in accordance with state traffic and school bus safety laws and the procedures contained in the Minnesota Department of Public Safety Model School Bus Driver Training Manual.

***[Note: The Model School Bus Driver Training Manual is available online through the Minnesota Department of Public Safety State Patrol web page.]***

2. Only students assigned to the school bus by the school district shall be transported. The number of students or other authorized passengers transported in a school bus shall not be more than the legal capacity for the bus. No person shall be allowed to stand when the bus is in motion.
3. The parent/guardian may designate, pursuant to school district policy, a day care facility, respite care facility, the residence of a relative, or the residence of a person chosen by the parent or guardian as the address of the student for transportation purposes. The address must be in the attendance area of the assigned school and meet all other eligibility requirements.
4. Bus drivers must minimize, to the extent practical, the idling of school bus engines and exposure of children to diesel exhaust fumes.
5. To the extent practical, the school district will designate school bus loading/unloading zones at a sufficient distance from school air-intake systems to avoid diesel fumes from being drawn into the systems.

***[Note: A school district is not required to comply with Section VII.A.5. if the school board determines that alternative locations block traffic, impair student safety, or are not cost effective.]***

6. A bus driver may not operate a school bus while communicating over, or otherwise operating, a cellular phone for personal reasons, whether hand-held or hands free, when the vehicle is in motion or a part of traffic. For purposes of this paragraph, “school bus” has the meaning given in Minn. Stat. § 169.011, Subd. 71. In addition, “school bus” also includes type III vehicles when driven by employees or agents of the school district. “Cellular phone” means a cellular, analog, wireless, or digital telephone capable of sending or receiving telephone or text messages without an access line for service.

B. Type III Vehicles

1. Type III vehicles are restricted to passenger cars, station wagons, vans, and buses having a maximum manufacturer’s rated seating capacity of 10 or fewer people including the driver and a gross vehicle weight rating of 10,000 pounds or less. A van or bus converted to a seating capacity of 10

or fewer and placed in service on or after August 1, 1999, must have been originally manufactured to comply with the passenger safety standards.

2. Type III vehicles must be painted a color other than national school bus yellow.
3. Type III vehicles shall be state inspected in accordance with legal requirements.
4. A type III vehicle cannot be older than 12 years old unless excepted by state and federal law.
5. If a type III vehicle is school district owned, the school district name will be clearly marked on the side of the vehicle. The type III vehicle must not have the words “school bus” in any location on the exterior of the vehicle or in any interior location visible to a motorist.
6. A “type III vehicle” must not be outwardly equipped and identified as a type A, B, C, or D bus.
7. Eight-lamp warning systems and stop arms must not be installed or used on type III vehicles.
8. Type III vehicles must be equipped with mirrors as required by law.
9. Any type III vehicle may not stop traffic and may not load or unload before making a complete stop and disengaging gears by shifting into neutral or park. Any type III vehicle used to transport students must not load or unload so that a student has to cross the road, except where not possible or impractical, then the driver or assistant must escort a student across the road. If the driver escorts the student across the road, then the motor must be stopped, the ignition key removed, the brakes set, and the vehicle otherwise rendered immobile.
10. Any type III vehicle used to transport students must carry emergency equipment including:
  - a. Fire extinguisher. A minimum of one 10BC rated dry chemical type fire extinguisher is required. The extinguisher must be mounted in a bracket, and must be located in the driver’s compartment and be readily accessible to the driver and passengers. A pressure indicator is required and must be easily read without removing the extinguisher from its mounted position.
  - b. First aid kit and body fluids cleanup kit. A minimum of a 10-unit first aid kit and a body fluids cleanup kit is required. They must be contained in removable, moisture- and dust-proof containers mounted in an accessible place within the driver’s compartment

and must be marked to indicate their identity and location.

- c. Passenger cars and station wagons may carry a fire extinguisher, a first aid kit, and warning triangles in the trunk or trunk area of the vehicle if a label in the driver and front passenger area clearly indicates the location of these items.
11. Students will not be regularly transported in private vehicles that are not state inspected as type III vehicles. Only emergency, unscheduled transportation may be conducted in vehicles with a seating capacity of 10 or fewer without meeting the requirements for a type III vehicle. Also, parents may use a private vehicle to transport their own children under a contract with the district. The school district has no system of inspection for private vehicles.
12. All drivers of type III vehicles will be licensed drivers and will be familiar with the use of required emergency equipment. The school district will not knowingly allow a person to operate a type III vehicle if the person has been convicted of an offense that disqualifies the person from operating a school bus.
13. Type III vehicles will be equipped with child passenger restraints, and child passenger restraints will be utilized to the extent required by law.

C. Type III Vehicle Driven by Employees with a Driver's License Without a School Bus Endorsement

1. The holder of a Class A, B, C, or D driver's license, without a school bus endorsement, may operate a type III vehicle, described above, under the following conditions:
  - a. The operator is an employee of the entity that owns, leases, or contracts for the school bus, which may include the school district.
  - b. The operator's employer, which may include the school district, has adopted and implemented a policy that provides for annual training and certification of the operator in:
    - (1) safe operation of a type III vehicle;
    - (2) understanding student behavior, including issues relating to students with disabilities;
    - (3) encouraging orderly conduct of students on the bus and handling incidents of misconduct appropriately;
    - (4) knowing and understanding relevant laws, rules of the road, and local school bus safety policies;

- (5) handling emergency situations;
  - (6) proper use of seat belts and child safety restraints;
  - (7) performance of pretrip vehicle inspections;
  - (8) safe loading and unloading of students, including, but not limited to:
    - (a) utilizing a safe location for loading and unloading students at the curb, on the nontraffic side of the roadway, or at off-street loading areas, driveways, yards, and other areas to enable the student to avoid hazardous conditions;
    - (b) refraining from loading and unloading students in a vehicular traffic lane, on the shoulder, in a designated turn lane, or a lane adjacent to a designated turn lane;
    - (c) avoiding a loading or unloading location that would require a student to cross a road, or ensuring that the driver or an aide personally escort the student across the road if it is not reasonably feasible to avoid such a location;
    - (d) placing the type III vehicle in “park” during loading and unloading;
    - (e) escorting a student across the road under clause (c) only after the motor is stopped, the ignition key is removed, the brakes are set, and the vehicle is otherwise rendered immobile; and
  - (9) compliance with paragraph V.F. concerning reporting convictions to the employer within 10 days of the date of conviction.
- c. A background check or background investigation of the operator has been conducted that meets the requirements under Minn. Stat. § 122A.18, Subd. 8, or Minn. Stat. § 123B.03 for school district employees; Minn. Stat. § 144.057 or Minn. Stat. Ch. 245C for day care employees; or Minn. Stat. § 171.321, Subd. 3, for all other persons operating a type III vehicle under this section.
  - d. Operators shall submit to a physical examination as required by Minn. Stat. § 171.321, Subd. 2.

- e. The operator's employer requires preemployment drug testing of applicants for operator positions. Current operators must comply with the employer's policy under Minn. Stat. § 181.951, Subds. 2, 4, and 5. Notwithstanding any law to the contrary, the operator's employer may use a breathalyzer or similar device to fulfill random alcohol testing requirements.
  - f. The operator's driver's license is verified annually by the entity that owns, leases, or contracts for the type III vehicle as required by Minn. Stat. § 171.321, Subd. 5.
  - g. A person who sustains a conviction, as defined under Minn. Stat. § 609.02, of violating Minn. Stat. § 169A.25, § 169A.26, § 169A.27 (driving while impaired offenses), or § 169A.31 (alcohol-related school bus driver offenses), or whose driver's license is revoked under Minn. Stat. §§ 169A.50 to 169A.53 of the implied consent law, or who is convicted of violating or whose driver's license is revoked under a similar statute or ordinance of another state, is precluded from operating a type III vehicle for 5 years from the date of conviction.
  - h. A person who has ever been convicted of a disqualifying offense as defined in Minn. Stat. § 171.3215, Subd.1(c), (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor) may not operate a type III vehicle.
  - i. A person who sustains a conviction, as defined under Minn. Stat. § 609.02, of a moving offense in violation of Minn. Stat. Ch. 169 within 3 years of the first of 3 other moving offenses is precluded from operating a type III vehicle for 1 year from the date of the last conviction.
  - j. Students riding the type III vehicle must have training required under Minn. Stat. § 123B.90, Subd. 2 (See Section II.B., above).
  - k. Documentation of meeting the requirements listed in this section must be maintained under separate file at the business location for each type III vehicle operator. The school district or any other entity that owns, leases, or contracts for the type III vehicle operating under this section is responsible for maintaining these files for inspection.
2. The type III vehicle must bear a current certificate of inspection issued under Minn. Stat. § 169.451.

3. An employee of the school district who is not employed for the sole purpose of operating a type III vehicle may, in the discretion of the school district, be exempt from paragraphs VII.C.1.d. (physical examination) and VII.C.1.e. (drug testing), above.

D. Type A-I “Activity” Buses Driven by Employees with a Driver’s License Without a School Bus Endorsement

1. The holder of a Class D driver’s license, without a school bus endorsement, may operate a type A-I school bus or a Multifunction School Activity Bus (MFSAB) under the following conditions:
  - a. The operator is an employee of the school district or an independent contractor with whom the school district contracts for the school bus and is not solely hired to provide transportation services under this paragraph.
  - b. The operator drives the school bus only from points of origin to points of destination, not including home-to-school trips to pick up or drop off students.
  - c. The operator is prohibited from using the 8-light system if the vehicle is so equipped.
  - d. The operator has submitted to a background check and physical examination as required by Minn. Stat. § 171.321, Subd. 2.
  - e. The operator has a valid driver’s license and has not sustained a conviction of a disqualifying offense as set forth in Minn. Stat. § 171.02, Subd. 2a(h) - 2a(j).
  - f. The operator has been trained in the proper use of child safety restraints as set forth in the National Highway Traffic Safety Administration’s “Guideline for the Safe Transportation of Pre-school Age Children in School Buses,” if child safety restraints are used by passengers, in addition to the training required in Section VI., above.
  - g. The bus has a gross vehicle weight rating of 14,500 pounds or less and is designed to transport 15 or fewer passengers, including the driver.
2. The school district shall maintain annual certification of the requirements listed in this section for each Class D license operator.
3. A school bus operated under this section must bear a current certificate of inspection.

4. The word "School" on the front and rear of the bus must be covered by a sign that reads "Activities" when the bus is being operated under authority of this section.

## **VIII. SCHOOL DISTRICT EMERGENCY PROCEDURES**

- A. If possible, school bus drivers or their supervisors shall call "911" or the local emergency phone number in the event of a serious emergency.
- B. School bus drivers shall meet the emergency training requirements contained in Unit III "Crash & Emergency Preparedness" of the Minnesota Department of Public Safety Model School Bus Driver Training Manual. This includes procedures in the event of a crash (accident).

*[Note: The Model School Bus Driver Training Manual is available online through the Minnesota Department of Public Safety State Patrol web page.]*

- C. School bus drivers and bus assistants for special education students requiring special transportation service because of their handicapping condition shall be trained in basic first aid procedures, shall within 1 month after the effective date of assignment participate in a program of in-service training on the proper methods for dealing with the specific needs and problems of students with disabilities, assist students with disabilities on and off the bus when necessary for their safe ingress and egress from the bus; and ensure that protective safety devices are in use and fastened properly.
- D. Emergency Health Information shall be maintained on the school bus for students requiring special transportation service because of their handicapping condition. The information shall state:
  1. the student's name and address;
  2. the nature of the student's disabilities;
  3. emergency health care information; and
  4. the names and telephone numbers of the student's physician, parents, guardians, or custodians, and some person other than the student's parents or custodians who can be contacted in case of an emergency.

## **IX. SCHOOL DISTRICT VEHICLE MAINTENANCE STANDARDS**

- A. All school vehicles shall be maintained in safe operating conditions through a systematic preventive maintenance and inspection program adopted or approved by the school district.
- B. All school vehicles shall be state inspected in accordance with legal requirements.

- C. A copy of the current daily pre-trip inspection report must be carried in the bus. Daily pre-trip inspections shall be maintained on file in accordance with the school district's record retention schedule. Prompt reports of defects to be immediately corrected will be submitted.
- D. Daily post-trip inspections shall be performed to check for any children or lost items remaining on the bus and for vandalism.

**X. SCHOOL TRANSPORTATION SAFETY DIRECTOR**

The school board has designated an individual to serve as the school district's school transportation safety director. The school transportation safety director shall have day-to-day responsibility for student transportation safety, including transportation of nonpublic school children when provided by the school district. The school transportation safety director will assure that this policy is periodically reviewed to ensure that it conforms to law. The school transportation safety director shall certify annually to the school board that each school bus driver meets the school bus driver training competencies required by Minn. Stat. § 171.321, Subd. 4. The transportation safety director also shall annually verify or ensure that the private contractor utilized by the school has verified the validity of the driver's license of each employee who regularly transports students for the school district in a type A, B, C, or D school bus, type III vehicle, or MFSAB with the National Driver Register or the Department of Public Safety. Upon request of the school district superintendent or the superintendent of the school district where nonpublic students are transported, the school transportation safety director also shall certify to the superintendent that students have received school bus safety training in accordance with state law. The name, address and telephone number of the school transportation safety director are on file in the school district office. Any questions regarding student transportation or this policy may be addressed to the school transportation safety director.

**XI. STUDENT TRANSPORTATION SAFETY COMMITTEE**

The school board may establish a student transportation safety committee. The chair of the student transportation safety committee is the school district's school transportation safety director. The school board shall appoint the other members of the student transportation safety committee. Membership may include parents, school bus drivers, representatives of school bus companies, local law enforcement officials, other school district staff, and representatives from other units of local government.

**Legal References:** Minn. Stat. § 122A.18, Subd. 8 (Board to Issue Licenses)  
Minn. Stat. § 123B.03 (Background Check)  
Minn. Stat. § 123B.42 (Textbooks; Individual Instructor or Cooperative Learning Material; Standard Tests)  
Minn. Stat. § 123B.88 (Independent School Districts; Transportation)  
Minn. Stat. § 123B.885 (Diesel School Buses; Operation of Engine; Parking)  
Minn. Stat. § 123B.90 (School Bus Safety Training)  
Minn. Stat. § 123B.91 (School District Bus Safety Responsibilities)

Minn. Stat. § 144.057 (Background Studies on Licensees and Other Personnel)  
 Minn. Stat. Ch. 169 (Traffic Regulations)  
 Minn. Stat. § 169.011, Subds. 15, 16, and 71 (Definitions)  
 Minn. Stat. § 169.02 (Scope)  
 Minn. Stat. § 169.443 (Safety of School Children; Bus Driver's Duties)  
 Minn. Stat. § 169.446, Subd. 2 (Driver Training Programs)  
 Minn. Stat. § 169.451 (Inspecting School and Head Start Buses; Rules; Misdemeanor)  
 Minn. Stat. § 169.454 (Type III Vehicle Standards)  
 Minn. Stat. § 169.4582 (Reportable Offense on School Buses)  
 Minn. Stat. §§ 169A.25-169A.27 (Driving While Impaired)  
 Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Bus Driving)  
 Minn. Stat. §§ 169A.50-169A.53 (Implied Consent Law)  
 Minn. Stat. § 171.02, Subds. 2, 2a, and 2b (Licenses; Types, Endorsements, Restrictions)  
 Minn. Stat. § 171.168 (Notification of Conviction for Violation by a Commercial Driver)  
 Minn. Stat. § 171.169 (Notification of Suspension of License of Commercial Driver)  
 Minn. Stat. § 171.321 (Qualifications of School Bus Driver)  
 Minn. Stat. § 171.3215, Subd. 1(c) (Canceling Bus Endorsement for Certain Offenses)  
 Minn. Stat. § 181.951 (Authorized Drug and Alcohol Testing)  
 Minn. Stat. Ch. 245C (Human Services Background Studies)  
 Minn. Stat. § 609.02 (Definitions)  
 Minn. Rules Parts 7470.1000-7470.1700 (School Bus Inspection)  
 49 C.F.R. § 383.31 (Notification of Convictions for Driver Violations)  
 49 C.F.R. § 383.33 (Notification of Driver's License Suspensions)  
 49 C.F.R. § 383.5 (Transportation Definitions)

***Cross References:*** MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)  
 MSBA/MASA Model Policy 506 (Student Discipline)  
 MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
 MSBA/MASA Model Policy 707 (Transportation of Public Students)  
 MSBA/MASA Model Policy 708 (Transportation of Nonpublic Students)  
 MSBA/MASA Model Policy 710 (Extracurricular Transportation)



**Princeton Public Schools - Policy 709 - Student Transportation Safety Policy - review and recommended revisions.**

To: Superintendent Ben Barton

From: Dan Voce - Princeton Middle School Principal - Bus Review Team

After reviewing District Policy 709 and working with building administration on providing safe and consistent bus rules or expectations, the following recommendations are being presented. Copy of document with [recommendations for of Draft Policy 709](#) - Student Transportation Safety Policy.

Section III. Conduct on school buses and consequences for misbehavior.

2. Rules at the Bus Stop

J. Include e-cigarettes to the list of no use.

3. Rules on the Bus

H. Include e-cigarettes to the list of no use.

4. Consequences - **Insert language** - The administration will develop procedures for appropriate education and consequences for students at the bus stop and riding the bus.

Link to policy-[Updated Guidelines and Consequences for Bus Stop and Bus.](#)

**Delete Below items in Policy.**

1. Elementary (Pre K-5) Consequences
2. Secondary (6-12) Consequences

The following items are parts of the policy the District may want to ensure are in place.

- Section II - Plan for student transportation safety training
  - Item 2. Students are trained on bus safety instruction and bus rules.
  - Item 3. Students in non public schools transported receive bus safety instruction.
  - Item 5. School district must conduct an school bus evacuation drill at least once a school year.
- Section III - School Bus and Bus Stop Rules
  - The school district school bus safety rules are to be posted on every bus.
- Section IV - Parent and guardian involvement.
  - Part A. The school district school bus and bus stop rules will be provided to each family. Parents are asked to review the rules with their children.



## **Student Transportation Expectations and Consequences**

Our goal is to provide safe transportation and a positive experience for all students. Transportation to and from school by bus is a privilege, not a right. This privilege can be suspended or terminated. Students are expected to follow the same behavior expectations while riding school buses, or at the bus stop, as those on school property, at school activities, functions, or events. All school rules are in effect while a student is riding the bus or at the bus stop. Consequences for inappropriate behaviors on the school bus and at the bus stop will be reported to, and handled by, school administration or designee. Illegal conduct will be reported to law enforcement.

### **School Bus and Bus Stop Expectations**

The district school bus expectations will be posted on every bus and reviewed with students at each school. Students who violate expectations on school transportation or at designated bus stops will receive a bus referral, and consequences will follow. Consequences are progressive and may include suspension of bus privileges.

- Arrive at your bus stop five minutes prior to scheduled pick up time.
- Wait for bus driver's signal. Cross 10 feet in front of bus.
- Get on and off only at designated stop or school.
- Respect the bus driver and monitors by following directions.
- Respect other students and their personal belongings.
- Use respectful language and appropriate voice level.
- Stay seated in assigned area or seat at all times.
- Keep all parts of your body, and all possessions, inside of the bus.
- Eating or drinking are allowed at the discretion of the bus driver.
- Keep the bus clean and litter-free. Throwing of any items on the bus is prohibited and unsafe.
- Large items are not allowed on the bus without permission from the driver.
- Respect the school bus and equipment. Student will be responsible for cost of damages to property. Bus riding privileges may be withheld until an acceptable plan of restitution is made.
- Physical contact on the bus is unsafe and unacceptable. This includes pushing, hitting, kicking, horseplay, intimidation, and fighting.
- The use and/or possession of illegal substances, or related items, is strictly prohibited. This includes, but is not limited to the use or possession of alcohol, drugs and drug paraphernalia, lighters, tobacco, vaping or e-cigarettes products, weapons or look-alike weapons.

Students who do not follow the bus stop and/or bus expectations may lose their bus riding privileges for a period of time. Students are still required to attend school when they are suspended from school transportation. Parent(s) are then responsible for transportation to and from school. Transportation by school bus is a privilege, not a right, for an eligible student. (Minnesota Statutes, Sec. 4 (123.801).

### **Guidelines and Consequences for Not Following Bus/Bus Stop Expectations**

We expect all students to follow the expectations on school transportation and display positive and safe behaviors. Consequences are progressive and may include suspension of bus privileges. Consequences for school bus and/or bus stop misconduct will apply to field trips, activities, and regular or late routes. Decisions regarding a student's ability to ride the bus in connection with co-curricular and extra-curricular events (field trips, competitions, and activities) will be at the sole discretion of the school district. Parents or guardians will be notified of any bus suspension or loss of riding privileges and are responsible for the student's transportation during the suspension. Consequences for the school bus and bus stop will be reported to and handled by school administration or designee.

**Minor Incidents:** Disrespectful behavior, minor physical contact or horseplay, taking personal items from others, name calling, not following directions, littering, excessive noise level, leaving seat, inappropriate language or gestures, inappropriate use of cell phone or technology, arguing, disobedience towards driver or monitor, other incidents reported and deemed inappropriate.

**Major Incidents:** Major physical aggression (fighting, kicking, punching, etc), profanity and abusive language directed at driver, monitor, or another student, sexual or racial language, damage or theft of property, intimidating or threatening behaviors, insubordination toward driver or monitor, possession or use of illegal substances or related items (tobacco, drugs, e-cigs, weapons), throwing items out of the bus, throwing items at other students.

<b>Early Childhood, Primary and Intermediate Elementary: Response to Bus Referrals</b>				
	<b>1st Incident</b>	<b>2nd Incident</b>	<b>3rd Incident</b>	<b>4+ Incident</b>
<b>Minors</b>	Education, parent contact, written warning	Education, parent contact, up to 1 day bus suspension and/or a) restitution b) meeting with driver c) assigned seat	Education, parent contact, up to 3 day bus suspension and/or a) restitution b) meeting with driver c) assigned seat d) in-school consequences	Education, up to 5 day bus suspension and a parent meeting, possible loss of bus service and/or a) restitution b) meeting with driver c) assigned seat d) in-school consequences
<b>Majors</b>	Education, parent contact, written warning and in-school consequence, or 1 day suspension and/or a) restitution b) assigned seat	Education, parent contact, up to a 3 day bus suspension and/or a)restitution b) assigned seat c) meeting with driver, d) in-school consequences	Education, up to a 5 day bus suspension and a parent meeting and/or a) restitution b) assigned seat c) meeting with driver, d) in-school consequences	Education, up to a 7 day bus suspension and a parent meeting, possible loss of bus service and/or a) restitution b) assigned seat c) meeting with driver, d) in-school consequences

**Education may include:** Re-teaching bus expectations, counselor referral, conference with student, individual plan, role playing, reading replacement behavior stories, apology, etc.

<b>Secondary: Middle and High School: Response to Bus Referrals</b>				
	<b>1st Incident</b>	<b>2nd Incident</b>	<b>3rd Incident</b>	<b>4+ Incident</b>
<b>Minors</b>	Education, parent contact, and/or written warning	Education, parent contact, up to 3 day bus suspension and/or a) restitution b) meeting with driver c) assigned seat	Education, parent contact, up to 5 day bus suspension and/or a) restitution b) meeting with driver c) assigned seat d) in-school consequences	Education, parent contact, up to 10 day bus suspension, possible loss of bus service and/or a)restitution b) meeting with driver c) assigned seat d) in-school consequences
<b>Majors</b>	Education, parent contact, written warning and in-school consequence, up to a 5 day suspension and/or a) restitution b) assigned seat	Education, parent contact, up to a 7 day bus suspension and/or a) restitution b) assigned seat c) meeting with driver d) in-school consequences	Education, parent meeting, up to a 10 day bus suspension and parent meeting and/or a) restitution b) assigned seat c) meeting with driver d) in-school consequences.	Education, parent meeting, up to 20 day bus suspension with possible loss of bus service and/or a) restitution b) assigned seat c) meeting with driver d) in-school consequences.

\*The principal or other designated administrator may impose other consequences, longer bus suspensions, and/or other school discipline as deemed appropriate on a case by case basis. Driver has the authority to assign seats at any time.

**PRINCETON PUBLIC SCHOOLS  
POLICY 710-EXTRACURRICULAR TRANSPORTATION**

**I. PURPOSE**

The purpose of this policy is to make clear to students, parents, and staff the school district's policy regarding extracurricular transportation.

**II. GENERAL STATEMENT OF POLICY**

The determination as to whether to provide transportation for students, spectators, or participants to and from extracurricular activities shall be made solely by the school district administration. This determination shall include, but is not limited to, the decision to provide transportation, the persons to be transported, the type or method to be utilized, all transportation scheduling and coordination, and any other transportation arrangements or decisions. Employees who are involved in extracurricular activities shall be advised by the administration as to the transportation arrangements made, if any.

**III. ARRANGEMENT OF EXTRACURRICULAR TRANSPORTATION**

School district employees shall not undertake independent arrangement, scheduling, or coordination of transportation for extracurricular activities unless specifically directed or approved by the school district administration. All transportation arrangements made by a school district employee must be approved by a building administrator. If the school district makes no arrangements for extracurricular transportation, students who wish to participate are responsible for arranging for or providing their own transportation.

**IV. NO EMPLOYEE TRANSPORTATION OF STUDENTS WITH PERSONAL VEHICLES**

An employee must not use a personal vehicle to transport one or more students except as provided herein. However, employees may make appropriate transportation arrangements for students as necessary in an emergency or other unforeseeable circumstance. In a nonemergency

situation, an employee must get prior, written approval from the administration before transporting a student in a personal vehicle. If a school vehicle is available, the employee will use the school vehicle. The administration has the sole discretion to make a final determination as to the appropriate use of a personal vehicle to transport one or more students.

If any emergency transportation arrangements are made by employees pursuant to this section, the relevant facts and circumstances shall be reported to the administration as soon thereafter as practicable.

All vehicles used to transport students shall be properly registered and insured.

## **V. FEES**

In its discretion, the school district may charge fees for transportation of students to and from extracurricular activities conducted at locations other than school, where attendance is optional.

**Legal References:** Minn. Stat. § 123B.36 (Authorized Fees)  
Minn. Stat. § 169.011, Subd. 71(a) (Definition of a School Bus)  
Minn. Stat. § 169.454, Subd. 13 (Type III Vehicle Standards – Exemption)

**Cross References:** MSBA/MASA Model Policy 610 (Field Trips)  
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)  
MSBA Service Manual, Chapter 2, Transportation

*Adopted: August 28, 2001*  
*Revised: April 22, 2008*  
*Revised: March 9, 2009*  
*Revised: November 18, 2014*

Reviewed: April 19, 2016  
Reviewed: October 18, 2016  
Reviewed: August 7, 2018

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 710

Orig. 1995

Revised: \_\_\_\_\_

Rev. ~~2007~~ 2012

## **710 EXTRACURRICULAR TRANSPORTATION**

### **I. PURPOSE**

The purpose of this policy is to make clear to students, parents, and staff the school district's policy regarding extracurricular transportation.

### **II. GENERAL STATEMENT OF POLICY**

The determination as to whether to provide transportation for students, spectators, or participants to and from extracurricular activities shall be made solely by the school district administration. This determination shall include, but is not limited to, the decision to provide transportation, the persons to be transported, the type or method to be utilized, all transportation scheduling and coordination, and any other transportation arrangements or decisions. Employees who are involved in extracurricular activities shall be advised by the administration as to the transportation arrangements made, if any.

### **III. ARRANGEMENT OF EXTRACURRICULAR TRANSPORTATION**

School district employees shall not undertake independent arrangement, scheduling, or coordination of transportation for extracurricular activities unless specifically directed or approved by the school district administration. All transportation arrangements made by a school district employee must be approved by a building administrator. If the school district makes no arrangements for extracurricular transportation, students who wish to participate are responsible for arranging for or providing their own transportation.

### **IV. NO EMPLOYEE TRANSPORTATION OF STUDENTS WITH PERSONAL VEHICLES**

An employee must not use a personal vehicle to transport one or more students except as provided herein. However, employees may make appropriate transportation arrangements for students as necessary in an emergency or other unforeseeable circumstance.

In a nonemergency situation, an employee must get prior, written approval from the administration before transporting a student in a personal vehicle. If a school vehicle is available, the employee will use the school vehicle. The administration has the sole discretion to make a final determination as to the appropriate use of a personal vehicle to transport one or more students.

If any emergency transportation arrangements are made by employees pursuant to this section, the relevant facts and circumstances shall be reported to the administration as soon thereafter as practicable.

All vehicles used to transport students shall be properly registered and insured.

[Note: This policy provides that employees may use a personal vehicle to transport students in an emergency or other unforeseeable circumstance. An “emergency or other unforeseeable circumstance” does not include situations where regular transportation is available or scheduled.]

For example, if a scheduled extracurricular event occurs outside of the school district and the school district transports a team or group of students to and from the event, an employee would be prohibited by law from using a personal vehicle to transport some students to the event. In contrast, if a student attending this same event became ill or injured and required immediate transportation home or to a health care facility, the exigent need to transport one student would not constitute regular or scheduled transportation. An employee would have authority to transport the student in a personal vehicle under these circumstances, if using a vehicle that is properly registered and insured. The expectation of the school district is that the employee would immediately contact administration about these circumstances to ensure oversight of the employee’s use of this exception.

Nonregular and nonscheduled transportation also would include situations where some notice may be provided of the need for transportation to a nonscheduled event for which transportation generally is not provided by the school district. For example, a group of students may participate in a scheduled debate competition for which regular school district transportation is provided. Two students advance to a regional competition the following day. Transportation would not have been scheduled to the regional competition as the students’ advancement was not predicted. These circumstances may justify an employee’s use of a personal vehicle to transport the two students to the regional competition, if the vehicle is properly registered and insured. Because the employee has sufficient time to contact an administrator, advance written permission by an administrator would be expected for the purpose of overseeing that the reasons for an employee using a personal vehicle comply with the requirements of the law.]

## V. FEES

In its discretion, the school district may charge fees for transportation of students to and from extracurricular activities conducted at locations other than school, where attendance is optional.

**Legal References:** Minn. Stat. § 123B.36 (Authorized Fees)  
Minn. Stat. § 169.011, Subd. 71(a) (Definition of a School Bus)  
Minn. Stat. § 169.454, Subd. 13 (Type III Vehicle Standards – Exemption)

**Cross References:** MSBA/MASA Model Policy 610 (Field Trips)  
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)  
MSBA Service Manual, Chapter 2, Transportation

**PRINCETON PUBLIC SCHOOLS  
POLICY 711-VIDEO RECORDING ON SCHOOL BUSES**

**I. PURPOSE**

The transportation of students to and from school is an important function of the school district, and transportation by the school district is a privilege and not a right for an eligible student. The behavior of students and employees on the bus/van is a significant factor in the safety and efficiency of school transportation. Student and employee misbehavior increases the potential risks of injury. Therefore, the school district believes that videotaping student passengers and employees on the school vehicles will encourage good behavior and, as a result, promote safety. The purpose of this policy is to establish a school bus videotaping system.

**II. GENERAL STATEMENT OF POLICY**

A. Placement

1. The school district will begin to equip each and every school bus owned, leased, contracted and/or operated by the school district with a fully-enclosed box for placement and operation of a video camera and conspicuously placed signs notifying riders that their conversations or actions may be recorded on tape.
2. A video camera will not necessarily be installed in each and every school vehicle owned, leased, contracted and/or operated by the school district, but cameras may be rotated from vehicle to vehicle without prior notice to students.
3. Video cameras will be placed on a particular school vehicle, to the extent possible, where the school district has received complaints of inappropriate behavior.

B. Use of Videotape

1. A videotape of the actions of student passengers and/or employees may be used by the school district as evidence in any disciplinary action brought against any student or employee, arising out of the student's or employee's conduct on the vehicle.
2. A videotape will be released to the public only in conformance with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13 and the Family Educational Rights and Privacy Act, 20 U.S.C. §1232g and the rules and/or regulations promulgated thereunder.
3. Videotapes will be viewed by school district personnel on a random basis and/or when discipline problems on the bus have been brought to the attention of the school district.
4. A videotape will be retained by the school district for a period of six (6) weeks, or until the conclusion of disciplinary proceedings in which the video tape is used for evidence.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
 Minn. Stat. § 121A.585 (Notice of Recording Device)  
 Minn. Rules Parts 1205.0100-1205.2000  
 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)  
 34 C.F.R. Secs. 99.1-99.67

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
 MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
 MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)  
 MSBA/MASA Model Policy 506 (Student Discipline)  
 MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
 MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)  
 MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)  
 MSBA Service Manual, Chapter 2, Transportation

Adopted: March 13, 2007

Revised: April 19, 2016

Revised: October 18, 2016

Reviewed: August 7, 2018

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 711

Orig. 1995

Revised: \_\_\_\_\_

Rev. ~~2009~~ 2012

## 711 VIDEO RECORDING ON SCHOOL BUSES

### I. PURPOSE

The transportation of students to and from school is an important function of the school district, and transportation by the school district is a privilege and not a right for an eligible student. The behavior of students and employees on the bus is a significant factor in the safety and efficiency of school bus transportation. Student and employee misbehavior increases the potential risks of injury. Therefore, the school district believes that video recording student passengers and employees on the school bus will encourage good behavior and, as a result, promote safety. The purpose of this policy is to establish a school bus video recording system.

### II. GENERAL STATEMENT OF POLICY

#### A. Placement

1. Each and every school bus owned, leased, contracted, and/or operated by the school district shall be equipped with a fully enclosed box for placement and operation of a video camera and conspicuously placed signs notifying riders that their conversations or actions may be recorded.
2. A video camera will not necessarily be installed in each and every school bus owned, leased, contracted, and/or operated by the school district, but cameras may be rotated from bus to bus without prior notice to students.
3. Video cameras will be placed on a particular school bus, to the extent possible, where the school district has received complaints of inappropriate behavior.

#### B. Use of Video Recordings

1. A video recording of the actions of student passengers and/or employees may be used by the school district as evidence in any disciplinary action brought against any student or employee arising out of the student's or employee's conduct on the bus.
2. A video recording will be released only in conformance with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13 and the Family Educational Rights and Privacy Act, 20 U.S.C. §1232g and the rules and/or regulations promulgated thereunder.

3. Video recordings will be viewed by school district personnel on a random basis and/or when discipline problems on the bus have been brought to the attention of the school district.
4. A video recording will be retained by the school district until relooped or until the conclusion of disciplinary proceedings in which the video recording is used for evidence.

*[Note: School districts should review their record retention policies/schedules as to the stated retention period for school bus video recordings. The retention time period in the retention schedule should be consistent with the retention time period set forth in this policy. The January 2000 School District General Records Retention Schedule, adopted by many school districts, provides that building security/transportation video recordings are to be retained until relooped.]*

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 121A.585 (Notice of Recording Device)  
Minn. Stat. § 138.17 (Government Records, Administration)  
Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)  
34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)

**Cross References:** [MSBA/MASA Model Policy 403 \(Discipline, Suspension, and Dismissal of School District Employees\)](#)  
[MSBA/MASA Model Policy 406 \(Public and Private Personnel Data\)](#)  
[MSBA/MASA Model Policy 502 \(Search of Student Lockers, Desks, Personal Possessions, and Student's Person\)](#)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASAModel Policy 709 (Student Transportation Safety Policy)  
[MSBA/MASA Model Policy 712 \(Video Surveillance Other Than on Buses\)](#)  
MSBA Service Manual, Chapter 2, Transportation

**PRINCETON PUBLIC SCHOOLS**  
**904 - DISTRIBUTION OF MATERIALS ON SCHOOL DISTRICT PROPERTY BY NON**  
**SCHOOL PERSONS**

**I. PURPOSE**

The purpose of this policy is to provide for distribution of materials appropriate to the school setting by non staff and non students on school district property in a reasonable time, place, and manner which does not disrupt the educational program nor interfere with the educational objectives of the school district.

**II. GENERAL STATEMENT OF POLICY**

- A. The school district intends to provide a method for non school persons and organizations to distribute materials appropriate to the school setting, within the limitations and provisions of this policy.
- B. To provide for orderly and nondisruptive distribution of materials, the school board adopts the following regulations and procedures.
- C. Friday folders may only be used for communications generated of materials, the school, a school sponsored event or activity, or an activity feeder program.

**III. DEFINITIONS**

- A. "Distribution" means circulation or dissemination of materials by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying materials, or placing materials in internal staff or student mailboxes.
- B. "Materials" includes all materials and objects intended by non school persons or non school organizations for distribution. Examples of non school sponsored materials include but are not limited to leaflets, brochures, buttons, badges, flyers, petitions, posters, underground newspapers whether written by students, employees or others, and tangible objects.
- C. "Non school person" means any person who is not currently enrolled as a student in or employed by the school district.
- D. "Obscene to minors" means:
  - 1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of

- minors of the age to whom distribution is requested;
  - 2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, and lewd exhibition of the genitals; and
  - 3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
- E. "Minor" means any person under the age of eighteen (18).
- F. "Material and substantial disruption" of a normal school activity means:
- 1. Where the normal school activity is an educational program of the school district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.
  - 2. Where the normal school activity is voluntary in nature (including school athletic events, school plays and concerts, and lunch periods) "material and substantial disruption" is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walkout, or other related forms of activity.

In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecast, including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.

- G. "School activities" means any activity sponsored by the school, including but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays, other theatrical productions, and in school lunch periods.
- H. "Libelous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower him or her in the esteem of the community.

#### **IV. GUIDELINES**

- A. Non school persons and organizations may, within the provisions of this policy, be granted permission to distribute, at reasonable times and places as

set forth in this policy, and in a reasonable manner, materials and objects which are appropriate to the school setting.

B. Requests for distribution of materials will be reviewed by the Superintendent on a case by case basis. However, distribution of the following materials is always prohibited. Material is prohibited that:

1. is obscene to minors;
2. is libelous;
3. is pervasively indecent or vulgar or contains any indecent or vulgar language or representations, with a determination made as to the appropriateness of the material for the age level of students to which it is intended;
4. advertises any product or service not permitted to minors by law;
5. advocates violence or other illegal conduct;
6. constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religious or ethnic origin);
7. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.

C. Permission for non school persons to distribute materials on school district property is a privilege and not a right. In making decisions regarding permission for such distribution, the Superintendent will consider factors including, but not limited to the following:

1. whether the material is educationally related;
2. the extent to which distribution is likely to cause disruption of or interference with the school district's educational objectives, discipline or school activities;
3. whether the materials can be distributed from the office or other isolated location so as to minimize disruption of traffic flow in hallways;

4. the quantity or size of materials to be distributed;
5. whether distribution would require assignment of school district staff, use of school district equipment or other resources;
6. whether distribution would require that non school persons be present on the school grounds;
7. whether the materials are a solicitation for goods or services not requested by the recipients.
8. is in direct violation with state & federal statute.

D. No political campaigning by individuals will be permitted on school property.

## V. TIME, PLACE, AND MANNER OF DISTRIBUTION

If permission is granted pursuant to this policy for the distribution of any materials, the time, place and manner of distribution will be solely within the discretion of the Superintendent, consistent with the provisions of this policy.

## VI. PROCEDURES

- A. [Distribution of material on school district property guidelines and form is available on the school district website and is available at the school district center.](#)
- B. Any non school person wishing to distribute materials must first submit [a form](#) for approval [and a](#) copy of the materials to the Superintendent at least five days in advance of desired distribution time, together with the following information:
  - a. Name and phone number of the person submitting the request.
  - b. Date(s) and time(s) of day of requested distribution.
  - c. If material is intended for students, the grade(s) of students to whom the distribution is intended.
  - d. The proposed method of distribution.
- C. The Superintendent will review the request and render a decision. The administration will assign a location and method of distribution and will inform the persons submitting the request whether non school persons may be present to distribute the materials. In the event that permission to distribute the materials is denied or limited, the person submitting the request should be informed in writing of the reasons for the denial or limitation.
- D. Permission or denial of permission to distribute material does not imply approval or disapproval of its contents by either the school, the administration of the school, the school board, or the individual reviewing the material submitted.
- E. In the event that permission to distribute materials is denied, the non school person or organization may request reconsideration of the decision by the school

board. The request for reconsideration must be in writing and must set forth the reasons why distribution is desirable and in the interest of the school community.

## VII. VIOLATION OF POLICY

Any party violating this policy or distributing materials without permission will be directed to leave the school property immediately and, if necessary, the police will be called.

## VIII. IMPLEMENTATION

The school district administration may develop any additional guidelines and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines and procedures shall be an addendum to this policy.

**Legal Reference:** U. S. Const., amend. I  
*Hazelwood School District v. Kuhlmeier*, 484 U.S. 260, 108 S.Ct. 562, 98 L.Ed.2d 592 (1988)  
*Doe v. South Iron R-1 School District*, 498 F.3d 878 (8th Cir. 2007)  
*Bystrom v. Fridley High School*, 822 F.2d 747 (8th Cir. 1987)  
*Cornelius v. NAACP Legal Defense and Educational Fund, Inc.*, 473 U.S. 788, 105 S.Ct. 3439, 87 L.Ed.2d 567 (1985)  
*Perry Education Ass'n v. Perry Local Educators' Ass'n*, 460 U.S. 37, 103 S.Ct. 948, 74 L.Ed.2d 794 (1983)  
*Roark v. South Iron R-1 School Dist.*, 573 F.3d 556 (8th Cir. 2009)  
*Victory Through Jesus Sports Ministry Foundation v. Lee's Summit R-7 School Dist.*, 640 F.3d 329 (8th Cir. 2011), cert. denied \_\_\_U.S. \_\_\_, 132 S.Ct. 592 (2011)

**Cross References:** Policy 512 (School Sponsored Student Publications)  
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)

Adopted: January 10, 2006  
Revised: October 27, 2009  
Revised: April 5, 2012  
Revised: March 17, 2015

Reviewed: May 17, 2016  
Reviewed: August 16, 2016  
Revised: May 1, 2018



## Procedures for Policy 904 - Distribution of Materials on School District Property by Non School Persons

**Introduction:** The purpose of this form is to provide non-staff and non students procedures, guidelines, and permission to distribute materials or information on school district property as it relates to School District Policy 904. The policy allows the distribution of materials which support the mission and vision of the school district and will not disrupt the educational program nor interfere with the educational objectives of the school district.

**Policy Context:** Policy 904 is the current board approved policy related to distribution of materials on school district property by non-school persons or groups. There are procedures for groups to apply for permission to distribute material on school district property by non school persons.

**Procedures:** [Procedures and guidelines and attached form link](#)

### STEP 1: Review Policy 904 to determine if materials are permissible to distribute.

- [Policy 904](#) is available on Princeton School District Website under Community Relations.
  - Prohibited materials: Obscene to minors, libelous, indecent or vulgar language, advertises products or services to minors, advocates violence or illegal conduct, expressions of injuring or harassing others or groups of people (race, religion, ethnic origin, etc), political related activities, content has a likelihood of causing substantial or material disruption of the school or school activities.

### STEP 2: Fill out the Distribution of Materials form along with materials to be distributed.

- The following information to be included: Name and phone number of person submitting request, dates and time(s) of day of requested distribution, if material is intended for students, the grades of students to whom the distribution is intended, proposed method of distribution.

### STEP 3: Submit form to Superintendent at least five days prior to distribution.

- The Superintendent will review the request and render a decision.
- The administration will assign a location and method of distribution and will inform person(s) submitting the request.



**PRINCETON**  
DISTRICT CENTER

**Distribution of Materials on School District Property - Form  
Princeton School District**

*This form is used to obtain approval from Superintendent..*

Name (Person submitting request): \_\_\_\_\_

Phone Number (Person submitting request): \_\_\_\_\_

Organization involved if any: \_\_\_\_\_

Date(s) and time(s) of day or request: \_\_\_\_\_

Explanation of material to be distributed (grades of students to whom it is intended): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Explanation of proposed method of distribution: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**PRE-APPROVAL SIGNATURES:**

Signatures indicate preliminary approval to distribute materials on school district property by non school persons that are appropriate to the school setting and does not disrupt the educational program nor interfere with the educational objectives of the school district.

\_\_\_\_\_  
Requester

\_\_\_\_\_  
Date

\_\_\_\_\_  
Superintendent

\_\_\_\_\_  
Date

**Routing:** Superintendent

Exec Asst to the Supt

Building Administrator