

STUDENT TRANSPORTATION REGULATIONS

Eligibility Requirements for Transportation

In accordance with New Hampshire law, the Manchester School District shall provide school bus service to public school students in grades 1 through 8 who live more than 1.4* miles from the school to which they are assigned. Transportation for pre-kindergarten and kindergarten students is not required by law and is not provided by the Manchester School District.

Exceptions to the 1.4-mile requirement may be made in the cases of students with physical, emotional, or intellectual disabilities covered by applicable state and federal laws and regulations. In addition, the District may provide transportation in areas where a safety hazard has been determined by the Superintendent or his/her designee.

Students attending grades 1 through 8 in approved private schools shall be entitled to the same transportation privileges as those extended to public school students.

Exceptions

The Superintendent of Schools or his/her designee shall have the authority to grant exceptions to this policy on a case-by-case basis provided there is no resulting change to a bus route or bus stop and can be accomplished with no additional cost to the District.

1. Requests for exceptions shall be accepted for consideration two weeks after the first day of school. Transportation prior to that time shall be the sole responsibility of parents/guardians.
2. All requests for exceptions shall be submitted, in writing, to the school principal for submission to the Transportation Coordinator.
3. Exceptions shall be granted on a first-come, first-served basis, when seats are available.
4. No door-to-door transportation shall be provided.
5. Pick-up and drop-off location shall be consistent Monday through Friday.
6. No requests for exceptions for temporary or part-time transportation shall be accepted or granted.
7. Should ridership exceed bus capacity due to an increase in the number of eligible students, parents shall be notified and the transportation exception shall be rescinded. Parents shall be provided with a seven-day notice before the action is taken.
8. Exceptions shall be implemented upon receipt of the *Transportation Exception Form*. Parents shall sign to verify that they understand approval to ride the bus shall be rescinded in the event that bus ridership increases with students who meet the transportation eligibility requirements. A lottery shall be used to resolve conflicts when more than one student has been approved on the same day.
9. Parents shall be provided with notice in writing of the disposition of all exceptions requested.

**NHRSA 189:6 allows districts to refuse to transport students who live up to 2 miles from school.*

General Operating Policy

1. Bus routes shall be established annually by the Superintendent or his/her designee.
2. Bus stops shall be established annually by the Superintendent or his/her designee.
3. Routes and stops shall be publicized in a manner that is timely and widely disseminated.
4. With the exception of students taking out-of-district transportation, all bus-riding students shall arrive at their destination no later than 45 minutes after departure.
5. Students availing themselves of transportation shall be picked up and dropped off at the same location Monday through Friday.
6. Students may only ride the bus to which they have been assigned.

Safety Program

1. Principals shall instruct students concerning bus safety and proper bus behavior at the start of each school year.
2. Emergency evacuation drills to inform students of emergency procedures shall be conducted at least twice a year between the months of October and May.
3. The District and company contracted to provide bus transportation shall comply with all state and federal school transportation laws and regulations, including those related to vehicle inspection. The company shall make these requirements known to drivers.

Driver Responsibilities

1. School bus drivers shall meet the qualifications required by federal and state law, the personnel policies of the Manchester School District, and the transportation contractor retained by the district.
2. Drivers shall pass a criminal background check and fingerprint analysis.
3. Drivers shall be screened before employment for physical fitness, proper licensing, driving record, and experience.
4. Drivers shall be held responsible for the safe operation of the bus and shall be expected to maintain orderly conduct on the part of the students.
5. Preliminary written reports by bus drivers and/or monitors shall be furnished to the Principal within twenty-four (24) hours of any disturbance or irregularity due to the conduct of any student or students. The District or Principal shall respond in writing to the transportation company regarding the course of action taken to resolve the matter.

Rules of Conduct and Sanctions for Violations

The Manchester School District shall be fully-responsible for the safety, welfare, conduct, and control of students during the period of transportation.

1. Students shall be considered under the jurisdiction of the school district from the time they board a bus until the time they exit the bus.
2. Students shall conduct themselves in a safe and respectful manner while riding any school bus. Students who violate established rules shall be reported to their school principals for disciplinary action which may include revocation of bus-riding privileges.

3. Students shall sit in their seats at all times and shall not change seats without the permission of the bus driver or while the bus is in motion.
4. Once a student has boarded the bus, he/she may not get off the bus except at his/her assigned stop.
5. Students shall keep their heads, hands, and feet inside the bus at all times.
6. Absolutely no smoking, drinking or eating of any kind is permitted on the school bus. (Exceptions may be made with prior medical approval).
7. Students shall not mark, deface or otherwise vandalize the bus. Students shall be responsible for any and all damages to the bus.
8. The school bus is an extension of the school. All school rules and regulations pertaining to student conduct in the schools are applicable to student conduct on the bus.
9. It is understood that the school bus environment is such that the threshold for violations to the rules of conduct may be different from the threshold in the school environment.
10. Students who violate established rules and regulations for proper conduct shall be reported to the school administrator for proper disciplinary actions. Principals shall assess each situation and apply educationally sound consequences for violations of rules of conduct. Principals shall ensure compliance with state and federal laws: Family Educational Rights and Privacy Act (FERPA), Individuals with Disabilities Education Act (IDEA), and Section 504.

Level I

Level I offenses include minor misbehavior on the part of the student which impedes orderly school bus operations. These misbehaviors can usually be handled by school bus personnel, but sometimes require the intervention of the school administrator.

A. Examples (not limited to)

1. Improper boarding or departing procedures
2. Standing while bus is in motion
3. Failing to properly dispose of litter and waste
4. Unnecessary or excessive noise, disruptive behavior
5. Engaging in rude, discourteous, or annoying conduct
6. Rude or inappropriate language

B. Procedures

1. There is immediate intervention by the school bus personnel who observed the misbehavior.
2. Repeated misbehavior requires a conference with the administrator, student, and parent.
3. A proper and accurate record of the offenses and disciplinary action shall be maintained by the administrator.

C. Disciplinary Options/Responses

1. Verbal reprimand
2. Seat assignment
3. Counseling

4. Behavioral contract
5. Suspension of bus privileges
6. Detention

Level II

Level II offenses include misbehavior whose frequency or seriousness tends to disrupt orderly school bus operations. These infractions, which usually result from the continuation of Level I misbehaviors, require the intervention of personnel on the administrative level because the execution of Level I disciplinary options has failed to correct the situation. Included in this level are misbehaviors which do not represent a direct threat to the health and safety of others, but whose consequences are serious enough to require corrective action on the part of administrative personnel.

A. Examples (not limited to)

1. Continuation of unmodified Level I misbehavior
2. Sexual harassment
3. Verbal or symbolic harassment that infringes on students' rights to non-threatening environment
4. Smoking on school bus
5. Using profanity, vulgar expressions, and/or vulgar gestures in the presence of any member of the faculty, staff, or school bus personnel
6. Failing to cooperate or being insubordinate
7. Throwing objects in or out of school bus
8. Disruptive behavior
9. Hanging out of school bus windows

B. Procedures

1. There shall be immediate intervention by school bus personnel who observed the misbehavior.
2. The student shall be referred to the administrator for appropriate disciplinary action.
3. The administrator shall meet with the student and/or transportation representative and effect the most appropriate response.
4. A proper and accurate record of the offense and the disciplinary action shall be maintained by the administrator. A discipline slip shall be written by person who reported incident.
5. The student, parent, and transportation representative shall be informed of the administrator's action in accordance with applicable state and federal laws: Individuals with Disabilities Education Act (IDEA) Family Educational Rights and Privacy Act (FERPA), and Section 504.
6. A parental conference may take place.
7. If contraband is involved, it shall be confiscated. Confiscated personal property shall be returned to the parent/guardian at the discretion of the administrator.

8. The student shall be afforded appropriate due process in situations where suspension is the disciplinary option/response.

C. Disciplinary Options/Response

1. Counseling
2. Behavioral contract
3. School bus probationary period
4. Suspension of bus privileges
5. Detention
6. Suspension from school

Level III

Level III offenses are acts directed against persons or that warrant immediate intervention. These acts might be considered criminal, but most frequently can be addressed the school disciplinary protocol.

A. Examples (not limited to)

1. Continuation of Level II misconduct
2. Tampering with school bus equipment
3. Threatening others or "bullying" (**RSA 193-F*)
4. Continued sexual, verbal or symbolic harassment
5. Defacing or destroying school bus property (*Criminal Mischief – RSA 634:2*)
6. Throwing rocks or any other solid objects
7. Stealing (*Theft - RSA 631*)
8. Possession or use of alcoholic beverages and/or drugs (*Illegal Possession - RSA 318:B*)
9. Any gross misconduct or refusal to conform to the reasonable rules of school bus transportation
10. Fighting (*Simple Assault - RSA 631*)
11. Violation of any city ordinances and/or state laws
12. Failure to report to administrator when directed to do so
13. Failure to provide name to school bus personnel

B. Procedures

1. The administrator shall investigate the infraction by conferring with the transportation to determine what disciplinary action is required.
2. If contraband is involved, it shall be confiscated.
3. A proper and accurate record of offenses and disciplinary actions shall be maintained by the administrator. A discipline slip shall be written by the person reporting incident.
4. The administrator shall meet with the student to discuss the student's misconduct and the resulting disciplinary action.
5. The student, parent, and transportation representative shall be informed of the administrator's action in accordance with applicable state and federal laws: Individuals with Disabilities Education Act (IDEA) Family Educational Rights and Privacy Act (FERPA), and Section 504.

6. Restitution for damages shall be made.
7. The student shall be afforded appropriate due process in all situations where suspension is the disciplinary option/response.

C. Disciplinary Options/Responses

1. Suspension of bus privileges
2. Counseling
3. Detention
4. School bus probationary period
5. Suspension from school
6. Law enforcement officials contacted

Level IV

Offenses under Level IV may be subject to the reporting requirements of the Safe Schools Zone Act. Violations of the Safe School Zone Act carry a penalty of a one (1) year minimum expulsion.

Level IV offenses are acts which result in violence on a person or property or which pose a direct threat to the safety of others on the school bus. These acts are clearly criminal and are so serious that they always require administrative actions. These acts shall result in the immediate removal of the student from school, the intervention of law enforcement authorities, and action by the Board of School Committee. New Hampshire school authorities are obligated to report clearly established criminal offenses to law enforcement authorities.

A. Examples (not limited to)

1. Assault/battery on school bus personnel or student (*Assault - RSA 631*)
2. Continued threatening and/or stalking
3. Possession of gun, knife, or other weapon (*Weapons Possession - RSA 159*)
4. Possession of look-alike weapons (*Safe Schools - RSA 193-13*)
5. Possession of air rifle or gun, and/or pellet gun (*Safe Schools - RSA 193-13*)
6. Setting fires, detonation of explosives, or arson (*Arson RSA 634.1*)
7. Possession or use of firecrackers and other explosives
8. Causing a false fire alarm
9. Sale of drugs (*Distribution of Drugs - RSA 318-B*)
10. Continued pattern of failure to conform to school rules
11. Defacing and/or destroying school bus property (major) (*Criminal Mischief - RSA 634:2*)
12. Bomb threat and/or possession of look-alike bomb
13. Possession of mace or similar irritants
14. Extortion
15. Any criminal act that threatens the safety of students, faculty, staff, school bus personnel or administration

B. Procedures

1. The administrator shall verify the offense, confer with transportation representative and meet with the student. Parents shall be contacted.
2. Law enforcement officials shall be contacted.

3. A complete and accurate report shall be submitted to the Superintendent for possible School Board action.
4. The student shall be given a full, due process hearing before the School Board if he/she and at least one parent/guardian requests it.
5. The student, parent, and transportation representative shall be informed of the administrator's action in accordance with applicable state and federal laws: Individuals with Disabilities Education Act (IDEA) Family Educational Rights and Privacy Act (FERPA), and Section 504.
7. The student shall be afforded appropriate due process in all situations.

C. Disciplinary Options/Responses

1. Suspension of bus privileges
2. Immediate suspension from school
3. Expulsion
4. Other action by the Superintendent of Schools or School Board which results in appropriate placement

Pursuant to Manchester School District Policy (Transportation 101-Recording Devices on School Buses), Principals may utilize recordings of incidents on school buses to determine appropriate disciplinary action.

Revocation of Right to Ride

N.H.R.S.A. 189:9A- Pupils Prohibited For Disciplinary Reasons

"Notwithstanding the provisions of N.H.R.S.A. 189:6-8, the Superintendent, or his representative as designated in writing, is authorized to suspend the right of pupils from riding a school bus when said pupils fail to conform to the reasonable rules and regulations as may be promulgated by the School Board. Any suspension to continue beyond twenty (20) school days must be approved by the School Board. Said suspensions shall not begin until the next school day following the day notification of suspension is sent to the pupil's parent or legal guardian.

- I. If a pupil has been denied the right to ride a school bus for disciplinary reasons, the parent of guardian of that pupil has a right of appeal within ten (10) days of suspension to the authority that suspended this pupil's right.
- II. Until the appeal is heard, or if the suspension of the pupil's right to ride the school bus is upheld, it shall be the parent's or guardian's responsibility to provide transportation to and from school for that pupil for the period of the suspension".

Students who violate established rules and regulations for proper conduct shall be reported to the school administrator for proper disciplinary action. In the event that a student's bus privileges are suspended, notification in writing shall be sent to the parent to inform of the action and to state the reason and duration of the suspension. In no case shall such action be taken prior to notification of the student and parent.

1. Disciplinary options/responses for each infraction shall be decided upon individually based on severity of infraction, continuation of unmodified misbehavior, and the health and safety of Manchester School District students.
2. Students who are internally (if available) or externally suspended shall be prohibited from participation in any school-sponsored activities from the point of notification until their return to regular classes.

After School Program Transportation

The district may provide transportation to after school programs in accordance with the following guidelines:

1. Upon adoption of Policy: Transportation 100, after school program facilities provided with after school transportation services by the District shall be grandfathered with regard to the mileage requirement.
2. Future requests for transportation to after school facilities not currently serviced by the District must be located more than 1.4 miles from the school the student attends and within the district boundaries of the school of attendance.
3. Transportation to after school program facilities shall start two weeks after the first day of school. Transportation prior to that time shall be the sole responsibility of parents/guardians.
4. Students availing themselves of after school program transportation shall be picked-up and dropped-off at the same location Monday through Friday.
5. Transportation to after school programs shall be offered on a first-come, first-served, seat-available basis.
6. Should ridership exceed capacity due to the number of students riding from school to home, students riding buses to after school programs shall be provided seats on a first-come, first-served basis and in the order that the request was received. A lottery shall be used to resolve conflicts when more than one student has registered on the same day.

High School Transportation

The Manchester School District provides buses for high school students in areas not covered by regular routes of the Manchester Transit Authority. High school students pay for transportation at a student rate determined by the transportation company and the Manchester School District. The aforementioned rules for student bus conduct apply on buses ridden by high school students. If the student fails to conform to these rules and regulations the District and the transportation company may revoke the student's privilege to ride the bus.

References:

NH RSA 189:6

NH RSA 186-A:2