

**Franklin Public Schools  
Franklin, Massachusetts 02038**

**Action Required**

---

**Subject:** Policy – 1<sup>st</sup> Reads

**Date:** July 14, 2020

**Dept:** School Committee

---

**Reason:** Required Vote

**Enclosure:** yes

**Recommendation:**

Policy First Readings

I recommend moving the following policies to a second reading:

1. EEA - Student Transportation Policy
2. EEA-R - Transportation Policy and Responsibilities
3. EEAG - Student Transportation in Private Vehicles

**Action Requested of the School Committee:**

Majority vote of the School Committee is required.

<u><b>Vote Tabulator</b></u>	
A Bergen:	Y / N      T Keenan: Y / N
J D'Angelo:	Y / N      M J Scofield: Y / N
J Pond-Pfeffer:	Y / N      D Spencer: Y / N
E Stokes:	Y / N      Action: _____

## **Student Transportation Policy and Eligibility**

The purpose of this policy is to delineate the available bus services and the eligibility requirements. This policy applies to the transportation of public school children, grades K-12, to and from schools located within the Town of Franklin, MA. This policy does not apply to special education transportation. Bus transportation is provided under contract with private owners through a competitive bid process in accordance with MGL Chapter 30B regulations. Bus contracts are authorized by the Superintendent of Schools. Pupils are designated as walkers if they do not qualify as bus pupils.

### ELIGIBILITY AND MEASUREMENTS

- For the purposes of this transportation policy, all distances and walking routes shall be measured and determined in accordance with the geographic software system then in use by the Franklin School System.
- All students in grades K to 6 who reside more than 2.0 miles from their assigned school will be bused at no charge to the student.
- Students in grades 7 through 12 are not eligible for free bus transportation.
- The Superintendent of Schools **and/or their designee** is responsible for execution of the transportation policy and regulations adopted to implement the policy.
- The Franklin School Committee reserves the right to authorize a pay to ride option **and all associated components**. ~~The School Committee will determine whether or not to offer this option on a yearly basis.~~

**The Superintendent or their designee, working with the bus contractor and other appropriate administrators, will be responsible for establishing bus schedules, routes, stops, and all other matters relative to the transportation program.**

LEGAL REF.: M.G.L. 71:68

**CROSS REF: EEB - Student Transportation Policy - Schedules & Procedures**

REF:     Transportation Contract  
          Student Handbooks  
          Bus Company Handbook/Practices

Reviewed, revised:   1/26/10; 2/24/10

Accepted by the School Committee **3/9/10**

**To SC for 1<sup>st</sup> Reading 7/14/2020**

## TRANSPORTATION POLICY RESPONSIBILITIES

### ***Responsibilities of the School Committee as they pertain to transportation:***

The Franklin School Committee is the policy making agent of the transportation system. The School Committee is the agency of appeal concerning decisions of the operating staff, but every endeavor should be made to solve the problem at the appropriate level of authority before appeal to the School Committee. The bus company assumes responsibility for the pupils' welfare when he/she they board the bus and retains this responsibility until he/she they leave the bus. The School District assumes responsibility for the student after they exit from the school bus and throughout the time they remain on school grounds to the time they board the bus to return to their home destination.

### ***Responsibilities of the School Superintendent as they pertain to transportation:***

1. Make policy recommendations on pupil transportation to the School Committee.
2. Provide factual data to the School Committee.
3. Make administrative decisions within the framework of School Committee policy.
4. Forward required reports and forms to the Department of Elementary and Secondary Education Massachusetts Department of Education.
5. Exercise his/her their authority over contractors and drivers in matters pertaining to school transportation.
6. Keep the School Committee informed of accidents or serious incidents pertaining to transportation of pupils.

### ***Responsibilities of the School Business Administrator Assistant Superintendent for Administrative Services as they pertain to transportation:***

1. Make recommendations to the Superintendent on pupil transportation.
2. Develop transportation contracts which comply with the philosophy and policy of the Superintendent of Schools and the School Committee.
3. Serve as a resource to the transportation contractor on bus routes and bus stops.
4. Ensure that all personnel are complying with the regulations of the transportation policy.
5. Serve as a resource to principals and the contractor to address transportation matters.
6. Supervise the appropriate administration of the software program that identifies which pupils are entitled to bus transportation under School Committee policy.
7. Serve as a resource to the Police Department in matters related to the need for crossing guards and for opinions related to waiver requests and questions of safety.
8. Inform the Department of Public Works about pertinent issues concerning bus routes or walking routes, and to make recommendations to the Superintendent pertaining to the same.
9. Develop an accounting system which ensures that the Town of Franklin receives services for which it has contracted, and also that State reimbursements are maximized.

### ***Responsibilities of the School Principal as they pertain to transportation:***

The Principal has two major responsibilities related to transporting pupils to and from his/her their school. His/her their first responsibility is to assure prompt loading and unloading of students on assigned buses and the assignment of school personnel to the task of monitoring the loading and unloading processes. his/her their second major responsibility is to cooperate with the driver and School Business Administrator Assistant Superintendent for Administrative Services in addressing disciplinary concerns.

### ***Responsibilities of the Teacher as they pertain to transportation:***

The teacher must: teach bus safety to all pupils at least three times per year and ensure that pupils are dismissed in a prompt and orderly manner directly to their buses.

***Responsibilities of the Bus Contractor as they pertain to transportation :***

1. The bus contractor must comply with the transportation contract between his company and the Franklin School Committee. Working with the **School Business Administrator** ~~Assistant Superintendent of Schools~~, ~~he/she~~ **they** must develop and maintain bus routes and bus stops and a listing of students who should be bused from each stop.
2. The contractor must insure that all vehicles comply with contract standards and State safety requirements.
3. The contractor is responsible for keeping the buses clean inside and out, for seeing that defrosters, heaters, and windshield wipers are in good working condition, and for repairing any defects that might arise that might affect safety and comfort of the children. The contractor should delegate to his drivers the reporting to him of defects in the buses.
4. The contractor must maintain vehicles that are regularly inspected and approved by the Registry of Motor Vehicles.
5. The contractor must file with the Superintendent of Schools the names, addresses, and telephone numbers of all bus drivers who will operate a bus or buses before the opening of schools with additions or deletions as they may from time to time arise, and see that the above examinations are made.
6. All bus drivers must undergo a satisfactory Criminal Offense Record Investigation **and Criminal History Record Information (CHRI) and fingerprinting** as a requirement of employment. The contractor will also certify in writing by September 10 that a satisfactory record review has been made with the Registry of Motor Vehicles in each state in which the driver has been licensed.
7. The Franklin School Department shall have the option to reject the services of any driver at any time with cause. The Superintendent of Schools, in making his decision or rejecting services of a driver, will document his reasons in writing to the bus contractor, driver, and School Committee.
8. **By September 10, the contractor is obligated to certify to the Superintendent of Schools in writing that all bus drivers comply with the legal requirements for bus drivers. When the contractor submits the list of drivers to the Superintendent of Schools, he they assume the responsibility that all drivers listed comply with all applicable state, local and federal requirements relating to the transportation of students including but not limited to Massachusetts General Laws Chapter 90.**
9. All buses will be equipped with 2-way communication devices, safety sweepers arms, external speakers, blinking lights, stop arm and all other devices required by law and contract.
10. The bus contractor **will work with the District's** ~~will employ a~~ Transportation Coordinator who will be responsible for receiving and satisfactorily addressing complaints/concerns and other matters related to school bus transportation. The **District's** ~~Bus Company~~ Transportation Coordinator will be responsible for informing of action taken to address complaints and concerns to the party of origin. The **Transportation Coordinator** ~~contractor~~ may request the assistance of the **bus contractor** ~~Assistant Superintendent of Schools~~ to address some of these matters as appropriate.
11. The contractor, with the assistance of ~~his~~ **their** drivers, will work with the **School Business Administrator** ~~Assistant Superintendent for Administrative Services~~ to resolve individual busing problems, including discipline. The contractor will not take disciplinary action against any child. Cases that warrant such action should be reported at once to the Principal of the school. The contractor, if not satisfied with the action of the Principal, will report his reason for dissatisfaction to the **School Business Administrator** ~~Assistant Superintendent for Administration Services~~.
12. The contractor will be responsible for posting bus route and safety information including emergency numbers on each bus.
13. The contractor will certify in writing by September 10 of each operational year that the transportation policy for the Franklin Public Schools has been provided to each driver.
14. Transportation contractors must carry insurance as specified by the Commonwealth of Massachusetts and the School Committee. The minimum requirement for school buses is \$300,000 per injury and \$500,000 per accident exclusive of the contract in force.

The minimum requirements for station wagons and sedans is \$100,000 per injury and \$300,000 per student.

15. The contractor will report all accidents or serious incidents to the **School Business Administrator** ~~Assistant Superintendent for Administrative Services~~ who will be responsible for informing the Superintendent.

16. The contractor will ~~insure~~ **ensure** that all vehicles used to transport children to and from school meet the "Massachusetts Rules and Regulations Establishing Minimum Standards for Construction and Equipment of School Buses"

**REF: 540 CMR 7 Minimum standards for construction and equipment of school buses**

Reviewed; no revision 9/25/10

To SC for 1<sup>st</sup> Reading: 7/14/2020

### **Student Transportation in Private Vehicles**

School buses and/or school owned/leased vans will be used for the transportation of students participating in co-curricular or extracurricular activities. ~~Privately owned vehicles of staff members are not permitted to transport students to or from school activities that fall within the academic day or extended school day.~~ However, when buses are not available, private vehicles may be permitted to transport students to or from school activities that fall within the academic day or extend the school day provided all of the following conditions are met:

1. The activity has the approval of the Superintendent of Schools.
2. The owner of the vehicle being used in transporting students must file evidence with the Superintendent of personal liability insurance coverage on the vehicle in the amounts of \$100,000 - \$300,000 or more.
3. The parents/guardians of students to be transported in this manner will be fully informed as to this means of transportation and will sign a statement to this effect.
4. At least two district employees must accompany the student(s) to the destination departing from and returning to the school.

**SOURCE: MASC**

Reviewed, No Revisions: 1/26/10

To SC for 1<sup>st</sup> Reading: 7/14/2020