

Eligibility for Transportation

STUDENTS WITH DISABILITIES

The need for special transportation for students with disabilities must be determined by the ARC or Section 504 Team and stated in the student's Individual Education Plan (IEP) or Section 504 Plan.

HITCHER PROVISION

Students who attend a school outside their own attendance area and who reside more than one (1) mile from the school of attendance may be provided transportation services under the rules of the "Hitcher Provision." The "Hitcher Provision" requires that: the designated bus route is not altered and that time or mileage is not added to the trip in order to provide the service; service is granted only if space is available on the bus; students must obey all rules and regulations of the Department of Pupil Transportation; and a written request for transportation under this provision is made annually at least two (2) weeks prior to the opening of school (this applies to students who reside in the District at such time) for approval by the Assistant Superintendent for Pupil Transportation. This section shall not apply to homeless students or students in foster care.

CAREER AND TECHNICAL STUDENTS

High school students attending an area career and technical school or extension center are eligible to be transported from the high school to the career and technical school. Transportation will be provided by the District in accordance with state regulations.

EARLY COLLEGE ACADEMY STUDENTS

High school students attending an early college academy are eligible to be transported from the high school to the college. Transportation will be provided by the District in accordance with state regulations.

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DISTANCE LIMITATIONS

Three (3)- and (4)-year-old preschool children and students with disabilities are not required to meet the distance specifications in Policy 06.32 to be eligible for school transportation.

PRESCHOOL /KINDERGARTEN TRANSPORTATION

Preschool guidelines require hand-to-hand delivery of child from monitor to adult. A parent/adult must be visible to load (a.m.) and receive (p.m.) kindergarten students.

When the parent/guardian, or a person authorized by the parent/guardian to accept the preschool or kindergarten student is not present upon midday or afternoon delivery, the child shall be returned to the school upon completion of the route. The parent/guardian shall be notified of the child's location and shall be responsible for pick up.

Upon the third (3rd) time the assigned adult is not present to receive the child, the parent(s)/guardian will be requested to provide transportation for the child.

Eligibility for Transportation**CHILDREN IN FOSTER CARE**

The Superintendent will designate a Foster Care Liaison to coordinate activities relating to the District's provision of services to children placed in foster care, including transportation services, when the District is notified by the Cabinet for Health and Family Services, Department for Community Based Services ("the Department") in writing that the Department has designated its foster care point of contact for the District. The Superintendent may designate the Foster Care Liaison prior to such notice from the Department.

The District will collaborate with the Department when transportation is required to maintain children placed in foster care in a school of origin outside their usual attendance area or District when in the best interest of the student. Under the supervision of the Superintendent/designee, the District Foster Care Liaison may invite appropriate District officials, the Department point of contact, the foster parents, and officials from other districts or agencies to consider how such transportation is to be promptly arranged and funded in a cost effective manner in accordance with the Department's authority to use child welfare funding. The Department, in consultation with the District, shall make the determination on whether the child shall remain enrolled in the school of origin based on the best interest of the child, weighing the promotion of educational stability as a primary factor.

If the Department finds it is in the best interest of a child to remain in the school of origin upon placement of the child in a new school district, reasonable transportation shall be offered from the location of placement to the school of origin in which the child is enrolled for any regularly scheduled school day. Such may result in additional transportation costs to a foster parent, child placing agency, child care facility, or the District. The District will provide transportation if necessary to maintain a child in the school of origin if the Department agrees to reimburse the District for the cost of such transportation. Transportation costs incurred shall be reimbursed by the Department on request. Alternatively, the District may agree to pay the cost of such transportation or the District and the Department may agree to share the cost.

DEFINITIONS

"Foster Care" means 24-hour care for children placed away from their parents, guardians, or person exercising custodial control or supervision and for whom the Cabinet has placement care and responsibility.

"School of origin" means the public school in which a child was enrolled immediately prior to placement in foster care.

"Best interest of the child" takes into consideration the following factors including but not limited to:

- The benefits to the child of maintaining educational stability;
- The appropriateness of the current educational setting;
- The child's attachment and meaningful relationships with staff and peers at the current educational setting;
- The influence of the school's climate on the child;
- The safety of the child; and
- The proximity of the placement to the school of origin, and how the length of a commute would impact the child.¹

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REFERENCES:

¹KRS 199.802
KRS 605.120
922 KAR 1:350
42 U.S.C. § 675(4)(A)
20 U.S.C. § 6311(g)(1)(E)
20 U.S.C. § 6312(c)(5)
P. L. 114-95, (Every Student Succeeds Act of 2015)