Transportation Eligibility and Hazardous Stops

Transportation is complex and there are many rules in place for route funding and addressing hazards within the district. There are also exceptions for stop placement for special education students that require accommodations. These references should answer your questions on bus stops and hazards.

Qualifying Bus Stops and Exceptions

53F-2-403

1. A student eligible for state-supported transportation means:
    a. a student enrolled in kindergarten through grade 6 who lives at least 1-1/2 miles from school;
    b. a student enrolled in grades 7 through 12 who lives at least two miles from school; and
    c. a student enrolled in a special program offered by a school district and approved by the state board for trainable, motor, multiple-disability, or other students with severe disabilities who are incapable of walking to school or where it is unsafe for students to walk because of their disabling condition, without reference to distance from school.

R277-600-4

(6) The distance from home to school is determined as follows: From the center of the public route open to public use, opposite the regular entrance where the pupil is living, over the nearest public route open regularly for use by the public, to the center of the public route open to public use, opposite the nearest public entrance to the school grounds which the student is attending.

R277-600-11

(2) A school district shall not be penalized in the computation of its state allocation for the presence on an approved to and from school route of an ineligible student who does not create an appreciable increase in the cost of the route.

(3) There is an appreciable increase in cost under Subsection (2) if, because of the presence of ineligible students, any of the following occurs:

(a) another route is required;

(b) a larger or additional bus is required;

(c) a route's mileage is increased;

(d) the number of pick-up points below the mileage limits for eligible students exceeds one; and

(e) significant additional time is required to complete a route.

2010 State Standards for Utah School Buses and Operations

Promoting Efficiency with Bus Stops and Routes

(1) To promote efficiency, the USBE approved minimum distance between bus stops is 3/10 of a mile. (It often provides safety in numbers as multiple students use each bus stop. It also allows the school bus

driver to pull over and allow cars to pass the bus prior to the next stop, creating a safer stop.) The USBE may approve shorter distances between bus stops for student safety. (We define this as: when all routing rules are followed, and the eligible stop placement creates a hazard such as a stop is placed on a blind corner, we would allow a stop moved closer to another stop to reduce hazards for the stop. Reason for the closer stops should be identified on the route sheet.)
(2) Bus routes shall avoid, whenever possible, bus stops on dead-end roads.

R277-600.6
(6)(a) A parent or guardian is responsible for the student's own transportation to bus stops up to one and one-half miles from home. (This ultimately puts the responsibility on the parents.)

R277-600-10. Board Local Levy.

(1) Costs for school district transportation of students which are not reimbursable may be paid for from general school district funds or from the proceeds of the Board Local Levy authorized under Section 53F-2-601.

NCST 2015 Specifications and Procedures – Parent/Guardian Responsibilities
C. Recognize their own responsibilities for the actions of their children. Understanding this, parents or guardians shall be responsible and accountable for the conduct and safety of their children at all times prior to the arrival and after the departure of the school bus at the assigned school bus stop;

Local Education Agency Policies
Districts generally make policies for the entire school district. Any exception that makes sense for one area may cause implications if addressed throughout the school district.

Hazardous Routes and Stops

The state does not have any say in decisions about hazardous routes. The summary of rules below are how we direct our school districts to approach hazardous conditions in their counties.

The Safe Neighborhood Access Plan (SNAP) which is now Safe Routes Utah helps identify hazardous conditions within a school's boundary. The plan also prepares a walking route for students to access the school. The walking route is not always the shortest route or the route that is used in the eligibility measurement for state supported transportation. It prepares the best route for students to go to school. It generally feeds multiple neighborhoods into one walking path for a greater chance of students to walk with others on their way to and from school and provides safety in numbers as students walk together.

Depending on the size of the district 1 and 2 below are often split into subcommittees to accommodate all the schools within the district. When hazards are not able to be resolved in the SNAP committees, they would then bring their concerns to the School District Transportation Director and then to the LEA Transportation Committee for discussion.

1. The School Traffic Safety Committee often called the (SNAP Committee) reviews all hazards at an elementary, middle and junior high school within the district to develop and submit a child access routing plan. The committee should include law enforcement, city or county engineering, city or county public works, etc.
    a. Organized and follows the Safe Routes Planning Guide https://saferoutes.utah.gov/wp-content/uploads/2019/04/9544_3_Safe_Routes_PlanningGuide_V1.pdf
2. 53G-4-402 The School Traffic Safety Committee composed of one representative of: the schools within the district; (ii) the Parent Teachers' Association of the schools within the district; (iii) the municipality or county; (iv) state or local law enforcement; and (v) state or local traffic safety engineering. (c) The committee shall: (i) receive suggestions from parents, teachers, and others and recommend school safety improvements.
3. R277-600-11 (2) – A school district shall not be penalized in its state allocation for the presence on an approved ineligible student, (d) the number of pick-up points below the mileage limits for eligible students exceeds one. (We allow one stop per route for ineligible transport, if approved by the district, there is space on the bus and the stop is on the direct route to school to prevent an increase in costs.)
4. The School District Local Board can approve use of LEA general funds for transporting students in a hazardous area.
5. The rural school district transportation grant program. Allowable expenditures from this grant program are routes ineligible for state supported funding (which would include district funded hazardous routes), field trip and activity routes and replacement of school buses for school districts located in the 4th, 5th, and 6th county classes.
6. In municipal code 41-6a-303(3) – for all reduced speed school zones on highways it gives an option to use crossing guards or (a)(i) provide shuttle service across highways for school children;
7. UDOT Safe Routes to School Program Utah Code 72-8-109 provides safety by use of education and infrastructure referenced below.
    1. As part of providing for the safety of the state transportation system, the department shall establish a program that promotes walking and bicycling to school through infrastructure improvements and non-infrastructure efforts such as safety awareness education.
    2. In addition to any federal funds made available to the department for the program, the department may fund the program from money made available to the department by the Legislature and as prioritized by the commission.
    3. The department, in consultation with the State Board of Education, may give priority consideration to a project located in an area of a school that receives funding under the Elementary and Secondary Education Act of 1965, Title I, 20 U.S.C. Sec. 6301, et seq.
        - Infrastructure Application https://www.udot.utah.gov/connect/business/public-entities/safe-routes-to-school-srts-program/
        - Non-Infrastructure Application https://www.udot.utah.gov/connect/business/public-entities/safe-routes-to-school-srts-program/

Parent Concern Recommended Processes

- Request the Snap Plan – It identifies the safest route for the neighborhood to access school. The route may not be the shortest but becomes the safest by reviewing hazards and directing students to the safest route and provides safety in numbers by feeding multiple neighborhoods into one main path.
- Address traffic, roadway and pathway concerns with the roadway/pathway owner (City, County or UDOT).
- Address the speeding and hazards from motorists with the local public safety departments.
- Address the construction hazards with the contractors and road owners.
- Address hazards from animals in travel paths/roads with Animal Control.
- If there are concerns about the Snap Plan to work with the School Traffic Safety Committee (**53G-4-402.17(a)** - Local Administration) or Snap Committee, school, community council and PTA.
    - Working with those agencies there is a possibility to apply for grants through the Safe Routes to School Program (**Utah Code 72-8-109)** and receive funds for infrastructure improvements or educational awareness.
- LEAs can make local changes and use their funds to transport ineligible students; however, LEA's generally make policies for the entire agency. Any exception that makes sense for one area may cause implications if addressed throughout the LEA.
    - LEAs may not be able to accommodate additional ridership due to space available, time or distance between runs, shortage of bus drivers or school buses or funding.
- Follow the LEA chain of command – Transportation Department, Transportation Director, Superintendent then Local School Board in addressing concerns.

Thanks,

Ron Litchfield
Utah State Pupil Transportation Specialist
Utah State Board of Education
801-538-7577