

September 9, 2019

The Transportation Hearing was held on September 9, 2019, in the Perkins Conference Room at the Indian Hills Community College, 525 Grandview Ave, Ottumwa, IA.

- I. Meeting was called to order by President Stephenson at 4:30 p.m.

Members Present: Patricia Miletich, Marge Wilhelm, Matt Greiner, Margaret Kelly, Joyce Wauters, Melissa Ballard, & Victoria Stephenson

Also Present: Dr. Cindy Yelick, Dr. Angelisa Fynaardt, Dr. Sally Lindgren, Greg Manske, Jennifer Woodley, Shanna Krogmeier, & Michelle Deshler

Zoom: Dr. Erin Slater, Superintendent, Fort Madison, & Richard Hand, Transportation Director, Fort Madison

- II. Motion was made by Miletich and seconded by Kelly to approve the agenda as posted.

Motion Carried Unanimously.

- III. Board President Stephenson introduced the issue and shared with those present that the matter concerns the appeal to the Great Prairie Area Education Agency Board of Directors from Shanna Krogmeier, parent and resident of Fort Madison, to dispute the Fort Madison Community School District's decision to not provide bus transportation to her child per Iowa Code 285.1(1) Elementary pupils shall be entitled to transportation only if they live more than two miles from the school designated for attendance. Both parties also make reference to Iowa Code 285.1 (9) Distance to school or to a bus route shall in all cases be measured on the public highway only and over the most passable and safest route as determined by the area education agency board, starting in the roadway opposite the private entrance to the residence of the pupil and ending in the roadway opposite the entrance to the school grounds or designated point on bus route.

- IV. Presentation by Krogmeier Party.

- Prior to the meeting, the Board received a copy of Ms. Krogmeier's affidavit of appeal and map outlining the route and distance using legal GPS software.
- Ms. Krogmeier presented on behalf of her 9-year-old daughter who currently does not receive transportation to the Fort Madison Middle School even though her GIS software shows that her residence at 2221 Avenue C is over 2 miles from the school district's legal address and entrance at 502 48th Street.
- Ms. Krogmeier shared that parents were not notified until after July 9th about the change in policy and she wasn't aware until the end of July, giving her no time to figure out an alternative for transportation before school started.
- On August 19, 2019, Ms. Krogmeier presented evidence to the Fort Madison School Board in a public meeting that showed that she resides outside the 2-mile distance of the school and therefore should be entitled to transportation for her minor child.

- On August 22, 2019, Dr. Slater notified Ms. Krogmeier that the District's GPS bus software showed that her residence is within the 2-mile mark and they would not provide transportation for her child.
- Ms. Krogmeier believes that the District is in violation of Iowa Code 285.1 (2) and would ask that the Board consider her appeal.
- Board members asked questions about the measured route because both parties measure at different endpoints. Ms. Krogmeier shared that parent drop-off is at 502 48th Street, but the bus entrance is on Bluff Rd. and parents are not allowed to drop-off children at that entrance. It is unsafe and they have been told they are not allowed to use that entrance. Board President Stephenson asked for confirmation from the District about the two entrances and if parents can use the bus entrance to drop off students. Fort Madison confirmed the two entrances.

V. Presentation by Fort Madison School District.

- Prior to the meeting, the Board received a copy of the Fort Madison School District's response to the appeal, Iowa Code 285.1, FMCS D Student School Transportation Eligibility policy, and a map of the area in question.
- Fort Madison Superintendent Dr. Erin Slater introduced the Transportation Director, Mr. Richard Hand, and reviewed parts of the District's response.
- She shared that the District has used Bus Boss powered by Orbit Software to provide transportation routes and mapping for 8 years. The Bus Boss program routes transportation by mapping a potential route outside the home residence to the roadway opposite to the entrance of the school's grounds which meets Iowa Code 285.1. As a second data point, Mr. Hand drove the route in accordance with the code; the odometer read 1.8 miles and the transportation software reports 1.87 miles. Dr. Slater shared that the parent's route and map software may read over 2 miles if she drives past the route's end and drops off her child at the 48th entrance. She clarified that students may enter any entrance that is closest for them.
- Board Member Greiner asked how many entrances there are to the building and if they measured to the farthest entrance. Mr. Hand addressed the question and replied that if measured to 48th street the route would be over 2 miles but state code references school grounds which would be under 2 miles. He explained that the program measures and routes to the entrance closest to the grounds. Board Member Greiner asked if the parent can use the bus entrance on Bluff to drop off her child. Mr. Hand said that she could drop off her child on Bluff Rd. but cannot pull into the bus entrance.
- Board Member Ballard asked where the closest bus stop in relation to student's home. Mr. Hand listed two: the high school and a park nearby.
- Board Member Miletich asked if the bus goes by the student's house. Mr. Hand said yes but the district does not pick up door to door in town.

VI. Board Deliberation

- Board Member Wauters stated that both parties are starting at the residence and ending at a different entrance to the school grounds. Ms. Krogmeier stated that there is a disagreement with the endpoint that they are using to measure; the District uses the bus entrance on Bluff Rd. that she cannot use to drop her child off at. Dr. Slater explained that the transportation software measures the closest

entrance that the student can enter the building which in this case would be the east or north entrance.

- Board Member Kelly asked for clarification that the District is reverting back to a policy that the District was not using the past 7 years. Dr. Slater explained that the district has been able to transport students below the 2.0 miles but in the spring the shortage of a bus driver no longer allowed for the over transportation.
- Board Member Greiner stated that he supports the parent's side and he feels it comes down to the door you enter and he understands the District's point but doesn't feel right.
- Board Member Kelly understands the district's over transportation dilemma and suggests that the District could grandfather students.
- Board Member Wauters shared that if both parties were to use the same beginning and endpoint it would show that it is under 2 miles. She further stated that it is an unfortunate situation but she feels the Board should comply with the code.
- Board Member Wilhelm stated that in other years they have been very fortunate to transport these students but many districts are faced with a shortage of bus drivers.
- Board President Stephenson stated that you have to talk about where the bus is going to be and unfortunately, in this case, under the 2-mile regulation.
- Board Member Miletich brought up that it doesn't make sense to use bus drop off as measurement if they aren't allowed to ride the bus or drop off there. She asked Dr. Yelick to read the code for clarification.
- Board Member Greiner referred to the safest entrance as outlined in the code.

VII. Motion was made by Wilhelm and seconded by Wauters to support and uphold the Fort Madison School District decision and policy.

Miletich	No	Yes	4
Wilhelm	Yes	No	3
Greiner	No		
Kelly	Yes		
Wauters	Yes		
Ballard	No		
Stephenson	Yes		

Roll Call Vote. Motion carries.

VIII. There being no further business a motion was made by Greiner and seconded by Miletich to adjourn the meeting. Motion carried unanimously. Time: 5:09 p.m.

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Board Secretary

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Board President