

# School Transportation Policy

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**Effective Date: September 1, 2020**

## 1. Policy Statement

Transportation for students provided by regional centres for education (RCEs) and the Conseil scolaire acadien provincial (CSAP) is an important service for students and families. This policy recognizes that many students live some distance from their school and need transportation to, and home from, their school. It further recognizes that students who require transportation services, due to special needs, should be able to access those services in a way that is safe and feels welcoming and inclusive. This policy is intended to ensure provisions are in place to support the transportation of students to and from school each day.

## 2. Definitions

**catchment area:** A defined geographic boundary served by a public school.

**eligible student:** A student that is eligible for transportation services provided by the RCE/CSAP as determined in accordance with this policy.

**residence:** The student's identified legal and permanent place of residence, which determines the school that they are eligible to attend or, for the purposes of this policy, one alternate residence inside the school catchment area, to or from which the student may be transported.

## 3. Policy Objectives

The objective of the *School Transportation Policy* is to ensure clear, consistent direction with respect to student transportation.

## 4. Guiding Principles

- The safety of students at bus stops and on school buses is a shared responsibility among students, parents/guardians, bus drivers, principals, and RCE/CSAP staff.
- Transportation to and from school can occur in multiple ways, including active transportation (walking, biking, etc.) and travel on buses.
- Every student deserves to belong, be safe, and feel welcomed in all aspects of their daily experience, including when they are travelling with other students on RCE/CSAP provided transportation, to and from school each day.
- Student safety is supported by effective and timely communication between RCEs/CSAP and families with respect to transportation.

## **5. Policy Directives**

### **5.0 General**

- 5.0.1 RCEs and CSAP are required to provide safe, timely, and effective transportation options, for eligible students, within the parameters set in legislation and this policy.
- 5.0.2 Parents/guardians are responsible for ensuring their child(ren) get to and from school and/or for ensuring the safety of their child(ren) while they are at the bus stop.

### **5.1 Distance Criteria/Eligible Student**

- 5.1.1 Transportation must be provided for students in elementary grades, including children attending pre-primary programs who live more than 1.6 km from the school in their designated catchment area.
- 5.1.2 Transportation must be provided for students in middle and secondary grades who live more than 2.4 km from the school in their designated catchment area.
- 5.1.3 RCEs/CSAP may set distance criteria for the purposes of transporting students lower than the distances outlined in 5.1.1 and 5.1.2 but cannot exceed the distance in those directives.
- 5.1.4 RCEs/CSAP must determine the distance between a student's residence and their school, for the purposes of eligibility for transportation services, based on the shortest walking route from the student's residence road-front property line to the assigned school property line.
- 5.1.5 For the purposes of determining eligibility and providing transportation services, each student is limited to one primary residence address and one alternate address.

### **5.2 Special Needs Transportation**

- 5.2.1 Transportation will be made available to any student who requires it because of special needs, regardless of the distance they live from the school, in accordance with regulations and any accompanying policy directives related to the transportation of students with special needs.
- 5.2.2 All decisions on the transportation needs for individual students with special needs will be made as part of the team planning process for that student.

### **5.3 Transportation Outside Eligibility Criteria**

- 5.3.1 RCEs/CSAP must determine the conditions by which they will consider requests to provide transportation for students who would otherwise not be eligible for transportation services. Any requests considered under this clause must not negatively affect the arrival time for students.
- 5.3.2 Requests for transportation in accordance with clause 5.3.1 are subject to approval by the RCE/CSAP. An approval can be provided for the length of a school year or less, and a new request must be submitted for any subsequent school years.

- 5.3.3 The RCE/CSAP may withdraw transportation options for students approved under clause 5.3.2. If the decision is made to withdraw transportation, the RCE/CSAP must inform the student and parent/guardian of the effective date when transportation will cease to be available.

#### **5.4 Student Travel Time**

- 5.4.1 Students shall ride on a school bus one hour or less during regular travel to or from school, where operationally possible. Exceptions may only be made by the Director of Operations, in consultation with the Regional Executive Director.
- 5.4.2 Students must be at the designated bus stop a minimum of five minutes before their scheduled pick up time. The bus driver is not required to wait for a student that is not at the bus stop by the scheduled pick-up time.

#### **5.5 Out of Catchment Area Students**

- 5.5.1 RCEs/CSAP are not required to provide transportation options to students who are approved to attend a school out of their catchment area.
- 5.5.2 RCEs/CSAP may extend transportation services to an out-of-catchment area student if transporting the student is part of a specific education plan or if
  - the student can access an existing bus stop approved for use by in-catchment students,
  - there is space on the bus, and
  - the travel time for students on the bus can be maintained as required under clause 5.4.
- 5.5.3 The RCE/CSAP may withdraw transportation options for out-of-catchment students if it is deemed necessary to maintain transportation services to eligible students. If the decision is made to withdraw transportation, the RCE/CSAP must inform the student and parent/guardian of the effective date when transportation will cease to be available.

#### **5.6 Bus Roster**

- 5.6.1 A full roster of students being transported on each bus route will be made available by the RCE/CSAP to the bus driver and school. The process for producing the bus roster will be the responsibility of the RCE/CSAP.
- 5.6.2 In general, only students will be carried on school buses to and from school, with the following exceptions:
  - Educational assistants or other individuals may accompany students with special needs to and from school, as required. This will be approved by the Director of Programs and Student Services in consultation with the Director of Operations.
  - Teachers, volunteers, and chaperones may travel on school buses when supporting co-curricular and/or extracurricular trips.
  - Other individuals as authorized by the Director of Operations.

## 5.7 Co-Curricular and Extracurricular Transportation

- 5.7.1 Schools are encouraged to use available school buses for transportation of students on co-curricular and extra-curricular trips.
- 5.7.2 Regulations under the *Motor Carrier Act* permit the use of privately owned, or RCE/CSAP owned, leased, controlled, or contracted vehicles for the transportation of students on co-curricular and extracurricular school trips within defined parameters set out in the *Motor Carrier Act Regulations*.
- 5.7.3 Volunteers and chaperones on co-curricular and extracurricular school trips must follow provincial, RCE/CSAP, and school requirements.
- 5.7.4 Schools shall provide a roster of students being transported and an itinerary for co-curricular and extracurricular trips to the bus driver at the start of the trip.

## 5.8 School Bus Stops

In determining bus stop locations, RCEs/CSAP must adhere to the *Governor in Council Public Passenger Motor Carrier Act Regulations* section 14.2, which requires that the driver of a school bus shall not stop the bus for the purpose of taking on, or discharging, passengers at

- more than three places in 1.6 kilometers (1 mile); or
- a place that has not been designated as a loading station.

## 5.9 Student Safety and Behaviour

- 5.9.1 Students must adhere to the direction of the bus driver with respect to safety and/or behavioural concerns.
- 5.9.2 If there are ongoing or severe behavioural concerns with respect to a student or students, the bus driver must inform the principal and the principal must take appropriate action to address those concerns.
- 5.9.3 Serious behaviour concerns/incidents may result in a student losing their busing privileges for a temporary or extended period of time. Any decision to remove busing privileges must adhere to the provisions outlined in section 32 of the *Education Act* or section 127 of the *Education (CSAP) Act*.
- 5.9.4 If a student or parent/guardian wishes to appeal a decision related to the suspension of school bus rights, they must follow the process outlined in section 32 of the *Education Act* or section 127 of the *Education (CSAP) Act*.

## 5.10 Transportation Review Committee for Policy Review

- 5.10.1 RCEs/CSAP must establish a Transportation Review Committee.
- 5.10.2 Parents/guardians may request clarification on decisions related to student transportation from the Director of Operations (or designate).
- 5.10.3 Parents/guardians who are not in agreement with non-behaviour-related decisions of staff with respect to the application of policy may ask for a review by the Transportation Review Committee. Appeals of decisions made in response to incidents of student behaviour should follow the process outlined in legislation.

- 5.10.4 The Transportation Review Committee (“the Review Committee”) shall be made up of three RCE/CSAP staff members, including
  - the Director of Operations (or designate)
  - the Director of Programs and Student Services (or designate)
  - one other member with an understanding of the school or family of schools
- 5.10.5 The Review Committee will meet as frequently as is required to respond to requests for review in a timely manner.
- 5.10.6 Arrangements for the review will accommodate the following:
  - Review Committee members will be provided with information about the transportation decision and any additional information provided by the parent/guardian.
  - The parent/guardian will be informed of the review process and will be invited to meet with the review committee or make a written submission.
- 5.10.7 The Review Committee will make a decision to approve, revoke, or vary the transportation decision, considering
  - whether policy has been followed
  - whether there are special circumstances related to the needs of the student, student safety, the age of the student, the distance from the student’s residence to the school, and/or the ability to accommodate the student without significant disruption to existing routes
  - whether the original decision considered and was in alignment with the proper application of the *Education Act* and its regulations, the *Education (CSAP) Act* and its regulations, the *Motor Carrier Act*, and the *Motor Vehicle Act*
- 5.10.8 The CSAP may establish a policy or procedures requiring that decisions or types of decisions of the Review Committee be subject to confirmation, variance, or revocation by the elected board.
- 5.10.9 The decision of the Review Committee will be by consensus or majority vote. The decision must be provided to the individual who has requested the review in writing and is final.
- 5.10.10 The decision of the Review Committee will be communicated to the parent/guardian within seven (7) days of the Review Committee meeting.

## 5.11 Side Road

- 5.11.1 Bus service will be provided on a side road, including those with a dead end or a cul-de-sac, if
  - the side road is longer than 0.8 km,
  - the side road is listed and maintained by the Department of Transportation and Infrastructure Renewal, with a minimum classification of Level H road standard, and,
  - there is an adequate and safe turn around location, maintained at no cost to the RCE/CSAP, for the bus near the location of the stop or some other means acceptable to the Transportation Coordinator or designate

- 5.11.2 When school bus service is removed from a side road that does not meet the conditions under 5.11.1, at least 15 calendar days' notice will be given to parents/guardians, as measured from the date of correspondence.

## 5.12 Communications Protocol

Each region will develop a communications protocol in alignment with the following guiding principles:

- Communications will be made in a timely fashion to all parents/guardians where there is a school bus change, delay, or cancellation.
- Communication will be made in a timely fashion to all parents/guardians if there is a change to a bus route, bus stop location, or pick up or drop off time.
- The RCE/CSAP will provide all parents/guardians with an appropriate point of communication to express feedback and concerns.
- Accountability for communications will be the responsibility of the RCE/CSAP and may not be delegated to a third party.

## 6. Roles and Responsibilities

### Students

It is the responsibility of students to

- adhere to the posted instructions on the school bus
- adhere to the *Provincial School Code of Conduct Policy* while waiting for the bus and riding the bus
- follow the instructions of the bus driver while on, entering, or exiting the bus

### Parents/Guardians

It is the responsibility of the parent(s)/guardian(s) to

- ensure that their child arrives safely either to the designated school bus stop or to the school; all students must be at the bus stop at least five (5) minutes before the planned pick-up time
- ensure that students are safe while they wait at the bus stop
- provide the school with all information required to appropriately plan for safe student transportation; the information required, and the timelines for information to be provided, will be set out by the RCE or CSAP
- ensure all pre-primary through grade 2 students are supervised by parents/guardians, or an individual designated by the parent/guardian, until the bus arrives in the morning and are there to greet the student in the afternoon; parents/guardians may apply, in writing, to have their child discharged at a bus stop without supervision

### Bus Drivers

It is the responsibility of bus drivers to

- acquire and maintain all required driver training and certification
- follow the rules of the road while operating the bus

- enforce the *Provincial School Code of Conduct Policy* on the bus
- proactively communicate any issues related to student behaviour to the school principal

### Principals

It is the responsibility of principals to

- ensure that there is a safe and orderly space for students to be dropped off and picked up at their school
- ensure that all behavioural concerns that arise from student transportation are dealt with appropriately

### Directors of Operations

Student transportation services are the responsibility of the Director of Operations. It is the responsibility of the Director of Operations to

- ensure that all routing is completed in a timely manner
- conduct regular reviews of transportation services to improve services, safety, and efficiency
- ensure that routes and route changes are communicated to schools, students, and parents/ guardians

### RCEs and CSAP

It is the responsibility of RCEs and CSAP to

- provide for the safe transportation of students while adhering to all regulatory requirements and standards and regional and provincial policies and guidelines

## 7. Monitoring

Effective implementation of this policy will be the responsibility of the RCE/CSAP. The policy will be monitored and reviewed by RCEs, the CSAP, and the Department of Education and Early Childhood Development.

## 8. Application

This policy will come into effect on September 1, 2020. This policy applies to students, staff, bus drivers, teachers, and administrators at all RCEs and CSAP.

## 9. References


This policy operates along with and as a supplement to existing statutes, policies, guidelines, and regulations governing the collection, use, and disclosure of personal information, including the following:

Nova Scotia. *Education Act*. S.N.S. 2018, ch. 1.

<http://nslegislature.ca/legc/statutes/education.pdf>.

—. *Ministerial Education Act Regulations*. S.N.S. 2018, ch. 1.

<https://www.novascotia.ca/just/regulations/regs/edmin.htm>.

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- . Nova Scotia. *Motor Carrier Act*. S.N.S. 1989–2018, ch. 292.  
<https://nslegislature.ca/sites/default/files/legc/statutes/motor%20carrier.pdf>.
- . *Governor in Council Public Passenger Motor Carrier Act Regulations*. S.N.S. 1989-2018, ch. 292.  
<https://novascotia.ca/just/regulations/regs/mcgic.htm>
- . Nova Scotia. *Motor Vehicle Act*. S.N.S. 1989–2018, ch. 293.  
<https://nslegislature.ca/sites/default/files/legc/statutes/motor%20vehicle.pdf>.
- . *Motor Vehicle Act Regulations*. S.N.S. 1989-2018, ch. 293.  
<https://novascotia.ca/just/regulations/rxam-z.htm>
- . 2015. *Handbook for the Transportation of Students with Special Needs*. Halifax, NS: Province of Nova Scotia. <https://studentservices.ednet.ns.ca/sites/default/files/Handbook%20for%20the%20Transportation%20of%20Students%20with%20Special%20Needs.pdf>.
- . 2015. *Provincial School Code of Conduct Policy*. Halifax, NS: Province of Nova Scotia. <https://www.ednet.ns.ca/sites/default/files/pubdocs-pdf/provincialschoolcodeofconduct.pdf>.