



Education Law Center

Making sure that all of Pennsylvania's children
have access to quality public schools

WHEN IS A STUDENT ENTITLED TO FREE TRANSPORTATION TO AND FROM SCHOOL?

IMPORTANT: ELC's publications are intended to give you a general idea of the law. However, each situation is different. If, after reading our publications, you have questions about how the law applies to your particular situation, contact us for a referral, or contact an attorney of your choice.

WHO DOES THIS FACT SHEET APPLY TO?

This fact sheet applies to:

- students in regular education in public schools (including charter schools), and
- students placed by their parents in non-profit private or religious schools.

This fact sheet does not apply to students with disabilities or students who get special education services from their school district or Intermediate Unit as a "related service" in their Individualized Education Program (IEP). For more information about the rights of those students, see ELC's website at www.elc-pa.org for our *Transportation for Students with Disabilities in Pennsylvania* fact sheet.

MUST A SCHOOL DISTRICT PROVIDE FREE TRANSPORTATION TO ALL STUDENTS?

No. With a few exceptions, school districts do not have to provide their students with free transportation services. However, if a district does decide to transport some or all of its students to or from school, it must follow certain safety regulations, and must also provide transportation to some or all students attending private and religious schools (see below).

WHAT SAFETY REGULATIONS APPLY WHEN TRANSPORTATION IS PROVIDED?

- The student must not have to walk more than 1.5 miles to the nearest pick up station.

- Where necessary, there must be shelters or stations at the point of pick up.
- Walking to the point of pick up must not be hazardous to the student's safety (the Pennsylvania Department of Transportation decides whether a walking route is considered hazardous). If you think your child's walk to the bus is dangerous, you can ask your school to contact PennDOT to decide if the route is hazardous.

WHEN MUST A SCHOOL DISTRICT PROVIDE FREE TRANSPORTATION TO STUDENTS ENROLLED IN PRIVATE OR RELIGIOUS SCHOOLS?

A school district must provide free transportation to students enrolled in private schools when:

- It transports regular education students of the **same grade** to its public schools, AND
- The private or religious school is **not operated for profit**, AND
- The private or religious school is located within district boundaries, OR, if outside district boundaries, is no more than **10 miles away** from the district boundary by the nearest public highway, AND
- School is in session according to the school calendar officially adopted by the private or religious school.

WHEN MUST A SCHOOL DISTRICT PROVIDE TRANSPORTATION TO STUDENTS ENROLLED IN A PUBLIC CHARTER SCHOOL?

A school district **must** provide free transportation to students who **live** in the district **and** attend:

- A charter school located within the district, or
- A regional charter school, if the student's district is one of the districts that approved the school's charter; or
- A charter school that is located within 10 miles of the district's borders.

This is true even if the district does not transport students attending other district schools. For example, a district has to transport a high school student attending a charter school within the district, even if the district does not transport students to its own high schools. A school district must also transport students to a charter school while the school is in session, whether or not its own schools are in session.

IS THERE A TIME LIMIT FOR HOW LONG A CHILD CAN BE ON A BUS?

There is **no legal limit** on the amount of time a child can spend going to and from school each day. The school district is free to set the route and the order in which a driver will pick up and drop off students.

WHAT SHOULD I DO IF I AM HAVING PROBLEMS WITH MY CHILD'S TRANSPORTATION?

If you are having problems getting transportation for your child, or you have problems with the transportation your school is providing, first contact your school district's Transportation Department. Ask to speak with the supervisor about your concerns. If you can't get through to the Transportation Department or you are still having problems, call the Superintendent's office and ask to speak with the Superintendent about your concerns. If you still can't get your problem resolved, you can speak to your School Board at one of its public meetings, or you can write the School Board a letter about your problem.

Helpful Hint: In the **School District of Philadelphia**, you can contact the Transportation Services Division at 215-400-4350 and press "1" if you are having a transportation problem. You can get more information about Philadelphia's transportation policies at <http://webgui.phila.k12.pa.us/offices/t/transportation>.

WHERE CAN I GET MORE INFORMATION ABOUT STUDENT TRANSPORTATION RULES?

Check your school district's website for more specific information, and for general information, see the Pennsylvania Department of Education's website, including:

- Most Frequently Asked Questions: Pupil Transportation Issues (copy also attached to this fact sheet)
<http://www.pde.state.pa.us/transportation/cwp/view.asp?a=3&Q=83037&transportationNav=|5711|&transportationNav=|>
- Pupil Transportation Sections from the Pennsylvania School Code and Regulations
<http://www.pde.state.pa.us/transportation/cwp/view.asp?a=3&Q=82974&transportationNav=|5710|&transportationNav=|>.

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