

## **STUDENT TRANSPORTATION GUIDELINES**

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### **A. Required Transportation**

1. The school district has certain legal responsibilities to arrange and/or pay for transportation: e.g., students in grades 1-8; vocational students to a receiving district; educationally handicapped students as a related service. Implied is a duty that the transportation be safe.
2. The district can transfer and/or control this exposure by various methods. These methods include, in order of preference:
  - a) Hiring a commercial transporter under contract.
  - b) Using school owned vehicles that meet school bus construction standards (no 15 passenger vans), driven by school employees properly trained and certified as school bus drivers when such certification is required.
  - c) Using public transportation, where available
  - d) Using hired vehicles driven by school employees. These employees must be properly certified to drive the hired vehicle. The rental company will usually ask for proper documentation prior to rental.
  - e) Using school employees driving their own vehicles.
  - f) Using parents driving their own children in their personal vehicles.
  - g) Authorizing a student to drive him or herself only.

No student should ever be authorized to provide transportation to other students.

In all cases, the insurance covering the vehicle is primary. Primary insurance coverage for the above alternatives would be a) the commercial transporter's, b) & d) the district's, c) the public transporter's, e) the employees, f) the parent's, and g) the student's. The district's insurance would be secondary for alternative e). It may also be secondary for alternatives f) & g) but only when the school has authorized the use of the personal vehicle for such use.

### **B. Non-required Transportation**

1. The district may adopt a policy to provide non-required transportation for reasons of convenience or safety: e.g., pre-school, kindergarten or high school student regular transportation, field trips, interscholastic athletic events, etc. In these cases to protect the district against "losing" a student under their care, the policy should specify that the student travel both ways on the school transportation, unless prior parental permission is granted.
2. The same priority for usage would apply in A. 2 above.

C. It may be necessary and appropriate for school personnel to provide required transportation on an incidental or regular basis for a student to attend off campus sites, e.g., to carry out the provisions of an IEP, or a School-to-Work assignment. A certificate of insurance should be obtained from the proposed driver, just as for other school drivers. Depending on the vehicle used, it may not be necessary for the

driver to have school bus driver certification. There is also a need to establish proper supervision to protect both the driver and student against allegations of inappropriate behavior.

In general, school districts should not increase their potential liability by assuming responsibility for transportation beyond what is normally provided. Always consult with your school attorney before adoption of any policy you may be considering.

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