

# Lake Oswego School District 7J

Code: **EEA**  
Adopted: 5/5/03  
Readopted: 6/08/09  
Orig. Code(s): 7310

## Student Transportation Services

School transportation services shall be provided for transporting students to and from school and within the limits of available resources, for transporting students to and from out-of-school activities. The district shall comply with all state and federal laws and regulations pertaining to school bus transportation and safety requirements, including posting of and adherence to the rules concerning students riding school buses.

Students living more than one mile from their elementary school or one and one-half miles from their secondary school shall be transported to and from school. "Miles" is defined, as the distance a student lives from school, measured from the closest, reasonable and prudent points between the district property and the property where the student resides. The distance will be measured over the shortest practical route on maintained public roadways or over existing pedestrian facilities. Others may be transported when hazardous terrain would pose a serious risk of injury to pedestrians. Mileage exceptions for health, safety or disability will be made in accordance with the districts approved supplemental plan.

Transportation will be provided to a student of a school receiving Title I funds to attend a district school out of the student's attendance area because his/her home school has been identified as in need of improvement, corrective action or restructuring. Such transfers will be permitted and transportation provided only to a safe school that has not been identified for improvement, corrective action or restructuring. The obligation of the district to provide for transportation will terminate at the end of the school year if the school from which the student transferred is no longer in school improvement.

In the event all other district schools a student may transfer to have also been identified as in need of improvement, corrective action or restructuring or there is no other district school to which the student may transfer<sup>1</sup>, the district shall, to the extent practicable, establish a cooperative agreement with other district in the area for a transfer. Transportation for students who transfer for such purposes will be provided for in accordance with the agreement<sup>2</sup>.

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<sup>1</sup>If there are no district schools to which students can transfer because: (1) all schools at a grade level are in school improvement; (2) there is only one school in the district; or (3) the rural or isolated nature of the school district prevents choice, the district must notify the parents that the student's school has been identified for school improvement but that no choices are currently available.

<sup>2</sup>Interdistrict transportation under NCLBA does not appear to be a district responsibility. Districts should consult with their attorney.

The district may also provide transportation using federal funds<sup>3</sup> or through cooperative agreements with local victims assistance units for a student to attend a safe district school<sup>4</sup> out of the student's attendance area for any student who is a victim of a violent criminal offense occurring in or on the grounds of the school the student attends or the student attends a school identified as persistently dangerous.

Transportation provided will, to the extent possible, be to a school that is making adequate yearly progress and that has not been identified as in need of improvement, corrective action or restructuring. If there are no other schools within the district a student may transfer to, the district may establish a cooperative agreement with other districts in the area for a transfer. Transportation for students who transfer for such purposes will be provided in accordance with the agreement.

All students attending any private or parochial school under the compulsory school attendance laws shall, where the private or parochial school is along or near the bus route, be provided equally the riding privileges given to public school students.

A seat that fully supports each person and meets the minimum standards and specifications of law will be provided at all times. A person who weighs 40 pounds or less must be properly secured with a child safety system that meets the minimum standards and specifications established by the Department of Transportation under ORS 815.055. A person who weighs more than 40 and who is four feet nine inches or shorter must be properly secured with a child safety system that elevates the person so that a safety belt or safety harness properly fits the person.<sup>5</sup> A person who is taller than four feet nine inches or eight years of age or older must be properly secured with a safety belt or harness that meets the requirements under ORS 815.055. In accordance with ORS 811.210 and 811.215 vehicles in excess of 10,000 pounds used for student transportation are exempt from statutory requirements unless they have been equipped with lap belts. Vehicles in excess of 10,000 pounds that have been equipped with lap belts must meet child car seat requirements as set forth in law.

School Buses or other vehicles carrying students shall be considered extensions of the school experience. All students using school transportation shall abide by the code of conduct posted in each bus and the regulations stated in the transportation handbook. Violations of such code, as well as other conduct which is improper or which jeopardizes the safety of self or others, will be reported by the driver to the student's principal and transportation supervisor. Violators may be denied use of transportation for a period of time as deemed proper by the building principal, and which period does not exceed the statutory limit.

Suspension is the temporary denial of a student's right to ride district transportation, not to exceed 10 school days.

Expulsion is the termination of a student's right to ride district transportation, not to exceed one school year.

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<sup>3</sup>Federal funds means funds available through Title IV, Part A, and Title V, Part A.

<sup>4</sup>If there is not another school in the district to which students can transfer, districts are encouraged, but not required to, explore other appropriate options, i.e., an agreement with a neighboring district.

<sup>5</sup>"Proper fit" means the lap belt of the safety belt or safety harness is positioned low across the thighs and the shoulder belt is positioned over the collarbone and away from the neck.

## Special Education

The Transportation Department will be responsible for the planning and scheduling of to/from school transportation for special education students in cooperation with IEP/504 Plan teams and the Special Services Department.

Special education students will ride buses that are appropriately equipped i.e., seatbelts, safety support systems, lifts, etc., to transport students safely to from schools. Drivers are responsible for the safe securing of students and devices. Drivers are not responsible for escorting students to and from the bus.

Disciplinary procedures for special education students will be in accordance with Board Policy JGDA/JGEA - Discipline of Students with Disabilities and accompanying administrative regulations.

The bus driver will be responsible for the bus at all times. The driver will not participate in any activities that might impair driving ability.

In the event of a medical emergency, the bus driver will notify the transportation department of the situation and act in accordance with direction given, as well as in accordance with the district's emergency procedures handbook and any medical protocol adopted by the district for a student. The district shall ensure transportation officials and drivers receive notification of students having special medical or behavioral protocols identified in student records. Appropriate training related to specific protocols, including confidentiality requirements, will be provided to drivers.

END OF POLICY

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### Legal Reference(s):

[ORS 327.006](#)  
[ORS 327.033](#)  
[ORS 327.043](#)  
[ORS 332.405](#)  
[ORS 332.415](#)  
[ORS 339.240 to-339.250](#)

[ORS 343.155 to-343.246](#)  
[ORS 343.533](#)  
[ORS 343.155 to-343.243](#)  
[ORS 811.210](#)  
[ORS 811.215](#)  
[ORS 815.055](#)  
[ORS 815.080](#)  
[ORS 820.100 to-820.190](#)

[OAR 581-021-0050 to-0075](#)  
[OAR 581-022-1530](#)  
[OAR 581-023-0040](#)  
[OAR 581-053-0002 to-0015](#)  
[OAR 735-102-0010](#)

No Child Left Behind Act of 2001, 20 U.S.C. § 6315 (2006).

McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 42 U.S.C. §§ 11431-11435 (2005).

### Cross Reference(s):

EEAC - School Bus Safety Program  
EEACC - Student Conduct on School Buses