



Book	Policy Manual
Section	800 Operations
Title	Transportation
Code	810
Status	Active

Legal

1. 75 Pa. C.S.A. 102
2. 24 P.S. 1361
3. 24 P.S. 1362
4. 24 P.S. 1726-A
5. 22 PA Code 23.1
6. 22 PA Code 23.2
7. 22 PA Code 23.4
8. Pol. 610
9. Pol. 611
10. Pol. 818
11. 67 PA Code 447.1 et seq
12. 24 P.S. 1374
13. 22 PA Code 23.3
14. Pol. 103
15. Pol. 103.1
16. Pol. 113
17. Pol. 140
18. 20 U.S.C. 6312
19. Pol. 255
20. 24 P.S. 111
21. 35 P.S. 4601 et seq
22. 35 P.S. 4608
23. 67 PA Code 212.101
24. 22 PA Code 8.1 et seq
25. 23 Pa. C.S.A. 6301 et seq
26. Pol. 121
27. Pol. 209.1
28. Pol. 209.2
29. Pol. 210
30. Pol. 210.1
31. Pol. 113.4
32. Pol. 216
33. Pol. 218
34. Pol. 233
35. Pol. 222
36. Pol. 227
37. 24 P.S. 1517
38. 75 Pa. C.S.A. 4552

39. Pol. 805  
20 U.S.C. 6301 et seq  
22 PA Code 15.1 et seq  
22 PA Code 23.6  
24 P.S. 1331  
24 P.S. 1365  
24 P.S. 1366  
24 P.S. 2541  
24 P.S. 2542  
42 U.S.C. 11432  
49 CFR Part 37  
49 CFR Part 38  
42 U.S.C. 11431 et seq  
75 Pa. C.S.A. 4551-4553  
Pol. 810.1

Adopted April 6, 1999  
Last Revised September 17, 2019

### **Purpose**

Transportation for students shall be provided in accordance with law and Board policy.

### **Definitions**

**School bus** means a motor vehicle that is designated to carry eleven (11) passengers or more, including the driver, and is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.[1]

**School vehicle** means a motor vehicle, except a motorcycle, designed for carrying no more than ten (10) passengers, including the driver, and used for the transportation of preprimary, primary or secondary school students while registered by or under contract to the school district. The term includes vehicles having chartered, group or party rights under the Pennsylvania Public Utility Commission and used for the transportation of school children.[1]

### **Authority**

The Board shall provide transportation for resident students in grades kindergarten through 12 to the district's public schools and charter, regional charter and nonpublic schools located in the district or within the district's transportation boundary or other placements as required by law or agreements. The district's transportation boundary is a distance not exceeding ten (10) miles by the nearest public highway outside the school district's border.[2][3][4]

The Board shall purchase, lease, equip, and maintain school buses/vehicles and/or contract for school bus/vehicle services for the transportation of students to and from school at regularly

scheduled hours and for the transportation of students on field trips and extracurricular trips.  
[2][3][5][6][7][8][9][10]

Each school district bus shall be equipped with a recording device for both audio and video. Appropriate signage on each bus will inform students and drivers that they are being recorded for both audio and video.

The purpose of this system is to support the discipline policies of the school district. The digital recordings will be maintained by the transportation contractor for up to a two-week period following the date of recording except in those instances where action for misconduct is pending. In such cases, the recording will be erased when the incident is resolved. Administrators responsible for implementing the discipline policies of the school district shall be permitted to view the recordings. A student and his/her parent/guardian may view only that portion of a recording which relates to the discipline of the student.

Distances for determination of eligibility to ride buses shall be measured from the school by way of the shortest highway to the point where the residence driveway meets the highway.

The Board will also provide transportation for students living within the limits of this policy when the walking conditions to the school are found to be hazardous by the Department of Transportation.[3][11]

Where sidewalks and/or private driveways are located along the assigned routing of such buses, bus stops shall be so located as to be central to the residences of children assigned to the stop.

The general policy for walking students shall be as follows:[2]

1. All secondary students who attend the ShamokinAreaJr.-Sr. High School or Lourdes Regional High School and who live on or west of Market Street and north of Bear Valley Avenue, including all of Ferndale, Fairview, and Edgewood districts, shall walk to school.
2. All other secondary students and all elementary students both public and nonpublic shall be eligible to be bused.

All requests for exceptions to the above must be supported by medical evidence.[12][13]

The Board shall provide transportation for student with disabilities, without regard to distance or hazardous walking conditions, when required by the student's individualized education program (IEP) or Section 504 Service Agreement.[12][13][14][15][16]

The Board shall provide transportation for eligible resident students who are enrolled in non-public schools or charter schools as required.[2][4][17]

The Board shall provide transportation for children in foster care in accordance with federal and state laws and regulations, and the local transportation plan.[18][19]

The Board prohibits any diesel-powered motor vehicle weighing 10,001 pounds or more to idle for mote than five (5) minutes in any continuous sixty-minute period while parked, loading or unloading, except as allowed by law.[21]

The Board shall ensure that permanent signs, notifying drivers of the idling restrictions, are maintained on district property at locations where diesel-powered motor vehicles weighing

10,001 pounds or more load or unload. Signs shall also be posted at locations that provide fifteen (15) or more parking spaces for such diesel-powered motor vehicles.[22][23]

Eligible students will be bused to and from school from one (1) address only, except in court approved joint custody cases within the school district.

Parents/Guardians of elementary students up to grade three may request a second bus assignment for legitimate reasons. Requests will be reviewed by the administration and contractor and granted if logistically feasible.

Parents/Guardians of K-4 and kindergarten students must ensure that an adult is present at the bus stop to receive each K-4 or kindergarten child. If no adult is present at the bus stop, the child will be returned to the elementary school.

A school bus driver shall not be employed until s/he has complied with the mandatory background check requirements for criminal history and child abuse and the district and contractor have evaluated the results of that screening process. In addition, those employees hired on or after April 1, 2007, must provide a copy of their Federal Criminal History record that cannot be more than one (1) year old prior to employment.[20][24][25]

### **Delegation of Responsibility**

The school bus/vehicle driver shall be responsible to maintain order while students are being transported.

The school bus/vehicle driver shall report all incidents, including, but not limited to, discipline problems, medical problems, bullying/harassment, safety issues, accidents or injuries and violations of Pennsylvania's School Bus Stopping Law to the Superintendent or designee as soon as practicable.

The building principal may suspend a student from transportation for disciplinary reasons, and the parents/guardians shall be responsible for the student's transportation.[7]

The Superintendent or designee shall be responsible to:

1. Maintain records and make required reports regarding school transportation.[5][7]
2. Distribute rules governing student conduct during transport; such rules shall be binding on all students transported by the district.[7]
3. Provide each school bus/school vehicle driver with:
  - a. The Pennsylvania School Bus Driver's Manual;
  - b. The written rules for student conduct on buses/vehicles;
  - c. The procedures for evacuation drills; and
  - d. Any additional laws and applicable Board policies and administrative regulations which apply to school bus/vehicle drivers.

4. Establish administrative regulations that specify the number of chaperones to accompany students in connection with school-related activities and field trips.[7][26]
5. Prepare a district map or schedule indicating each bus stop and bus route.[7]

The school bus driver shall keep informed of all laws, rules and regulations pertaining to operating the school bus and shall cooperate with school officials in compliance with regulations.

A bus driver shall possess proper certification to operate the vehicle to which s/he is assigned.  
[2]

#### Reports of Employee Crimes/Child Abuse

District bus drivers and/or the district's transportation contract carriers shall be responsible to inform the district in writing at the beginning of each school year whether or not they or any of their employees:

1. Have been charged, subsequent to approval as a district bus driver, with a criminal offense that would bar their employment as bus drivers or contracted service providers.
2. Were charged with a crime deemed serious under the criteria established by law.[20]
3. Have been charged with or convicted of crimes that affect their suitability to have direct contact with students.

This responsibility is in addition to the requirement for clearances that must be presented to the district when an individual is initially hired by the district or the contract carriers.[14]

This district and contract carriers shall have procedures in place to ensure they are notified by their employees when the employees are charged with crimes or child abuse. The procedures shall also include the provision that the failure on the part of employees to make such a timely notification shall subject them to disciplinary action, including termination.[15]

If any bus drivers have been charged as stated in this policy, the transportation contract carriers shall, in their written, yearly notification, include the name of the employee, nature of the offense, and the status of the disposition. The district will review this information to determine if the employee shall continue to transport district students.

#### **Guidelines**

##### Student Health Information

When necessary for student safety, or when required by a student's IEP or Section 504 Service Agreement, a school bus/vehicle driver shall be provided with relevant student health and medical information.[16][27][28][29][30]

School bus/vehicle drivers shall maintain the confidentiality of student health/medical information in accordance with district policies and procedures and applicable law.[31][32]

##### Evacuation Drills

Bus evacuation drills shall be conducted twice a year and reported to the Pennsylvania Department of Education, in accordance with law and Board policy.[37][38][39]

## Chaperones

Field trip chaperones riding district buses will be limited to the following:[7]

1. Kindergarten through 2nd grade - four (4) chaperones per bus.
2. Grades 3 and 4 - two (2) chaperones per bus.
3. Grades 5 and 6 - one (1) teacher. (Chaperones optional.)
4. Grades 7 through 12 - one (1) chaperone for every fifteen (15) students.

## Student Bus Discipline

The following guidelines shall be implemented in handling disciplinary problems occurring in district-owned or contracted buses:[7]

1. Student discipline problems which occur while enroute by bus and which cannot be resolved by the respective bus driver shall be referred to the appropriate building principal or designee for assistance and shall be subject to the following procedure:
  - a. The bus driver shall complete the district's Bus Conduct Report and submit it to the building principal or designee attended by the student.
  - b. Corrective action taken by the school administrator shall be indicated on the Bus Conduct Report. One (1) copy will be kept by the administrator and one (1) copy will be sent to the parents/guardians of the student. Two (2) copies will be sent to the Director of Transportation, one (1) of them will be given to the bus driver.
2. Corrective action will be at the discretion of the administrator who will consider the severity of the student's behavior. First time violations will involve student conference and parental contact. If the student's unacceptable behavior is of a more serious nature, possible corrective action could also include:[33][34]
  - a. Suspension of bus privileges from five (5) days to complete revocation for the remainder of the school year.
  - b. Suspension from school.
  - c. Assigned to the in-school suspension program.
  - d. A combination of the above actions.

3. Unacceptable student behaviors not permitted on a bus are as follows:

### *Type I Behavior –*

These actions are not appropriate, but do not inflict severe injury to other students. They will be resolved by the driver and/or school administrator.

1. Disobeying the driver.

2. Swearing or using abusive language.
3. Throwing things inside or from the vehicle.
4. Damaging seats or other equipment.
5. Leaving seat while the vehicle is moving.
6. Extending hands, arms, or legs from window.
7. Hitting, pinching, biting, kicking, pulling hair, or doing anything which hurts someone else, but not badly.
8. Shouting from open windows.
9. Eating or drinking on the vehicle.

*Type II Behavior –*

These more serious actions are harmful to other students and/or the driver. They will result in more severe corrective action by the school administrator.

1. Physically attacking the driver.
2. Physically attacking and injuring other students.
3. Tampering with controls of the vehicle.
4. Opening a door while the vehicle is moving.
5. Possessing or using drugs, alcohol or tobacco.[35][36]
6. Extending body from a moving vehicle.
7. Creating a fire or burn hazard by lighting matches or lighters.
8. Exiting from the emergency doors other than for emergencies or supervised drills.