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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 ~~pupils~~ **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 ~~pupils~~ **students** living outside of the defined walking limits (subparagraph 1. below), based on the most direct route from the ~~pupil's~~ **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. ~~Pupils~~ **Students** will be eligible for school transportation if one or more of the following criteria are present:

1. The walking distance for the ~~pupil~~ **student**, either to school or to the nearest bus stop, is in excess of the following distances:
  - (a) For ~~pupils~~ **students** enrolled in grades K through ~~3~~ **2**, up to one (1) mile;
  - (b) For students enrolled grades ~~4~~ **3** through ~~6~~ **5** one and one quarter (1.25) miles;
  - (c) For ~~pupils~~ **students** enrolled in grades ~~7~~ **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

51 in Section II below) which the board cannot reasonably eliminate or  
52 adequately abate.

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54 **II. Hazardous Conditions**

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56 A. Descriptions

57  
58 1. A street or road having an adjacent or parallel sidewalk or raised walk  
59 area shall be deemed hazardous when anyone of the following  
60 conditions exist:

61  
62 (a) For ~~pupils under age ten, or~~ **students** enrolled in grades K  
63 through ~~3~~ **2**, absence of pedestrian crossing light or crossing  
64 guard where three or more streets intersect, and at street crossing  
65 where there are no stop signs or crossing guards and the traffic  
66 count during the time that students are walking to or from school  
67 exceeds sixty vehicles per hour at the intersection;

68  
69 (b) For ~~pupils, age ten or over, or~~ **students** enrolled in grades ~~4~~ **3**  
70 through 12, the absence of a traffic light or stop signs or crossing  
71 guard where three or more streets intersect and has a traffic count  
72 which exceeds ninety vehicles per hour during the time that  
73 students are walking to or from school;

74  
75 (c) For all ~~pupils~~ **students**, any street, road, or highway with speed  
76 limits in excess of forty miles per hour which do not have  
77 pedestrian crossing lights or crossing guards or other safety  
78 provisions at points where students must cross when going to or  
79 from school or the bus stop;

80  
81 (d) For all ~~pupils~~ **students**, the usual or frequent presence of any  
82 nuisance such as open man-holes, construction, snow plowed or  
83 piled on the walk area making walkways unusable, loading zones  
84 where delivery trucks are permitted to park on walkways,  
85 commercial entrances and exits where cars are crossing walking  
86 entrances at speeds in excess of five miles per hour, and the like,  
87 including such nuisances which are hazardous or attractive to  
88 children.

89  
90 2. Any street, road, or highway, which has no sidewalks or raised walk  
91 areas shall be deemed hazardous if anyone of the following conditions  
92 exist:

93  
94 (a) For ~~pupils under age ten or~~ **students** enrolled in grade K through  
95 ~~3~~ **2**, any street, road, or highway possessing a traffic count of sixty  
96 or more vehicles per hour at the time that students are walking to  
97 or from schools;

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

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- (c) For all ~~pupils~~ **students** any roadway available to vehicles that does not have a minimum width of approximately twenty-two feet;
  - (d) For all ~~pupils~~ **students** any roadway available to vehicles when plowed free of snow accumulations, that does not have a minimum width of approximately twenty feet; and
  - (e) For ~~pupils under age ten, or~~ **students** enrolled in grades K through ~~3~~ **2**, any street, road, or highway possessing speed limit in excess of thirty miles per hour.
3. Any street, road, or highway which has no sidewalks or raised walk areas shall be deemed hazardous when the line-of-sight visibility together with posted speed limits do not permit vehicular braking/stopping in accordance with the Connecticut Drivers Manual or Connecticut Department of Transportation, Division of Design.
  4. Any walkway, path or bridge in an area adjacent or parallel to railroad tracks shall be considered hazardous unless a suitable physical barrier along the entire pedestrian route is present and fixed between students and the track; and any crossing of railroad tracks that carry moving trains during hours that students are walking to or from school shall be deemed hazardous unless, (1) a crossing guard is present or (2) an automatic control bar is present at crossings used by ~~pupils under age ten~~ **students in grades K through 2**, or a bar or red flashing signal light is operational when the crossing; is used by ~~pupils over ten years of age~~ **students in grades 3 through 12**.
  5. A lake, pond, stream, culvert, water-way, or bridge shall be deemed a hazard in the absence of a fence or other suitable barrier fixed between the ~~pupil~~ **student** and the water for ~~pupils~~ **students** in grades K through ~~4~~ **2**.
  6. Any area adjacent to a roadway, sidewalk, or bridge having a drop of three or more feet per four feet of travel length on either side of the established lanes, the absence of a fence or other suitable barrier shall be deemed hazardous for ~~pupils~~ **students** in grades K through ~~4~~ **2**.
  7. Any street, road, walkway, sidewalk, or path designated as a walking route for all school students which passes through an area which has a history of aggressive acts of molestation resulting in actual or threatened physical harm or moral degradation during the hours when ~~pupils~~ **students** ordinarily walk to or from school shall be deemed hazardous.
  8. Walking to or from school or the bus stop at any time prior to one half-hour before sunrise or any time one half-hour after sunset shall be deemed hazardous for ~~pupils~~ **students** in grades K through ~~8~~ **5**.

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B. Private Roads

These guidelines are applicable to private roads approved for passage of school transportation vehicles in accordance with c.c.s. Section 10-220c.

**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 ~~pupil~~ **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 ~~pupils~~ **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 ~~pupils~~ **students** and ~~pupils~~ **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 ~~pupil~~ **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 ~~pupil's~~ **student's** residence and his/her school from a point at the curb or edge of a public or private road nearest the ~~pupil's~~ **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.

- 199 C. *One mile walking distance* means a reasonable measurement of a route  
 200 to be traversed extending from the point of measurement at least 5,280  
 201 feet but not more than 5,380 feet.  
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 203 D. *Grade K* means kindergarten or a school program appropriate to a  
 204 beginning pupil **student**.  
 205  
 206 E. *Hazard* means a thing or condition, as prescribed in these guidelines,  
 207 affecting the safety of pupils **students** walking to and from school.  
 208  
 209 F. *Sidewalk* means a portion of the landscape right of way approximately  
 210 three feet wide, usually parallel to the traffic lanes which may be paved  
 211 or unpaved and marked by curbing, drainage ditch, grass area or  
 212 fencing; apart from and independent of any white line safety markings  
 213 along the street pavement.  
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 215 G. *Raised walk area* means a portion of the landscape right of way  
 216 approximately three feet wide, usually parallel to the traffic lanes which  
 217 may be paved or unpaved, distinguished by some elevation above the  
 218 street pavement level and marked by curbing, drainage ditch, grass area  
 219 or fencing; apart from and independent of any painted safety markings  
 220 along the street pavement.  
 221  
 222 H. *Pupil Student* means any individual of school age enrolled in a public or  
 223 nonprofit private school located within the school district or contiguous  
 224 school district as the case may be.  
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226  
 227 **Legal Reference Connecticut General Statutes:**  
 228

229	<b>10-186</b>	<b>Duties of local and regional boards of education.</b>
230	<b>10-220</b>	<b>Duties of boards of education.</b>
231	<b>14-275</b>	<b>Equipment and color of school buses.</b>
232	<b>14-275a</b>	<b>Use of standard school bus required, when.</b>
233	<b>14-275b</b>	<b>Transportation of handicapped students.</b>
234	<b>14-275c</b>	<b>Regulations regarding school buses and motor vehicles used to transport special education students.</b>
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236	<b>14-276a(c)</b>	<b>Town/school district may require its school bus operators to have completed a safety training course.</b>
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240 **Policy Adopted: February 23, 1960**  
 241 **Policy Amended: September 19, 1960**  
 242 **Policy Amended: October 25, 1960**  
 243 **Policy Amended: June 13, 1960**  
 244 **Policy Amended: August 15, 1961**  
 245 **Policy Amended: September I, 1964**  
 246 **Policy Amended: March 14, 1967 (effective: September 1, 1967**  
 247 **Policy Amended: November 12, 1968**  
 248 **Policy Amended: March 16, 1972**  
 249 **Policy Amended: January 14, 1975**  
 250 **Policy Amended: January 23, 1996**  
 251 **Policy Reviewed: February 9, 2009**  
 252 **Policy Revised:**

253 **ENFIELD BOARD OF EDUCATION**  
254 **ENFIELD, CONNECTICUT**

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257 **TRANSPORTATION APPEALS**  
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259 The duty of transporting public school children is placed by statute in the  
260 hands of local Boards of Education. While there is no exact distance established  
261 by law in our state as to how far a child must walk to school or to a school bus  
262 line, the State Board of Education has consistently found that elementary  
263 children between the ages of six and sixteen years should not be expected to  
264 walk more than one and one-half miles to school or to a school bus line and  
265 secondary students (junior and senior high school students) under sixteen  
266 years of age should not be expected to walk more than two miles to such points.  
267

268 In situations involving hazardous conditions, the State Board of Education  
269 takes into consideration such factors as the type of hazard present, the length  
270 of time children are exposed to the hazard, the number and ages of the children  
271 involved.  
272

273 Section 10-186, 1958 Revision of the General Statutes, establishes procedures  
274 which parents may use when they believe that the local board of education is  
275 failing to provide reasonable and necessary transportation for their children. In  
276 general, this section of the statutes provides that:  
277

- 278 1. Any parent or guardian of a child who is over six and under sixteen years of  
279 age may petition the local board of education in writing for a hearing  
280 concerning the transportation of his or her own child or children. (It is  
281 recommended that such a petition be sent to the secretary of the local board  
282 of education by registered mail with a return receipt requested so that the  
283 parent is informed as to when the petition was received).  
284
- 285 2. The local board of education is required to give a petitioning parent or  
286 guardian a hearing within ten days from receipt of the written petition.  
287
- 288 3. The local board of education is required to make a finding within ten days  
289 after it holds the hearing noted in item 2 above.  
290
- 291 4. If a local board of education fails to give a hearing or fails to make a finding  
292 within ten days after holding such hearing, or if any parent or guardian is  
293 aggrieved by the decision of the local board, he may then appeal in writing to  
294 the State Board of Education for a hearing. (Group appeals or petitions are  
295 not acceptable for State Board of Education purposes; a separate petition of  
296 appeal must be filed for each family. Such petitions may be for any number  
297 of children within one family who are between six and sixteen years of age.)  
298
- 299 5. Upon receipt of a petition of appeal, the State Board of Education will cause  
300 a hearing to be held by its hearing agent in the town in which the complaint  
301 arises. (Each case is decided on its own merit. However, a number of  
302 appeals may be heard at anyone hearing.) The report of the hearing is made

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

305

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

308

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

311

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

316

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

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

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324 a. Have the distances involved measured by a member or an agent of the  
325 board.

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

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331 c. Determine possible means of eliminating hazardous conditions by  
332 consultation with the responsible authorities.

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