

# Newberg School District 29J

Code: **EEA**  
Adopted: 10/9/06  
Readopted: 8/09/10

## Student Transportation Services

School transportation services shall be provided for students to and from school and may be provided for transporting from one school or facility to another and school-sponsored field trips that are extensions of classroom learning experiences. Transportation shall be provided for homeless students to and from the student's school of origin<sup>1</sup> as required by the No Child Left Behind Act of 2001 (NCLBA). These services shall be provided throughout the regularly scheduled year and during the regular school day.

Elementary students grades K-5 who live more than one mile from school shall be transported. Secondary students grades 6-12 who live more than one and one-half miles from school shall be transported. Mileage exceptions for health, safety or disability shall be made in accordance with the district's approved supplemental plan.

Miles from school shall be determined by the transportation supervisor in accordance with OAR 581-023-0040 (1)(c).

Transportation shall 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 shall 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 shall 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>2</sup>, the district shall, to the extent practicable, establish a cooperative agreement with other districts in the area for a transfer. Transportation for students who transfer for such purposes shall be provided for in accordance with the agreement<sup>3</sup>.

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<sup>1</sup>"School of origin" means the school that the student attended when permanently housed or the school in which the student was last enrolled.

<sup>2</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 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>3</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>4</sup> or through cooperative agreements with local victims assistance units for a student to attend a safe district school<sup>5</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 shall, 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 shall be provided in accordance with the agreement.

Students attending any private, parochial or public charter school under the compulsory school attendance laws shall, where the private, parochial or public charter 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 shall 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 pounds, who is four feet nine inches or shorter and under eight years of age 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>6</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 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 school bus. Violations of such code, as well as other conduct which is improper or which jeopardizes the safety of self or others, shall be reported by the school bus driver to the supervisor. The transportation supervisor shall, as soon as possible, inform the appropriate principal of such occurrence. Violators may be denied use of transportation for a period of time as deemed proper by the principal and transportation supervisor.

The principal or designee 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, shall be provided to drivers.

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<sup>4</sup>Federal funds means funds available through Title IV, Part A, and Title V, Part A.

<sup>5</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>6</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.

The school bus driver shall be responsible for the school bus at all times from departure until return. The driver shall not participate in any activities that might impair his/her driving abilities.

The district shall comply with all state and federal laws and regulations pertaining to school bus transportation.

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):**

EEAB - School Bus Scheduling and Routing  
EEAC - School Bus Safety Program  
EEACC - Student Conduct on School Buses