

I. PURPOSE

The purpose of this policy is to provide for the transportation of students consistent with the requirements of law.

II. GENERAL STATEMENT OF POLICY

- A. It is the policy of NWSISD to provide for the transportation of students in a manner, which will protect their health, welfare and safety.
- B. NWSISD recognizes that transportation is an essential part of its services to students and parents but further recognizes that transportation by school bus is a privilege and not a right for an eligible student.
- C. NWSISD will work with its member school districts regarding the transportation of students from their home school buildings to NWSISD program activity sites or magnet school programs.
- D. NWSISD will contract with services to schedule and transport students to NWSISD sponsored magnet schools.
- E. NWSISD member school districts will make the arrangements for transporting students from their home school district school buildings to the site of the NWSISD activity or program they are participating in.
- F. NWSISD will work with its member school districts to determine which NWSISD programs and activities NWSISD will provide or fund transportation, and which ones NWSISD member school districts will provide the transportation. These decisions will be made in the spring of each year for the following NWSISD fiscal year. The decisions will be made in time for NWSISD and its member school districts to make transportation arrangements for the next school year and include the transportation costs, as agreed upon, in their respective budgets.

III. AVAILABILITY OF SERVICES

Transportation, as arranged with NWSISD member school districts, will be provided for all regularly scheduled NWSISD programs and activities. When appropriate, NWSISD shall make arrangements for transporting students to and from sites when students participate in a NWSISD program that occurs during regular school hours. Transportation will not be provided when NWSISD member school districts are not in session. Transportation may be provided for summer instructional programs for students with a disability or in conjunction with a NWSISD summer program or activity. Transportation between home and NWSISD programs and activities may also be provided, at the discretion of NWSISD and its member school districts, on staff development days. (Minn. Stat. § 123B.88, subd. 21)

IV. MANNER OF TRANSPORTATION

The scheduling of routes, establishment of the location of bus stops, manner and method of transportation, control and discipline of school children and any other matter relating thereto shall be within the sole discretion, control and management of the NWSISD member school district or contracted services providing the transportation.

V. RESTRICTIONS

Transportation by NWSISD and its member school districts is a privilege and not a right for an eligible student. A student's eligibility to ride a school bus may be revoked for a violation of school bus safety or conduct policies, or violation of any other law governing student conduct on a school bus pursuant to NWSISD's and its member school districts' discipline policies. Revocation of a student's bus riding privilege is not an exclusion, expulsion, or suspension under the Pupil Fair Dismissal Act. Revocation procedures for a student who is an individual with a disability under 20 U.S.C. §1415 (Individuals with Disabilities Act), 29 U.S.C. § 794 (the Rehabilitation Act), and 42 U.S.C. § 12132, (Americans with Disabilities Act) are governed by these provisions. (Minn. Stat. § 121A.59)

VI. FEES

- A. In its discretion, NWSISD and its member school districts may charge fees for transportation of students to and from extra curricular activities conducted at locations other than school, where attendance is optional. (Minn. Stat. § 123B.36, subd. 1(10))
- B. NWSISD and its member school districts may charge fees for transportation of students to and from NWSISD programs and activities when authorized by law. If fees are charged for transportation of students to and/or from NWSISD programs and activities, guidelines shall be established for that transportation to ensure that no student is denied transportation solely because of inability to pay. (Minn. Stat. § 123B.36, subd. 1(11))
- C. Where, in its discretion, NWSISD or its member school district provides transportation to and from an instructional community-based employment station that is part of an approved occupational experience vocational program, NWSISD and/or its member school districts may require the payment of reasonable fees for transportation from students who receive remuneration for their participation in these programs. (Minn. Stat. § 123B.36, subd. 3)

Legal References:

Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.59 (Bus Transportation Is a Privilege Not a Right)
Minn. Stat. § 123B.36 (Authorized Fees)
Minn. Stat. § 123B.41 (Educational Aids for Nonpublic School Children; Definitions)
Minn. Stat. § 123B.44 (Provision of Pupil Support Services)
Minn. Stat. § 123B.88 (Independent School Districts, Transportation)
Minn. Stat. § 123B.92 (Transportation Aid Entitlement)
Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 124D.04 (Enrollment Options Programs in Border States)
Minn. Stat. § Ch. 125A (Children With a Disability)
Minn. Stat. § 125A.02 (Children With a Disability, Defined)
Minn. Stat. § 125A.09 (Procedures for Decisions)
Minn. Stat. § 125A.12 (Attendance in Another District)
Minn. Stat. § 125A.15 (Placement in Another District; Responsibility)
Minn. Stat. § 125A.51 (Placement of Children Without Disabilities; Education and Transportation)
Minn. Stat. § 125A.65 (Attendance at Academies for the Deaf and Blind)
Minn. Stat. § 126C.01 (General Education Revenue - Definitions)
Minn. Stat. § 127A.47 (Payments to Resident and Nonresident Districts)
Minn. R. 3520.3300 (Transportation of Handicapped Students)

20 U.S.C. § 1415 (Individuals With Disabilities Act)
29 U.S.C. § 794 (Rehabilitation Act)
42 U.S.C. § 2000a (Prohibition Against Discrimination or Segregation in Places of Public Accommodation)
42 U.S.C. § 12132 (Americans With Disabilities Act)

Cross References: MSBA Service Manual Chapter 10, Transportation
NWSISD Policy 709 (Student Transportation Safety Policy)
NWSISD Policy 710 (Transportation to Off-Site Activities)

Adopted: April 16, 2003

Revised: June 21, 2006

June 17, 2020