

TRANSPORTATION SERVICE/VEHICLE CONTRACTS CONTRACT TRANSPORTATION

Policy Code:

6340

The Bboard may enter into contracts with public or private carriers in accordance with G.S. 115C-253, State Board of Education policy, any other applicable law, and this policy. Any contracts also must comply with policy 8361 Service Contract Administration 6450 Purchase of Services. The Superintendent or Superintendent's designee will administer any transportation contracts and monitor service providers' compliance with the terms of their contracts.

~~The Bboard may purchase or lease student transportation vehicles in accordance with law and Bboard policy, including policies 8310 Specification, 8311 Specifications Detail, and 8360 Purchase Contract Administration. policy 6430 Purchasing Requirements for Equipment, Materials, and Supplies and policy 6425 Continuing Contracts. Any such vehicle must meet federal safety standards and state requirements.~~

~~All titles will be issued to the Bboard of Education. Sufficient liability coverage must be maintained in accordance with policy 8340, 8700 Insurance.~~

~~The Bboard will consider requests for providing transportation services to a charter school. Such consideration will take into account any factors required by law.~~

~~A. Contract Transportation Services to School-Related Activities~~

~~The superintendent or designee shall develop safety standards for contracted commercial bus transportation services used to transport students to school-related activities. The standards must comply with the requirements established by the State Board. The superintendent or designee shall develop a list of companies or individuals that meet these standards and are approved to provide student transportation services. If appropriate, the superintendent shall recommend that the Bboard enter into interlocal cooperation agreements to assist in developing the standards and list of approved entities required under this paragraph. The superintendent shall ensure that the school system contracts for student transportation services only with companies or individuals who are on the approved list.~~

~~AB. Student Eligibility for Contract Special Transportation Services~~

- ~~1. Students' eligibility for special transportation services to and from instructional activities is determined in accordance with Board Policy 7105 policy 6320 Use of Student Transportation Services, this policy, and applicable law.~~
- ~~2. At the sole discretion of the Superintendent or Superintendent's designee, sStudents may be deemed eligible to receive special transportation services from a public or private carrier or individual under contract with the school system if one of the following circumstances is present:~~

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- a. The student has been identified as a student with a disability under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act (Section 504) and transportation is listed as a related service in the student's individualized education plan (IEP) or as an accommodation in the student's 504 plan.
 - i. Transportation may be designated as a related service in a student's IEP only by the IEP team in accordance with ~~Board Policy 6220 policy 1730 Nondiscrimination on the Basis of Disability and~~ applicable law. A representative of the Transportation Department may be invited to IEP meetings at which the IEP team will be asked to consider whether or what manner of special transportation should be listed as a related service in the student's IEP.
 - ii. Transportation may be designated as an accommodation in a student's 504 plan only by the 504/ADA committee in accordance with R&P 6210 policy 1730 Nondiscrimination on the Basis of Disability and applicable law. A representative of the Transportation Department may be invited to meetings at which the 504/ADA committee will be asked to consider whether or what manner of special transportation should be provided to the student as an accommodation in the student's 504 plan.
 - iii. The student has been ~~identified as in need of~~ assigned by staff based on a staff recommendation to a Special/Optional school (as listed on the school system's website), and the Transportation Department has determined that yellow bus transportation is not cost effective or feasible. ~~but does not fall under the IDEA or 504 Plans.~~ Transportation may be designated as an accommodation if during the course of the school year a student has been designated to receive special accommodations at Special/Optional schools (as listed on the WCPSS website under Special/Optional Schools) by the Principal of that student's designated school.
 - iv. (Note: If the student's IEP requires that the student who is assigned to ~~contract~~ special transportation be accompanied by a Safety Assistant to and from school, that employee is authorized to travel with the student in the contract vehicle.)
 - b. The student has been identified as homeless under the McKinney-Vento Homeless Assistance Act, and regular transportation services are not available to transport the student to and from a school the student is entitled to attend under the Act.
 - c. The student is eligible to receive transportation under ~~Policy 7105~~ policy 6320 Use of Student Transportation Services and the Superintendent or Superintendent's designee determines, in his or her sole discretion, that it is

more cost-effective to transport the student by contract transportation.

- d. The student is otherwise legally entitled to special transportation services.

BC. Assignment to ~~Contract~~ Special Transportation Services

1. For each student to be transported by means other than yellow school bus, the Superintendent or Superintendent's designee shall, in his or her sole discretion, designate a cost-effective mode of transportation that is consistent with any transportation requirements in the student's IEP or 504 plan, if ~~any~~ applicable.
2. Before assigning students to ~~contract~~ special transportation services, the Superintendent or Superintendent's designee should first consider whether transportation may be provided by unmodified yellow school buses. If that is not feasible, the Superintendent or Superintendent's designee should next consider whether transportation may be provided by yellow school buses equipped with lifts. If students cannot be safely and cost-effectively accommodated on yellow school buses in a manner consistent with their IEPs or 504 plans (if any), they may be assigned to ~~contract~~ special transportation services.

C. Special Transportation to Locations Other than Home

Service may be provided to before or after-school care providers if all of the following criteria are met:

1. The student's parent or guardian submits a written request that states the specific location other than home to which the student is to be transported and acknowledges that the parent or guardian and not the school system is responsible for the student's safety once the child has departed from the vehicle.
2. The request for such transportation does not impair the ability of the driver to complete the route in a timely manner.
3. The vehicle has capacity to transport the student.
4. The requested location is within five (5) miles driving distances of the student's assigned school or student's home address.
5. The parent or guardian is requesting a change for the remainder of the school year and agrees to forego service at the regular stop. Approval is for the current school year only.
6. If the provider is a day care or after school care center, day care staff must be present to load/unload students.

D. Contracted Charter Bus Transportation ~~Contract Transportation Services to School-Related Activities~~

The Superintendent or designee shall develop safety standards for contracted commercial bus transportation services used to transport students to instructional, extra-curricular, or other school-related activities. The standards must comply with the requirements established by the State Board. The Superintendent or designee shall develop a list of companies or individuals that meet these standards and are approved to provide student transportation services. If appropriate, the Superintendent or designee shall recommend that the Board enter into interlocal cooperation agreements to assist in developing the standards and list of approved entities required under this paragraph. The Superintendent or designee shall ensure that the school system contracts for charter bus transportation services only with companies or individuals who are on the approved list.

Legal References: 49 U.S.C. 30125, 30165; G.S. 115C-42, -47(25), -239, -240, -247, -249, -249.1, -253, -255; *North Carolina School Transportation Fleet Manual*, State Board of Education Policy TRAN-005; State Board of Education Policies TRAN-009, -010, -011; School Charter Transportation Recommended Guidelines and Procedures, available at <http://www.ncbussafety.org/motorcoach/index.html>

Adopted: