



NEBO SCHOOL DISTRICT BOARD OF EDUCATION POLICIES AND PROCEDURES

SECTION: E - Support Services
POLICY TITLE: School Access and Student Transportation
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1. PURPOSE AND PHILOSOPHY

- 1.1. The Board of Education recognizes the benefits of providing transportation for students to and from school and other activities under certain specified conditions. Providing student transportation reduces traffic and increases student safety. The District will provide student transportation as outlined in this policy in accordance with state and federal laws.
- 1.2. The Board also recognizes the need to provide for safe access to schools for those students not eligible for District transportation.

2. AUTHORITY

- 2.1. Student transportation is provided under authority of, and subject to requirements found in, numerous statutes, regulations, and rules. Relevant to this policy are at least the following, all of which are incorporated herein.
 - 2.1.1. UTAH CODE ANN. § 41-6a-301, which requires the Utah Department of Transportation (UDOT) to make rules for school crossing zones and school crossing guards;
 - 2.1.2. UTAH CODE ANN. § 41-6a-303; which requires UDOT to make rules establishing criteria and specifications for the
 - 2.1.2.1. establishment, location, and operation of school crosswalks, school zones, and reduced speed school zones;
 - 2.1.2.2. training, use, and supervision of school crossing guards at elementary schools and secondary schools; and

- 2.1.2.3. content and implementation of child access routing plans under UTAH CODE ANN. § 53G-4-402;
 - 2.1.3. UTAH CODE ANN. § 41-6a-1301, et seq., which sets forth requirements for school buses and school bus parking zones;
 - 2.1.4. UTAH CODE ANN. § 53F-2-402 and 403, which provide for the appropriation of money for the transportation of eligible students.
 - 2.1.5. UTAH CODE ANN. § 53G-4-402, which requires the Board to establish a school traffic safety committee to fulfill the duties outlined in Section 3;
 - 2.1.6. UTAH CODE ANN. § 53G-7-1202(3)(a)(iii)(C), which requires a school community council to advise and make recommendations to school and District administration and the Board regarding a child access routing plan under UTAH CODE ANN. § 53G-4-402;
 - 2.1.7. UTAH CODE ANN. § 76-9-107, which makes it a crime for an unauthorized person to illegally enter a school bus;
 - 2.1.8. UTAH CODE ANN. 76-10-1501, et seq., which provides for the safety and orderly conduct of bus passengers;
 - 2.1.9. UTAH ADMIN. CODE R909-3-1, et seq., which governs the design and operation of school buses as required by UTAH CODE ANN §§ 41-6a-1304 and 1309, as well as the placement of advertising on buses as described in Nebo School District Policy KACA, *School Advertising Restrictions*;
 - 2.1.10. UTAH ADMIN. CODE R920-1-1, et seq., which establishes specifications for the establishment, location, and operation of school crosswalks, school zones, and reduced speed school zones, and which establishes specifications for uniform signage or markings to clearly identify school bus parking zones, as required by UTAH CODE ANN §§ 41-6a-301, 303, and 1307, and which incorporates by reference the *Utah Manual on Uniform Traffic Control Devices*, 2009 Edition, with revisions through June 30, 2015 (MUTCD);
 - 2.1.11. UTAH ADMIN. CODE R277-600, which establishes rules for bus routes, bus safety and other transportation needs; provides for distribution of funds for transportation of public school students, adopts disability standards for student bus riders; and provides for the awarding of unsafe route grants; and
 - 2.1.12. UTAH ADMIN. CODE R277-601, which adopts a manual, titled *Standards for School Buses and Operation*, published by the Utah State Board of Education, that establishes standards for state student transportation funds, school buses, and school bus drivers.
- 2.2. Under these laws the state partially funds student transportation through reimbursement to the District. The laws also provide certain requirements with which the District must comply.

3. SCHOOL TRAFFIC SAFETY COMMITTEE

- 3.1. Consistent with UTAH CODE ANN. § 53G-4-402, the Board hereby establishes a school traffic safety committee for the schools within each municipality in the District.
- 3.2. Each Committee is chaired by the District Risk Manager and includes at least the following:
 - 3.2.1. the District Risk Manager;
 - 3.2.2. the Transportation Department Supervisor or designee;
 - 3.2.3. a member of the parent teacher organization of a school within the municipality;
 - 3.2.4. a representative of the municipality;

- 3.2.5. a representative of state or local law enforcement; and
- 3.2.6. a representative of state or local traffic safety engineering.
- 3.3. The Risk Manager shall annually convene each committee to review the child access routing plan and submit annually to UDOT and affected municipalities and counties a child access routing plan for each elementary, middle, and junior high school within the district.
- 3.4. The Committee shall:
 - 3.4.1. receive suggestions from school community councils, parents, teachers, and others and recommend school traffic safety improvements, boundary changes to enhance safety, and school traffic safety program measures;
 - 3.4.2. consult the Utah Safety Council and the Division of Family Health Services and provide for training to all students in elementary schools on school crossing safety and use; and
 - 3.4.3. help ensure the district's compliance with rules made by UDOT under UTAH CODE ANN. § 41-6a-303, including UTAH ADMIN. CODE R920-1-1, et seq., which adopts the MUTCD.
- 3.5. The Committee may establish subcommittees as needed to assist in accomplishing its duties.

4. CHILD ACCESS ROUTING PLANS (SAFE ROUTES UTAH)

- 4.1. Under the MUTCD, each elementary, middle, and junior high school shall create a child access routing plan. Various rules and guidance documents have alternately referred to the required plan both as a “student neighborhood access program” (SNAP) and as part of the Safe Routes Utah program. Both names refer to the same plan. Consistent with the current terminology used by UDOT, this policy uses the term “safe routes plan.”
- 4.2. The principal at each elementary, middle, and junior high school oversees the development of the school’s safe routes plan and may delegate it to one or more school employees. If the District has designated and provides a bus route due to hazardous walking conditions as described in Section 8, an alternative walking route shall not be shown on the school’s plan. In creating a plan, a school should consider the needs of students with disabilities in both the walking route to and from school as well as the loading and unloading areas around the school. The principal or designee may receive advice and recommendations from the school community council regarding the plan consistent with UTAH CODE ANN. § 53G-7-1202 and Nebo School District Policy KC, *School Community Councils*.
 - 4.2.1. Elementary Schools
 - 4.2.1.1. The school administrator for each elementary school shall prepare and update a safe routes plan annually.
 - 4.2.1.2. The plan shall include the following information:
 - 4.2.1.2.1. A map, readable in black and white print, identifying the following:
 - 4.2.1.2.1.1. The school location;
 - 4.2.1.2.1.2. Existing traffic controls (STOP and YIELD signs, signals);
 - 4.2.1.2.1.3. Location of school crosswalks;
 - 4.2.1.2.1.4. Crossing guard locations;
 - 4.2.1.2.1.5. Rail line crossings;
 - 4.2.1.2.1.6. Established School Zones; and,

route crossing the rail line has not changed since the original notification. The UDOT Chief Railroad Engineer is required to evaluate rail line crossings and provide recommendations to the District. The School Traffic Safety Committee will consider the recommendations and may work with the school whose plan includes rail line crossings to implement them.

5. BUS LOADING ZONES

- 5.1. Each building principal will implement a procedure for safe bus loading and unloading at their school. This procedure may be reviewed by the District Transportation Supervisor and Risk Manager to ensure that procedures are consistent and effective throughout the district.
- 5.2. As part of the procedure, the building principal will schedule supervision of the bus loading/unloading zones before and after school. Those assigned will be instructed by the principal regarding their duties.
- 5.3. New buildings constructed in the Nebo School District will provide safe bus loading/unloading zones. Input from the Transportation Department will be asked for and given during the planning stage. The proper painting of curbs and signs will be in place before students enter the building for school. Parking by other vehicles will not be allowed in these zones. The area to drop off students by parents will be placed in an area that does not conflict with the bus loading/unloading zones.

6. STUDENT ELIGIBILITY FOR TRANSPORTATION

- 6.1. Under UTAH CODE ANN. § 53F-2-403, a student eligible for state-supported transportation means
 - 6.1.1. A student enrolled in kindergarten through grade six who lives at least one and one-half (1½) miles from school;
 - 6.1.2. A student enrolled in grades seven through twelve who lives at least two miles from school; and
 - 6.1.3. A student enrolled in a special program offered by the District and approved by the State Board of Education for trainable, motor, multiple-disability, or other students with severe disabilities who are incapable of walking to school or where it is unsafe for students to walk because of their disabling condition, without reference to distance from school.
- 6.2. A student who is not eligible under subsection 6.1 may request transportation by completing the Space Available Application and submitting it to the Transportation Department. Students who are not eligible under subsection 6.1 have no right to transportation, and a Space Available Application may be denied for any or no reason. An application may not be granted until the Transportation Department has finalized routes and numbers of eligible students per bus, which may be several weeks into the school year. A student submitting an application under this subsection may not ride the bus until the application is granted. An application that is granted may be withdrawn at any time, and all applications terminate at the end of the school year. An application must be denied if the following conditions are not met.
 - 6.2.1. An existing bus route passes near the student's house;
 - 6.2.2. The bus has available seats;
 - 6.2.3. The bus makes no additional stops for the student.

7. BUS ROUTES

- 7.1. The Transportation Department shall create school bus routes in accordance with Utah Admin. Code R277-600-6.
 - 7.1.1. A bus route shall traverse the most direct public route.

- 7.1.2. A bus route shall traverse roads that are constructed and maintained in a manner that does not cause property damage.
- 7.1.3. A bus route shall provide adequate safety for students.
- 7.1.4. A bus route shall not traverse a dead-end road.
- 7.1.5. A bus route shall be reasonably cost-effective in comparison to other feasible alternatives. To promote bus route efficiency, the minimum distance between stops should be three tenths (.3) of a mile.
- 7.1.6. A bus route shall include an economically appropriate number of students.
- 7.2. The Transportation Department shall designate safe areas for bus stops.
 - 7.2.1. Except as provided in paragraph 7.2.2, a student is responsible for the student's own transportation to bus stops up to one and one-half miles from home.
 - 7.2.2. A student with a disability is responsible for the student's own transportation to bus stops unless the student's IEP or 504 plan determines otherwise.
- 7.3. The Transportation Department shall report changes made in existing routes and the addition of new routes to the state superintendent.
- 7.4. The minimum number of general education students required to establish a bus route is ten. The minimum number of students with disabilities required to establish a bus route is five. A route may be established in either case for fewer students with permission of the State Superintendent.

8. HAZARDOUS WALKING CONDITIONS

- 8.1. A person may request that the District provide transportation for students who are otherwise ineligible under Section 6 when the person considers that walking to or from school is unsafe for students. The person must submit the request in writing to the Director of Operations. The request must state that it is a request for transportation due to unsafe walking conditions and must include the school name, street names, approximate number of students affected, and a detailed description of the unsafe conditions.
- 8.2. The Director of Operations shall review a request received under paragraph 8.2. If the Director of Operations determines the request warrants an investigation, the director must convene a Hazardous Conditions Committee.
 - 8.2.1. A Hazardous Conditions Committee should include the following members.
 - 8.2.1.1. Director of Operations
 - 8.2.1.2. Transportation Supervisor or designee
 - 8.2.1.3. The school principal
 - 8.2.1.4. A parent member of the School Community Council
 - 8.2.1.5. The District Risk Manager
 - 8.2.1.6. Others as invited by the school principal or Director of Operations.
 - 8.2.2. The Hazardous Conditions Committee shall review the request and analyze the factors listed in subsection 8.6. The committee should visit the site and consult with local transportation officials. If the committee determines the conditions are hazardous, the committee must make a written recommendation to the Board, submitted to the superintendent, that the District provide transportation.

- 8.3. The Board may approve the provision of transportation of students in areas where walking constitutes a hazardous condition. Such transportation is provided using the District's general funds or funds from a Board Local Levy authorized under UTAH CODE ANN. § 53F-2-602.
- 8.4. The Board may designate hazardous conditions upon analysis of the following factors:
 - 8.4.1. Volume, type, and speed of vehicular traffic;
 - 8.4.2. Age and condition of students traversing the area;
 - 8.4.3. Condition of the roadway, sidewalks, and applicable means of access in the area; and
 - 8.4.4. Environmental conditions.
 - 8.4.5. Hazardous Conditions Committee Recommendation.
 - 8.4.6. Availability of resources.
- 8.5. The Transportation Supervisor or designee may request a review of a hazardous conditions designation. When a request is made, the process outlined in subsections 8.2 through 8.4 will be followed.

9. ALTERNATE SITE

- 9.1. The parent of a student may request that the District transport the student to and from a child care provider ("alternate site") instead of the student's residence. The Transportation Department Supervisor may grant the request if the following conditions are met:
 - 9.1.1. The parent submits a written request for transportation to an alternate site using the Alternate Site Request form.
 - 9.1.2. The alternate site is at least one and one-half or two miles from the school consistent with the student's eligibility under section 6;
 - 9.1.3. The alternate site lies in an existing bus route;
 - 9.1.4. The bus traveling the existing route has room for the child;
 - 9.1.5. The bus does not make additional stops for the child; and
 - 9.1.6. The transportation to and from the alternate site is provided daily.
- 9.2. A request for varied busing services, such as alternating days between the residence and the alternate site, must be denied. Likewise, the District shall not provide transportation to or from a location that is not a bus stop or the student's residence or an approved alternate site. The District will not provide transportation to or from sporadic or nondaily events such as birthday parties, music lessons, scouts, sporting events, study groups, friends' houses, employment, etc.

10. BUS DRIVERS

- 10.1. School bus drivers are bound by a comprehensive set of requirements, including standards related to their physical condition, training and certification, and criminal history. The requirements are found in the *Standards for School Buses and Operation*, adopted by the Utah State Board of Education. See UTAH ADMIN. CODE R277-601. Bus drivers, substitute drivers, attendants, and other employees transporting students on a school bus shall comply with the most current version of the *Standards*.
- 10.2. Drivers may not allow a person, including the driver's own child, to ride the bus unless the person has been authorized or assigned to that bus by the Transportation Supervisor or designee.

- 10.3. Drivers shall perform pre-trip inspections of buses and other safety measures as directed by Transportation Department rules.
- 10.4. Drivers shall clean their buses as directed by Transportation Department rules.

11. ALTERNATIVE TRANSPORTATION

- 11.1. Alternatives such as payment in lieu of transportation may be offered as permitted by UTAH ADMIN. CODE R277-600-7. The Transportation Department shall analyze bus routes that include a large number of deadhead miles (miles driven with no student on the bus) to determine if an alternative method of transporting students is more efficient or fiscally responsible. Possible alternatives include the following, as outlined in Utah State Board of Education rules:
 - 11.1.1. Use of a District multi-purpose passenger vehicle (rather than a bus) to transport students;
 - 11.1.2. Paying eligible students an allowance in lieu of District-supplied transportation wherein a student is reimbursed for mileage to school or bus-stop, whichever is closer;
 - 11.1.3. Providing a subsistence allowance for a student to live at a site nearer to the school; and
 - 11.1.4. Engaging in a contract or leasing for transportation.
- 11.2. The Transportation Department shall annually perform a cost-benefit analysis as part of its determination of the specific reimbursement rate. This analysis shall be made available to the public.
- 11.3. A mileage allowance under this section is available only to one student per family for each trip that is necessary for all the students within a family to attend school. However, if siblings are on different schedules or would ride buses that are on significantly different schedules, multiple students within a family may be paid for student mileage allowances.
- 11.4. The District shall measure and certify a student's mileage in school district records.

12. STUDENT CONDUCT AND DISCIPLINE

- 12.1. Students shall comply with all applicable district policies while on a school bus. The requirements and procedures outlined in Nebo School District Policy JD, *Student Conduct and Discipline*, apply to student conduct occurring on a school bus. A student's principal may take disciplinary action against the student for conduct occurring on a school bus in accordance with Policy JD.
- 12.2. Students on a school bus shall comply with rules set by the Transportation Department and directives given by a bus driver or attendant.
- 12.3. Bus Tickets
 - 12.3.1. The Transportation Department may take disciplinary action against a student for conduct that violates District policy or Transportation Department rule or directive from driver or attendant. This disciplinary action may be in addition to action taken by a school administrator for the same conduct. If the Transportation Department takes disciplinary action against a student beyond a level 1 ticket, the department shall notify the student's school administrator of the student's conduct and the action taken.
 - 12.3.2. Discipline administered by the Transportation Department under this subsection is accomplished by the issuance of tickets as described in paragraphs 12.3.2.1 through 12.3.2.4. The Transportation Department shall input disciplinary action beyond a level 1 ticket taken by the Transportation Department to the District's student information system. Tickets are issued based on the severity and/or frequency of student misconduct. Level 1 tickets are issued for minor misconduct, and level 4 tickets are

issued for severe or frequent misconduct. Bus drivers may issue level 1 tickets. Only the Transportation Supervisor or designee may issue level 2, 3, and 4 tickets.

12.3.2.1. Level 1 Ticket. The parent/guardian shall sign the ticket and the student must return it to the driver. If the slip is not signed and returned to the driver, the student will not be permitted to ride the bus.

12.3.2.2. Level 2 Ticket. The student will be suspended for up to two (2) school days from bus privileges. The parent/guardian and principal are to sign the ticket before the student will be allowed to ride the bus.

12.3.2.3. Level 3 Ticket. The student will be suspended for up to ten (10) school days from bus privileges. At this time it will be determined if the student will retain bus privileges or be kept on suspension. The student will not be allowed to ride the bus until the suspension have been completed.

12.3.2.4. Level 4 Ticket. Automatic bus suspension for up to twenty (20) school days. At the end of the suspension, a conference with the involved parties will be held to evaluate the student's bus privileges.

12.3.3. Suspension from bus privileges may also be extended to include field trips, athletic trips, and other special activities where students are transported by District buses.

12.3.4. A student will not be denied transportation until a parent/guardian is contacted.

12.3.5. The level of a ticket issued is based on the severity of the infraction. Students do not necessarily move from one level to another with each ticket issued.

12.4. Before a student is suspended from riding the bus, the administrator issuing the discipline must determine whether the student is entitled to transportation due to disability by reviewing the student's Individualized Education Program (IEP) or Section 504 Plan. If the student is entitled to transportation because of a disability, discipline may be administered only as permitted under the applicable provisions of Policy JD and in accordance with the student's IEP or 504 plan.

13. UNAUTHORIZED ENTRY OF SCHOOL BUS

13.1. In accordance with Utah law, each school bus shall contain a sign next to the entrance warning that unauthorized entry is a violation of state law.

13.2. A person is guilty of a class B misdemeanor if the person:

13.2.1. enters a school bus with the intent to commit a criminal offense;

13.2.2. enters a school bus and disrupts or interferes with the driver; or

13.2.3. enters a school bus and refuses to leave the bus after being ordered to leave by the driver and the person:

13.2.3.1. is not a peace officer acting within the scope of his or her authority as a peace officer;

13.2.3.2. is not authorized by the school district to board the bus as a student or as an individual employed by the school district or volunteering as a participant in a school activity;

13.2.3.3. causes or attempts to cause a disruption or an annoyance to any passenger on the bus; or

13.2.3.4. is reckless as to whether the person's presence or behavior will cause fear on the part of any passenger on the bus.

- 13.3.** If a person meeting the criteria in subsection 13.2 enters a bus, the driver or attendant shall report the person to the local police and notify the Transportation Supervisor.

14. MISCELLANEOUS

- 14.1.** Schools are not required to provide crossing guards on public streets. Under Utah Code Ann. § 41-6a-303 the local highway authority shall pay for, provide, train, and supervise school crossing guards.

EXHIBITS

None

REFERENCES

UTAH CODE ANN. § 41-6a-301.
UTAH CODE ANN. § 41-6a-303.
UTAH CODE ANN. § 41-6a-1301, et seq.
UTAH CODE ANN. § 53F-2-402.
UTAH CODE ANN. § 53F-2-403.
UTAH CODE ANN. § 53G-4-402.
UTAH CODE ANN. § 53G-7-1202.
UTAH CODE ANN. § 76-9-107.
UTAH CODE ANN. 76-10-1501, et seq.
UTAH ADMIN. CODE R277-600.
UTAH ADMIN. CODE R277-601.
UTAH ADMIN. CODE R909-3-1, et seq.
UTAH ADMIN. CODE R920-1-1, et seq.
Nebo School District Policy KACA, *School Advertising Restrictions*.
Nebo School District Policy KC, *School Community Councils*.
Utah Manual on Uniform Traffic Control Devices, 2009 Edition, with revisions through June 30, 2015 (MUTCD).
Standards for School Buses and Operation, Utah State Board of Education.

FORMS

Alternate Site Request
Space Available Application

HISTORY

Adopted 8 May 2019 – This policy repeals and replaces the following policies: EEA, Student Transportation (1995); EEA-P, Student Transportation (1996); EEA-P2, School Bus Route Approval (1995); EEAAA, In-Lieu of Transportation (1995); EEAAA-P, Reimbursement for In-Lieu of Transportation (1998); EEABA, Hazardous Routes (1996); EEABA-P, Hazardous Routes (2003); EEABA-E, Composition of the Hazardous Route Committee (1999); EEABA-E2, Request for Special Transportation Consideration; EEAC, Accidents Involving School Buses (1998); EEAC-P, Accidents Involving School Buses (1998); EEACAA, Driver Qualifications (2000); EEACAB, Sub Driver Qualifications (1998); EEACB, Minor Inspections of Buses (1978); EEACB-P, Bus Inspection (1978); EEACB-P1, Bus Cleanliness (1978); EEACC, Student Behavior While Riding the Bus (1978); EEACC-P, School Bus Rider Incident Report (2004); EEAI, Driver Conduct (1978); EEAIA, Driver Handbook (1978); EEAIB, Driver's Personal Children on Bus (1978); EBB, Accident Prevention (1976); EBB-P, Accident Prevention in Bus Loading Zones (2001); EBB-P2, Regulations and Preventing Accidents in Traffic and Parking Areas (1976).
