

REGULATION **MONTGOMERY COUNTY PUBLIC SCHOOLS**

Related Entries: EBH-RA, EBI-RA, EEA, EEB-RA, IGN, IPD-RA, JED, JEE, JEE-RA, JFA-RA, JHC, JHC-RA, KLA

Sources: *Annotated Code of Maryland, Education Article, §3-903(c); Code of Maryland Regulations §13A.06.07, Student Transportation; Individuals with Disabilities Education Improvement Act of 2004, as amended, Title I, Part A §602(26)(A); McKinney-Vento Homeless Assistance Act of 1987, as amended, Title VII, Subtitle B; 42 U.S.C. 11432 (g)(3); No Child Left Behind Act of 2001, Part A, Subpart 1 §1116(b)(E); and Rehabilitation Act of 1973, as amended, 20 U.S.C. §794 (Section 504).*

Responsible Office: Chief Operating Officer
Department of Transportation

Student Transportation

I. PURPOSE

The purpose of this regulation is to establish permissible uses of the Montgomery County Public Schools (MCPS) student transportation service and to delineate responsibilities for the safe movement of Montgomery County students to and from school or school-related activities.

II. PROCEDURES

The director of the Department of Transportation (DOT), under the direction of the chief operating officer, is responsible for student transportation and the safe and efficient operation of MCPS buses. DOT is in direct communication with police and other public officials who are charged with student pedestrian safety and control. The director of transportation coordinates with school principals on decisions regarding the safe travel of students to and from school and the effective operation of buses.

A. Transported and Non-transported Areas

Transported areas surrounding MCPS schools are defined by the Board of Education (Board) as follows:

Elementary schools—beyond 1 mile;
 Middle schools—beyond 1.5 miles;
 High schools—beyond 2 miles.

The distance will be measured from the nearest point of residential property to the curb in front of the nearest school door.

1. Transportation may be provided to students who live within the prescribed distances established by the Board if the director of transportation determines that an appropriate walking route does not exist.
2. In establishing the demarcation line between transported and non-transported areas, the director of transportation may extend these distances by one-tenth of a mile to coincide with breaks in the pattern of homes, such as street intersections, major roadways, streams, parks, walking easements, commercial property, vacant land, unusual contour variations, and other features.

B. Levels of Transportation Service

Students who reside in transported areas established by the Board or meet the eligibility criteria of federal laws may receive transportation services as follows:

1. Neighborhood bus service, defined as transport from neighborhood bus stops to school, will be provided to students residing within the home school area or areas eligible for transportation services to the consortia school they attend.
2. Centralized bus service, defined as transportation from a central location such as a neighborhood elementary school, to the program site, may be provided to students attending specific programs as identified in the MCPS *Options (Guide to Countywide Programs)* booklet, in accordance with Board action, attendance areas, transportation services, and funding levels. Parents are responsible for students' transportation to and from centralized bus stops, whether or not there is an appropriate walking route.
3. Bus service on established routes may be provided to students who live outside the transported area of the school they attend, on a space-available basis. Parents are responsible for students' transportation to and from an established neighborhood or centralized bus stop. Restrictions will be imposed when student safety is jeopardized.

4. Enhanced levels of transportation service will be provided to students who meet the eligibility requirements of federal laws:

a) *Individuals with Disabilities Education Act (IDEA)*

Transportation may be provided as a related service to a student with disabilities as specified in the student's Individualized Education Plan (IEP).

b) *Section 504 of the Rehabilitation Act*

Transportation may be provided as an accommodation to a student with disabilities as specified in the student's Section 504 Plan.

c) *No Child Left Behind Act of 2001 (NCLB)*

Under the revised *Elementary and Secondary School Act of 2001*, MCPS students who attend an MCPS Title I school identified for improvement, corrective action, or restructuring may be eligible to receive transportation to a designated MCPS school until the Title I school is no longer identified for improvement, corrective action, or restructuring.

d) *McKinney-Vento Homeless Assistance Act of 1987*

Transportation will be provided to a homeless student as required by the *McKinney-Vento Homeless Assistance Act of 1987*, as amended by NCLB.

5. Transportation on special education buses may be provided to siblings of special education students attending the same school. When transportation service for the special education student ends, transportation service for the sibling ends.

C. Non-MCPS Transportation Services

DOT staff will attempt to use MCPS-owned vehicles to the fullest extent possible to transport students eligible for enhanced transportation services as described in Section II.B.4. When enhanced transportation services for eligible students cannot be provided with MCPS vehicles, the director of transportation will consider the use of commercial transportation services and/or direct reimbursement to the parents or other individuals for the most economical transportation that meets the needs of the student.

1. Commercial transportation services will be negotiated by the director of procurement and must be preapproved by the director of transportation. Such contracts will require compliance with all elements of COMAR related to student transportation (13A.06.07) and applicable MCPS DOT guidelines. If transportation can be arranged on an MCPS vehicle at any time, the commercial service will be terminated.
2. Transportation and related expenses for which parents expect to be reimbursed must be preapproved by the director of transportation. The reimbursement rate shall not exceed the Board-approved mileage rate for staff travel. If transportation on MCPS vehicles can be arranged later, further expenses will not be approved.

D. Student Safety

1. The director of transportation or designee shall evaluate the safety and efficiency of bus stops, recommended walking routes, and traffic control patterns for schools. Questions concerning safety of students moving to and from school shall be directed to the cluster transportation supervisor, who determines whether a hazard exists and takes appropriate action where warranted.
2. Walking Routes
 - a) Appropriate walking routes are established through analyses that include the following:
 - (1) Commonly available Internet tools providing aerial views of neighborhood roadway configurations;
 - (2) Onsite visits by DOT staff trained in student safety;
 - (3) Review of comparable walking routes in other neighborhoods;
 - (4) Existing safety features as well as impediments to safety; and
 - (5) Observed pedestrian/vehicular use of the walking area.
 - b) An appropriate recommended walking route will be within the distances defined in Board Policy EEA, *Student Transportation*, but may not follow the shortest or most direct route.

- c) Transportation services will not be modified due to temporary conditions such as standing water after rainfall, snow and/or ice accumulation on sidewalks during inclement weather.

3. Crosswalks, Adult Crossing Guards, and Student Safety Patrols

The location of crosswalks, adult crossing guards, and student safety patrols is determined jointly by the director of transportation, the Montgomery County Police Department School Safety Unit, and the Montgomery County Department of Transportation. Adult crossing guards are employed by the Montgomery County Police Department and are assigned at the request of MCPS.

4. Bus Routes

Buses are routed in a manner that maximizes safety and efficiency. DOT is responsible for establishing routes for school buses and the stops for loading and unloading students. The following will be considered:

- a) Buses only will be routed on roadways and bridges designed to accommodate the size and weight of the bus.
- b) Routes will be established in such a way that the walking distance from a student's home to an established bus stop is no greater than the distances identified in Board Policy EEA, *Student Transportation*:

- Elementary schools—1 mile;
- Middle schools—1.5 miles;
- High schools—2 miles.

- c) Regular education buses will be routed on through roadways. However, when compelling circumstances require deviation from the through roadway, buses may be routed on roadways without outlets (e.g. dead-end streets, courts, and cul-de-sacs) under the following conditions:
 - (1) There is space for the bus to turn around; and
 - (2) The turn from the through roadway and entrance back onto the through roadway can be made safely.

5. School and Parental Partnership for Student Safety

MCPS will encourage a partnership of students, parents, school staff, and DOT staff to teach and enforce safe practices for moving to and from school in all modes of transportation.

a) Bus Operator/Bus Attendant

The bus operator and attendant, if assigned, are responsible for encouraging safe riding practices, enforcing and addressing disciplinary issues, and instructing how to safely get on and off buses.

b) Principal

The principal is responsible for:

- (1) Providing classroom instruction on school bus safety rules, safe walking, and safe bus-waiting practices; and
- (2) Enforcing safe traffic practices on school property, including ensuring that school loading zones are adequately supervised, and restricting vehicles other than buses from school loading zones during loading and unloading activities.

c) Parents are responsible for their student's safety along their walking route and/or at the bus stop.

- (1) Parents are responsible for selecting their student's walking routes to and from bus stops and schools.
- (2) Parents are responsible for providing supervision along their student's walking route and/or at the bus stop that is appropriate to the student's age and maturity. Parents are responsible for supervision of students until they board the bus for school and upon exiting the vehicle after school.
 - (a) Parents are encouraged to walk daily to and from school bus stops or school with students, especially younger students, and to use this opportunity to teach safe walking practices, safe bus-waiting practices, and traffic awareness, and to model wellness by walking for exercise.

- (b) Students should arrive at the bus stop five minutes ahead of the scheduled arrival time of the bus.
- (c) Parents are responsible for meeting prekindergarten and Head Start students on mid-day buses and students on special education buses at their assigned bus stops. When these students are not met, bus operators will follow established procedures to ensure student safety until students and parents can be reunited.
- (d) So that children are prepared for those occasions when parents may be unable to meet the bus or are late, parents are encouraged to instruct their children what they are to do in their parents' absence, as bus operators are not able to ensure that each student is met by a parent except in those circumstances described in (c) above.

6. Denial of Bus Riding Privileges

- a) Students who violate the behavior and safety rules may have bus riding privileges denied temporarily or permanently by the school principal in accordance with the following procedures.
 - (1) The bus operator notifies the principal of details pertaining to a disciplinary problem with a student on the school bus using MCPS Form 555-3: *School Bus Disciplinary Report*. If action taken by the school does not resolve the disciplinary problems, the operator contacts the transportation supervisor for the cluster.
 - (2) The principal will warn the student of the possibility of denial of bus riding privileges and may have the student and parents sign a bus riding contract. If the disciplinary problems continue, the principal will confer with the parent/guardian and student prior to the suspension of riding privileges or, depending on the severity and nature of the behavior problem, suspend riding privileges immediately.
 - (3) The principal will notify the parent/guardian in writing of complaints received and the suspension of the student's riding

privileges, with a copy to the bus operator, DOT, and the appropriate community superintendent.

- b) The student's riding privileges may be restored by the principal after a conference with the student and/or parent/guardian and consultation with the cluster transportation supervisor. The principal will notify the bus operator and cluster transportation supervisor in writing of the reinstatement of the student's riding privileges.

E. Responsibilities and Priorities in Case of an Accident

1. DOT will provide training and maintain guidelines and procedures for handling accidents so that injured students/staff are cared for promptly, further injury is prevented, students are reunited with parents as quickly as possible and correct and timely information is disseminated to all appropriate parties. Accident scene responsibilities, notification, and reporting requirements will be consistent with state and federal requirements.
2. Accident scene responsibilities include the following:
 - a) The dispatcher, or if the dispatcher is not on duty, the bus operator ensures that emergency services and an MCPS DOT supervisor are called to the scene.
 - b) A bus involved in an accident or collision shall not be moved until released by a police officer or a Department of Transportation supervisor.
 - c) In compliance with federal transportation standards, MCPS operators must cooperate with drug testing following any accident resulting in injury or sufficient damage to necessitate a vehicle being towed.
3. Notification
 - a) Accidents must be reported to the dispatcher and police immediately.
 - b) The dispatcher will notify appropriate MCPS personnel, including the Office of the Chief Operating Officer (OCCO) when appropriate, in accordance with notification procedures.
 - c) DOT staff will notify the OCCO.

- d) Following notification of an accident involving students, the principal/designee should contact parents as soon as possible.
- e) If students or staff involved in the accident are hospitalized, administrative or supervisory personnel from the school and DOT will be sent to the hospital.
- f) The public information officer handles all news media requests for information.

4. Reporting

- a) DOT shall maintain and follow reporting and investigative procedures for all accidents.
- b) DOT shall comply with all MSDE accident reporting guidelines.

F. Notification of Route Changes

- 1. The director of DOT will notify principals of any significant changes in bus service by June preceding the new school year or ten calendar days prior to significant changes during the year.
- 2. Principals will provide the school community with timely notification of bus stop changes made by the transportation supervisor. The principal, in cooperation with the transportation supervisor, will draft a letter of notification to appropriate parents. The letter, to be sent to parents by the principal, will include:
 - (1) The proposed change in service, along with the basis for action
 - (2) The date when transportation will cease
 - (3) Location of new bus stop, if applicable.
 - (4) Information pertaining to placement of new crossing guards or traffic control devices, if any
 - (5) Procedures for appeal of the proposed change

- G. Uses of Buses for Field Trips, Athletics, and Functions Outside of MCPS
1. MCPS buses are available for field trips during the hours that do not conflict or interfere with the regularly scheduled runs.
 2. Schools may use MCPS buses to transport participants to approved athletic activities.
 3. Government organizations, such as Montgomery County, the City of Rockville, the City of Gaithersburg, the City of Takoma Park and/or educationally related non-profit organizations may use MCPS buses as approved by the director of transportation.
 4. The chief operating officer periodically sets the fee schedule for school field trips and use of buses by other public agency programs. The schedule includes operational and bus operator costs. Refer to the DOT web page, *Web Trips: Field Trip Request System*, for details.
 5. DOT, in cooperation with the Division of Procurement, is responsible for screening private motor coach carriers used for school-sponsored activities to ensure they meet the following standards:
 - a) The company carries the required levels of insurance;
 - b) All vehicles are inspected and pass inspections according to federal requirements;
 - c) Drivers hold appropriate licenses and receive all required safety training; and
 - d) The carrier meets all federally required drug testing and employment standards for motor coach operators.
 6. Responsibility for Students
 - a) It shall be mandatory for a faculty member from the school group or a chaperone authorized by the principal to be onboard each bus used for student trips made on MCPS buses. A bus operator is not authorized to begin a trip without a faculty member or an authorized chaperone onboard the bus.

- b) The responsible MCPS staff member or chaperone shall adhere to the safety procedures outlined on the DOT web page, *Web Trips: Field Trip Request System*.

H. Resolution of Concerns from the Public

As set forth in Board Policy KLA, *Responding to Inquiries and Complaints from the Public*, the Board of Education encourages the public to seek resolution through an informal process of cooperative agreement among the most immediately affected parties. Formal steps for resolving complaints only should be used after informal approaches have been unsuccessful in resolving the complaint.

1. A member of the public who has an inquiry, concern, or complaint regarding student transportation is encouraged to discuss the matter with the transportation supervisor for the cluster to seek an informal resolution.
2. A concern not resolved informally at the level of the transportation supervisor for the cluster should be addressed to the director of transportation for his/her decision.
3. The director of transportation's decision may be appealed to the chief operating officer who shall render a decision on behalf of the superintendent of schools, advising the appellant of the right to further appeal to the Board of Education consistent with the Education Article, *The Annotated Code of Maryland*, Section 3-903(c).

Regulation History: Formerly Regulation No. 215-1, September 12, 1979; directory information updated January, 1983; revised December, 1984; reviewed April, 1988; revised May 13, 1998; revised April 21, 2010.