

STUDENT TRANSPORTATION

Background

The *Education Act* and *Student Transportation Regulation* require the District to provide for the transportation of a student enrolled in a District school if the student meets certain criteria.

In general, a student who resides inside the regular attendance area of the school in which the student is enrolled is entitled to transportation services if the student resides at least 2.4 km from the school.

Also in general, a student who requires specialized transportation services and is enrolled in a school operated by the District is entitled to transportation services irrespective of where the student resides.

All other students, including students who reside inside the regular attendance area of a school but fewer than 2.4 km from the school and students who are enrolled in Programs of Choice are generally not entitled to any transportation services from the District. However, the District may decide to provide transportation services to students who are otherwise not entitled to any transportation services in accordance with eligibility criteria the District decides from time to time.

In most cases, the District meets its obligations to provide transportation services to junior and senior high school students by providing municipal transit bus pass rebates to parents who purchase municipal transit bus passes directly from a municipal transit provider. Also in most cases, the District meets its obligations to provide transportation services to students who reside outside the City of Calgary and are enrolled in District schools outside the City of Calgary by entering into agreements with other school divisions to provide transportation services to those students.

The District may charge fees for any transportation service, provided the fees comply with the *Education Act* and *Student Transportation Regulation*.

Definitions

For the purposes of this Administrative Procedure:

“District” means the Calgary Roman Catholic Separate School Division;

“principal” includes a principal’s designate when the principal is unavailable;

“Program of Choice” means an alternative program offered by the District under section 19 of the *Education Act*;

“regular attendance area” has the same meaning as under the *Education Act* respecting an education program offered by the District that is not an alternative program under section 19 of the *Education Act*;

“student” means an individual who is enrolled in any of grades 1 to 12 in a District school; and

“student’s parent” means: (1) the student’s parent or legal guardian if the student is not an independent student under the *Education Act*; and (2) the student and not the student’s parent or legal guardian if the student is an independent student under the *Education Act*.

Procedures

1. Transportation of students

- 1.1 The District must provide for the transportation of students in accordance with the *Education Act*, the *School Transportation Regulation*, and this Administrative Procedure.
- 1.2 The District must provide for the transportation of a student to and from the site of the school in which the student is enrolled if all of the following apply:
 - 1.2.1 the student resides within the regular attendance area of the school;
 - 1.2.2 the student resides at a distance of at least 2.4 kilometres from the site of the school; and
 - 1.2.3 the student's parent has chosen not to convey the student to and from the site of the school.
- 1.3 The District may designate the location of school bus stops based on factors the District decides are relevant in addition to the requirements under the *Education Act* and *School Transportation Regulation*, which, depending on the circumstances, may include any one or any combination of the following factors:
 - 1.3.1 student safety;
 - 1.3.2 the one location of a student's residence under the *Education Act*;
 - 1.3.3 the number of students who access one school bus stop;
 - 1.3.4 the location of public versus private property;
 - 1.3.5 minimizing inconvenience to the public at large; and
 - 1.3.6 any other factor the District considers relevant in the circumstances.
- 1.4 The District must provide for the transportation of a student between the site of a school and the designated school bus stop nearest to the location of the student's residence on a school bus route connected to that school if all of the following apply:
 - 1.4.1 the student is enrolled in the school but does not reside within the regular attendance area of the school;
 - 1.4.2 the student's parent has chosen not to convey the student to and from the site of the school; and
 - 1.4.3 all students enrolled in the school who reside in the regular attendance area of the school have been accommodated on the school bus and a seat is available.
- 1.5 The District must provide for the transportation of a student who is entitled to access specialized supports and services under section 11(4) of the *Education Act* to and from the site of the school in which the District has enrolled the student, irrespective of the location of the student's residence, if the student's parent has chosen not to convey the student to and from the site of the school.

- 1.6 The District is not required to provide any transportation services to any student who enrolls in a Program of Choice offered by a school that is located outside the regular attendance area in which the student resides.
- 1.7 The District may decide to provide transportation services to a student enrolled in a school or a child enrolled in Kindergarten in a school in circumstances when the District is otherwise not required to provide any transportation services to the student or child, and if the District does so, then the District must do all of the following:
 - 1.7.1 decide what transportation services the District will provide the student or child;
 - 1.7.2 decide the specific criteria that will qualify the student or child to receive the transportation services decided under 1.7.1 of this Administrative Procedure;
 - 1.7.3 publish the specific criteria under 1.7.2 of this Administrative Procedure in a manner the District determines would provide parents and the public with notice of the specific criteria; and
 - 1.7.4 provide the transportation services decided under 1.7.1 of this Administrative Procedure to all students enrolled in the school who meet the specific criteria under 1.7.2 of this Administrative Procedure, all children enrolled in Kindergarten in the school who meet the specific criteria under 1.7.2 of this Administrative Procedure, or both.
- 1.8 The District must calculate the distance of a student's residence from the site of the school in accordance with the *School Transportation Regulation* by using the District's transportation route planning software (not public online map applications), which generally measures walking distances along pedestrian pathways (not driving distances along roadways).
- 1.9 The District may meet its obligation to provide for the transportation of a student in any one or any combination of the following ways:
 - 1.9.1 chartered regular school bus service ("yellow" school bus);
 - 1.9.2 chartered specialized bus service for students who require specialized supports and services;
 - 1.9.3 taxicab service paid for by the District;
 - 1.9.4 agreement with a student's parent under section 59.1 of the *Education Act* to convey the student;
 - 1.9.5 partial refund paid to a student's parent who has purchased a municipal transit pass in circumstances where the District has decided to meet its obligation to provide for the transportation of the student by requiring the parent to purchase a municipal transit pass directly from a municipal transit service; or
 - 1.9.6 agreement with another school division to provide for the transportation of District students, which may be in accordance with the other school division's student transportation procedures including fees, if any.
- 1.10 The District must consider a student's parent's request to provide for the transportation of the student in the parent's preferred way, but the District can decide to provide for the transportation of the student in whatever way the District decides is reasonable in the

circumstances and in compliance with the *Education Act* and *School Transportation Regulation*.

- 1.11 A student's parent who requests a student to receive regular chartered bus service provided by the District for a school year must complete and submit Form 560-1 to the school in which the student is enrolled before June before the start of that school year.
- 1.12 A student's parent who requests a student to receive specialized transportation service provided by the District for a school year must complete and submit Form 560-2 to the school in which the student is enrolled before June before the start of that school year.
- 1.13 A student's parent who requests a partial refund of the amount the parent paid to purchase a municipal transit bus pass must complete and submit Form 560-3 to the school in which the student is enrolled before July before the start of that school year.
- 1.14 A student's parent who requests an agreement under section 59.1 of the *Education Act* must make the request, in writing, to the Manager, Transportation.

2. Transportation Fees

- 2.1 The District may decide to charge transportation fees in accordance with the limitations under the *Education Act* and *School Transportation Regulation*.
- 2.2 If the District decides to charge transportation fees, then the District must establish a schedule of transportation fees in accordance with the *School Transportation Regulation*.
- 2.3 Any schedule of transportation fees the District establishes must include information that demonstrates to parents the need to charge the amounts of the fees stated on the schedule, which, depending on the circumstances, may include demonstrating to parents some or all of the following information on the schedule:
 - 2.3.1 the Government of Alberta's views respecting transportation funding for students for whom the District must provide transportation;
 - 2.3.2 the District's views respecting transportation funding for students for whom the District must provide transportation;
 - 2.3.3 transportation costs incurred or estimated to be incurred by the District for students for whom the District must provide transportation; and
 - 2.3.4 reductions or increases to any of the above amounts.

3. Waiver of Transportation Fees

- 3.1 A student's parent may apply to the principal of the school in which the student is enrolled for a partial or complete waiver of the transportation fee charged by the District by completing Form 560-4 and submitting it to the principal.
- 3.2 A principal must approve a student's parent's application to waive transportation fees if the parent has completed Form 560-4 and made the relevant declaration on it.
- 3.3 If a principal has approved a student's parent's application to waive transportation fees under 3.2 of this Administrative Procedure, then the principal must submit the completed Form 560-4 to the District's Transportation Department.

- 3.4 The District may, at any time, require a student's parent who has made a declaration on Form 560-4 to produce supporting documentation before a reasonable deadline decided by the District to confirm the accuracy of any declaration the parent has made on Form 560-4.
- 3.5 If the District requires a student's parent to produce supporting documentation to confirm the accuracy of a declaration the parent has made on Form 560-4, and if the parent provides no or inadequate supporting documentation before the reasonable deadline decided by the District, then the District may revoke any fee waiver that the principal has granted to the parent, and the District may charge the parent the transportation fee that the District would otherwise currently charge the parent in the absence of any fee waiver.

4. Cancellation of Transportation

- 4.1 If a student's parent notifies the principal of the school in which the student is enrolled that the parent wishes to cancel a transportation service, then the District will do either one of the following, depending on the circumstances:
 - 4.1.1 provide the parent a partial refund of the transportation fee that the parent has already paid to the District, calculated based on a prorated assessment of the number of complete months that remain in the school year during which the student will no longer receive the transportation service; or
 - 4.1.2 adjust the amount of the transportation fee that the District charges to the parent, calculated based on a prorated assessment of the number of complete months that remain in the school year during which the student will no longer receive the transportation service.

5. Transportation Dispute Resolution

- 5.1 If a student's parent has a concern respecting the transportation of the student or a transportation fee, then the principal of the school in which the student is enrolled must do all of the following:
 - 5.1.1 assume responsibility for the resolution of the dispute;
 - 5.1.2 consult with the District's Transportation Department, Business Services Department, or both;
 - 5.1.3 communicate with the parent directly; and
 - 5.1.4 co-operate and collaborate with the parent in an effort to resolve the dispute.
- 5.2 If a principal advises an area superintendent or director that the principal has not been able to resolve a student's parent's concern with respect to the transportation of the student or a transportation fee, then the area superintendent or director must do all of the following:
 - 5.2.1 consult with the District's Transportation Department, Business Services Department, or both
 - 5.2.2 co-operate and collaborate with the principal and the parent in an effort to resolve the dispute;

- 5.2.3 assume responsibility for the resolution of the dispute only if it is reasonably necessary in the circumstances to do so; and
 - 5.2.4 include the principal on the area superintendent's or director's communication with the parent unless it is reasonably necessary in the circumstances not to do so.
- 5.3 A decision made by an area superintendent or director to resolve a dispute under this Administrative Procedure is final.

Approval date: December 6, 2019

Reference: *Education Act*, SA 2012, c E-0.3
School Transportation Regulation, AR 96/2019