

## Business and Non-Instructional Operations Transportation

### General

The *Brookfield* Board of Education shall provide for the public schools an appropriate transportation system, within guidelines set forth in this policy, which will enable all qualified children of school age to be transported to schools as required. School bus transportation is for students only. The Superintendent of Schools shall be responsible for the school transportation system and shall develop and administer it to:

- A. Provide maximum safety of students.
- B. Supplement and reinforce desirable student behavior patterns.
- C. Assist handicapped students appropriately.
- D. Enrich the instructional program through carefully planned field trips recommended by the staff.

The transportation system shall be planned and operated in compliance with the General Statutes of the State of Connecticut and all regulations of the State Department of Education and the State Department of Motor Vehicles regarding the operation of school buses and motor vehicles.

Transportation by private carrier or through district owned buses shall be provided at the discretion of the Board of Education. Parents may be reimbursed for transportation of eligible students whenever such practice is more economical or convenient.

### Federal Compliance

Transportation will be provided for homeless students to and from the school of origin as required by the Every Student Succeeds Act. These services shall be provided throughout the regularly scheduled school year and day as determined by the Board.

Transportation will be provided for an eligible student who attends a district school out of the student's attendance area because his/her home school has been identified as in need of improvement, or the student is a victim of a violent criminal offense occurring in or on the grounds of the school the student attends or the student attends a school identified as persistently dangerous.

Legal Reference: ~~Connecticut General Statutes~~  
~~10-186 Duties of local and regional boards of education~~  
~~10-220 Duties of boards of education~~  
~~14-275 Equipment and color of school buses~~  
~~14-275a Use of standard school bus required, when.~~  
~~14-275b Transportation of handicapped students.~~  
~~14-275c Regulations re school buses and motor vehicles used to transport special education students.~~  
~~14-276a (c) Town/school district may require its school bus operators to have completed a safety training course.~~  
~~14-280 Letters and signals to be concealed when not used in transporting children. Signs on other vehicles.~~  
~~McKinney Vento Homeless Education Assistance Act of 2001, P.L. 107-110, 42 U.S.C., Sections 11431-11435~~

Policy adopted:

## **Business and Non-Instructional Operations Transportation**

The *Brookfield* Board of Education will, in a manner not inconsistent with Section 10-186 of the Connecticut General Statutes, furnish by transportation or otherwise, school accommodations so that each child over five and under twenty-one years of age who resides within the jurisdiction of the Board and is not a graduate of high school or vocational school (or who is not otherwise legally excluded from school) may attend the public schools maintained by the Board pursuant to Section 10-220 of the Connecticut General Statutes.

### **1. Definitions**

- A. "School transportation"** means the procedure, program or fully effective and implemented plan by which a student is conveyed, at public expense, whether by use of publicly owned equipment or by contract to or from his/her residence to or from the school in which he/she is enrolled by the Board.
- B. "Walking distance"** means the linear measure of a prescribed or authorized pedestrian route between the student's residence and his/her school from a point at the curb or edge of a public road or highway nearest the student's residence to the nearest allowable access of the school, or the bus pickup area; or the route from the point on the public thoroughfare nearest the residence to the school bus (or vehicle) embarkation point (bus stop) established by the Board.
- C. "One mile walking distance"** means a reasonable measurement of a route to be traversed extending from the point of measurement at least 5,280 feet.
- D. "Grade K"** means kindergarten, or a school program appropriate to a beginning student under age six.
- E. "Raised walk area"** means (1) a sidewalk or (2) a portion of the right of way at least three feet wide, usually parallel to the traffic lanes, which may be paved or unpaved, distinguished by some elevation above the street pavement level and marked by curbing, drainage ditch, grass area, and fencing, apart from and independent of any white line safety markings along the street pavement.
- F. "Walking route"** means the most direct route which the child would normally be expected to travel between his/her residence and the school to which he/she is assigned by the Board.
- G. "Hazard"** means (1) exposure to molestation considered morally degrading or physically harmful, or (2) an unsafe thing or condition or a possible source of peril, danger, duress, or difficulty presenting a problem, the solution of which is beyond the ordinary capability of a child of a given age or attainment or including specifically the following:
  - (1) A walking route along a street or road having an adjacent or paralleled raised walk area is a hazard where any of the following conditions exist along said walking route:
    - (a) Speed limits for motor vehicles are in excess of forty miles per hour and there are no pedestrian crossing lights or crossing guards or other safety provisions at points where students must cross said street or road in going to and from school;

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Transportation****1. Definitions (continued)**

- (b) The usual or frequent presence of any nuisance, such as open manholes or construction; snow plowed or piled on the raised walk area making such areas unusable; loading zones where delivery trucks are permitted to park in alleys; commercial entrances and exits where cars are crossing raised walk areas at speeds in excess of five (5) miles per hour, and the like, including such nuisance which is dangerous or attractive to normal children;
  - (c) For students under age ten, or enrolled in grade K through 3, absence of pedestrian crossing light, or crossing guard where three or more streets intersect, and at a street crossing where there are no stop signs or crossing guards; and,
  - (d) For students over age ten, or enrolled in grades 4 through 12, absence of a traffic light, or stop sign, or crossing guard at street crossings where three or more streets intersect, and have an average traffic count which exceeds 120 vehicles per hour during the time that children are walking to and from school.
- (2) Any street, road, or highway which has no sidewalks or raised walk areas shall be deemed unduly hazardous for students enrolled in grades K through 8, unless all of the following conditions are met:
- (a) There exists no line-of-site obstruction caused by a hill, curve, structure, out-cropping, land form, planting, snowbank, or other obscuring object or structure which may be safely negotiated by vehicles only at speeds under fifteen miles per hour.
  - (b) The line-of-sight visibility together with posted speed limits permit vehicular braking/stopping distances in accordance with the Connecticut Drivers Manual.
  - (c) Man-made hazards including attractive nuisances are absent.
  - (d) The roadway available to vehicles, when plowed free of snow accumulation, has a minimum width of twenty (20) feet.
- (3) Any walkway or path in an area adjacent to, and paralleled to railroad tracks shall be considered a hazard, unless suitable physical barriers along the walking routes are present and fixed between the tracks and the walking route (such as guard railings). Tracks that carry moving trains during hours that students are walking to or from school will be deemed hazardous unless the following conditions exist:
- (a) A crossing guard is present; or,
  - (b) An automatic control bar is present at crossings used by children under age ten, or a bar, or red flashing signal light is operational when the crossing is used for students over ten years of age.

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### 1. Definitions (continued)

- (4) A lake, stream, culvert or waterway will be deemed a hazard in the absence of a fence or other suitable barrier fixed between the walking route and the water.
- (5) Any street, road, walkway or path designed as a walking route for school students which passes through an area which has a history of aggressive acts or molestation resulting in actual or threatened physical harm, or moral degradation, during the hours when students ordinarily walk to and from school.
- (6) A situation shall be considered hazardous wherein students under the age of twelve, or enrolled in a grade kindergarten through grade six, are required to walk to or from school or to or from a bus stop at any time prior to one-half hour before sunrise or after one-half hour after sunset.

### 2. Duties of the Superintendent

It shall be the responsibility of the Superintendent of Schools or designee to manage and supervise the school transportation service and, in connection therewith, to do the following:

- A. Determine eligibility for school transportation in accordance with these guidelines and Section 10-186 of the General Statutes and in compliance with applicable portions of the Every Student Succeeds Act pertaining to homeless students and school choice.
- B. Establish school transportation routes and designate locations for pick-up points (bus stops).
- C. Develop, circulate and enforce codes of behavior for those children who are transported to and from school via school transportation.
- D. Develop procedures for responding to requests pertaining to matters of school transportation or other school accommodations.
- E. Give due consideration to requests for extension of school transportation service.
- F. Perform all other duties and responsibilities related to the furnishing of school accommodations by school transportation or otherwise in a manner not inconsistent with Section 10-186 of the Connecticut General Statutes or these guidelines.

### 3. Eligibility for School Transportation

Students will be eligible for school transportation if one or more of the following criteria is present:

- A. The walking distance for the student is in excess of the guidelines established by the Board which shall not exceed the following maximum distances:
  - (1) For students enrolled in ~~grades K through 3~~ **Center, Huckleberry, and Whisconier, elementary and middle school** up to ~~one (1) one half (1/2)~~ mile;
  - (2) For students enrolled in ~~the equivalent of grades 4 through 8, at middle schools or junior high school~~ **Brookfield High School high school**, up to one and one-half (1½) miles. ~~and,~~
  - (3) ~~For students enrolled in grades 9 through 12, up to two (2) miles.~~

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### 3. Eligibility for School Transportation (continued)

- B. The walking route does not exceed the limits set forth in paragraph (1), but presents a hazard; and the hazard is not eliminated by and abated by the Board.
- C. The student is physically handicapped, or ~~mentally retarded~~ *has an intellectual disability*, or a preschool student.
- D. The student, per the provisions of the Every Student Succeeds Act, is classified as a homeless student, attends a school identified as in need of improvement, is a victim of a violent criminal offense, or attends a school identified as persistently dangerous.

Reasonable transportation or prescribed walking routes or the sum of both shall not exceed one hour each way from home to school or returning.

### 4. Eligibility for Out-of-Town Transportation

- A. Any resident of the school district under twenty-one years of age who is not a high school or vocational school graduate and who is attending a state vocational school shall be eligible for transportation.
- B. A student who is placed by a Planning and Placement Team for special education reasons in either a public or private educational institution out-of-town shall be provided the necessary transportation.
- C. A student who transfers to an out-of-district school under a cooperative arrangement because their District home school has been identified as in need of improvement under the Every Student Succeeds Act.

### 5. Appeals

Any parent, guardian, student at majority, or any agent or officer whose duty it is to compel the observance of the laws concerning attendance at school may appeal any administrative decision concerning school transportation in the following manner:

- A. Discuss the matter with the Principal of the school to which the student is assigned.
- B. If no resolution is reached under (1) above, discuss the matter with the ~~Coordinator of Transportation~~ *Director of Business Operations*, or designee.
- C. If no resolution is reached under (2) above, discuss the matter with the Superintendent of Schools.

Any parent, guardian, student at majority, or officer whose duty it is to compel the observance of the laws concerning attendance at school, who believes that the Superintendent, or his/her designee, is not furnishing school accommodations, by transportation or otherwise, to himself or herself or to his/her child in a manner consistent with the laws of the State of Connecticut or these regulations may, in writing, request a hearing before the Board to show the Board the manner in which the Superintendent has so failed to furnish such accommodations.

The Board shall hold a hearing within ten (10) days following receipt of such request.

The hearing before the Board will be in compliance with the provisions of Section 4-177 to 4-180 inclusive of the Connecticut General Statutes.

A stenographic record or tape recording shall be made of such hearing.

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**6. Routes and Services**

Regard for the safety of students is a basic element of these regulations.

Consistent with the foregoing, all students shall walk to school with the following exceptions:

- A. ~~Grades kindergarten through 3~~ **Center, Huckleberry, and Whisconier elementary and middle school** students living more than  $\frac{1}{2}$  mile from school.
- B. ~~Grades 4 through 8~~ **Brookfield High School high school** students living more than 1.5 miles from school.
- C. ~~Grades 9 through 12~~ students living more than 2 miles from school.

Students shall walk to the nearest bus stop up to the following maximum distances:

- A. ~~Kindergarten through 3~~ ~~1 mile~~ **Center, Huckleberry, and Whisconier students 1/2 mile.**
- B. ~~Grades 4 through 8~~ **Brookfield High School students** 1.5 miles
- C. ~~Grades 9 through 12~~ ~~2 miles~~

Bus stops may be located at more frequent intervals to reduce student congestion at the stops, or for other reasons of safety as determined by the Board.

School transportation services are provided exclusively for the benefit and safety of the student population, and are to be used only in support of programs authorized by and under the auspices of the School Board.

Children may ride buses other than their own only at the convenience of the school district in accordance with bus safety regulations. A written request must be submitted by the parent to the Principal of the school for his/her official approval each time a child is to take a bus other than his/her regular one.

Legal Reference: Connecticut General Statutes  
 10-76d re transportation for special education program services.  
 10-97 Transportation to vocational schools.  
 10-186 Duties of local and regional boards of education re school attendance. Hearings. Appeals to state board. Establishment of hearing board.  
 10-220 Duties of boards of education.  
 10-220c Transportation of children over private roads. Immunity from liability.  
 10-273a Reimbursement for transportation to and from elementary and secondary schools.  
 10-280a Transportation for students in non-profit private schools outside school district.  
 10-281 Transportation for students in non-profit private schools within school district.  
 14-275a Use of standard school bus required, when.  
 14-275b Transportation of handicapped students.  
 14-275c Regulations re school buses and motor vehicles used to transport special education students.  
 14-280 Letters and signals to be concealed when not used in transporting children. Signs on other vehicles.  
 McKinney-Vento Homeless Education Assistance Act of 2001, P.L. 107-110, 42 U.S.C., Sections 11431-11435

Regulation approved:

Replace Brookfield's Policy with CABE's:

**BROOKFIELD PUBLIC SCHOOLS  
Brookfield, Connecticut**