

# REGULATION MONTGOMERY COUNTY PUBLIC SCHOOLS

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**Related Entries:** EBH-RA, EBI-RA, EEA, EEB-RA, IGN, IPD-RA, JED, JEE, JEE-RA, JFA-RA, JHC, JHC-RA, KLA, KLA-RA

**Responsible Office:** Chief Operating Officer  
Chief of School Support and Improvement

## Student Transportation

### I. PURPOSE

The purpose of this regulation is to establish permissible uses of the Montgomery County Public Schools (MCPS) student transportation service and to delineate responsibilities for the safe movement of Montgomery County students to and from school or school-related activities.

### II. PROCEDURES

The director of the Department of Transportation (DOT), under the direction of the chief operating officer, is responsible for student transportation and the safe and efficient operation of MCPS buses. DOT is in direct communication with police and other public officials who are charged with student pedestrian safety and control. The director of DOT coordinates with school principals on decisions regarding the safe travel of students to and from school and the effective operation of buses.

#### A. Transported and Non-transported Areas

Transported areas surrounding MCPS schools are defined by the Board of Education as follows:

Elementary schools—beyond 1 mile;  
Middle schools—beyond 1.5 miles;  
High schools—beyond 2 miles.

The distance will be measured from the nearest point of residential property to the curb in front of the nearest school door.

1. Transportation may be provided to students who live within the prescribed distances established by the Board if the director of DOT determines that an appropriate walking route does not exist.
2. In establishing the demarcation line between transported and non-transported areas, the director of DOT may extend these distances by one-tenth of a mile to coincide with breaks in the pattern of homes, such as street intersections, major roadways, streams, parks, walking easements, commercial property, vacant land, unusual contour variations, and other features.

B. Levels of Transportation Service

Students who reside in transported areas established by the Board or meet the eligibility criteria of federal laws may receive transportation services as follows:

1. Neighborhood bus service, defined as transport from neighborhood bus stops to school, will be provided to students residing within the home school area or areas eligible for transportation services to the consortia school they attend.
2. Centralized bus service, defined as transportation from a central location such as a neighborhood elementary school, to the program site, may be provided to students attending specific programs as identified in the MCPS *Options (Guide to Countywide Programs)* booklet, in accordance with Board action, attendance areas, transportation services, and funding levels. Parents/guardians are responsible for students' transportation to and from centralized bus stops, whether or not there is an appropriate walking route.
3. Bus service on established routes may be provided to students who live outside the transported area of the school they attend, on a space-available basis. Parents/guardians are responsible for students' transportation to and from an established neighborhood or centralized bus stop. Restrictions will be imposed when student safety is jeopardized.
4. Enhanced levels of transportation service will be provided to students who meet the eligibility requirements of federal laws:

a) *Individuals with Disabilities Education Act (IDEA)*

Transportation may be provided as a related service to a student with disabilities as specified in the student's Individualized Education Program (IEP).

b) *Section 504 of the Rehabilitation Act*

Transportation may be provided as an accommodation to a student with disabilities as specified in the student's Section 504 Plan.

c) *McKinney-Vento Homeless Assistance Act*

Transportation will be provided to a homeless student as required by the *McKinney-Vento Homeless Assistance Act of 1987*, as amended by the *Every Student Succeeds Act of 2015*.

5. Transportation on special education buses may be provided to siblings of special education students attending the same school. When transportation service for the special education student ends, transportation service for the sibling ends.

C. Non-MCPS Transportation Services

DOT staff will attempt to use MCPS-owned vehicles to the fullest extent possible to transport students eligible for enhanced transportation services as described in Section II.B.4. When enhanced transportation services for eligible students cannot be provided with MCPS vehicles, the director of DOT will consider the use of commercial transportation services and/or direct reimbursement to the parents/guardians or other individuals for the most economical transportation that meets the needs of the student.

1. Commercial transportation services will be negotiated by the director of procurement in the Department of Materials Management and must be preapproved by the director of DOT. Such contracts will require compliance with all elements of COMAR related to student transportation (13A.06.07) and applicable MCPS DOT guidelines. If transportation can be arranged on an MCPS vehicle at any time, the commercial service will be terminated.
2. Transportation and related expenses for which parents/guardians expect to be reimbursed must be preapproved by the director of DOT. The reimbursement rate shall not exceed the Board-approved mileage rate for staff travel. If transportation on MCPS vehicles can be arranged later, further expenses will not be approved.

D. Student Safety

1. The director of DOT or designee shall evaluate the safety and efficiency of buses, bus stops, recommended walking routes, and traffic control patterns for schools.
  - a) MCPS buses are equipped with cameras to increase the safety of students. Cameras record activity on the interior and exterior of the bus.
    - (1) Through the school bus camera enforcement program, a partnership of MCPS DOT, the Montgomery County Department of Police, and the Montgomery County Government, school bus passing laws are publicized and citations to drivers in violation of school bus passing laws are issued, with the assistance of camera footage from MCPS school buses.
    - (2) DOT staff conduct reviews of camera footage of bus interiors, with more frequent viewing of video from buses transporting non-verbal students.
  - b) MCPS DOT has developed safety protocols for buses transporting students with special needs and provides regular training to bus drivers and attendants. Safety protocols establish expectations for MCPS drivers and attendants to communicate with parents/guardians/caregivers, teachers and/or paraeducators to plan for meeting the unique needs of special needs students.
  - c) Questions concerning safety of students moving to and from school shall be directed to the DOT cluster supervisor, who determines whether a hazard exists and takes appropriate action where warranted.
2. Walking Routes
  - a) Appropriate walking routes are established through analyses that include the following:
    - (1) Commonly available online digital tools providing aerial views of neighborhood roadway configurations

- (2) Onsite visits by DOT staff trained in student safety
  - (3) Review of comparable walking routes in other neighborhoods
  - (4) Existing safety features as well as impediments to safety
  - (5) Observed pedestrian/vehicular use of the walking area
- b) An appropriate recommended walking route will be within the distances defined in Board Policy EEA, *Student Transportation*, but may not follow the shortest or most direct route.
  - c) DOT services will not be modified due to temporary conditions such as standing water after rainfall, snow and/or ice accumulation on sidewalks during inclement weather.

3. Crosswalks and Adult Crossing Guards

The locations of crosswalks and adult crossing guards are determined jointly by the director of DOT, the Montgomery County Police Department School Safety Unit, and the Montgomery County DOT. Adult crossing guards are employed by the Montgomery County Police Department and are assigned at the request of MCPS.

4. Bus Routes

Buses are routed in a manner that maximizes safety and efficiency. DOT is responsible for establishing routes for school buses and the stops for loading and unloading students. The following will be considered:

- a) Buses will only be routed on roadways and bridges designed to accommodate the size and weight of the bus.
- b) Routes will be established in such a way that the walking distance from a student's home to an established bus stop is no greater than the distances identified in Board Policy EEA, *Student Transportation*:

- Elementary schools—1 mile
- Middle schools—1.5 miles
- High schools—2 miles

- c) Regular education buses will be routed on through roadways. However, when compelling circumstances require deviation from the through roadway, buses may be routed on roadways without outlets (e.g. dead-end streets, courts, and cul-de-sacs) under the following conditions:
  - (1) There is space for the bus to turn around.
  - (2) The turn from the through roadway and entrance back onto the through roadway can be made safely.

5. School and Parental Partnership for Student Safety

MCPS will encourage a partnership of students, parents/guardians, school staff, and DOT staff to teach and enforce safe practices for moving to and from school in all modes of transportation.

a) Bus Operator/Bus Attendant

The bus operator and attendant, if assigned, are responsible for encouraging safe riding practices, enforcing and addressing disciplinary issues, and instructing how to safely get on and off buses.

b) Principal

The principal is responsible for the following:

- (1) Providing classroom instruction on school bus safety rules, safe walking, and safe bus-waiting practices
- (2) Enforcing safe traffic practices on school property, including ensuring that school loading zones are adequately supervised, and restricting vehicles other than buses from school loading zones during loading and unloading activities

c) Parents/guardians are responsible for their student's safety along their walking route and/or at the bus stop.

- (1) Parents/guardians are responsible for selecting their student's walking routes to and from bus stops and schools.

- (2) Parents/guardians are responsible for providing supervision along their student's walking route and/or at the bus stop that is appropriate to the student's age and maturity. Parents/guardians are responsible for supervision of students until they board the bus for school and upon exiting the vehicle after school.
  - (a) Parents/guardians are encouraged to walk daily to and from school bus stops or school with students, especially younger students, and to use this opportunity to teach safe walking practices, safe bus-waiting practices, and traffic awareness, and to model wellness by walking for exercise.
  - (b) Students should arrive at the bus stop five minutes ahead of the scheduled arrival time of the bus.
  - (c) Parents/guardians are responsible for meeting prekindergarten and Head Start students on mid-day buses and students on special education buses at their assigned bus stops. When these students are not met, bus operators will follow established procedures to ensure student safety until students and parents/guardians can be reunited.
  - (d) So that children are prepared for those occasions when parents/guardians may be unable to meet the bus or are late, parents/guardians are encouraged to instruct their children what they are to do in their parents/guardians' absence, as bus operators are not able to ensure that each student is met by a parent/guardian except in those circumstances described in (c) above.
- d) When a school bus or student activity bus is equipped with a passenger restraint system (i.e., lap-shoulder belts), all passengers shall follow safe riding practices for their use.
  - (1) All passengers shall be instructed, in an age-appropriate manner, regarding the proper use of passenger restraint devices.

- (2) Students who fail to use or improperly use such passenger restraint devices may be subject to discipline.
- (3) When a student with a disability fails to use or improperly uses such passenger restraint devices, the bus operator notifies the principal. The principal will determine if an IEP meeting should be conducted in order to amend the IEP to address the use of the restraint device.

6. Denial of Bus Riding Privileges

- a) Students who violate the behavior and safety rules may have bus riding privileges denied temporarily or permanently by the school principal in accordance with the following procedures.
  - (1) The bus operator notifies the principal of details pertaining to a disciplinary problem with a student on the school bus using MCPS Form 555-3, *School Bus Disciplinary Report*. If action taken by the school does not resolve the disciplinary problems, the operator contacts the DOT cluster supervisor.
  - (2) The principal will warn the student of the possibility of denial of bus riding privileges and may have the student and parents/guardians sign a bus riding contract. If the disciplinary problems continue, the principal will confer with the parent/guardian and student prior to the suspension of riding privileges or, depending on the severity and nature of the behavior problem, suspend riding privileges immediately.
  - (3) The principal will notify the parent/guardian in writing of complaints received and the suspension of the student's riding privileges, with a copy to the bus operator, DOT, and the appropriate director of learning, achievement, and administration in the office of School Support and Improvement.
- b) The student's riding privileges may be restored by the principal after a conference with the student and/or parent/guardian and consultation with the DOT cluster supervisor. The principal will notify the bus operator and DOT cluster supervisor in writing of the reinstatement of the student's riding privileges.



## E. Responsibilities and Priorities in Case of an Accident

1. DOT will provide training and maintain guidelines and procedures for handling accidents so that injured students/staff are cared for promptly, further injury is prevented, students are reunited with parents/guardians as quickly as possible, and correct and timely information is disseminated to all appropriate parties. Accident scene responsibilities, notification, and reporting requirements will be consistent with state and federal requirements.
2. Accident scene responsibilities include the following:
  - a) The dispatcher, or if the dispatcher is not on duty, the bus operator ensures that emergency services and an MCPS DOT supervisor are called to the scene.
  - b) A bus involved in an accident or collision shall not be moved until released by a police officer or a DOT supervisor.
  - c) In compliance with federal transportation standards, MCPS operators must cooperate with drug testing following any accident resulting in injury or sufficient damage to necessitate a vehicle being towed.
3. Notification
  - a) Accidents must be reported to the dispatcher and police immediately.
  - b) The dispatcher will notify appropriate MCPS personnel, including the Office of the Chief Operating Officer (OCOO) when appropriate, in accordance with notification procedures.
  - c) DOT staff will notify the OCOO.
  - d) Following notification of an accident involving students, the principal/designee should contact parents/guardians as soon as possible.
  - e) If students or staff involved in the accident are hospitalized, administrative or supervisory personnel from the school and DOT will be sent to the hospital.

- f) The Department of Communications handles all news media requests for information.

4. Reporting

- a) DOT shall maintain and follow reporting and investigative procedures for all accidents.
- b) DOT shall comply with all Maryland State Department of Education accident reporting guidelines.

F. Notification of Route Changes

- 1. The director of DOT will notify principals of any significant changes in bus service by June preceding the new school year or ten calendar days prior to significant changes during the year.
- 2. Principals will provide the school community with timely notification of bus stop changes made by the director/designee of DOT. The principal, in cooperation with the director/designee of DOT, will draft a letter of notification to appropriate parents/guardians. The letter, to be sent to parents/guardians by the principal, will include –
  - a) the proposed change in service, along with the basis for action
  - b) the date when transportation will cease
  - c) location of new bus stop, if applicable.
  - d) information pertaining to placement of new crossing guards or traffic control devices, if any, and
  - e) procedures for appeal of the proposed change.

G. Uses of Buses for Field Trips, Athletics, and Functions Outside of MCPS

- 1. MCPS buses are available for field trips during the hours that do not conflict or interfere with the regularly scheduled runs. A limited number of buses are not committed to regular bus routes and are therefore available for trips any time of the day and for multi-day trips.
- 2. Schools may use MCPS buses to transport participants to approved extracurricular activities.

3. Government organizations, such as Montgomery County, the City of Rockville, the City of Gaithersburg, the City of Takoma Park, and/or educationally related non-profit organizations may use MCPS buses, as approved by the director of DOT, for educational purposes in furtherance of the educational mission of MCPS.
4. The chief operating officer periodically sets the fee schedule for school field trips and use of buses by other public agency programs. The schedule includes operational and bus operator costs. Refer to the DOT web page, *WebTrips: Field Trip Request System*, for details.
5. DOT, in cooperation with the Procurement Unit in the Department of Materials Management, is responsible for screening private motor coach carriers used for school-sponsored activities to ensure they meet the following standards:
  - a) The company carries the required levels of insurance.
  - b) All vehicles are inspected and pass inspections according to federal requirements.
  - c) Drivers hold appropriate licenses and receive all required safety training.
  - d) The carrier meets all federally required drug testing and employment standards for motor coach operators.
6. Responsibility for Students
  - a) It shall be mandatory for a staff member from the school group or a chaperone authorized by the principal/designee to be onboard each bus used for student trips made on MCPS buses. A bus operator is not authorized to begin a trip without a staff member or an authorized chaperone onboard the bus.
  - b) The responsible staff member or authorized chaperone shall adhere to the supervision and safety procedures set forth in MCPS Regulation IPD-RA, *Travel-Study Programs, Field Trips, and Student Organization Trips*.

## H. Resolution of Concerns from the Public

As set forth in Board Policy KLA, *Responding to Inquiries and Complaints from the Public*, the Board encourages the public to seek resolution through an informal process of cooperative agreement among the most immediately affected parties. Formal steps set forth in MCPS Regulation KLA-RA, *Responding to Inquiries and Complaints from the Public*, for resolving complaints only should be used after informal approaches have been unsuccessful in resolving the complaint.

1. A member of the public who has an inquiry, concern, or complaint regarding student transportation is encouraged to discuss the matter with the DOT cluster supervisor to seek an informal resolution.
2. A concern not resolved informally at the level of the DOT cluster supervisor should be addressed to the director of DOT for their decision.
3. The director of DOT's decision may be appealed to the chief operating officer who shall render a decision on behalf of the superintendent of schools, advising the appellant of the right to further appeal to the Board consistent with Board Policy KLA, *Responding to Inquiries and Complaints from the Public*; MCPS Regulation KLA-RA, *Responding to Inquiries and Complaints from the Public*; and the Education Article, *The Annotated Code of Maryland*, Section 3-903(c).

### **Related Sources:**

*Annotated Code of Maryland, Education Article, §3-903(c); Code of Maryland Regulations §13A.06.07, Student Transportation; Individuals with Disabilities Education Improvement Act of 2004, as amended, Title I, Part A §602(26)(A); McKinney-Vento Homeless Assistance Act of 1987, as amended, Title VII, Subtitle B; 42 U.S.C. 11432 (g)(3) as amended by the Every Student Succeeds Act of 2015; and Rehabilitation Act of 1973, as amended, 20 U.S.C. §794 (Section 504).*

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