



Frederick County Public Schools
Board of Education
TRANSPORTATION OF STUDENTS
Policy 441

A. Policy Purpose

The Board of Education of Frederick County (Board) establishes this Policy to set forth the expectations with regard to transportation services for students.

B. Definitions

1. “Assigned bus stop” is defined to mean a designated location where students board and are discharged from a school bus.
2. “Emergency exceptional condition” is defined to mean a community incident, inclement weather impact on certain roads and/or areas, temporary staffing shortages, or other similar event.
3. “Parent” is defined to mean a biological or adoptive parent, a court-appointed custodian or guardian, a foster parent, or a caregiver (as defined by the Education Article of the Maryland Annotated Code or as designated by the United States Department of Health and Human Services, Office of Refugee Resettlement).
4. “Suitable walkway” is defined to mean a sidewalk or road shoulder with a minimum surface width of three (3) feet over which students may walk without being required to step on the traveled portion of the road surface.
5. “Unusual safety hazard” is defined to mean a potential damage or risk that is not commonly encountered or expected as determined by the Transportation Department.

C. Policy Statement

1. The Board is committed to providing safe and efficient transportation for students who are transported. The Board believes that getting students to and from school safely is a partnership between parents and Frederick County Public Schools (FCPS).
2. The preferred method for transporting students who are eligible for transportation services to and from school and while on field trips or other school-sponsored events is by way of an FCPS bus.
3. School buses are considered an extension of the school campus and all rules and regulations apply accordingly.

D. Implementation

1. FCPS Responsibility

- a. FCPS will provide parents with educational information and resources on pedestrian and bus safety in addition to the training and resources provided to students.
- b. FCPS will provide to parents national, state and/or local information and recommendations to assist parents in identifying an appropriate walk route.
- c. **Bus Routing**
 - i. FCPS will endeavor to route buses so that students will have a maximum of ½ of a mile to walk to a bus stop, exclusive of private driveways and roadways.
 - ii. FCPS will endeavor to route buses so that students will have no more than a one (1) hour scheduled ride each way.
 - iii. FCPS will endeavor to drop off students no more than ½ hour prior to the start of school and to pick up students within ½ hour of dismissal.
 - iv. In accordance with Maryland law, school vehicles shall be routed so that all students are seated and loads do not exceed the rated capacity. If extenuating circumstances create an overload (*i.e.*, unanticipated ridership at the beginning of the school year or an emergency), a corrective plan will be immediately identified and remedied as soon as possible but no later than five (5) student days after notification of the overload condition.
- d. **School Bus Ridership**
 - i. The driver of a school bus shall be in full charge of the bus and students, except in the presence of a teacher.
 - ii. A school bus driver shall not permit or allow children not enrolled in a school program or any unauthorized adult on any school bus.
- e. **School Bus Use.** FCPS school buses shall only be approved for the following uses:
 - i. Regular routes to and from school during the school year,
 - ii. FCPS-sponsored field trips or trips for approved school activities, and
 - iii. Official business trips sponsored by the County Council for Frederick County, Maryland.
 - iv. School buses will only be driven by approved and certified board school bus drivers.
- f. **Crossing Guards.** FCPS partners with local law enforcement to identify the need for a crossing guard. The final determination of need and placement is made by the local law enforcement agency.

2. Parental Responsibility

- a. Parents are responsible for the safety and conduct of their children from the time they leave home until they board the school bus or enter school property and from the time they leave the school bus or exit school property at the end of the day. Incidents at the bus pickup location between students may be subject to the [Student Code of Conduct](#) and disciplinary process.
- b. Students should not arrive at school more than thirty minutes before instruction begins and should leave the school grounds within thirty minutes after instruction ends, except when the student participates in school-sponsored or teacher-supervised activities.
- c. Parents are expected to have children at the assigned bus stop five (5) minutes before the scheduled arrival time of the bus in the morning. It is recommended that parents walk with or make provisions for providing assistance for taking very young children

- to the bus stop or school in the morning and meeting the bus or students leaving school in the afternoon.
- d. Parents are responsible for identifying the appropriate walk route from home to school or the bus stop.
 - e. Parents may be held responsible for the reimbursement of damages to the property of other students on the school bus and for damage to equipment on the bus. Parents may also be held responsible for the damage caused by objects thrown from the bus.
 - f. Parents are expected to check local radio and television broadcasts, as well as the FCPS webpage for announcements of the delayed opening, early closure, or full-day closing of schools.
 - g. Parents are responsible for providing transportation in the event FCPS is unable to provide transportation services due to an emergency exceptional condition.
3. **Student Responsibility.** Students are expected to abide by the [Student Code of Conduct](#) while riding on an FCPS bus for any purpose.
4. **Student Eligibility for Bus Transportation.** Barring extenuating circumstances that prevent safe bus travel, students are eligible for bus transportation based on the following criteria:
- a. **Elementary and Primary Schools.** With the exceptions as outlined in sections D(4)(d) and (e) below, elementary and primary school students are not eligible for school bus transportation to school unless the most practical, direct walking route is longer than 1¼ miles. Up to 1/10 of a mile may be added by the Transportation Department so that a street or cul-de-sac is not divided. Walking distances in contiguous areas may be extended at the Superintendent's discretion.
 - b. **Secondary.** With the exceptions as outlined in sections D(4)(d) and (e) below, middle and high school students are not eligible for school bus transportation to school unless the most practical, direct walking route is longer than 1¾ miles. Up to 1/10 of a mile may be added by the Transportation Department so that a street or cul-de-sac is not divided. Walking distances in contiguous areas may be extended at the Superintendent's discretion.
 - c. **Walking Distance.** The walking distance for both elementary and secondary students shall be measured from the property line of the student's home to the designated school property line as identified by transportation staff.
 - d. **Mandatory Exceptions.** Transportation will be provided under the following exceptions:
 - i. When students residing within prescribed walking distances of their assigned school do not have suitable walkway between their homes and their assigned school.
 - ii. When students are required to walk across a roadway involving an unusual safety hazard.
 - iii. When students are required to walk across an active, at grade railroad crossing; a railroad bridge; or a railroad overpass/underpass having inadequate walkways.
 - iv. When defined and authorized as an emergency exceptional condition by the Superintendent of schools or designated representative.

- v. When secondary students would have to cross a road where the speed limit is 35 miles per hour or greater and the intersection:
 - 1. Is not controlled by a traffic light;
 - 2. Is not controlled by a stop sign;
 - 3. Is not controlled by a crossing guard; or
 - 4. Does not have a marked cross walk.
- vi. Transportation will be provided for elementary students if they must cross a road with a speed limit of 35 miles per hour or greater and the intersection is not controlled by a:
 - 1. Traffic light; or
 - 2. Crossing guard.
- e. **Permissive Exceptions.** In the Superintendent's, or designee's, discretion, transportation may be provided to any student who lives within the mileage limit and if:
 - i. The school bus is not filled to capacity, no additional bus stop is added to the route to transport the student, and the Director of Transportation has identified a specific existing hardship that would justify allowing the student to be transported; or
 - ii. A suitable walkway is temporarily unavailable and directly impedes a student's ability to walk to school safely, but only for the period of the temporary impairment to the walkway.
- f. **Transportation of an Out-of-State Student.** Under the McKinney-Vento Homeless Assistance Act, a student experiencing homelessness may reside temporarily outside of an FCPS school of origin. In such case, FCPS and the county in which the student is residing shall determine how to divide the responsibility and cost of providing transportation, or they may share the responsibility and cost equally.

5. **Criteria for Establishing Walking Paths between Home and School**

- a. **Elementary**
 - i. With the exception of residential areas as outlined in section D(5)(a)(ii) below, elementary students are not to walk on the traveled portion of the road.
 - ii. On residential-area roads without through-traffic, elementary students are not to walk farther than 25 feet at any one point on the traveled portion of the road.
- b. **Secondary**
 - i. On a road with through-traffic, secondary students are not to walk at any one point on the traveled portion of the road that is farther than:
 - 1. 25 feet on a road where the speed limit is greater than 35 miles per hour; or
 - 2. 50 feet on a road where the speed limit is 35 miles per hour or less.
 - ii. On a road without through-traffic, secondary students are not to walk at any one point on the traveled portion of the road that is farther than:
 - 1. 50 feet on a road where the speed limit is greater than 35 miles per hour; or
 - 2. 200 feet on a road where the speed limit is 35 miles per hour or less.
- c. **Exceptions.** The Superintendent or their designee has authority to allow exceptions to the above criteria.

6. **Students with Disabilities**

- a. Students with disabilities attending a Maryland State Department of Education (MSDE) approved school during the regular school year may be provided daily transportation if they live within 50 miles of the school.
- b. Students with disabilities living beyond the 50-mile limit established above shall be eligible for two (2) round trips each school year.
- c. Certain resident students with disabilities attending MSDE approved public or nonpublic schools shall have transportation available to and from their home areas on weekends.

E. Related Information

1. Board Policy

- a. [Policy 508, *Special Education*](https://apps.fcps.org/legal/documents/508)
(<https://apps.fcps.org/legal/documents/508>)

2. Code of Maryland Regulations (COMAR)

- a. [COMAR 13A.06.07, *Student Transportation*](https://fcps-md.info/COMAR_13A-06-07)
(https://fcps-md.info/COMAR_13A-06-07)

3. FCPS Regulations

- a. [Regulation 401-02, *Emergency Closures*](https://apps.fcps.org/legal/documents/401-02) (formerly 400-02)
(<https://apps.fcps.org/legal/documents/401-02>)
- b. [Regulation 403-01, *Student Discipline*](https://apps.fcps.org/legal/documents/403-01) (formerly 400-08)
(<https://apps.fcps.org/legal/documents/403-01>)
- c. [Regulation 414-01, *Field Trips*](https://apps.fcps.org/legal/documents/414-01) (formerly 400-05)
(<https://apps.fcps.org/legal/documents/414-01>)
- d. [Regulation 430-03, *Students Experiencing Homelessness*](https://apps.fcps.org/legal/documents/430-03) (formerly 400-55)
(<https://apps.fcps.org/legal/documents/430-03>)
- e. [Regulation 430-04, *Out of District Enrollment*](https://apps.fcps.org/legal/documents/430-04) (formerly 400-15)
(<https://apps.fcps.org/legal/documents/430-04>)
- f. [Regulation 434-01, *Technology Use, Students*](https://apps.fcps.org/legal/documents/434-01)
(<https://apps.fcps.org/legal/documents/434-01>)
- g. [Regulation 441-01, *Transportation of Students – Designation of Bus Routes/Bus Capacities*](https://apps.fcps.org/legal/documents/441-01) (formerly 200-13)
(<https://apps.fcps.org/legal/documents/441-01>)
- h. [Regulation 441-02, *Transportation Appeal Process*](https://apps.fcps.org/legal/documents/441-02) (formerly 200-14)
(<https://apps.fcps.org/legal/documents/441-02>)
- i. [Regulation 441-03, *Transportation of Student Projects on School Buses*](https://apps.fcps.org/legal/documents/441-03) (formerly 200-15)
(<https://apps.fcps.org/legal/documents/441-03>)
- j. [Regulation 441-04, *Student Travel to Activities/Events*](https://apps.fcps.org/legal/documents/441-04) (formerly 400-46)
(<https://apps.fcps.org/legal/documents/441-04>)
- k. [Regulation 441-05, *Bus Discipline Procedures*](https://apps.fcps.org/legal/documents/441-05) (formerly 400-57)
(<https://apps.fcps.org/legal/documents/441-05>)

4. FCPS Resources

- a. [FCPS / Departments / Systemwide Services / Transportation Services](https://www.fcps.org/departments/systemwide_services/transportation_services)
(https://www.fcps.org/departments/systemwide_services/transportation_services)

- b. [FCPS / Families & Students / Student Code of Conduct](https://www.fcps.org/families_students/student_code_of_conduct)
(https://www.fcps.org/families_students/student_code_of_conduct)
- c. **Forms**
 - a. [FCPS Transportation Appeal Form](https://apps.fcps.org/forms/public-regulation-forms/45)
(<https://apps.fcps.org/forms/public-regulation-forms/45>)
 - b. [FCPS Transportation of Student\(s\) to and From FCPS Activities and Events Form](https://apps.fcps.org/forms/public-regulation-forms/93)
(<https://apps.fcps.org/forms/public-regulation-forms/93>)

5. **Federal Law**

- a. [McKinney-Vento Homeless Assistance Act](https://fcps-md.info/McKinney_Vento_42_USC_11432), 42 U.S.C. § 11432(g)(1)(J)(iii)(II)
(https://fcps-md.info/McKinney_Vento_42_USC_11432)

6. **Maryland Statutes**

- a. [Md. Code Ann., Educ. § 7-801](https://fcps-md.info/MD_Educ_Code_7-801)
(https://fcps-md.info/MD_Educ_Code_7-801)
- b. [Md. Code Ann., Educ. § 7-805](https://fcps-md.info/MD_Educ_Code_7-805)
(https://fcps-md.info/MD_Educ_Code_7-805)

F. Policy History (Maintained by Legal Services)

<i>Responsible Office</i>	Department of Transportation
Adoption Dates	02/03/09
Review Dates	2017; 2020; 2022
Revision Dates	03/23/22; 02/11/26