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**ENFIELD BOARD OF EDUCATION
ENFIELD, CONNECTICUT**

TRANSPORTATION OF STUDENTS

3545.1

I. Transportation of Students

The Board of Education will provide transportation for students under provisions of state law and regulations. The superintendent of schools shall administer the operation.

Transportation by private carrier may be provided whenever such practice is more economical than using school district-owned/leased facilities. Parents may be reimbursed for transportation of eligible students whenever such practice is more economical or convenient.

Transportation will be provided to/from a student's care provider (daycare, or responsible adult) at a bus stop near the provider's location only if the provider is located within the student's assigned school district based on the student's legal residence and within the area served by the school.

Transportation to a care provider outside a school's service area will not be provided by the Enfield Public School System.

A. Eligibility

Resident public and private nonprofit school students living outside of the defined walking limits (subparagraph 1. below), based on the most direct route from the student's home beginning at a point at the curb or edge of a public road or highway nearest the home to the edge of the school property or bus pickup areas, will be furnished transportation by the Board of Education. Students will be eligible for school transportation if one or more of the following criteria are present:

1. The walking distance for the student, either to school or to the nearest bus stop, is in excess of the following distances:
 - (a) For students enrolled in grades K through 2, up to one (1) mile;
 - (b) For students enrolled grades 3 through 5 one and one quarter (1.25) miles;
 - (c) For students enrolled in grades 6 through 12, one and one half (1.5) miles.
2. The walking route does not exceed the limits set forth in subparagraph 1. above, but presents hazardous conditions (described in Section II below) which the board cannot reasonably eliminate or adequately abate.

51 **II. Hazardous Conditions**

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A. Descriptions

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1. A street or road having an adjacent or parallel sidewalk or raised walk area shall be deemed hazardous when anyone of the following conditions exist:

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- (a) For students enrolled in grades K through 2, absence of pedestrian crossing light or crossing guard where three or more streets intersect, and at street crossing where there are no stop signs or crossing guards and the traffic count during the time that students are walking to or from school exceeds sixty vehicles per hour at the intersection;

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- (b) For students enrolled in grades 3 through 12, the absence of a traffic light or stop signs or crossing guard where three or more streets intersect and has a traffic count which exceeds ninety vehicles per hour during the time that students are walking to or from school;

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- (c) For all students, any street, road, or highway with speed limits in excess of forty miles per hour which do not have pedestrian crossing lights or crossing guards or other safety provisions at points where students must cross when going to or from school or the bus stop;

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- (d) For all students, the usual or frequent presence of any nuisance such as open man-holes, construction, snow plowed or piled on the walk area making walkways unusable, loading zones where delivery trucks are permitted to park on walkways, commercial entrances and exits where cars are crossing walking entrances at speeds in excess of five miles per hour, and the like, including such nuisances which are hazardous or attractive to children.

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2. Any street, road, or highway, which has no sidewalks or raised walk areas shall be deemed hazardous if anyone of the following conditions exist:

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- (a) For students enrolled in grade K through 2, any street, road, or highway possessing a traffic count of sixty or more vehicles per hour at the time that students are walking to or from schools;

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- (b) For all students, the presence of man-made hazards inducing attractive nuisances, as stated in number 4 above;

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- (c) For all students any roadway available to vehicles that does not have a minimum width of approximately twenty-two feet;

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- 100 (d) For all students any roadway available to vehicles when plowed
101 free of snow accumulations, that does not have a minimum width
102 of approximately twenty feet; and
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104 (e) For students enrolled in grades K through 2, any street, road, or
105 highway possessing speed limits in excess of thirty miles per hour.
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107 3. Any street, road, or highway which has no sidewalks or raised walk
108 areas shall be deemed hazardous when the line-of-sight visibility
109 together with posted speed limits do not permit vehicular
110 braking/stopping in accordance with the Connecticut Drivers Manual
111 or Connecticut Department of Transportation, Division of Design.
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113 4. Any walkway, path or bridge in an area adjacent or parallel to
114 railroad tracks shall be considered hazardous unless a suitable
115 physical barrier along the entire pedestrian route is present and fixed
116 between students and the track; and any crossing of railroad tracks
117 that carry moving trains during hours that students are walking to or
118 from school shall be deemed hazardous unless, (1) a crossing guard
119 is present or (2) an automatic control bar is present at crossings used
120 by students in grades K through 2, or a bar or red flashing signal
121 light is operational when the crossing; is used by students in grades
122 3 through 12.
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124 5. A lake, pond, stream, culvert, water-way, or bridge shall be deemed a
125 hazard in the absence of a fence or other suitable barrier fixed
126 between the student and the water for students in grades K through
127 2.
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129 6. Any area adjacent to a roadway, sidewalk, or bridge having a
130 drop of three or more feet per four feet of travel length on either side
131 of the established lanes, the absence of a fence or other suitable
132 barrier shall be deemed hazardous for students in grades K through
133 2.
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135 7. Any street, road, walkway, sidewalk, or path designated as a walking
136 route for all school students which pass through an area which has a
137 history of aggressive acts of molestation resulting in actual or
138 threatened physical harm or moral degradation during the hours
139 when students ordinarily walk to or from school shall be deemed
140 hazardous.
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142 8. Walking to or from school or the bus stop at any time prior to one
143 half-hour before sunrise or any time one half-hour after sunset shall
144 be deemed hazardous for students in grades K through 5.
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146 B. Private Roads
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148 These guidelines are applicable to private roads approved for passage of
149 school transportation vehicles in accordance with c.c.s. Section 10-220c.

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III. Exceptions

- A. The Enfield Board of Education may grant exceptions to any provision of this guideline when in reasonable judgment the peculiar conditions or combination of conditions eliminate or significantly mitigate any substantive risk to student safety implied by a described hazard. The Enfield Board of Education may grant exceptions to any provision of this guideline when in its reasonable judgment particular conditions or combinations of conditions create a hazard not described.
- B. The superintendent may grant temporary exceptions to ineligibility of students when in his/her reasonable judgment a temporary hazard exists (e.g., construction affecting a walking route). The superintendent will communicate transportation conditions and arrangements to the parents or legal guardians of each student affected and will provide the board with current information regarding the status of each case.
- C. Special Education students and students eligible for services under Section 504 of the Rehabilitation Act shall be judged on an individual basis.

IV. Definitions

- A. School transportation means the procedure, program, or fully effective and implemented plan by which a student is conveyed to and/or from school from his/her residence or the bus stop at public expense, whether by use of publicly owned equipment or by contract. Such transportation shall be over public roads approved by the municipality or private roads approved pursuant to C.G.S. Section 10-220C.
- B. Walking distance means the linear measure of a prescribed or authorized pedestrian route between the student's residence and his/her school from a point at the curb or edge of a public or private road nearest the student's residence to a point at the entrance of the school or a safe entrance to the school grounds located within one hundred feet of the school building entrance or the bus stop pick-up area, or the route from the point on the public thoroughfare nearest the residence to the school bus or vehicle embarkation point established by the Enfield Board of Education.
- C. One mile walking distance means a reasonable measurement of a route to be traversed extending from the point of measurement at least 5,280 feet but not more than 5,380 feet.
- D. Grade K means kindergarten or a school program appropriate to a beginning student.
- E. Hazard means a thing or condition, as prescribed in these guidelines, affecting the safety of students walking to and from school.

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- F. *Sidewalk* means a portion of the landscape right of way approximately three feet wide, usually parallel to the traffic lanes which may be paved or unpaved and marked by curbing, drainage ditch, grass area or fencing; apart from and independent of any white line safety markings along the street pavement.
- G. *Raised walk area* means a portion of the landscape right of way approximately three feet wide, usually parallel to the traffic lanes which may be paved or unpaved, distinguished by some elevation above the street pavement level and marked by curbing, drainage ditch, grass area or fencing; apart from and independent of any painted safety markings along the street pavement.
- H. Student means any individual of school age enrolled in a public or nonprofit private school located within the school district or contiguous school district as the case may be.

Legal Reference Connecticut General Statutes:

- 10-186** Duties of local and regional boards of education.
- 10-220** Duties of boards of education.
- 14-275** Equipment and color of school buses.
- 14-275a** Use of standard school bus required, when.
- 14-275b** Transportation of handicapped students.
- 14-275c** Regulations regarding school buses and motor vehicles used to transport special education students.
- 14-276a(c)** Town/school district may require its school bus operators to have completed a safety training course.

- Policy Adopted: February 23, 1960**
- Policy Amended: September 19, 1960**
- Policy Amended: October 25, 1960**
- Policy Amended: June 13, 1960**
- Policy Amended: August 15, 1961**
- Policy Amended: September 1, 1964**
- Policy Amended: March 14, 1967 (effective: September 1, 1967)**
- Policy Amended: November 12, 1968**
- Policy Amended: March 16, 1972**
- Policy Amended: January 14, 1975**
- Policy Amended: January 23, 1996**
- Policy Reviewed: February 9, 2009**
- Policy Revised: February 22, 2011**

245 **ENFIELD BOARD OF EDUCATION**
246 **ENFIELD, CONNECTICUT**

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249 **TRANSPORTATION APPEALS**
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251 The duty of transporting public school children is placed by statute in the
252 hands of local Boards of Education. While there is no exact distance established
253 by law in our state as to how far a child must walk to school or to a school bus
254 line, the State Board of Education has consistently found that elementary
255 children between the ages of six and sixteen years should not be expected to
256 walk more than one and one-half miles to school or to a school bus line and
257 secondary students (junior and senior high school students) under sixteen
258 years of age should not be expected to walk more than two miles to such points.
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260 In situations involving hazardous conditions, the State Board of Education
261 takes into consideration such factors as the type of hazard present, the length
262 of time children are exposed to the hazard, the number and ages of the children
263 involved.
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265 Section 10-186, 1958 Revision of the General Statutes, establishes procedures
266 which parents may use when they believe that the local board of education is
267 failing to provide reasonable and necessary transportation for their children. In
268 general, this section of the statutes provides that:
269

- 270 1. Any parent or guardian of a child who is over six and under sixteen years of
271 age may petition the local board of education in writing for a hearing
272 concerning the transportation of his or her own child or children. (It is
273 recommended that such a petition be sent to the secretary of the local board
274 of education by registered mail with a return receipt requested so that the
275 parent is informed as to when the petition was received).
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- 277 2. The local board of education is required to give a petitioning parent or
278 guardian a hearing within ten days from receipt of the written petition.
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- 280 3. The local board of education is required to make a finding within ten days
281 after it holds the hearing noted in item 2 above.
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- 283 4. If a local board of education fails to give a hearing or fails to make a finding
284 within ten days after holding such hearing, or if any parent or guardian is
285 aggrieved by the decision of the local board, he may then appeal in writing to
286 the State Board of Education for a hearing. (Group appeals or petitions are
287 not acceptable for State Board of Education purposes; a separate petition of
288 appeal must be filed for each family. Such petitions may be for any number
289 of children within one family who are between six and sixteen years of age.)
290
- 291 5. Upon receipt of a petition of appeal, the State Board of Education will cause
292 a hearing to be held by its hearing agent in the town in which the complaint
293 arises. (Each case is decided on its own merit. However, a number of
294 appeals may be heard at anyone hearing.) The report of the hearing is made

295 to a subsequent meeting of the State Board of Education. The State Board
296 then makes its finding and notifies the parties involved.

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298 The Commissioner of Education has advised local boards to follow certain
299 procedures in dealing with transportation appeals:

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301 1. See that the forms recommended by the State Department of Education for
302 transportation hearings and appeals are used.

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304 2. Request that parents who ask a hearing before the local board of education
305 specify in writing the conditions which they are citing to substantiate any
306 claim of hazardous conditions making transportation reasonable and
307 necessary.

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309 3. In cases where requests for transportation are denied after a hearing, notify
310 the parent of the finding of the local board and specify in writing the board's
311 reasons for holding that such transportation is not reasonable or desirable.

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313 4. Before arriving at a decision in transportation hearings, see that the
314 following is done:

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316 a. Have the distances involved measured by a member or an agent of the
317 board.

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319 b. Secure a report and recommendation from the chief of police or other
320 traffic authority concerning such items as road conditions, speed and
321 density of traffic, natural hazards, etc.

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323 c. Determine possible means of eliminating hazardous conditions by
324 consultation with the responsible authorities.

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326 d. Seek to bring about the elimination of hazardous conditions in order to
327 avoid appeal from the local board's decision.