

SCHOOL TRANSPORTATION POLICY

It is the policy of the McDowell County Board of Education to provide transportation for students as required by State Code and West Virginia Board policy. The State Code authorizes the Board to provide, at public expense, adequate means of transportation: for all children of school age who live more than two (2) miles distance from the nearest available road; for children participating in Board-approved curricular and extracurricular activities; across county lines for students transferred from one school county to another by mutual agreement of both county Boards, as reflected in the minutes of each participating board; and within available revenues, for students within two (2) miles distance of the school. In the event topography, impassable roads, long bus rides or other conditions prevent the practical transportation of any student to an in-county high school, the Board may transfer the student to a high school in an adjoining county or accept similarly situated students from an adjoining county. In such case, the Board may enter into an agreement providing for the payment of the cost for transportation, if any, for these students.

Guidelines for School Bus Routing

The recommended duration of the one-way school bus transportation time for students to and from school under normal weather and operating conditions are as follows for:

- A. elementary school students, thirty (30) minutes;
- B. middle school, intermediate school and junior high school students; forty-five (45) minutes; and
- C. high school students, sixty (60) minutes.

The Board may not create a new bus route for the transportation of students in any of the grade levels pre-kindergarten through grade five to and from any school included in a school closure, consolidation or new construction project approved after July 1, 2008 which exceeds by more than fifteen (15) minutes the above recommended duration of the one-way school bus transportation time for elementary students unless:

- A. the Board adopts a separate motion to approve creation of the route and request written permission of the WVBE to create the route;
- B. receives the written permission of the WVBE to create the route.

The Board may not create, nor may the WVBE permit, the creation of a new bus route for the transportation of students in any of the grade levels pre-kindergarten through grade five to and from any school included in a school closure, consolidation or new construction project approved after the first day of July 1, 2008 which exceeds by more than thirty (30) minutes the recommended duration of the one-way school bus transportation time for elementary students adopted by the WVBE.

School buses shall be purchased and maintained by the Board for the transportation of resident students between their home areas and the schools of the County to which they are assigned or, on a space-available basis, to their nonpublic schools. The Superintendent may substitute smaller buses for reasons of economy or efficiency of operation.

In the event students eligible for special education or Section 504 services require special transportation arrangements, the terms of such arrangements as contained in a student's IEP or Section 504 Plan shall prevail to the extent such transportation arrangements conflict with this policy.

Transportation of eligible vocational or special education children between their home areas and schools outside the County may be arranged through the use of Board-owned vehicles, through cooperation with other counties, through commercial carriers, and/or by other means in the most efficient and economical manner.

The Superintendent shall approve the bus routes annually. The Superintendent is authorized to make any necessary changes in the approved route.

School Bus Stop Locations

- A. Ideally, bus stops should be located out of the traffic stream at least .20 miles apart.
- B. For bus stop locations near a railroad crossing, consideration should be given to the traffic flow in the area and to assure that adequate distance is allowed for traffic to clear the railroad tracks. The safety of the general motorists should be taken in consideration.
- C. With irregular terrain, the highest priority in establishing a bus location should be the safety of the students. Every effort should be made by county school officials to select a safe bus stop with ample waiting areas for students.
- D. The minimum sight distance should be related to the approved speed of traffic. The approved speed is the posted speed limit, advisory speed limit or a value judged to most accurately represent the prevailing speed at a specific location.

E. Sight distance needed on a level grade for essential speeds is as follows:

Speed (mph)	Recommended Sight Distance	Minimum Sight Distance
25	300 feet	139 feet
30	360 feet	176 feet
35	420 feet	219 feet
40	480 feet	263 feet
45	540 feet	314 feet
50	600 feet	369 feet
55	660 feet	432 feet

F. The West Virginia Division of Transportation (hereinafter, "DOT") and County Traffic Engineers will provide assistance in the selection and the use of school bus STOP signs which warn motorists of the presence of students as a bus stop. The county shall request assistance from DOT for assistance if needed.

- G. Bus stops should be located to minimize students walking along unsafe highways.
- H. A school bus operator shall contact the Transportation Director when a bus stop is determined to be unsafe. The Transportation Director shall evaluate and take action to relocate the stop to a safer place, if necessary.
- I. School bus operators are to pick up and discharge students only at the designated locations.
- J. When possible, a bus stop shall be 200 feet from the crest of a hill or a curve, if the view of approaching traffic is obstructed.

The Board authorizes the installation and use of video recording devices in the school buses to assist the drivers in providing for the safety and well-being of the students while on a bus and the "Student Code of Conduct" shall be applicable to all students while being transported by bus. In the event video recording devices have audio recording capabilities, the bus shall contain an appropriate posted notice of such capabilities.

The Board is authorized to mount a camera on any school bus for the purpose of enforcing the law forbidding the overtaking and passing a school bus that is stopped for the purpose of receiving and discharging students and for any other lawful purpose.

Students meeting the Federal definition of "homeless" will be transported from their temporary place of residence to their school of assignment, at the request of the parent, guardian or unaccompanied minor, to the same extent as all other students of the County and consistent with this Policy. If the homeless child or youth continues his/her education in the school of origin but begins living in an area served by another county, the county of origin and the county in which the homeless child is living shall agree upon the method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the counties cannot agree upon a method, the responsibility and costs for transportation are to be shared equally. In no event will a homeless student be denied enrollment based on issues related to student transportation.

Should any bus operator be disqualified from performing the duties of bus operator through the revocation or suspension of bus operator certification or through the revocation or suspension of commercial driver's license, as a result of criminal conviction or for any other reason, the bus operator shall be deemed incompetent and shall be subject to disciplinary action up to and including termination of employment.

Loading and Unloading of Young Children at the Bus Stop (as required by West Virginia State Board of Education policy 4336, 4.2, 12.1)

Pre-K thru third grade students require adult supervision at both pickup and delivery at the bus stop. If the pre-k thru third grade parent/guardian elects to designate another adult they shall make a request in writing to the Transportation Department listing the names of all adults to be approved.

The parent/guardian or their designee shall be at the bus stop for both pickup and delivery of all students, kindergarten thru and including the third grade. If the parent/guardian elects to designate another adult or sibling (6th grade thru 12th grade) they shall make a request in writing to the Transportation Department listing all approved names.

Parent/Guardian may request in writing supervised pickup and delivery for students fourth grade thru fifth grade.

In the event no one is at the bus stop for pickup or delivery the following steps will be taken:

- A. The parent/guardian will be given a verbal notice.
- B. The parent/guardian will be given a written notice.
- C. The parent/guardian will be given a notice of suspended transportation until more dependable arrangements are made to ensure the safety of the student.

After attempting to contact all available phone numbers, the student will be returned to the school and the proper authorities will be contacted.

The legal responsibility and qualifications of the school bus operator are clearly related in the State Board of Education policy 4336 effective July 1, 2013 or any revised edition (titled West Virginia School Transportation Laws, Rules and Regulations). Each bus operator shall be furnished a copy of the policy and shall abide by the regulations therein, as well as the policies set forth herein.

All accidents, breakdowns, discipline problems, or problems of any other nature shall be reported immediately to the proper authorities.

Other Employment

Since the safe and efficient transportation of children is the primary concern of the school transportation system, operators shall not be permitted to neglect any of their duties and responsibilities as bus operators because of any other employment.

Transportation of Articles and Equipment

No bus operator shall be permitted to transport any article or piece of equipment that would obstruct his vision, block the aisles or exits, or in any way create a hazard to the occupants of the bus.

Transportation of Students Not Assigned to Regular Bus Route

Students may be transported on a bus on which they are not ordinarily assigned, only if there is adequate space available. A dated, signed note from the parent(s) or legal guardian shall be delivered to the school principal or their representative at the beginning of the school day. The principal or representative shall issue a bus pass for an approved bus stop to be delivered to the bus operator. The bus pass should be kept by the bus operator for his/her records. A bus pass may be issued for any number of days, as deemed appropriate by the principal, parent, or legal guardian.

Cell Phones

The number one priority of school bus transportation is the safety of students. Distractions to this priority must be held to a minimum. Therefore, the use of cellular telephones by bus operators while the vehicle is in motion and while students are loading and unloading is prohibited except in case of extreme emergency. If a call is received while the vehicle is in motion, the driver should pull off the road in a safe manner to conclude the call.

While students may bring cell phones to allow for after-school communication with parents, cell phones will be turned off during the school day. Cell phones will remain off while students are riding a school bus and may only be used with the driver's permission. This permission must be obtained from the driver while the bus is stopped and all students are safely on the bus.

PAYMENT IN LIEU OF TRANSPORTATION

Pupils who live more than two (2) miles, one way or by the nearest road or path, from the designated bus stop or their designated school may be entitled to "In Lieu of Transportation" payments. The payments shall be made to the parent or legal guardian of the pupil(s) at a per mile rate approved by the McDowell County Board of Education.

School Principals will certify eligibility and days of attendance for which payment is to be made. Certifications shall be provided to the transportation department once every three (3) months, and the Transportation Director will certify the number of miles to be paid. Payment shall be made on the basis of single vehicle mileage traveled, for one (1) round trip from the residence to the bus stop/school, regardless of the number of children transported.

The Superintendent shall be responsible for developing and implementing appropriate administrative guidelines for this policy.

PREVENTABLE ACCIDENTS – BUS AND COUNTY OWNED VEHICLES

A preventable accident is any accident involving a company vehicle (owned by McDowell County Schools), regardless of who was injured, what property was damaged, or where it occurred, in which the driver in question failed to exercise every possible precaution to prevent the accident.

Responsibility for accidents is based on whether or not the accident was preventable. Responsibility to prevent accidents goes beyond careful observance of traffic rules and regulations. Drivers must drive in a manner to prevent accidents regardless of other drivers' faulty driving or non-observance of traffic regulations. Examples of preventable accidents include making contact with another vehicle or object while driving in reverse, rear ending another vehicle, collisions at train crossings, etc. Unless thorough investigation shows extenuating circumstances, these types of accidents will be considered preventable and the driver will be subject to the following progressive discipline process:

- First Offense – Letter of reprimand will be issued and placed in driver's personnel file and professional development on safe driving practices will be assigned.
- Second Offense – Driver will receive a three-day unpaid suspension and professional development on safe driving practices will be assigned.
- Third Offense – Driver will be subject to termination.

All current employees using a vehicle owned by McDowell County Schools will be made aware of these provisions and will be asked to sign an acknowledgment form. New employees expected to use a MCS' vehicle will be asked to sign an acknowledgement form upon hire.

The Board of Education and the Administration of McDowell County Schools shall comply with State Board of Education Policy 4336.

Adopted: September 3, 2013
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